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# Addiction as an Excuse

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Addiction as an Excuse

by

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A THESIS

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## **Abstract**

This project is concerned with figuring out under what conditions addiction serves as an excuse from blame. The first chapter argues that addicts have diminished control over their drug use. Chapter 2 develops the ethical framework that I will use to approach the question. Chapter 3 argues that addiction does not undermine moral responsibility. The upshot of this is that if addiction is excusing, it is not because addicts are the kinds of people who cannot serve as subjects for blame. Chapter 4 offers and defends a different account of addiction as an excuse, which holds that addiction is excusing for people with a certain kind of character and a certain kind of history. It also illustrates the practical application of my account and points to an important outstanding problem for future research.

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*For aunt Shari, the angel by our side*

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## **Introduction**

For many reasons, interpersonal relationships with people who suffer from drug addiction are difficult. One of these reasons is that addiction often motivates people to commit immoral actions that harm their loved ones and others. Normally, when a person behaves in this way, we think that they are deserving of blame for doing so. However, things aren't so simple when it comes to addicts. Many people believe that having an addiction can excuse a person from blame for committing immoral actions. If this is the case, then it is either not fair at all to blame an addict for committing an immoral action, or it is not fair to blame them to the normally fitting degree. So without knowing whether addiction is excusing, it is unclear how to go about applying the practice of blame to addicted individuals.

This thesis attempts to help resolve this problem by providing an account of the conditions under which addiction counts as an excuse. The account I develop can be used to distinguish between cases where addiction is and is not excusing. The conclusion I arrive at is that addiction is excusing only for addicts with a particular kind of character and a particular kind of history. Roughly, for those addicts with a good character that attempt to avoid doing bad things when their addiction tempts them to do so, and a history which indicates that this is the case, addiction is excusing. For those addicts with a bad character that are indifferent to the harm that their behavior causes other people, addiction is not sufficient for an excuse.

An account of addiction as an excuse depends crucially on whether addicts have control over their drug use. However, there is currently a heated debate over whether having an addiction actually does eliminate control over drug use. I argue that it does not do so, but that it does make it difficult for an addict to control their drug use. Much of the rest of the thesis is dedicated to

figuring out if addiction can still be excusing if it merely diminishes, rather than eliminates, an addict's control over their drug use.

Chapter 2 is concerned with clarifying the goals of the project and various key concepts such as 'blame' and 'excuse'. I provide an analysis of five different types of excuses and distinguish between mitigating and exempting excuses. I then subscribe to an account of blame which understands blame in terms of negative behaviors and actions directed towards the wrongdoer for what they did.

Chapter 3 is concerned with showing that addiction does not undermine moral responsibility. Addicted individuals are morally responsible agents, and therefore it is possible to direct some degree of blame towards them when they do something wrong. However, this does not imply that addiction is not excusing, because people can be excused even though they satisfy the conditions of moral responsibility.

Chapter 4 considers another potential way in which addiction can be excusing. I argue that addiction can be an excuse in this way, but only for addicts who satisfy certain other conditions. This is because if the addict does not satisfy these conditions, the grounds for the excuse would be undermined. By taking these conditions into account, I offer my account of addiction as an excuse.

## **Chapter 1: Addiction and Diminished Control**

### **Introduction**

The starting assumption in the literature on addiction as an excuse is that if addiction is excusing, then this is because addicts lack control over their drug use. This lack of control over drug use is in turn thought to result in a lack of control over whether the addict commits an immoral action to support their drug habit. Hence, before we can decide whether addiction can be excusing, we need to know whether addicts actually lack control over their drug use. Proponents of the Voluntary Choice Model of addiction (VCM) argue that addicts do have control over their drug use. Proponents of the Brain Disease Model of addiction (BDM) argue that addicts cannot control their drug use. Although each side can point to available empirical evidence in their favor, there is a growing consensus that neither one of them is correct. (Heather and Segal, 2016)

Some philosophers have argued that our evidence supports the claim that addicts can control their drug use, but that it is difficult for them to do so. (Holton and Berridge 2013; Sinnott-Armstrong 2013) This offers a middle ground between VCM and BDM by recognizing a third possibility: an addict's control over their drug use is diminished but not eliminated. In this chapter I argue for this position. The remainder of the chapter will focus on whether having diminished control over drug use, as opposed to no control, can serve as grounds for an excuse.

The chapter begins with a few preliminary details. Then, the problems with both VCM and BDM are discussed. From this discussion, I explain why the diminished control thesis fits the evidence better than either of the alternatives.

### **Preliminaries**

To begin with, it is important to explain what makes someone an addict. I will define an addict by following the criteria, specified by the DSM-IV, that are used to diagnose a person as having an addiction. These criteria include physical symptoms such as physically induced cravings for the substance, withdrawal, and a high tolerance for the substance. They also include behavioral criteria. These behavioral criteria include continuing to use the drug despite intentions not to, continuing to use the drug despite the negative consequences that using the substance is causing in their life, and spending a lot of time using drugs, attempting to acquire drugs, or recovering from using the drug. Call these kinds of behavior 'addictive behavior'. Following this, I will count an addict as anyone who has strong cravings to use drugs and exhibits a pattern of addictive behaviors.

Next, I will explain the account of control that I will make use of in this paper. I will understand control in terms of the reasons-responsiveness account first developed by Fischer and Ravizza (1998). The account holds that a person has control over their actions if they are able to respond to reasons. One responds to reasons for action when those reasons successfully cause them to act in accordance with those reasons. The basic idea is that one lacks control when their actions are insensitive to their reasons. If the action that they perform would have remained the same regardless of any reasons to act differently, then the account holds that they have no control over what they do. For example, if no reason, however strong, to avoid telling lies could successfully cause me to refrain from lying, then I would have no control over whether I tell lies.

With this account of control in place, we can now clearly distinguish between three varieties of control: full control, no control, and diminished control. A person has no control over their drug use if the addict could never act in accordance with a reason to refrain from using or attempting to acquire drugs. A person has full control over their drug use if they always act in accordance

with good reasons to refrain from using or attempting to acquire drugs. An addict has diminished control over their drug use if good reasons to avoid using or attempting to acquire drugs often fail to cause them to avoid using drugs (i.e. if it is difficult, but not impossible, for them to respond to reasons to refrain from drug use).

Lastly, I will explain the BDM and the VCM. I'll start with the BDM. The BDM's claim is that addicts cannot control their drug use. This claim is supported by arguing that the effects that addictive drugs have on the brain hijack the brain's reward system, creating irresistible desires for the drug which makes responding to reasons not to use or attempt to acquire drugs impossible for an addict. There is lots of evidence describing how drugs alter the brain, but it does not immediately follow from this that an addict cannot control their drug use. Hence, to test this claim, we need to be able to see if addicts can respond to reasons not to use or acquire drugs without treatment to modulate the reward system in their brains.

The VCM's claim is that addicts are able to control their drug use. VCM theorists see addicts as making a voluntary choice to use drugs. They have control over their drug use and could respond to reasons not to use drugs if they really wanted to. An addict's persistent drug use is the result of their unhindered voluntary choices as opposed to a lack of control.

I will now turn to evaluating each of these claims.

### **Problems with BDM**

The biggest difficulty with the BDM is that there is a wide body of empirical evidence against the claim that addicts lack control. Gene Heyman (2010) has analyzed four major recent studies on addicted individuals. Each study found that the majority of individuals who satisfy the criteria for addiction specified by the DSM-IV, ranging from 59-80%, stopped using drugs for good by

the age of 30. Furthermore, the majority of these individuals overcame their drug use without seeking any kind of professional treatment. If addicted individuals are unable to control their drug use, it is difficult to see how such a large amount of them could overcome their drug habits on their own. Indeed, this empirical data seems to directly show that addicts can control their drug use. This discredits the BDM.

Heyman hypothesizes that the explanation for this data is that the mounting pressures of adult life motivate the addict to cease drug use. It is hard to reconcile drug use with the typical obligations of adult life, such as parenthood, relationships with friends and family, and the need for stable employment. Each of these obligations is difficult to maintain while abusing drugs, and the addict eventually makes a decision to cease drug use because they decide that maintaining these obligations is more important than continued drug use. Heyman suggests that this is a reasonable explanation of how the majority of addicts cease drug use, since most addicts quit without treatment and do so during the time when the pressures of adult life begin to accumulate. Furthermore, he supports it with more empirical data. He cites three separate studies, two on former cocaine addicts (Toneatto et al. 1999; Waldorf et al. 1991), and one on former heroin addicts (Biernacki 1986). Each of these found that those who quit were most likely to do so because they weighed the pros of continuing drug use against the cons that the negative consequences of drug use had on their everyday lives, and decided that everyday life would be better without drugs. This suggests that, contrary to what BDM says, addicts make voluntary choices concerning whether to use drugs by weighing costs and benefits.

Lastly, Heyman points to the success of therapeutic programs in treating drug addiction to challenge the BDM. One type of program treats addicts in established professions such as physicians and airplane pilots. The program uses random drug tests and the threat that testing

positive could result in loss of employment to deter addicts from further drug use. The average success rate of these programs is about 90%. Similarly, programs which offer financial rewards to addicts for testing positive, or threatened with 24 hours in jail for testing negative, substantially reduced drug use in addicts. (Hall et. al 2015)

These facts about addicts and successful treatments of addiction strongly indicate that the addict can control their drug use. A substantial portion of addicts make decisions to quit drugs based on their values and beliefs about what continued drug use would likely lead to. They decide not to use drugs in order to receive a reward or avoid a negative consequence. If an addict really couldn't control their drug use, then none of this should work. The addict would continue to use drugs despite the negative consequences, and would not be able to stop using drugs even though they placed a greater value on living a drug free life. Of course, many addicts do behave in these destructive ways, an important point which I'll explore later. But the fact that such a large portion of them eventually cease this behavior, and the ways in which they manage to cease the behavior, provide significant evidence that addicts can control their drug use.

### **Problems with VCM**

The evidence surveyed in the previous section indicates that addicts can control their behavior. Still, there are good reasons to think that addicts do not have full control over their drug use, as VCM theorists claim.

Holton and Berridge have a solid argument against the full control claim. They emphasize an important fact about addicts: many of them report a desire to quit using drugs but feel that something makes it very hard for them to do so. Assuming that these addicts legitimately do desire to stop using drugs (for the most part), this causes a problem for the full control claim. If

addicts have full control, then responding to reasons not to do drugs shouldn't be particularly difficult for them to do. If they legitimately value a drug free life, then they would cease drug use. But not only do addicts have difficulty doing this, there is also a strong tendency for addicts to relapse after quitting drug use. Even when addicts have a strong desire not to use drugs, and have succeeded in refraining from drug use for some time, they still often keep using drugs. This suggests that in some important sense using drugs is not entirely voluntary for an addict.

