



The Grounds of Excuses

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Abstract

According to a popular view, excuses undermine blameworthiness. At the same time, philosophers commonly accept that blameworthiness is composed of two necessary conditions: a moral objectionability condition and a responsibility condition. For excuses to do their job, they must undermine at least one of these conditions. In this paper, I conclude that excuses do neither. By inference to the best explanation, I propose a view that reconciles this conclusion with the function of excuses.

Keywords Excuse · Blame · Blameworthiness · Justification · Responsibility

1 Introduction

I take it for granted that, at least in a minimal sense, we know what excuses do; excuses neutralize blame. While such assumption is not impervious to rebuttal, this minimal characterization of excuses' function seems fairly uncontroversial and is the starting point of many philosophical reflection on the topic¹. The present inquiry is

¹ "People are blamed and punished for breaking rules and doing what they shouldn't. They commonly fear both and try to avoid them. Similar excuses shield them from both." (Squires 1968, 54). "to excuse is to say that what the agent did was wrong, or at least untoward, but that it would be unfair to blame him for the action" (Baron, 2006, 26). "An excuse establishes that although the agent acted wrongly she should not be blamed or should not fully be blamed." (Kelly, 2012, 248). "Just as insane actors won't be jailed, but may be institutionalized, merely excused believers won't be blamed" (Greco 2019, 15). "An excuse can make it appropriate to forgo blame, to revise judgments of blameworthiness, to feel compassion and pity instead of anger and resentment." (Sliwa, 2019, 37). "One has a good excuse when, roughly,

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concerned with a question which naturally ensues from this observation: in virtue of what, exactly, do excuses fulfil their function? Put somewhat differently, what makes this relation between excuse and blame appropriate? Let us call “the grounds of excuses” what an answer to this question would capture.

This paper seeks to achieve two goals. The first is to provide an answer to the question raised above. I shall argue that excuses’ relation to blame cannot be explained by reference to blame’s own conditions of appropriateness, that is, conditions of blameworthiness. By ‘blame’ I mean the reaction which consists of holding an agent accountable for a morally objectionable act. An agent or their action can be said to be worthy of blame when such reaction is warranted. I elaborate on what, exactly, warrants such reaction in Sect. 2.

My secondary goal is to defend a view which accounts for excuses’ particular relation to blame, despite not undermining blameworthiness in any way. I call this view the “Excuser View”. The Excuser view accounts for excuses’ relation to blame in a significantly revisionary manner: this relation makes sense not because the ‘excusee’ meets some conditions of excusability, but rather because it is something the ‘excuser’ does.

In order to reach these two goals, I start by presenting what I take to be a widely accepted picture of blameworthiness, the *bipartite picture* of blameworthiness (2). According to the bipartite picture, for an agent to count as blameworthy for φ -ing, what they have done must be morally (or epistemically) objectionable and they must be responsible for what they have done. I move on to review two options for what might count as an excuse, both naturally generated by the bipartite picture: excuses undermine blameworthiness either in virtue of the absence of moral objectionability (3), or in virtue of a lack of responsibility for φ -ing on the part of the agent (4). The first option is a non-starter, as the removal of φ -ing’s objectionability for which an agent is nonetheless responsible is traditionally, and soundly so, accepted to describe what the concept of justification captures. Instead, philosophers and legal theorists tend to accept the second option, i.e., the absence of the agent’s responsibility for φ -ing. Following a view according to which excusability entails responsibility, I also challenge the default view (5). I conclude that the appropriateness of excuses does not depend on the absence of blameworthiness. In the final section of the paper (6), I defend my own take on the matter.

Before moving on, let me further define the object of my inquiry. Consider the situation in which A bumps into B, variations of which are commonly evoked in discussions on blame. On a naïve reading of the situation, it might seem that A did so consciously and purposefully at worst, neglectfully at best. Either way, this reading takes A to be blameworthy for bumping into B. What I am interested in are the considerations which would warrant B excusing A for their action. This is not to go against Peter Strawson, who famously noted “how multifarious these considerations are” (Strawson 1962/2008). Be that as it may, there might still be a principled way to regroup these considerations under the label of “excuse”, which is distinct from other ways of undermining blameworthiness.

although what one did is wrong and is therefore properly criticizable, there is a consideration that lessens the degree of blame appropriate, perhaps even to the point of blamelessness.” (Madison 2018, 4554).