Something makes it difficult for them to control their drug use. (Holton and Berridge, 2013)

In addition to this, the neurobiology of addiction has uncovered a number of effects that drugs have on the brain which make it easier to see why addicts face these challenges. Although I have already explained why these effects do not render an addict unable to control their drug use, this doesn't rule out the possibility that it is very difficult for them to do so. Between the neurobiology and the behavior typical of addicts (relapse, using drugs despite a desire to stop), we have evidence that it is difficult for an addict to control their drug use. From the data which tells us that a majority of addicts respond to reasons, we have evidence that an addict can control their drug use. Clearly, the thesis that best fits all of this evidence is the diminished control claim. Of the three possible answers to the control question, the diminished control claim is the only one which has both evidence in its favor and no evidence against it. Therefore, I conclude that addicts have diminished control over their drug use.

### **Moving to Morality**

I have shown that addicts have diminished control over their drug use. I will now turn to my investigation of addiction's status as an excuse. Chapters 3 and 4 will consider the question of whether diminished control over drug use, as opposed to no control, can provide grounds for

addiction as an excuse. In the next chapter, I will develop an ethical framework to guide the investigation.

## **Chapter 2: Developing an Ethical Framework**

### **Introduction**

It is now time to turn to the central ethical question of my project; can addiction serve as an excuse from blame? The goal of this chapter is to develop an ethical framework for approaching this question. The chapter begins with a brief illustration of the problem I will be addressing throughout the paper. I then provide an analysis of excuses. I identify five different kinds of excuses, three of which exempt a person from blame entirely and two of which could be either exempting or mitigating. Finally, I explain how I will be understanding the concept of 'blame' throughout the thesis.

### **The Problem: Interpersonal Relationships, Addiction, and Blame**

When we have relationships with addicts, they often do things that make our lives difficult. Addicts often do things which, either directly or indirectly, cause a great deal of harm to their loved ones and others. Ordinarily, when a person does such things, we think that they are deserving of blame for doing so. However, our knowledge that the person is struggling with an addiction makes it difficult to decide how to apply the practice of blaming. Does the addiction render it inappropriate to blame them at all? Does it require that we blame the individual to a lesser degree? Does the addiction even provide a basis for any kind of excuse at all? On the one hand, since the addict has done wrong, we feel that they should be blamed for what they have done. On the other hand, the addiction might make it unfair to blame them for what they have done, or it might at least mitigate the amount of blame that we should administer. This tension between these two feelings makes it very difficult to decide how to interact with addicts. The

goal of my project is to develop an ethical framework as a guide for dealing with the problems that arise in interpersonal relationships with addicts to help make these difficult decisions easier.

Here is a case to illustrate the kinds of problems that I am interested in tackling:

Dale is an alcoholic. One night, he is tasked with picking up his son from soccer practice.

Although he should have resisted the urge to drink, at least until he safely transported his son home, Dale does not do so, and drives his son home whilst intoxicated.

Dale's wife, Sally, is horrified when she finds out. After all, Dale just put their entire family at risk of severe tragedy. If Dale was not an alcoholic, and had gotten drunk simply because he wanted to and didn't care about the risks involved, it would be easy for Sally to decide to administer a substantial amount of blame to Dale. However, since Dale is an alcoholic, Sally suspects that Dale's alcoholism made it very difficult for him to avoid drinking long enough to safely pick up their son. Yet, it seems absurd to Sally that she should do nothing, and refrain from blaming Dale at all for what he has done. Dale needs to be held accountable for what he has done in some way. What should Sally do? Should she sever the relationship with Dale? Should she threaten to do so if Dale does not seek help for his alcoholism? Should she just get angry and explain to him how incredibly hurtful and inconsiderate his action was to the rest of his family? Should she simply do nothing, despite her gut feeling that not blaming Dale at all is totally inappropriate, because addiction excuses a person from blame completely? Sally is torn between all of these options, and wishes that she had some sort of guidance to point her in the right direction.

Though technically fictional, this is not merely an imagined case. It illustrates a real problem that many people in relationships with addicts have faced. One of the goals of my project is to

provide the kind of guidance that can help someone in Sally's situation decide which of these options she should take. In particular, I will provide an account of addiction as an excuse that can be used to help people decide how to go about interacting with addicts who do bad things.

There are two reasons why it is difficult for Sally to decide what to do in this case. First, Sally does not know whether Dale should get an excuse *at all*. She is unsure if addiction, like being held at gunpoint and forced to do a wrongful action, is the kind of thing that either excuses a person from blame completely or mitigates the degree of blame that it is fair to administer. Second, if Dale's alcoholism does serve as an excuse, she does not know whether it exempts him completely, or merely mitigates the degree of blame that it is fair to direct towards Dale. Suppose that severing the relationship is the normally fitting blaming response for the action that Dale committed. If the excuse is mitigating, then she should not refrain from blaming Dale, but should do so to a lesser degree, perhaps by merely getting angry at Dale. If the excuse is exempting, then the fitting response is not to blame Dale at all. If Dale does have an excuse, then Sally doesn't know whether it is mitigating or exempting, and thus is unsure how to act even when she knows that an excuse is called for.

We can call the former problem 'the excuse problem' as the issue is whether Dale's addiction gives him an excuse from blame in the first place. We can call the latter problem 'the degree problem', as the issue is how strong the excuse should be. In this paper, my focus will be exclusively on the excuse problem. I aim to articulate the conditions under which having an addiction would serve as an excuse. Although the degree problem is also of great importance, it is the second step in the decision process. The first step is to answer the excuse problem, as the degree problem only arises once we have decided that the person's addiction gives them an excuse.

As I mentioned earlier, I believe that it is the tension between the feeling that an addict should be blamed and the feeling that they should be excused that makes it so difficult for a person to decide what to do in these situations. Therefore, the problem should dissolve (or at least become much more tractable) if we can decide whether the addict should be excused. My view is that this question must be approached on a case-by-case basis. Addiction can serve as an excuse, but it only does so in some cases. So we cannot decide whether an addict should be excused unless we look at the particular case and confirm that the details of the case are such that having an addiction serves as an excuse. My view will be developed and defended throughout chapters 3 and 4. But, before the view can be presented, we need an ethical framework that is suitable for dealing with the task at hand. Doing so will provide clarification and guidance for how to go about dealing with the problems that arise in interpersonal relationships with addicts. The framework will involve analyses of some of the key concepts at play such as ‘blame’ and ‘excuse’, a constraint on how to approach the question, and an overall strategy for approaching the question.

### **Excuses and Directed Blame**

To begin with, it is important to distinguish two senses of the term ‘blameworthy’. In the philosophical literature, the term ‘blameworthy’ is typically used to describe a person who satisfies the conditions that must be satisfied in order for the person to be capable of being blamed for an action in the first place. Philosophers who work on moral responsibility typically claim that there are three conditions a person needs to satisfy to be a potential candidate for blame. The person must be able to control their action, they must be capable of knowing and appreciating the wrongfulness of the action, and they must be the original source of the action. Anyone who satisfies all three of these conditions is said to be a morally responsible agent, that

is, a person who can in principle be blamed for committing a wrongful action. Anyone who violates one of these three conditions is not morally responsible, and hence cannot in principle be blamed for committing a wrongful action. Throughout the thesis, I will refer to this sense of the term ‘blameworthy’ exclusively with the label ‘moral responsibility’, and I will use the phrase ‘morally responsible agent’ to refer to a person who satisfies the three aforementioned conditions.

A second sense of the term ‘blameworthy’ is to use the term to refer to a morally responsible agent who ought to be blamed for the wrongful action that they commit. There is a clear difference between meeting the minimum requirements necessary for being blamed, and blame being a fitting response to a morally responsible agent that commits a wrongful action. Being a morally responsible agent is clearly necessary for being blamed, since agents who are not morally responsible are in principle not appropriate candidates for any kind of blame at all. However, being a morally responsible agent is not sufficient to conclude that the person is not to be excused, because there are cases where responsible agents commit a wrongful action, but for some reason should not be fully blamed for it. There are many cases of this. To take a simple example, suppose my friend was supposed to meet me for coffee today, but stood me up instead. My friend is a morally responsible agent, and so I could in principle blame him for treating me poorly. However, I know that my friend is suffering from a deep sadness due to his mother’s recent passing. Because of this, I understand that his standing me up is likely due to his (understandably) not being in the mood to go out and socialize, and I decide that it would be inappropriate for me to blame him for standing me up because of this. I could blame my friend, since he is a morally responsible agent that committed a wrongful action. But I realize that I ought not to do so, since he has an excuse that makes it somehow unfair or unreasonable to

blame him to the normally fitting degree. Hence, there is a clear separation between being morally responsible and being worthy of an excuse.

At this point, I will turn to clarifying the next important concept for my ethics of addiction, the concept of an excuse. An excuse, broadly construed, is any reason that either exempts a person from blame completely, or mitigates the fitting degree of blame to direct towards the person. (Kelly, 2013). There are five different types of excuses that I will consider in this paper. The first three come from the requirements for moral responsibility. Since each of these three conditions must be met in order for a person to be a potential candidate for blame in the first place, it follows that failing to satisfy any one of these three conditions counts as an excuse. Therefore, we can derive three types of excuses from the concept of moral responsibility:

**Control-based Excuses:** A person is excused on the grounds that they could not control their actions. That is, they could not respond to a reason not to commit the wrongful action that they do in fact commit.

**Knowledge-based Excuses:** A person is excused on the grounds that they do not, or could not, know or appreciate that the action they commit is wrong.

**Source-based Excuses:** A person is excused on the grounds that they were not the original source of the action.

Another type of excuse that is commonly considered in the literature is compulsion. A person is compelled to commit an immoral action when their options for avoiding committing the immoral action are limited to options that are worse than committing the immoral action (Watson, 2004). Suppose a criminal has your family held hostage at gunpoint and threatens that he will kill them if you go to the police, or if you refuse to steal money for him. The threat of violence to your loved ones would then compel you to do commit the immoral action, since the only alternative would be to let your family die. Another classic example of a compulsion is Aristotle's example of a ship captain who tosses valuable cargo overboard during a storm to lessen the weight of the vessel and minimize the chances of sinking (Watson, 2004).

Compulsions do not undermine moral responsibility. The sea captain's own conscious deliberation is the source of his action, so he does not fail the source condition. The sea captain knows that tossing the cargo is wrong, so he does not fail the knowledge condition. Although the sea captain is under pressure to toss the cargo, his control is not eliminated. The sea captain could still refrain from tossing the cargo, even though if he decided to do so the consequences would likely be severe. However, compulsions do *diminish* control, in some sense. Presumably, any other options that the sea captain has that do not involve tossing the cargo would lead to the sinking of the ship. Hence, the sea captain's control is compromised, since there is only one thing that he can do that won't result in disaster. Since no one can expect the sea captain to let his ship sink, and since the only way to avoid that outcome is to give in to the compulsion to toss the cargo, it would be inappropriate to blame the sea captain for doing so. Hence, compulsions can serve as excuses, and count as a distinct type of excuse from control based excuses.

**Compulsion-based Excuses:** The person is excused on the grounds that they were compelled to commit the wrongful action.

Kelly (2012) discusses a fifth kind of excuse that is distinct from the four that I have mentioned thus far. There are some cases where we excuse people that cannot be accounted for by any of the four types of excuse mentioned thus far. To borrow some of Kelly's examples, suppose that I steal money because I am in desperate need of funds to pay my sick child's medical bills. Most people would agree that I am less blameworthy for stealing money than somebody who does it for the thrill or to buy video games. Suppose a battered wife kills her husband. Most people would agree that she is less blameworthy than a woman who kills her husband for insurance money. In each of these cases, it appears that an excuse should be given to the wrongdoer. But it is clear that none of the responsibility-based excuses can be invoked to account for this. The cases are also not well accounted for by saying that the person was compelled to do a bad thing

that they had no desire to do. In most circumstances, a battered wife or a father in need of money for his sick child have many other options readily available for them to deal with their problems than stealing or killing. The wife could leave the abusive husband, or report him to the police. The father could attempt to raise funds by appealing to the kindness of others for donations. So compulsion-based excuses don't account for these cases either.

Kelly accounts for these types of cases by appealing to compassion. Her claim is that the difficult obstacles that these people face make it hard for them to follow the requirements of morality. In these cases, the person's circumstances make it unreasonable or unfair to fully blame them, since the circumstances make it much more difficult for the person to act in accordance with morality's demands than it would be for a person who isn't burdened by difficult circumstances. Therefore, we ought to have compassion for the individuals who find themselves in these circumstances, and temper our blaming responses towards them accordingly (Kelly, 2012).

On the basis of Kelly's work, we can identify a fifth category of excuses:

**Compassion-based Excuses:** A person is excused on the grounds that their circumstances make it unfair or unreasonable to fully blame them for failing to act in accordance with morality's demands.

Two further points about excuses need to be made. The first is that excuses can be overridden by other conditions. Suppose I do not even try to save a drowning child at the beach because I know that I cannot swim. Since I am unable to do the thing that is required for me to save the child, saving the child is not within my control. So I would be excused from my failure to save the child on control-based grounds. Furthermore, if I tried to save the child, I would most likely drown myself. So I am excused from not even attempting to save the child on compulsion-based grounds. However, suppose we modify the case and stipulate that there was a fully functional

speed boat on the shore that I know how to operate. If I used the boat then I could save the child. In this case, my inability to swim no longer serves as an excuse for my failure to attempt to help the child. The presence of the boat is a consideration that overrides the excuse. In the former case, my inability to swim serves as an excuse but in the latter case it does not. So to figure out if something serves as an excuse, we also need to know if there are any considerations that could override the excuse.

The second point concerns an important clarification regarding the goals of my project. My question is whether having an addiction can serve as an excuse. This is distinct from the question of whether an addicted individual can be excused for performing a wrongful action. Addicted individuals can always be excused on the same grounds as a non-addicted individual. If we added to the first beach case that I was addicted to heroin, this would not influence or change the result at all. I would be excused, but my addiction would have nothing to do with the excuse. Since I want to figure out the conditions under which having an addiction can serve as an excuse, the goal is not to elucidate the conditions under which an *addicted individual* can be excused. Rather, it is to determine whether there is something about the disorder itself that can serve as grounds for an excuse.

This will serve as sufficient clarification of the concept of an excuse for the purposes of this chapter. I will now provide some clarification on the concept of 'blame' itself. Before my project can proceed, I need to subscribe to an account of the nature of blame that is suitable for dealing with the problems I want to address. Otherwise, it would be totally unclear what exactly an addict is getting excused from when their addiction suffices for an excuse. Blame is a certain kind of response or reaction to wrongdoing. There are different views on what kinds of responses count as blaming responses. Many philosophers consider blame to be an emotional response such

as anger or disgust (Strawson, 1962; Wallace, 1994). However, this conception of blame is not suitable for my project. My purpose is to help resolve a problem that arises within interpersonal relationships with addicts who do bad things. As I mentioned earlier, the problem that arises in these situations amounts to a feeling of indeterminacy regarding how to act towards the addicted individual in response to their wrongdoing. Since my problem concerns appropriate *actions* to take in response to wrongdoing, the account of blame that is suitable for my project should be one that construes blaming responses in terms of actions

Michael McKenna's (2012a) conception of 'directed blame' is a nice fit. McKenna takes directed blame to involve directing negative actions or behaviors towards the wrongdoer. He illustrates the concept with the following case:

"To help illustrate the way these emotions are manifested in practice, I have focused on a simple case of blame between two friends and coworkers, Daphne and Leslie, who meet at a local shop for an afternoon coffee. In response to what she took to be an offensive racist joke about Hispanics, Daphne becomes morally indignant toward Leslie, angrily tells her she does not welcome the remark, and then storms out of the coffee shop. Daphne then alters future plans with Leslie, not inviting her to a lunch date with another coworker, who is Hispanic, and in various other ways makes fitting alterations to her means of interacting or not interacting with Leslie... The point of calling attention to these details is to help show that these different ways that Daphne acts, from her angry verbal confrontation to her altered lunch plans, are not distinct from and so simply caused by her blaming Leslie; they're constitutive of her blaming Leslie. They express her moral indignation and so are not *merely* motivated by her moral indignation." (McKenna 2012a, pp. 68–69).

According to McKenna's conception of directed blame, the changes in the way a person goes about interacting with someone who commits a morally wrong action are not merely effects that tend to follow from blaming someone. Rather, they count as instances of blaming themselves. Furthermore, McKenna gives us some hints at what types of actions count as blaming responses. He mentions two specific types of behaviors, Daphne's angry verbal confrontation and her decision to exclude Leslie from future social gatherings. On the basis of these suggestions, I

think that we can identify two types of behaviors which count as blaming responses, which I shall call 'sanctions' and 'call outs':

**Call out:** The wrongdoer is verbally scolded and condemned for committing the action. Here, no further negative consequences are administered other than the harm inflicted by scolding or shaming the individual.

**Sanction:** A direct punishment placed upon the wrongdoer for committing the action, such as ending the relationship.

It is important to note that, at least typically, imposing a sanction is a more severe way of directing blame towards a person than a call out is. This is because sanctions actually take something away from the person, whereas verbal confrontations do not.

A third type of behavior which McKenna does not mention in the above passage, but which plausibly count as blaming responses, are threats or ultimatums:

**Threat/Ultimatum:** A direct declaration that the wrongdoing will not be tolerated without some kind of retaliation in the future. Here a future negative consequence is identified (such as distancing oneself, ending the relationship, taking away something of value, etc.) and it is promised that the wrongdoer will suffer those consequences should the offense be repeated again.

If Daphne had also decided to tell Leslie that she will not go out for coffee with her ever again unless she refrains from making racist jokes in her presence in the future, she would be doing something that is more severe than angrily scolding Leslie's action. She would also be imposing a restriction that she expects Leslie to follow in all of their future interactions. But the threat would be less severe than actually imposing a sanction, because the threat merely indicates that a sanction will be administered in the future if the person repeats the offense. So between sanctions and call-outs, there is a third class of blaming responses that is (at least typically) more severe than the latter but less severe than the former.

Another important point is that, within the same category, there are some actions that are more severe than others (meaning, roughly, that they cause more harm to the wrongdoer than other actions do). A verbal confrontation can be more or less severe (depending upon the force with which it is delivered), a threat to revoke a person's invitation to a party is less severe than a threat to sever the relationship with that person, and actually revoking the invitation is less severe than actually severing the relationship. So each type of blaming behavior can be more or less severe.

With all of this in place, we can now get a clearer sense of how to go about the project. My task will be to determine under what conditions addiction can serve as an excuse from directed blame. Again, there are two ways that a person can be excused from directed blame. They could be exempted from directed blame entirely, in which case imposing *any kind of* call-out, threat, or sanction on the person is inappropriate. Or, they could have a mitigating excuse, in which case the appropriate response is to impose a less severe blaming response on the person; for example, by deciding to threaten to impose a sanction even though actually imposing a sanction would be fitting under normal circumstances.

If addiction serves as a responsibility-based excuse (i.e. either a control-based, source-based, or knowledge-based excuse) then addiction must always be an exempting excuse, since failing to satisfy one of the conditions on moral responsibility renders the person incapable of being a fitting target for any blame whatsoever. If addiction serves as either a compulsion-based or compassion-based excuse, then it may be either mitigating or exempting (depending on how strong we judge the excuse to be). By considering each of the five types of excuses, and whether addiction can satisfy any one of them, we can get clear on how addiction serves as an excuse. By considering any potential conditions that would override the excuse, we can get clear on what

conditions the addict needs to satisfy in order for the excuse to go through. In the remaining chapters, I will take up this strategy to develop and test various accounts of addiction as an excuse until I arrive at the correct one.

## **Conclusion**

I have now laid out all of the important details needed to guide my investigation into whether addiction can serve as an excuse. The remainder of the thesis will consider whether there are any conditions under which addiction can serve as any one of the five types of excuses mentioned in this chapter. The next chapter will focus on addiction and responsibility-based excuses. The goal will be to show that there are no grounds to conclude that addiction undermines moral responsibility. I will do this by showing that addiction does not serve as grounds for any one of the three responsibility-based excuses.

## **Chapter 3: Addiction and Responsibility**

### **Introduction**

In this chapter, I argue that addiction does not excuse a person from moral responsibility. I begin with a brief explanation of how addiction might serve as a responsibility-based excuse. I then identify several conditions that, if satisfied by an addict, establish that they can be held responsible. From this, I argue against addiction as a responsibility-based excuse by claiming that we have good reasons to think that all addicts satisfy at least some of these conditions (and hence, good reason to conclude that all addicts are responsible). I conclude by pointing out some important implications of the work done in the chapter.

### **How Could Addiction be an Excuse?**

To begin, it is important to get clear on how addiction might serve as an excuse. As stated in the previous chapter, if addiction is excusing, then there must be something about the disorder itself that provides the reason for the excuse. Furthermore, if addiction is to serve as an excuse for committing an immoral action, then the addiction must play some role in motivating the person to commit that immoral action. By ‘motivates’, I simply mean a reason to act in a certain way.

There are two ways in which having an addiction can motivate a person to act immorally. First, addiction motivates a person to become impaired by motivating them to consume drugs, and being in an impaired state can make a person act immorally. There are many ways in which intoxication can bring about immoral actions. Impairment can lead to distinct changes in personality and behavior that result in immoral actions. For example, some people are generally normal while sober, but become extremely rude, aggressive, or exhibit sexually inappropriate behavior while drunk. Intoxication can also seriously impair judgment, make people more

impulsive, or less motivated to adhere to responsibilities and obligations, each of which can result in wrongdoing. While drunk, people often judge that they are fit to drive when they clearly are not. Similarly, drunk people often care a lot less about the potential consequences of their actions, and thus decide to drive impulsively without consideration of the risks. If a mother takes a hit of heroin, the resulting high can render her totally indifferent to the needs of her children, leading her to neglect feeding them dinner. These are just a few examples of how impairment from drug use can lead to wrongdoing.