2 The Bipartite Picture of Blameworthiness

In order to elucidate the grounds in virtue of which excuses undermine blame, a promising point of entry is to turn to the appropriateness conditions of blame, blameworthiness². The widely agreed upon proposition³,

If S is excused for φ -ing, then S is not blameworthy for φ -ing⁴

i.e. the idea that when we say that S is excusable for φ -ing we mean that the basis for blaming S for φ -ing is absent, supports this approach. Many indeed hold that “[t]he central moral force of excuses is to mitigate or remove blameworthiness” (Heintz, 1975, 459), that “excusing involves removing the charge of culpability” (Rivera-López, 2006, 129), or that “any consideration that blocks the normal inference from bad act to culpable agent [is] an excuse”⁵ (Rosen, 2008, 592) or yet that “something interferes with familiar processes of inference from wrong action to blameworthy agency” (Kelly, 2012, 247). In this sense, the conditions under which the property “excusability” is correctly attributed are linked to the modification of the agent’s blameworthiness.

Let’s turn then to blameworthiness. A common and basic way to understand blameworthiness is in the following terms:

S is blameworthy for φ -ing if and only if,
S is responsible for φ -ing and φ -ing is morally objectionable

This is a picture of blameworthiness endorsed by most (Battaly, 2019; Franklin, 2013; Fritz, 2014; McKenna, 2012; Nelkin, 2016; Smith, 1991). As Holly Smith puts it “[a]n account of blameworthiness or praiseworthiness should answer two questions: it should tell us what makes a person responsible for what she does, and it should tell us what makes a person good or bad for what she does” (Smith, 1991, 279). I call this picture the bipartite picture of blameworthiness.

The bipartite picture takes blameworthiness to be composed of two jointly necessary and sufficient types of condition, a responsibility condition and a moral objectionability condition. There are many variations as to what the contents of the responsibility condition and of the moral objectionability condition respectively con-

² Note here the importance of distinguishing the practice of blaming from the normative property blameworthiness. Whereas blaming someone who is not blameworthy is inappropriate, a subject might be blameworthy for φ -ing yet not blamed for φ -ing. It is indeed possible to choose not to blame someone even though they are blameworthy. In the words of Marcia Baron, “I could consistently believe someone blameworthy for A without thinking it appropriate for anyone to blame her. I might hold that what she did was wrong and that there is nothing that excuses it, yet that there is no point, no value, in blaming her” (Baron, 2014, 96–97).

³ For example: Austin, 1957; Brandt, 1969; Heintz, 1975; Greenawalt, 1986; Wallace, 1994; Baron, 2005; 2006; Rivera-López, 2006; Rosen, 2008; Kelly, 2012; Sliwa, 2019; Williamson forthcoming.

⁴ I take the present inquiry on excuse to apply to both actions and beliefs, as well as to moral and epistemic normativity. For the sake of visual order however, I will restrict myself to talking about actions and moral norms from this point on.

⁵ Here I assume that culpability and blameworthiness denote the same property. The interchangeable use of these terms is widespread in the literature. One might however disagree with this assumption. In this case, I am happy to remove Rivera-López and Rosen from the list of proponents of this view.

sist of. For this reason, let us take a closer look at each type of condition, the responsibility condition and the moral objectionability condition.

The *responsibility condition*, if fulfilled, ensures either: that it is indeed S that φ -ed, that S φ -ed freely, that the φ -ing belongs to S, or that S's φ -ing is responsive to reasons, and so on. How this particular condition is filled in will depend on how one understands responsibility and in particular where one stands in relation to determinism.

Similar considerations apply to the *moral objectionability condition*. This condition ensures that φ -ing is, in one way or another, morally objectionable. Just as with the responsibility condition, the content of this condition might vary according to one's stance on the matter. Again, there are different ways in which φ -ing might meet the moral objectionability condition, ranging from violating a norm or an obligation by φ -ing, causing great harm to oneself or others by φ -ing, S's believing that φ -ing was wrong, S φ -ing out of ill-will, S φ -ing out of negligence, and so on.

These two families of conditions, the responsibility condition and the moral objectionability condition, when jointly met, make blame appropriate. Meaning that it is appropriate to blame an agent for what they did if, and only if, they are responsible for what they did and what they did was morally objectionable. In other words, these conditions render the agent blameworthy for what they did.

If it is true that excusability removes blameworthiness, and if the bipartite picture is accurate, this must be because an excuse undermines at least one of these two conditions, either the responsibility condition or the moral objectionability condition. In what follows I examine these two theoretical avenues.

3 First Avenue: Removing the Moral Objectionability of an Action

One way one might go about explaining why excuses undermine blameworthiness is through the moral objectionability condition. According to this option, an agent is excusable for their action because even though they are responsible for it, their action is not morally objectionable. As we are about to see, most⁶ philosophers and legal theorists commonly accept that this is what the concept of *justification* captures, not of excuse. Being excused is one way to escape blame, being justified is another. Consider Heintz's statement of the distinction:

The mark of justifications that I want to emphasize is that the accused holds the view that his actions have been commensurate with what is expected of one in such circumstances (he has done an acceptable thing) [...] Suppose, on

⁶ Some accounts do seem to identify excusability with the absence of wrongness. Such accounts are advocated by philosophers like H.A. Prichard (Prichard 1932/2002), Peter Strawson (Strawson 1962/2008), R. Jay Wallace (Wallace, 1994), and John Gardner (Gardner, 2007). Wallace's account, which Paulina Sliwa labels the Obligation Account (2019), for instance seems to see excuses as "undermin[ing] blameworthiness by blocking the inference from outward behavior to the conclusion that the agent really has violated the obligations we hold her to" (Wallace, 1994, p. 119). In other words, an agent is excused for their action if in acting the way they did, no obligation was violated. If no obligation was violated in so acting, then the action is not wrong. If an action is not (somehow) wrong, then it is not blameworthy.

the other hand, that one is accused of doing something bad or wrong, and one responds by submitting an excuse. (For example, one fails to hand in a seminar paper on time, and he asks to be excused because he was ill or because he finds himself forgetful and cracking under the pressures of a logic class.) In a case of this sort the accuser and the accused agree on one important point, namely that the action (or omission) was wrong or improper or deficient substandard (or at least unfortunate). (Heintz 1975, 458)

To say that an action is justified is to say that it is not morally objectionable and so, that it is right – either because it meets an obligation, causes most happiness to the greatest number, is performed with good intentions, etc. – again how such ‘rightness’ condition is filled in might vary depending on one’s preferred view. What matters is that if an action is justified, it is not morally objectionable. If an action is not morally objectionable, then it is not blameworthy.

The distinction between excuse and justification is an important one in law and which is also embraced by philosophers. Austin famously insists on this distinction: “By and large, justifications can be kept distinct from excuses, [...] the two certainly can be confused, and can seem to go very near to each other, even if they do not perhaps actually do so” (Austin, 1957, 2). In law, demonstrating that someone was justified in acting is different than demonstrating that they should be excused for what they did. In the former case, we show that their act is not a crime, i.e., that their act does not violate the law, and in the latter case, we show that their act, in spite of counting as a crime, does not deserve punishment. Self-defense is a paradigmatic instance of justification-based defense. Here is a case: Alice seriously injures Bette because if not prevented from doing so, Bette would have murdered Alice. On a successful self-defense plea, Alice’s injuring Bette is considered legitimate. The crucial point is that justification removes blameworthiness for φ -ing by rendering φ -ing morally neutral or praiseworthy. To show that an action is justified can also be taken to show that this action is permissible^{7,8}. Overall, this reasoning supports Marcia Baron’s remarks according to which a justified action is morally preferable to an excusable action: “‘justified’ and ‘excused’ are not quite on a par, morally. Given a choice between having some action of mine deemed justified and having it deemed excused, I would rather that it be deemed justified” (Baron, 2005, 388). Indeed, the latter entails that one has broken the law, the former does not.

To conclude this section, consider ordinary pleas for excuse. In such cases, we ask to be excused, *despite* of having behaved in a way that is morally objectionable. It would seem strange that in such circumstance to ask for permission to so act or even praise, which is what would be entailed by the removal of moral objectionability. In this sense, common-sense joins forces with philosophical and legal tradition, in distinguishing between excuse and justification.

⁷ Bob Beddor calls this deontic take on justification the “Permissive view” and remarks that this is a commonly assumed yet rarely explicitly endorsed understanding of justification (Beddor, 2017, 908).