Second, addiction can motivate people to act immorally by motivating them to do bad things in order to obtain or use the drug. A classic example of the former is an addict who steals money in order to purchase drugs. Examples of the latter include cases where considerations of morality dictate that it is impermissible for the addict to use drugs at the time; but they do so anyway. To illustrate, suppose it is morally wrong to become intoxicated while one is responsible for looking after a young child. Consider Gary, a heroin addict who knows that his young daughter will be in his care for the weekend. It would then be morally wrong for Gary to use drugs during the weekend. So in order to both use heroin and care for his daughter over the weekend, Gary must commit an immoral action (since, by hypothesis, using drugs in this context would be immoral).

It is widely agreed upon that if addiction is excusing, then this is because the disorder eliminates or diminishes control over drug use. The idea is that being addicted renders it difficult/impossible to avoid using or attempting to acquire drugs. Since these actions can in turn lead to wrongdoing, it is thought that addiction also renders it difficult/impossible for the addict to avoid committing immoral actions in order to use or acquire drugs. Likewise, in virtue of making it difficult/impossible to avoid using drugs, addiction makes it difficult/impossible to avoid becoming intoxicated. Therefore, in cases where using drugs, acquiring drugs, or

becoming intoxicated result in wrongdoing, addicts are to be excused. This is the generally agreed upon picture of how addiction could serve as an excuse.

There are two important things to note about this explanation of how addiction could be excusing. First, it is neutral as to whether addiction is in fact excusing, as it merely gives us an account of how addiction would be excusing, if in fact it is. One could accept that this is a fully coherent picture of how addiction could function as an excuse while denying that it in fact does so. They could do this by denying that addiction impairs control over drug use at all (as some VCM theorists do) or by claiming that difficulty/impossibility of avoiding drug use is insufficient to conclude that addiction is excusing.

This latter option recalls an important point about excuses mentioned in the previous chapter. Merely holding a reason that can be excusing is not sufficient for that reason to actually be excusing. Reasons for an excuse can be overridden by other considerations. They are *pro tanto* rather than decisive reasons. If there is an overriding condition (or set of such conditions) which overpowers the reasons in favour of granting an excuse, then those reasons are insufficient to be excusing.

To have an excuse then requires that the person satisfy both a positive and a negative condition. The positive condition is that whatever reasons are being put forth as an excuse must actually have the potential to be excuses (chapter 2 pointed out five different types of reasons that can be excusing). The negative condition is that there must not be any conditions which would override the excuse. Following this, an explanation of the conditions under which addiction is excusing should tell us both the reason why addiction is potentially excusing, and what sorts of considerations, if any, could override this reason. For example, let D stand for the proposition 'The addiction diminishes the addict's control over using or attempting to acquire

drugs' and O stand for a set of conditions that, if satisfied by the addict, undermine the excusing force of D. We could then elucidate the conditions under which addiction is excusing by claiming that addiction excuses provided that D is true of the addict and none of the conditions in O apply to the addict.

Second, the explanation helps us to narrow down what kind of excuse addiction could be. The explanation holds that the grounds for addiction as an excuse lies in the fact that addiction can diminish or eliminate control. Compassion-based and control-based excuses are the only types of excuses that are based on obstacles to control. Control-based excuses are excusing on the grounds that, owing to obstacles to control, the person does not qualify as a morally responsible agent. Compassion-based excuses are excusing on the grounds that a person's circumstances make it difficult for them to act in accordance with morality in such a way that it would be unfair for us to fully blame them for failing to do so.

This is significant because it highlights that addiction is not excusing on either knowledge-based, compulsion-based, or source-based grounds as none of these excuses are based on obstacles to control. Compulsion-based excuses are based on being stuck in dire circumstances as opposed to having a problem with controlling their behavior. Knowledge-based excuses are based on deficiencies in a person's knowledge at the time of action, and Source-based excuses are based on the person not having been the original source of the action. Clearly, neither of these are based on control either. However, the knowledge that a person has prior to becoming addicted and the source of a person's addiction are relevant to determining whether addiction serves as an excuse for a particular addict. This is a point that will be addressed later.

With this framework in place, I can describe my general strategy throughout the remainder of this chapter. I will individually consider the cases for the claims that addiction could serve as a

control-based, compulsion-based, or compassion-based excuse. If any of these claims are warranted, I will have my answer to the positive part of the explanation for why addiction is excusing. I will also consider, for each of these different kinds of excuse, whether there are any conditions that would override the excuse. This will give me an answer to the negative part of the explanation by highlighting the conditions which the addict must not satisfy in order to be excused. The combination of these two sets of conditions will then serve as the elucidation of the conditions under which addiction can be excusing.

Before we can assess the case for whether addiction can serve as a control-based excuse, an important qualification must be made to the definition of control-based excuses. The evidence shows that addiction diminishes rather than eliminates a person's control over drug use. Typically, control-based excuses are granted to a person who completely lacks control over what they do. This is how a control-based excuse differs from a compulsion-based excuse. Control-based excuses can excuse people in cases where committing the immoral act was the only option available to the agent. Compulsion-based excuses can handle the remaining cases where the agent has only bad options available other than committing the immoral act. Since we already know that addiction is not a case of the former, it might appear as though we can disregard the idea that addiction can serve as a control-based excuse and just focus on whether addiction serves as a compulsion-based excuse.

However, there is one way to make having diminished control as opposed to no control serve as a control-based excuse. To do this we would first need to specify a certain range of degrees of control such that having any amount of control within this range is insufficient to count as a morally responsible agent. If it turned out that addiction falls within this range, then we could conclude that addiction is excusing on control-based grounds. In other words, there are two ways

to construe control-based excuses. The first is to construe control-based excuses as excusing because the person has no control over his behavior whatsoever. We already know that addiction cannot serve as a control-based excuse in this way. The second is to construe control-based excuses as excusing because the person has insufficient control to qualify as a morally responsible agent. Addiction may serve as a control-based excuse in this way. The upshot is the same in each case; the addict would be excused entirely because they would not count as a morally responsible agent. The difference lies in whether being a non-morally responsible agent requires control to be eliminated completely, or only to an extent.

Now that I have elucidated how addiction might be excusing on control-based grounds, I will move on to the task of determining whether addiction actually can be excusing on control-based grounds.

### **Addiction as an Excuse from Responsibility?**

The first view to consider is that satisfying the conditions for addiction as a control-based excuse is sufficient to excuse an addict from responsibility. According to this view, whether the addict is excused or not is entirely a matter of whether their addiction has diminished their control to the point where they fall outside of the threshold for moral responsibility. This amounts to saying that falling outside of the control threshold for moral responsibility is excusing and that there are no conditions which would render it false that this reason would be excusing. I will put this view as follows:

(ER1): Addiction is excusing iff the person has an addiction that diminishes control over drug use to the point that they cannot be held morally responsible for using or attempting to acquire drugs.

According to one argument, if one is responsible for becoming addicted, then they are responsible for any of the harmful things that they might do as a result of having an addiction.

Roughly, one is responsible for becoming addicted if the addiction is the result of their own voluntary choices to continue heavy drug use until the point of addiction, and if they knew, or ought to have known, the risks involved with becoming addicted. Following this argument, we could identify the following potentially overriding condition:

- (1) If an addict is responsible for getting addicted, then they are responsible for anything that they do while addicted.

If one did not know about the risk of becoming addicted or the dangers involved with addiction and heavy drug use when they first started using drugs, then it would follow that they are not responsible for becoming addicted, since they would fail the knowledge condition. In many modern societies, the dangers of drug use are widely known and people are educated about these dangers in various ways from a very young age (e.g. the public education system, public service announcements, the media, etc.). However, this does not mean that everybody who becomes addicted knows what they are getting themselves into. Even in societies where the dangers of drug use are widely known, some people may still grow up within tight circles where no one ever seriously discourages them from doing drugs, or in circumstances where they don't have access to the available information about the dangers of using particular substances. They may also live in an environment in which drug abuse is rampant, which in turn may influence their knowledge of the dangers of drugs. Furthermore, many addicts reportedly overestimate their ability to stop using drugs in the future before becoming addicted, and many addicts begin using drugs during youth and adolescence. Some have suggested that addicts who satisfy either of these conditions were not in a position to truly understand and appreciate the dangers of drugs (Sinnott-Armstrong, 2013). Considerations such as these give reason to believe that there are real cases where addicts did not satisfy the knowledge requirement on responsibility when they became addicted.

Similarly, if a person did not become addicted as a result of their own choices, but because of something else beyond their control, they would not be the source of their addiction and thus would not be responsible for becoming addicted. The most interesting cases of this type are cases where people become addicted because doctors are not careful enough with prescribing addictive medications such as pain pills. Here, although the person chooses to take the medications, the reason they become addicted is largely due to the physician's error. Other cases would include forceful administration of the drug by another person to the point of addiction (Sinnott-Armstrong, 2013). So it is plausible to conclude that there are, or at least could be, real cases where addicts did not satisfy the source requirement on responsibility at the time they became addicted.

If (1) is true, then falling outside the threshold on control for moral responsibility because of addiction is not sufficient for addiction to excuse from responsibility. It must also be the case that the person satisfies the negative condition of not being responsible for becoming addicted. Thus, from (1) we could get the following picture of how addiction could serve as an excuse from responsibility:

(ER2): Addiction is excusing iff the person has an addiction that diminishes control over drug use to the point that they cannot be held morally responsible for using or attempting to acquire drugs, and the person is not responsible for becoming addicted.

Notice that (ER2) is limited to a specific, and arguably small subset of addicts. Given the widespread knowledge of the dangers of drugs and the rarity of a person becoming addicted without having made a series of voluntary choices that played a role in bringing the addiction about, it is unlikely that there are very many people who satisfy the conditions (ER2) places on addiction as an excuse. Notice further that (ER2) entails the falsity of (ER1) as it requires more for addiction to serve as an excuse than control being diminished to a certain point. So an

advocate of (ER1) needs to be able to show that responsibility for becoming addicted does not establish responsibility whilst addicted.

To see the reasoning behind (1), suppose that a person knows the dangers of addiction and knows that frequent, heavy, drug consumption substantially increases their risk of becoming addicted, and yet heavily uses drugs until they become addicted anyway. Then any immoral actions that the addiction motivated them to commit ultimately stem from voluntary decisions to disregard the dangers of drugs and continuously use drugs until the point of addiction. Even in cases where control is compromised or eliminated completely, it is hard to see why one should be excused for committing an immoral action if they are responsible for making decisions that they had good reason to believe would make it likely that they would commit those actions in the future.

To understand the intuition behind this, suppose that I am offered a magic pill that I know will guarantee that I will act on all of my future desires without hesitation. I also know that unthinkingly acting on my desires makes it likely that I will often act immorally, as I will be unresponsive to any moral reason not to act on my desires. For example, let's say I know that I often desire to punch people in the face when they annoy me, even though I know there are good moral reasons not to act on this desire to punch the person. If I then voluntarily took this pill, I would no longer have any control over my actions. But it would be ridiculous to say that I would thereby be excused from punching someone who annoys me in the face. I should not have taken this pill because I knew that it would probably make me do many bad things in the future. Because of this, it appears that, despite my lack of control, there is good reason to hold me responsible for punching someone in the face after I take the pill. The idea behind (1) is that the

decision to continuously use drugs to the point of becoming addicted is similar to this case, and so we should give the same result in both cases.

One way to justify the claim that (1) has overriding force is by pointing out that it is an instance of the transfer principle. The transfer principle is a general claim about moral responsibility which states that responsibility for committing an action implies responsibility for the foreseeable consequences of that action. It can be formulated as follows:

(T) If a person, P, is responsible for doing an act, A, and if P does or ought to know that doing A will create a risk that P will later cause an effect, E, then P is responsible for E. (Sinnott-Armstrong, 2013)

If this principle is true, then it follows that (1) has overriding force, since it is simply an instance of (T). Sinnott-Armstrong argues that we should hesitate to endorse (1) because the transfer principle is open to apparent counterexamples. Consider Paula, who decides to go bungee jumping even though she knows that there is a risk of becoming paralyzed, and that if she becomes paralyzed she will sometimes be unable to help people in need. Indeed, Paula does become paralyzed as the result of the bungee jump. Years later, her child falls into the river and Paula's paralysis prevents her from saving her child. According to (T), Paula is responsible for her child's drowning in virtue of having decided to bungee jump despite knowing the potential consequences involved. But in this case it does not appear as though Paula can be held responsible for her child's drowning, simply because she decided to risk paralysis when she went bungee jumping in the past (Sinnott-Armstrong, 2013).

According to Sinnott-Armstrong, this shows that we can't deduce (1) from (T). If (T) has any application at all, it must be reformulated in order to prevent counterexamples. But Sinnott-Armstrong claims that no such reformulated principle is currently available, and it is an open question whether a suitably restricted version of (T) would count addiction as a case where

responsibility transfers. On these grounds, Sinnott-Armstrong finds sufficient reason to conclude that (1) is in need of justification and so cannot be used to establish that addicts who satisfy the antecedent are responsible. (Sinnott-Armstrong, 2013)

The mistake in Sinnott-Armstrong's response is that he fails to appreciate that one does not need to deduce (1) from the transfer principle to show that it has overriding force. Actually, the falsity of (T) does not in any way threaten (1). This is because (1) is a claim about a particular case. It says that in the case of drug addiction, responsibility for becoming addicted transfers to actions committed whilst addicted, and the truth or falsity of this claim does not follow from the falsity of (T). Thus, we can justify (1) without relying on the truth of (T) by providing independent reasons to show that responsibility transfers in the case of addiction.

Indeed, whether the transfer principle is universal or not, there are still good reasons to think that responsibility transfers in many cases. The aforementioned magic pill thought experiment is a case where responsibility clearly transfers from past actions to future actions. There are real-world cases as well. Importantly, some of the clearest real-world cases are cases that involve voluntary drug use. Suppose a non-addict, Jim, decides to drink heavily at a party despite knowing that he is prone to violent behavior and blackouts when he drinks heavily. Jim drinks heavily, blacks out, and whilst in a blackout state smashes a beer bottle over someone's head.

Clearly, Jim should not be completely excused for this awful action. Furthermore, since Jim committed the action while he was in a blackout state, he clearly failed the control condition on responsibility at the time of action. This means that if responsibility doesn't transfer in this case, Jim cannot be blamed at all. Even though he could have paced himself to avoid getting too drunk, and knew that he was likely to get violent if he did not do so, we would be forced to conclude that he cannot be blamed for what he did. If we directed our blame at Jim by calling

him out, or refusing to invite him out to bars in the future, we would be doing something that is morally unjustifiable by blaming someone for something that they cannot in principle be blamed for. This is an absurd conclusion. In this case, Jim's decision to act in ways that he knew would make it likely that he would do bad things in the future are clearly sufficient grounds to conclude that we can hold him responsible and direct some degree of blame towards him for what he did.

On the basis of these cases where responsibility transfers from an earlier to a later time, we can provide two lines of justification for (1). First, notice that one of these cases involves a case of drug use. Jim's case demonstrates that responsibility transfers when one voluntarily uses illicit substances with knowledge of the likely risks on a particular occasion. In other words, responsibility for becoming impaired on a particular occasion transfers to responsibility for any acts committed while impaired on that occasion. Now, people who know (or ought to know) the risks of drugs become addicted by making exactly the same types of choices that Jim made on several particular occasions over time. The only major difference between becoming addicted as the result of free choices and the Jim case is that in the former case the responsibility transfers from choices made on many particular occasions. In the latter, responsibility transfer from choices made on a particular occasion. There is no clear way in which this difference could be used to justify the claim that responsibility does not transfer in the addiction case. If anything, it appears to make it even more plausible that responsibility transfers in the addiction case. The person who becomes addicted by making many free choices over time had many opportunities to dial back or cease their drug use before slipping into addiction. Furthermore, it is reasonable to expect the person to have stopped during that time, since drug use on particular occasions often leads to negative experiences (e.g. committing harmful actions while intoxicated, unpleasant side effects from using the drugs, seeing the negative impact that drug use has had on other people's

lives). As the person continues to use drugs over time, they should become even more aware of the risks involved with drugs on the basis of these experiences. The fact that they do not dial back their drug use in light of these experiences gives us yet another reason to conclude that responsibility transfers in the case of addiction (i.e. from early times when the person wasn't addicted to later times when they are addicted).

If the only relevant difference between the Jim case and the addiction case is that the latter is diachronic, and this difference does not justify the claim that responsibility does not transfer in the case of addiction, then on what grounds may we conclude that responsibility does not transfer in the case of addiction? If we accept that the Jim case is a clear case where responsibility does transfer, then we also need to accept that the addiction case is a clear case where responsibility transfers.

Second, we can point to a number of important features which explain why the responsibility transfers in the clear cases. In both the Jim case and the magic pill case, the person voluntarily chooses to do something that they know is highly risky and will likely make them do bad things at a future time. In each of these cases, the person has good reasons to believe that their action will put them in a state where harming other people is a very likely outcome.

Compare this to the case Sinnott-Armstrong cites, where responsibility clearly doesn't transfer. Paula's action is importantly different from the actions of the people in the Jim case and magic pill cases. Paula's decision to go bungee jumping is not the kind of thing that is likely to make her commit immoral acts and harm others. Being paralyzed does not make it likely that you will assault someone, make rude or unpleasant comments, put the lives of others in danger, or act in any other immoral ways. Impairment due to drug use does. At most, Paula's paralysis will prevent her from being able to help other people in some situations. Furthermore, bungee

jumping is a supervised activity where measures are taken to make the activity as safe as possible, which makes it unlikely that any of the risks will be realized. This is not at all like drinking heavily, where there is rarely, if ever, anything in place to mitigate the risks of becoming too drunk and acting immorally as a result. So Paula has good reasons not to worry about the risks because they are unlikely, and no reason to think that she will act immorally in the future as a result of the risks. In sum, there is a difference between acting in such a way that could possibly prevent one from doing the right thing in the future, but which is unlikely to do so, and acting in such a way that it is likely that one will harm other people as a result of the action. This difference can explain why responsibility does transfer in the magic pill and Jim cases, but does not transfer in the Paula case.

The case of using drugs heavily over time to the point of becoming addicted shares the same features as the magic pill and Jim cases. Most people know, or are capable of knowing, that the risk of becoming addicted as the result of frequent drug use is high. Most people also know that being addicted (like being impaired on a particular occasion) makes it more likely that they will do bad things to other people. But if these features are what makes responsibility transfer in the cases of Jim and the magic pill, they also make responsibility transfer in the case of addiction, since all three cases are alike in sharing these features. Furthermore, there aren't any features of any of these cases that would give us a reason to think that responsibility does not transfer. I conclude, then, that (1) is correct. Responsibility for becoming addicted transfers to responsibility while addicted. Therefore, (ER1) is false. It is not the case that compromised control due to addiction is sufficient to excuse an addict from responsibility; the addict must also not be responsible for becoming addicted.

We now know that there are conditions that can override addiction as a control-based excuse. But is (ER2), which accounts for these overriding conditions, correct? Can addiction work as a control-based excuse provided that the person is not responsible for getting addicted? I contend that (ER2) is false because it leaves out a significant set of overriding conditions. These overriding conditions can be stated as follows:

(2) If (a) recovery, (b) treatment, (c) resisting the urge to take drugs, or (d) taking measures to avoid committing immoral acts are possible options for the addict, then the addict is responsible.

Some unpacking of each of (a)-(d) will be required to appreciate the overriding force behind (2). Regarding (a), the empirical evidence demonstrates that although recovery may be difficult, it is possible. The evidence is the many cases of recovery (temporary or permanent) from many different professional treatment programs (see chapter 1 for a reminder of a few of these programs). Furthermore, the data collected by Heyman tells us that recovery is possible even without professional treatment. The majority of addicts successfully overcome their addictions without seeking any professional treatment (Heyman, 2010). This means that attempting to stop using drugs is not a futile goal. Addicts who work hard at quitting may be able to quit, although of course it is not a simple process.

Regarding (b), entering professional treatment to make the process of recovery easier is an option for many addicts. While addicts who live in poverty may not have any access to some of these programs, others do. This brings up an important point. Suppose an addict is able to work on recovering, either by themselves or professionally, as the evidence suggests. Suppose further that they do not make any serious attempts to rid themselves of their addictions. Then the addict is responsible for any bad thing that the addiction leads them to do because they are responsible for avoiding treatment. Working on treatment can free the addict from their addictions, either

temporarily or permanently, which would then free them from doing bad things because of their drug habits.

In sum, (a) and (b) have overriding force because they imply that the addict is responsible for maintaining their addiction. The addict could take steps to extinguish their addiction, with or without professional treatment, and putting in the effort can increase their ability to deal with the problems that their addiction causes. So if the addict avoids putting in any effort to recover from their addiction, they are responsible for continuing to be addicted. If the addict is responsible for maintaining their addiction, then they can be held responsible for any wrongdoing that the addiction may lead them to commit. Hence, (a) and (b) imply that at least those addicts who do not seriously attempt to rid themselves of their addictions can be held responsible.

Regarding (c), resisting the urge to do drugs at a particular time is often a live option for an addict. Some heroin addicts intentionally refrain from using drugs in order to lower their tolerance for the drug (Ainslie, 2000). Addicts refrain from using drugs while on long flights, since they are unable to use their drugs on the plane (with the exception of alcohol) (Sinnott-Armstrong, 2013). Every addict who has ever been unable to obtain drugs for a while (for example, because they were in custody, treatment, lacked any means to acquire funds, or weren't in an area where they have access to any dealers) has resisted the urge to do drugs. Similarly, any addict who has attempted recovery has gone a while without succumbing to the urge for drugs (since making a serious attempt at recovery presumably involves battling the urge for a while in the hopes that it will become easier to resist the urge in the future).