⁸ There may be situations in which a prima facie morally objectionable action is justified, say kidnapping one person in order to save a thousand: on a certain moral view kidnapping is wrong, the action is in itself impermissible while being *all things considered* permissible.

4 Second Avenue: Removing Responsibility for an Action

According to the bipartite picture of blameworthiness, the logical alternative then, is that excuses remove blameworthiness in virtue of removing the agent's responsibility for their action. A's bumping into B would be excused upon discovering, for example, that A was not responsible for said bumping.

This option is defended by a variety of accounts which differ in their details, but all have one thing in common. According to these views, which I dub the Responsibility view, an agent is excusable for their action, because they are not responsible for their action, even though their action might be morally objectionable. This view is widely endorsed both in law and philosophy (Austin, 1957; Moore, 1990; Murphy, 2005; Baron, 2005, 2006, 2014; Rivera-López, 2006; Segev, 2006; Westen, 2006; Franklin, 2013; Robison, 2019), and most famously by Austin: "a different way of going about [defending oneself] is to admit that it wasn't a good thing to have done, but to argue that it is not quite fair or correct to say baldly 'X did'" (Austin, 1957, p. 2). Unlike justification then, excusability does not make an action lawful or moral, nor a belief justified. According to the Responsibility view, the agent's action remains illegal, immoral, unjustified, etc. but because the subject is not responsible for it, it would not be appropriate to blame them.

There are many reasons why a subject might not be responsible for their action: coercion, duress, illness, intoxication, etc. Consider the following case. Carmen is kidnapped by an evil scientist who implants a chip in Carmen's brain. Thanks to this chip, the evil scientist is able to manipulate Carmen into doing anything they want, namely setting the local forest on fire. A variety of accounts of responsibility will agree that Carmen is not responsible for setting the forest on fire: Carmen is neither in direct nor indirect control of her action, Carmen does not have ownership over her action, it is not reflective of Carmen's character to commit such crime, Carmen's action is not responsive to reasons, etc. According to Responsibility views, Carmen is therefore excusable for setting the woods on fire. In this sense, "not being responsible for some morally objectionable φ -ing" becomes straightforwardly synonymous with "being excusable for φ -ing".

5 Challenging the Responsibility Views

Despite their popularity, there is something odd about Responsibility views. Poignantly, some philosophers argue that being excusable for φ -ing in fact entails that one is responsible for φ -ing (Copp, 1997; Kelly, 2012; Sliwa, 2019)⁹. If being excusable entails being responsible, and if being excusable entails not being blameworthy, then it cannot be in virtue of lacking responsibility that blameworthiness is undermined. Someone who defends this view is Sliwa (2019). As she puts it, "excuses leave moral residue; they leave something for the agent to apologize, to make amends for, and to feel distress about. The best explanation for why excuses leave such moral

⁹ In this section, I focus on Sliwa's and Copp's accounts and leave Kelly's aside until Sect. 6, where I engage with the details of her view.

residue is that the agent is morally responsible for the wrong done” (Sliwa, 2019, p. 64). The gist of Sliwa’s point is that when an agent is excusable, there must be something for which they are excusable, and this “residue” is something for which they are responsible. Sliwa is not the only one to accept that excusability entails (some) responsibility. David Copp too seems to do so:

[A person’s] action is not a basis for excusing her. She deserves to be excused despite her action, not for her action. The response she deserves for her action is the morally neutral response, and since she deserves this response for her action, she is morally responsible for it in the response-worthiness sense even though she is not blameworthy (Copp, 1997, p. 453).

Copp argues that in order to excuse an agent “for” their morally objectionable action there must exist a basis in virtue of which the agent deserves to be excused and there can be no such desert if the agent is not responsible for their action.

Common to the way in which Sliwa and Copp talk about excuses is that the φ -ing for which the agent is excused correctly belongs to them, in the sense that the conditions under which we can appropriately attribute φ -ing to the agent are gathered. The point goes further than that: it is precisely because φ -ing belongs to the agent that an excuse is legitimate. Indeed, why excuse if there is no ground for blame in the first place? This way of understanding excuses is incompatible both with Responsibility views, as it takes excusing A for φ -ing to entail that A is responsible for φ -ing, and potential Moral Objectionability views, as it presupposes that φ -ing is morally objectionable.