If an addict can resist the urge to take drugs in these scenarios, then why can't we say that they have a responsibility to resist the urge to take drugs whenever morality requires them to do so? For example, if an addict is able to resist the urge to take drugs for a few days so that they will

get a better high afterwards, then why can't we also expect them to show the same resistance when they are tempted to steal money for drugs? It also falls out of the very concept of diminished control that resisting the urge to take drugs is possible. To have diminished control is for it to be difficult, but possible to respond to a reason to do something. Since the evidence shows that this is the kind of control that addicts have, it follows that addicts can resist the urge to do drugs if they have reasons to do so, however difficult it is for them to successfully act in accordance with these reasons.

Regarding (d), in many cases of wrongful actions that an addict commits, they were able to take measures to ensure that they did not do so. Consider the case of Dale, mentioned in the previous chapter. Dale's wrongful action was driving drunk to pick up his son. Although he got drunk because his alcoholism brought on a powerful urge to drink, and although one might argue that this urge was so powerful that not drinking was barely an option for Dale, Dale still could have avoided driving his son home drunk by taking several other actions. For example, since Dale knows that he will be getting drunk, why couldn't he call a trusted friend or family member to pick up his son? If not a loved one, then why couldn't Dale arrange some other mode of transportation for his son? Dale's alcoholism in no way eliminates any of these options, nor does it even make any of them difficult. But if Dale had done either of these things, then he would not have driven his son home drunk. The point is that although addicts may have extreme difficulty responding to reasons not to do drugs, they can often still respond to reasons not to do bad things. The increased probability that Dale's son will be harmed is a reason to avoid driving him home drunk. While this reason may not be strong enough to motivate Dale not to drink, it should still motivate him to make sure that his son is not brought home by a drunk driver. So while Dale

may lack some control over whether or not he drinks, he does not likewise lack control over whether or not he drives his son home.

Each of (c) and (d) show that an addict is responsible because they make it apparent that an addict often has more options available to them than committing a wrongful action. (c) tells us that an addict is not forced to take drugs, since resisting the urge to do so is possible. This means that if the person's addiction tempts them to do something wrong, they can refrain from doing so. But if this is the case, then how does this temptation to do something wrong exempt an addict from responsibility? If the temptation is resistible, then avoiding wrongdoing is a possibility for the addict, and on this basis we can justify the claim that the addict is responsible.

On the basis of (d), we can conclude that the addict can often accomplish their goal of drug use without having to resort to wrongdoing. The idea is that addiction may diminish control over whether the addict attempts to use or acquire drugs, but it does not diminish an addict's control over how they go about acquiring or consuming drugs. [It seems that there are three relevant types of behavior here: acquiring and consuming drugs before one becomes addicted; acquiring and consuming drugs while one is addicted; and wrongful behavior while one is addicted.] This in turn means that addicts can avoid wrongdoing by taking certain steps to minimize or eliminate the possibility that their drug use will lead them to do bad things. In any situation where this is in fact the case, the addict can again be blamed on the grounds that committing the wrongful action was avoidable.

So (ER2) will also not satisfy as an account of how addiction can excuse one from moral responsibility. We need to include the overriding conditions from (2), which can be done by introducing (ER3):

(ER3): Addiction is excusing iff the person has an addiction that diminishes control over drug use to the point that they cannot be held morally responsible for using or attempting to acquire drugs, is not responsible for becoming addicted, is not responsible for maintaining the addiction, and is not able to avoid committing immoral actions that their addiction motivates them to commit.

So if addiction ever excuses an addict from responsibility, then at the very least the addict needs to satisfy the conditions in (ER3). But the upshot of this is clearly that there will be very few, if any, legitimate cases where addiction excuses the addicted person from responsibility.

(ER2) was already limited because it only excused those addicts who we cannot hold responsible for becoming addicted from responsibility, and while we have good reasons to think that there are real cases of addicts who aren't responsible for becoming addicted, we also have good reasons to think that these cases are rare. (ER3) is even stricter. It says that not only must the addict belong to the small subset of addicts who aren't responsible for becoming addicted, but also that they must belong to a subset of addicts who can neither be held responsible for maintaining the addiction, nor for committing wrongful actions that they could have avoided.

Ultimately then, the question of whether addiction excuses on responsibility-based grounds boils down to whether we can justifiably say that there are legitimate cases of addicts who satisfy the strict demands of (ER3). So we need a case of an addict who was not responsible for becoming addicted, cannot recover from their addiction, is unable to attempt to seek treatment or attempt recovery on their own, cannot resist the urge to use or attempt to acquire drugs, and cannot help but do bad things because of their drug use.

I think that we have sufficient evidence to conclude that there are no such cases. Although there are indeed many significant differences across addicts, it is highly unlikely that there are addicts out there who satisfy all of (ER3)'s conditions on addiction as an excuse from responsibility. The strongest evidence for this is that we have good reasons to believe that all

addicts satisfy conditions (c) and (d) from (2). Regarding (c), our evidence suggests that addiction diminishes rather than eliminates control over drug use. Again, diminished control over drug use entails that it is possible to resist the urge to do drugs. So if all addicts have diminished control, it follows that all addicts satisfy (c).

For an addict not to satisfy (d), it has to be the case that they couldn't help but commit an immoral act in order to accomplish the goal of using or acquiring drugs. But there will always be several ways an addict can accomplish these goals without having to commit an immoral action. Although a conclusive argument in favor of this point would be difficult to provide, we can see how plausible the point is by illustrating it with a case.

Suzy is a homeless addict. In virtue of living in poverty, she has no money and no possessions that she could sell to legally acquire funds. In order to support her drug habit, Suzy resorts to pickpocketing for money. Now, Suzy's options for acquiring funds are indeed limited. There is not much that Suzy can do to make money given her impoverished living conditions. So this might seem like a plausible case where an addict does not satisfy (d). However, instead of pickpocketing, Suzy could rely on more legitimate ways of making money. For example, she could begin asking for spare change from people or she could collect recyclables and exchange them for money. It seems to me that Suzy's options for acquiring drugs are about as limited as one could realistically expect them to get. But even in the case where options for acquiring drugs are about as limited as they can be, the options are not limited to immoral options. So it is hard to see how any addicts who are not in a position similar to Suzy's can be in a situation where they are left with no choice but to commit an immoral action to acquire drugs. So it is plausible to conclude that all addicts satisfy (d) as well.

If all addicts satisfy both of (c) and (d), then there are no cases where addiction excuses on responsibility-based grounds. The only plausible account of the conditions under which addiction could excuse from responsibility, (ER3), is one which no addicts satisfy. Furthermore, it is just implausible that there are cases where an addict satisfies *all* of (ER3)'s conditions. So addiction does not excuse from responsibility. It follows from this that there are no cases where addiction renders a person incapable of being a subject of any blame whatsoever. It does not follow from this that full blame is in all cases an appropriate response to an addict who commits an immoral action, as they may still be excused on grounds other than a responsibility-based excuse.

Still, it is important to at least consider the possibility that there are actual cases of addicts who satisfy (ER3). My view is that, because we have good reasons to think that it is highly unlikely that there are going to be any cases of an addict who satisfies all of the conditions for a responsibility-based excuse, and since there seems to be a lack of available evidence suggesting the opposite, we are justified in concluding that there are no such cases. However, since it is possible that such cases exist, and possible that evidence could be produced to show that there are such cases, there is a chance that at most we are justified in concluding that these are rare fringe cases that are not representative of addicts. If one could produce such a case, I am happy to weaken my conclusion and admit that there are cases where addiction excuses on responsibility-based grounds. The new conclusion will simply be that it very rarely does so. The important implications of the work done in this chapter will remain intact regardless of which of these two conclusions is true.

## **Implications**

There are two important implications for the debate over whether addiction is excusing that can be drawn from the arguments of this chapter. The first, and most significant, is that it reveals a

mistaken (often tacit) assumption that is at play in the debate. This assumption is that addiction's status as an excuse hinges entirely on the question of the extent to which addiction diminishes control.

Much of the philosophical literature on addiction proceeds by looking to the science of addiction in order to determine whether addiction diminishes control or not, much like I did in chapter 1. It is then assumed that the answer to the control question gives us an answer to the excuse question. VCM theorists spend their time arguing that addiction does not in fact diminish control. They then hold that because of this, addiction is not excusing. BDM theorists argue that addiction eliminates control and conclude that because of this, addiction is excusing. Those who recognize a middle ground and hold that addiction diminishes control, such as Sinnott-Armstrong, tend to argue that addiction is excusing when it diminishes control to a certain degree.

But the considerations throughout this chapter make it clear that addiction's status as an excuse hinges on much more than the degree of control that an addict has. In fact, even in cases where an addict has no control whatsoever over their drug use, we still cannot conclude that this is sufficient to excuse them. This is because the overriding conditions from (1) and (2), with the exception of (c), are not influenced at all by the degree of control that an addict has. To see this, suppose that we have an addict, Carrie, who literally has no control over whether she uses or attempts to acquire drugs. Whenever Carrie does not have drugs, she must take actions to try and get them. Whenever Carrie does have drugs, she must consume them.

Clearly, Carrie doesn't satisfy (c). However, nothing about her lacking control completely over whether she uses or attempts to acquire drugs in any way undermines the overriding force of all of the other conditions in (1) and (2). Carrie could still have been responsible for eliminating her

control over her drug use if she is responsible for getting addicted, and thus responsible for any bad things the addiction forces her to do. She could also still be capable of regaining control over her drug use by entering professional treatment, and thus could still be responsible for maintaining the addiction (if she avoids seeking treatment). Carrie could still have control over what she does to acquire or use the drug, which means that she is responsible for not taking advantage of morally permissible ways of accomplishing these goals. There really is no direct link from complete lack of control over drug use to lack of responsibility for bad things done because of drug addiction. So degree of control over drug use is not the sole factor in deciding whether an addict gets excused. The degree of control that an addict has is only part of the story. It is a central part of the story, as it is going to figure into any plausible explanation of the positive conditions that need to be satisfied for addiction to be excusing. But it leaves out many other conditions that need to be accounted for.

This is significant because it reveals that much of the literature on addiction as an excuse takes the wrong approach to answering the excuse question. We cannot answer the excuse question just by taking a position on the degree of control addicts have. Instead, our goal should be to uncover the conditions under which addiction could serve as an excuse. We should accomplish this goal by finding the positive conditions which would serve as a reason in favour of addiction as an excuse and the negative conditions that serve as reasons against addiction as an excuse. Using these conditions, we could then explain what the context needs to look like in order for it to be one in which addiction excuses.

The second implication is that since we can say that all addicts are responsible (or at least an overwhelming majority of them) we can also say that all addicts are in principle capable of being justifiably blamed. This is significant because, for all addicts, it opens up the possibility that

some degree of blame *may* be a fitting response to addicts who do bad things, and in many cases it is important for us to be able to direct some degree of blame towards addicts. This is because directing blame towards an addict can motivate them to want to get rid of their addictions. Recall Heyman's work, which suggested that social pressures eventually motivate most addicts to quit. Surely, calling out, threatening, or placing sanctions upon an addict are examples of some of the kinds of social pressures that contribute to an addict's desire to quit. Similarly, refraining from blaming an addict is often a bad idea as it enables their addictions. What could motivate an addict to quit if we always made excuses for them? Furthermore, if the addict never experiences negative consequences for acting immorally, then there would be little to motivate them to try and avoid committing immoral actions. For these reasons, it is important for us to be able to justifiably direct blame towards addicts. If addicts are responsible, then we can do so. If they aren't, then we cannot. So my conclusion that addicts are responsible is of great importance.

I have argued that addicts are responsible. The upshot of this is that addicts are capable of being blamed for the bad things that their addiction leads them to do. However, this does not imply that addiction is not excusing. Although it is possible to direct some degree of blame towards the addict, it may still be unfair to direct the normally fitting degree of blame towards the addict for the wrongful action that they commit. The question of addiction's status as an excuse then boils down to the question of whether there are good reasons to think that there are some cases where the fitting degree of blame for the addict is less than the norm. I address this question in the next chapter.

## **Chapter 4: Addiction, Compassion, and Quality of the Will**

### **Introduction**

The thesis of this chapter is that addiction serves as a compassion-based excuse for addicts with a certain kind of character and a certain kind of history. I begin by arguing that addiction can be excusing on compassion-based grounds. Then, I turn to the question of what conditions need to be satisfied for addiction to serve as a compassion-based excuse. I begin by comparing two cases, one where addiction intuitively is excusing and one where intuitively it isn't. By probing the differences between these two cases, I demonstrate that the explanation for the difference in judgment between the two cases lies in differences between the character and history of the addict. From this, I develop and defend two requirements on addiction as a compassion-based excuse and use them to form my account of addiction as a compassion-based excuse. I conclude by briefly discussing the practical benefits of my account and pointing out the next step for future research on the relationship between blame and addiction.

### **Addiction as a Compassion-based Excuse?**

Does addiction have the potential to excuse on compassion-based grounds? One has a compassion-based excuse when something about their circumstances makes it unfair to fully blame them for failing to act morally. To blame them fully would be uncompassionate because it would be insensitive to the particular difficulties that the person faces. This makes it harder for them to act in accordance with morality than the rest of us (this is a paraphrase of Kelly's (2012) view). In these cases, compassion (rather than strict limitations on a person's available options) dictates that it is unfair not to excuse the individual to some degree.

Kelly leaves it open what kinds of circumstances call for us to be compassionate. Nor does she tell us when compassion is and is not sufficient to be excusing. Not all difficult circumstances call for us to be compassionate. Even when we should be compassionate towards the person because of their circumstances, this is not always sufficient for an excuse. For example, suppose Jeff has developed a deep psychological predisposition against helping people, largely through no fault of his own (perhaps his parents taught him from a young age to put his own interests first). This makes it difficult for Jeff to find motivation to actually help others, and so he usually fails to do so. One day, Jeff has the opportunity to save a child from drowning, but owing to his disposition, does not find himself caring enough about the child's predicament to motivate himself to help, though it would be easy for him to do so if he had the motivation. We might be compassionate towards Jeff because it is so much more difficult for him to fulfill his obligations to help other people than the rest of us. However, this compassion doesn't seem sufficient to excuse him for letting the child drown. Furthermore, just because Jeff has an affliction that makes it difficult to help others doesn't mean we should be compassionate towards him solely because he has this affliction. Suppose we modify the case so that the reason for Jeff's disposition is that he voluntarily and knowingly took the magic pill that forces him to act unthinkingly on all desires. Jeff would then have given himself this affliction, and it is hard to see why we should show compassion to someone who would do such a thing.

This brings up two questions about addiction: "Does being addicted make it more difficult to act in accordance with morality?" and if yes, "Is it plausible to say that this difficulty renders it unfair to blame the addict to the normal degree?" If we can say "yes" to each of these questions, then we can conclude that addiction excuses on compassion-based grounds. My answer to the

first question is a simple “yes.” My answer to the second is also “yes” but only under certain conditions.

At least when it comes to people who care about morality, having an addiction makes a person significantly more susceptible to act immorally. This is, at bottom, a result of the intense desires to acquire and use drugs that addiction causes people to have. Suppose you walk up to an addict and show them a nice supply of whatever drug it is that they fancy. Suppose then that you offer to give them this supply of drugs if they smash out the windows and slash the tires of your ex-lover’s car. I suspect that the vast majority of addicts are going to experience a powerful temptation to demolish the car, even when their finances are sufficient to support their drug habit at the time. This is because demolishing the car, though morally abhorrent, will reward the addict with a free supply of drugs. An addict is a person suffering from a constant, intense, desire to acquire and use drugs that cannot easily be shaken by considering incentives not to do so. It is not hard to see how this desire makes it difficult to say “no” to free drugs, even when saying yes means that the person will have to do something wrong. In contrast, if you walked up to an average person who respects morality and offered them money to demolish the car, the positive incentive would not make it difficult to say no (or at least not so difficult that it seriously tempts the person to ignore morality). So I don’t think it is a hard question as to whether it is more difficult for addicts to act in accordance with morality than the average person.

It is a hard question as to whether this difficulty is enough to ground a compassion-based excuse. Again, there are going to be potential overriders for the excuse. In what follows, I will point out two overriders that need to be accounted for when considering addiction as a compassion-based excuse. Following the strategy described in the previous chapter, I will

provide an account of addiction as a compassion-based excuse on the basis of these overriding conditions.

### **A Tale of Two Addicts**

I want to begin by telling a story about two different addicts, Colin and Mary, each of whom decides to steal enough money for drugs.

Colin has never attempted to seek any kind of treatment for his addiction, nor has he ever attempted to recover on his own. On the whole, Colin is what Frankfurt calls a ‘willing addict’ (1971). He not only has a constant desire for drugs, he also desires to be addicted. He has no plans on stopping for anyone, at any time, for any reason, simply because he enjoys his drugs so much that his health, family, responsibilities, and especially moral obligations mean very little to him in comparison. Colin has a long history of committing immoral actions to support his drug habit. He often abused his wife and step children while intoxicated, and made no attempts to protect them from himself in his intoxicated state by not becoming intoxicated around them. He drives under the influence every day, showing no regards for the safety of others. He has stolen countless times for money, sometimes because he lacked the money for drugs, and sometimes just because more money in the bank equals more money for drugs. Colin has also actively gone out of his way to introduce friends and loved ones to drugs. After years of trying, he finally convinced his wife to try heroin and got her hooked. Moreover, Colin in no way feels remorseful for any of the bad things he has done. Colin really doesn’t care about harming others, especially if doing so facilitates his drug use. In fact, sometimes he enjoys it because he thinks that it feels so good to eliminate obstacles to using his precious drugs (e.g. a deficiency of funds). One day, while in desperate need for drug money, Colin steals some money for drugs. This is clearly not out of the ordinary for Colin; he steals money for this very reason all of the time. Again, he

doesn't care about the harm he has done to the person from whom he stole. If you were to ask him if he felt badly about it, he would tell you not at all because he cares a lot more about satiating his own craving for drugs than the well-being of others.

Mary is in many ways the exact opposite of Colin. Mary is a kind person who cares deeply about others and retains a strong commitment to morality despite her addiction. Although she has had the occasional moral failing as the result of her drug use, none of these have been nearly as severe as Colin's awful deeds. She has on a few occasions made some nasty comments to her loved ones while intoxicated, has failed to show up to work in order to use her drugs a few times, and has been led to commit other minor transgressions by her addiction over the years. Moreover, Mary hates having desires for drugs and wants to eliminate those desires for good; she is what Frankfurt would call an 'unwilling addict' (1971). Specifically, the reason she does not want to be addicted is because she realizes how much harder it is to avoid harming others while addicted. Mary knows the temptation all too well, because like Colin, her drug use has tempted her to ignore her commitment to morality in order to make it easier for her to use or acquire drugs. However, on most occasions, she successfully finds ways to accomplish these goals without resorting to wrongdoing. On a few occasions, when she found no easy ways to accomplish these goals, she even dealt with the pain of refraining from drug use until other ways were found. Unlike Colin who never even bothers to try to find morally permissible ways of accomplishing these goals, Mary always does. Whenever Mary fails to resist the urge to act immorally because of her addiction, she feels devastated, and attempts to make it up to the people she has harmed whenever she can. She never sides with a desire to act immorally for the purpose of facilitating drug use and is never indifferent to the harm that she causes others. In her view, such desires are not genuinely her own; they are instilled into her as a result of her

addiction and are not reflective of her character. Instead, she desires that she not have the urge to do bad things to facilitate her drug use at all. Mary has sincerely attempted recovery on several occasions but is finding it incredibly challenging to rid herself of the addiction. One day, in desperate need of money for drugs, Mary tries but fails to resist the temptation to steal.

I want to make three claims about these two cases. First, it is inappropriate to blame both Mary and Colin to the same degree. Although both committed the exact same action, there would be something unfair about saying that we should treat them the same way. Second, I want to argue that Colin is not deserving of any kind of excuse for stealing the money. His I think, is a paradigm case where addiction is not excusing. Finally, I want to argue that Mary is indeed deserving of some kind of excuse. Hers is a paradigm case where addiction is excusing. Suppose the normally fitting response to stealing is to impose a sanction on the person by calling the police and forcing them to enter the legal process for their wrongdoing. If either Mary or Colin has an excuse, then this response has to be tempered in some way. So instead of calling the police, the excuse means that we should perhaps threaten to do so if the offense is repeated. I think it is plausible to say that Mary deserves the threat rather than the phone call. Colin however, does not deserve the same kind of leniency. In fact, there seems to be nothing unfair at all about going straight for the phone call instead of the threat. So I want to say that Colin is a fitting candidate for the normal degree of blame despite his addiction (and thus does not get an excuse) and Mary is not.

In my view, each of these cases illustrate the intuitive plausibility of each of these three claims. I doubt whether very many people's initial reactions after reading these two cases would be that it is unfair to call the cops on Colin for stealing. Similarly, I suspect that a lot of people's initial reaction would be to say that it would somehow be unduly harsh to go straight to the phone call

in Mary's case. Intuitive plausibility only gets us so far though. The important philosophical task is to try and justify these intuitions. I will attempt to do so as follows. First, I will pick out the features of each case that might explain the intuitive plausibility of the judgment that Mary is deserving of an excuse but Colin isn't. I will then argue that these features do in fact justify these judgments. We will then get a clear picture of the differences between contexts in which addiction functions as a compassion-based excuse and contexts in which it doesn't, yielding my final theory of addiction as an excuse.