At this point it might seem that if we accept the bipartite picture of blameworthiness, we have run out of options and must conclude that excuses leave its different components intact. Before elaborating on this notion, in particular what kind of view on excuses it yields and its consequences, let me consider a first alternative explanation. Indeed, one obvious solution offers itself here: reject the bipartite picture. If neither the action’s moral objectionability nor their responsibility for their action, then excuses must undermine a third feature. Which means that there must be a third necessary condition for blameworthiness:

S is blameworthy for φ -ing if and only if,
 S is responsible for φ -ing + φ -ing is morally objectionable + (?)

This opens the door to a *tripartite* picture of blameworthiness, which holds that not two, but three necessary conditions must be met for blame to be appropriate.

This is what Erin Kelly’s view of excuse implicitly suggests. Kelly defends a view of excuse according to which excuses undermine “what normally are reasonable expectations about how a person should be motivated” (Kelly, 2012, 256). According to Kelly, we expect a responsible agent to be “committed to moral ends, under her difficult circumstances and despite internal psychological obstacles. We might think that despite her difficult circumstances, the moral demands on her were not unreasonable”

(*ibid.*). In other words, while we normally expect rational persons¹⁰ to desire to act on the basis of moral considerations, in certain circumstances it would be unreasonable to expect them to act thusly motivated; these are circumstances in which the agent is excused for their wrongdoing. Kelly's account of excuse presupposes the following third component of blameworthiness, in addition to the responsibility condition and moral objectionability condition:

it is reasonable to expect S to be motivated to act morally

This means that S can be excused for acting in a certain situation even if they meet a responsibility condition and a moral objectionability condition in so acting. Namely, S is excused for their action if it is unreasonable to expect S to desire to so act on the basis of moral considerations. Importantly, Kelly stresses the relevance of fairness and compassion in excusing others for their action:

Obstacles to moral success might challenge our sense that it is fair to blame, not because we lack standing or because we judge that the agent's capacity to choose to act in line with morality has been compromised, but because an agent's confrontation with significant obstacles to moral understanding or moral motivation calls out for our compassion (Kelly 2012, 257)

Given certain obstacles a person faces, it would be unfair to expect of them to be morally motivated, and so by excusing them for their action we show compassion.

Kelly's account offers a compelling and realistic picture of our excusing practices. One of its virtues lies in how well it captures the fine-grained details of the functioning and rationale that underlie these practices. All the same, I believe that this view does not escape the conundrum I have been trying to spotlight in this paper. Stripped to the bone, Kelly's account of excuse tells us that, if it is unreasonable to expect someone to be morally motivated, then a person is excusable. The view does not, as it turns out, depart from the Bipartite structure of blameworthiness.

To see this, we need to take a closer look at the reason why expectations of morality are sometimes unreasonable. Kelly explains that “[r]easonable expectations about how a particular person should be motivated to act are regulated by considerations of fairness” (Kelly, 2012, 258). Thus, the buck is passed to fairness; the further question we must answer then is, in virtue of what does an expectation (to be motivated to act morally) count as unfair? It might be that it is unfair to expect a person to be morally motivated simply because they *cannot* do better given their circumstance. On this first interpretation of Kelly's condition, the agent's (lack of) moral motivation affects the agent's freedom in acting. Alternatively, it might be that it is unfair to expect a person to be morally motivated because their circumstance sets a different (moral) standard for motivation. Given that the agent's motive is a feature that participates in the overall morality of an action, our expectations concerning an agent's moral motivation color our expectations of the morality of their action. On this second

¹⁰ Kelly's own terminology.

interpretation of Kelly's condition, the agent's (lack of) moral motivation (because it would be unreasonable to expect otherwise) affects the moral status of their action.

To recapitulate: if we understand Kelly's view as saying that we excuse agents for their action because they could not have been better motivated given their circumstance, then what is being undermined is the responsibility condition for blameworthiness. If we understand Kelly's view as saying that we excuse agents for their action because they are not expected to be better motivated, then what is being undermined is the moral objectionability condition for blameworthiness.

I suspect that a third condition for blameworthiness, however we put it, will always be superfluous. As a last resort, one could suggest a third condition such as: "S is not excusable for φ -ing". This would still leave us to explain why S is not excusable. In view of these considerations, the bipartite picture remains a sound and plausible view of blameworthiness.

6 Why Excuses do what they do

The bipartite picture leaves us with a seemingly unsolvable puzzle. If neither by removing moral objectionability nor by undermining responsibility, how do excuses remove blameworthiness? How to reconcile the bipartite picture with the function excuses are thought to serve? A limited set of options stands at our disposal. In the remainder of the paper, I come back to Sliwa's view which was introduced at the onset of the previous section. After expanding on its details, I explain where and why I depart from it. I move on to present the view I favor, the Excuser view.

6.1 The Modifier View

I shall refer to Sliwa's work on excuses as the Modifier view. According to Sliwa's view, excuses "modify which attitudes are appropriate and which reparative actions are required" (Sliwa, 2019, 66). In other words, if an action would normally warrant blame, excusing the agent for their action has the effect to mitigate blame, where blame is a reactive attitude, one could adopt in the face of a blameworthy action or agent.

Recall Sliwa's idea that excuses leave "moral residue". On the Modifier view, this moral residue precisely consists in the agent's moral responsibility for what they are being excused for. Sliwa specifies that "excuses do not negate moral responsibility" nor do they "negate [the action's] status as a wrong" (Sliwa, 2019, 66). Translated to the framing of this paper, Sliwa's Modifier View provides a major insight: what grounds the relation of excuses and blame is neither the absence of responsibility nor the absence of moral objectionability. Instead, the Modifier View locates the blame-mitigating factors with the agent and their action's circumstances.

This claim however faces a variant of the challenge I have posed to the Moral Objectionability and Responsibility views. I have argued in the previous sections that if the excusability of an agent was grounded in features of the agent or their action that would normally make them blameworthy, then these features would have to belong to either of the following categories: features pertaining to the agent's respon-

sibility; or features pertaining to the moral objectionability of their action. The issue is: any attempt at identifying conditions of excusability with a property the wrongdoer or their action exemplify is doomed to encounter the problem I have presented in Sects. 2 and 3. In what follows I argue that the Modifier View falls prey to this problem.

To see this, let's take a closer look at two of Sliwa's examples: the truck driver who kills a child on the road; and the patron who assaults someone in a bar (Sliwa, 2019, 70–71). According to Sliwa, these two examples are instances of agents being granted a partial excuse. In both cases, I contend that the features that are supposed to mitigate the blame still fall within the category of considerations about the moral objectionability of the action, thereby instantiating cases of partial justification rather than partial excuse. Let me explain why. In the former case, the truck driver is granted a partial excuse because the killing occurred despite the agent's alertness and carefulness. In other words, it was not the driver's intention to kill this child. But considerations targeting the driver's intentions affect the moral objectionability of their action because they reflect their quality of will; they didn't kill the child with the malignant intention to do so. In the latter case, the patron's partial excuse for their assault is granted because they were provoked into a fight. Here I believe that what we are dealing with cases of partial justification rather than partial excuse because the assailant's reasons to act (i.e. they were provoked) affect the moral objectionability of their behavior. These reasons, namely the fact that they were provoked, modify the moral status of the act, i.e. they make it less morally objectionable. These are the kind of considerations that pertain to justification, as we saw in Sect. 3. The point I wish to get across here is that if we identify granting an excuse with modifying the degree of our blaming attitudes, then we are back to appealing to criteria, which I have shown to pertain to degrees of justification or responsibility.

The Modifier view makes the case for the idea that excuses leave the agent's blameworthiness intact. On this point, Sliwa's view and mine converge. However, I have argued above that the Modifier view's own account of the grounds of excuses is not wholly satisfying. In the next part of the section, I put forward a view which is meant to provide a way out of this impasse.

6.2 The Excuser View

Sliwa's Modifier view accurately captures two crucial features of excuses and its relation to blameworthiness. First, it characterizes excuses as leaving the agent's responsibility and the moral status of their actions intact, to borrow Sliwa's turn of phrase. Second, it brings to the forefront the assumption with which I started the paper: what excuses do is to undermine blame, in part or altogether. I depart from the Modifier View in several respects. While I agree that excusing an agent for φ -ing is directly connected to the reactive attitudes the excuser adopts in those circumstances, this is not in virtue of some fact about the agent. Furthermore, rather than to mitigate blame, to excuse is to opt out of blame altogether. In what follows I present a tentative view that builds on Sliwa's insights while taking a bold turn away from the Modifier View. I dub this view the 'Excuser View'.