### **The Importance of Character and History**

The major differences between these two cases are differences between Colin and Mary's character and history. Mary has a generally good character. She is the type of person who hates causing harm to other people. She is neither indifferent to the harm that her actions cause other people, nor does she ever enjoy causing harm to others. Colin is just the opposite. His character is generally bad. He is not the type of person who worries about the impact that his actions have on other people, and sometimes he even enjoys harming others.

Mary and Colin also differ regarding their history. Mary has a history of committing a few minor immoral actions, of attempting to seek treatment, of trying to make up for the harm she caused, of trying to resist her temptations to do wrong, and of successfully resisting these temptations on most occasions. Colin has a history of doing many awful things, of never even trying to do what he could to avoid harming others, and of never even attempting to quit drugs. We might say that Colin's history reflects his bad character. He has consistently acted in exactly the same ways that we would expect a person who is indifferent to morality to act. Similarly, Mary has consistently acted in ways that we would expect someone who cares about morality to act. So we can say that they have a history which reveals their true character.

Michael McKenna claims that people who show a lack of regard for moral considerations and the consequences of their actions act from a morally objectionable quality of will. He defines ‘quality of will’ explicitly in terms of the regard that the person shows others. One acts from a morally objectionable quality of will when they are either indifferent to the harm that their action causes other people or acts for the purpose of harming others (2012b). Now, I want to make the following two claims:

(C) If an addict acts from a morally objectionable quality of will, then they are not to be excused.

(H) If an addict has a history of consistently committing immoral actions when their addiction tempts them to do so, of rarely putting in any genuine effort to avoid committing these actions, and of not making genuine attempts to rid themselves of their addiction, then they are not to be excused.

I think that (C) and (H) are the two conditions that would override addiction as a compassion-based excuse. I will now explain why, beginning with (C). McKenna argues that acting from a morally objectionable quality should be included amongst the set of requirements for moral responsibility. He also claims that it is a requirement on excuses that the person did not act from a morally objectionable quality of will (2012b). I do not wish to commit to either of these claims, but I do think that there is something important about the latter claim. I agree that in general (though perhaps not universally), cases where a person acts from a morally objectionable quality of will are paradigm cases where the person should not be excused. To see this, think up some examples that appear to be clear cases where the person should be excused, and then modify the example so that the person is indifferent to the consequences of the immoral action that they commit. In most cases, I think that it will no longer look at all plausible to say that the person should be excused. Here’s an example:

Suppose I accidentally smash your favourite vase; I did not form an intention to smash it, but rather bumped into it by mistake. It seems unfair for you to fully blame me for this, since it was an innocent accident on my part. This looks like a clear paradigm case of an excuse. Now, suppose that after I break the vase, instead of apologizing or offering to replace it, I look up at you and say “I really don’t care that I did that. It was an ugly thing anyway.” Given that I have displayed a complete and total lack of caring for what I have done to you, why should you excuse me for what I have done? The fact that the action was accidental no longer seems sufficient for it to be excused.

Here’s another:

Criminals hold you at gunpoint and demand that you accompany them on a robbery. This is a classic example of a case where you would normally be excused on compulsion-based grounds. Now, suppose you react to the threat by (sincerely) saying “that’s fine, I don’t mind helping you guys steal money, I’ll go along.” You participate in the robbery with no remorse that you are being forced to harm others. Afterwards, you go about the rest of your day totally indifferent to the harm you caused others. The fact that you were compelled to steal the money no longer looks sufficient to excuse you for stealing the money.

The fact that acting from a morally objectionable quality of will usually overrides excuses in general offers support for (C). However, I think that there is a stronger argument in favor of (C). As mentioned in the previous chapter, the underlying thought that makes us consider the possibility that addiction is excusing in the first place is that something about having an addiction pulls people towards committing immoral actions. If addiction does not do so in some way, then it does not serve as an excuse. However, if the addict acts from a morally

objectionable quality of will, then we no longer have any justification for thinking that it is *the addiction* that moves the person to act immorally. Instead, it is their will or character.

To see this, consider Colin's case. By hypothesis, Colin has a poor character and acts from a morally objectionable quality of will all of the time. The way things look, Colin is the type of person that is going to act immorally all of the time *regardless of whether he is addicted or not*. The addiction is not what causes Colin to act immorally; his character is. The addiction merely gives Colin a reason to steal. Given what we know about Colin, any incentive to steal is probably going to move him to do so. Mary, on the other hand, clearly looks like someone who is being pulled to do bad things by her addiction. If Mary were not addicted, she would never even entertain the thought of stealing money. So if addicts act from a morally objectionable quality of will, they do not satisfy the grounds that need to be satisfied for addiction to be excusing. From this, (C) follows.

The justification for (H) is tied to (C). The truth of (C) means that we should accept (H) as well. This is because, as I mentioned earlier, an addict's history helps to reveal their quality of will. We can't always discern the quality of an agent's will just by considering their intentions or their reasons for acting. An addict might say that they are pained by the fact that their addiction is leading them to do bad things. But if they haven't ever tried to get rid of their addiction, then it is dubious that the addict isn't acting from a morally objectionable quality of will. On the other hand, if an addict seeks treatment because they want to stop hurting others, then this is a sign that their quality of will is not morally objectionable. Similarly, if an addict has resisted the urge to act immorally before (or at least always tries to) this is a sign that their quality of will is not objectionable. So if an addict is not acting from a morally objectionable quality of will, then we should expect them to have the kind of history that suggests that they aren't doing so. If an addict

has a history that suggests that they are acting from a morally objectionable quality of will, then they should not be excused. So if we accept (C) as a requirement on addiction as an excuse, we should also accept (H).

### **Are There Any Other Overriders?**

There is one last step to take before I can present my account of addiction as an excuse. Chapter 3 pointed out five overriding conditions that undermine addiction as a responsibility-based excuse. These were: 1) The addict is responsible for getting addicted. 2) The addict has avoided available treatment. 3) The addict is able to recover (either with professional help or on their own) 4) The addict is able to resist the urge to take drugs. 5) The addict is able to resist the urge to act immorally to support their drug habit. We now need to ask whether these conditions would override addiction as a compassion-based excuse. (2) and (3) are already covered by (H), and so need not be considered.

Regarding (1), responsibility for becoming addicted does not mean that it is fair to blame an addict for failing to act in accordance with morality's demands. If it is entirely Mary's fault that she is addicted, then we do not get a good reason to conclude that she isn't deserving of an excuse. Mary deeply regrets becoming addicted, has fought hard to stop being addicted, and has put in a lot of effort to make sure that her addiction causes as little harm to other people as possible. Isn't this enough to think that her responsibility for getting addicted shouldn't deem her undeserving of an excuse? It would seem unduly harsh to say that addicts will never get an excuse simply because they are at fault for becoming addicted. So (1) need not be a requirement on addiction as a compassion-based excuse.

Regarding (4) and (5), neither of these should be requirements on addiction as a compassion-based excuse either. This is because (4) and (5) ignore the aspect of difficulty. (4) and (5) override addiction as a responsibility-based excuse because difficulty is insufficient to exempt a person from responsible agency. However, difficulty can be sufficient to motivate us to show compassion towards the person and deem it unfair to blame them fully. Sure, Mary could have resisted the urge to steal, but so what? She tried really hard to resist it, is pained that she failed to do so, and is dealing with an affliction that makes it very difficult for her to act morally. If anything, given her affliction, the fact that she usually succeeds in resisting the urge to act immorally is commendable, and deserves to be rewarded by going a bit easier on Mary for her moral slip-up. The point is that attempting to resist the urge to act immorally (whether successful or not) indicates that the person is not acting from a morally objectionable quality of will. This, in conjunction with the special difficulty that addicts face, give grounds for an excuse even though it was possible for the addict to avoid committing the immoral action. So, I see no reason to make (4) or (5) a requirement on addiction as a compassion-based excuse.

## **Conclusion**

I can now offer my account of addiction as a compassion-based excuse:

(EC): Addiction is excusing iff addiction makes it difficult for the person to act in accordance with morality's demands, the person has not acted from a morally objectionable quality of will, and has a history which suggests that they are not acting from a morally objectionable quality of will.

We now have a well worked-out account of what the context needs to be like in order for addiction to serve as an excuse. Addicts who satisfy (EC)'s conditions should be excused to some degree. Those who do not should receive no excuse. This account can in turn help guide our interactions with addicts, by telling us when it is and isn't fair to excuse the addict.

To see the practical applications of (EC), recall the case of Sally and Dale, which I used to illustrate the kinds of problems I am interested in helping people who interact with addicts address. Sally can decide how to go about interacting with Dale by figuring out whether he is acting from a morally objectionable quality of will and looking at his history to see if it suggests this. So for example, if Dale made no attempt whatsoever to make alternate arrangements to pick up his son, it would seem that he is failing to properly regard the safety of his son, and thus, acting from a morally objectionable quality of will. However, suppose Dale started off by calling his loved ones and asking them to pick up his son, but they all refused. He then tried calling for a taxi only to find out that they were completely booked for that time. Seeing no easy options to get his son home safely, he then tried hard to fight the urge to get drunk but ultimately failed to do so. Here, it looks like Dale did not act from a morally objectionable quality of will when he picked up his son while drunk. Instead, his addiction was pulling him to act immorally and he lost the battle against it. So Sally should hold off on blaming Dale to the normally fitting degree (although in this case it seems pretty clear that she shouldn't refrain from directing blame at Dale entirely).

Thus, in my view, (EC) is both philosophically justified and offers practical guidance for people who struggle to figure out how to go about interacting with addicts who act immorally. However, there is still an outstanding problem that I haven't addressed. While I have offered some guidance to help people decide whether they should excuse an addict in the first place, the problem of deciding just how much blame to direct towards the addict has been left unaddressed. For instance, we have seen that Mary deserves an excuse, and so we can infer that turning her into the police is unjustified. However, we do not have enough information to figure out just how much we should excuse her. Is it fitting to threaten to call the cops if Mary steals again fitting?

Or might there be good reasons to think that in Mary's case, we should be even more lenient and perhaps simply call her out for stealing instead? If so, what might these reasons look like? What sorts of further considerations beyond Mary's character and history could we bring to the table to make this degree problem easier to address?

The goal of this chapter has been to figure out what, if anything, about having the disorder called addiction could excuse a person from the normally fitting degree of blame, and what conditions need to be in place for the excuse to be justified. Finding a systematic way to address the degree problem is beyond the scope of this paper. However, it is a crucially important task. Armed with resources for addressing the degree problem and an account of the conditions that make addiction excusing in the first place, we could potentially make the lives of those who deal with addicts a little bit easier. The next step for research on the ethics of addiction (at least when it comes to the practice of blame within the context of interpersonal relationships) should be to take up the task of how to make the degree problem more tractable. Although I will not attempt to do so here, I would like to see someone take up this important project in the future.

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