The Excuser View emerges out of the aporetic examination started at the beginning of this paper and taking its conclusion at face value. If excuses' relation to blame cannot be explained in reference to the components of blameworthiness, then excuses do not, in fact, hinge on the absence of either of these components. In other words, the appropriateness of an excuse is not grounded in further facts about the agent or their act. Let's unpack the theoretical consequences of this conclusion.

So far, I have been working under the assumption that there is such a thing as a property of "excusability" which makes the attitude of excuse appropriate. I have been trying to elucidate the conditions under which an agent counts as excusable. I have concluded that such elucidation cannot but reach a dead-end. This suggests that there might be no such thing as an excusability property further explainable by reference to the agent's blameworthiness. Thus, the view I put forward is akin to an error theory, insofar as I reject that there is a property the attribution of which is made appropriate by considerations about the agent's blameworthiness.

The Excuser View contends that what warrants an excuse is the *excuser's* decision to opt out for blame. My goal here is not to rob the topic of excuses of its theoretical interest. Even though excuses are not grounded in facts about the person being excused for their action, their function remains the same. My view preserves the common sense understanding of the function of excuses, i.e., relieve wrongdoers from blame. In addition, it invites us to shift our focus away from the facts about the wrongdoer, and towards the excuser. Consequently, I submit the following proposal: what explains excuses' neutralization of blame is that agent A (or group-A of agents) who is entitled to blame agent B (or group-B of agents) opts out of blaming agent-B, where agent-A's reasons for doing so are personal¹¹.

Let me unpack the gist of the Excuser view further with an illustration: for the sake of our own integrity and that of the other, individuals set physical and psychological boundaries. At the same time, conflicts are part of these relationships. Imagine that in a heated argument with her sibling Erin, Dana, intending to provoke them, says something extremely cutting to Erin. As a result, Erin is hurt. To the extent that Dana has voluntarily violated Erin's psychological integrity, it seems reasonable to say that she is blameworthy for her action. It seems equally reasonable that Erin would choose to excuse Dana for reasons that in no way justify her action. For example, Erin is convinced that blame is counterproductive.

The following considerations are intended to lend further support to the Excuser View. Suppose for the sake of the argument, that for B to excuse A for φ -ing is for B to adopt a certain attitude towards A, in the same way that for B to blame A for φ -ing is for B to adopt a certain attitude towards A. Imagine that C is a bystander to B blaming A for φ -ing. How might C go about challenge B's blaming attitude towards A? C could claim that A is in fact not blameworthy, thereby pointing out that A (or A's φ -ing) does not meet the conditions that make blame appropriate. Now compare with a situation in which C is a bystander to B's excusing A's φ -ing: is there a principled

¹¹ By 'personal reasons' I mean the kind of reason which philosophers traditionally call 'agent-relative reasons', as opposed to 'agent-neutral reasons'. Here I follow Jörg Löschke's recent proposal for understanding this notion: "a reason is agent-relative if its normative force can differ from agent to agent, and it is agent-neutral if its normative force remains constant among agents." (Löschke, 2021, p. 367).

way for C to challenge B's excusing attitude towards A in this case? In the case I just described, C is able to object to B's reaction because A (or their action) does not meet conditions for blameworthiness and therefore, blame is not warranted. For C to be able to object to B's reaction in the excuse case, there would have to be such conditions in place to which C could refer. Such conditions would have to be such that if they were not met by A (or their action), an excuse would not be warranted. Let's suppose further that it is correct that excuses leave blameworthiness intact. This would mean that blameworthiness is at least necessary for an excuse to take place. According to this framework, C could contest B's choice to excuse A on account of the fact that A does not meet any conditions of blameworthiness. In such scenario we would be dealing with a case of justification or exemption. But it would be no use for C to point to the fact that A is in fact blameworthy because conditions of appropriateness do not create an obligation to adopt the corresponding attitude. B is allowed to opt out of blame. This suggests a lack of objective grounds on which C can stand to contest B's excusing A, in situations in which A is indeed blameworthy.

Let's go back to the example I introduced earlier in this section. Imagine that Erin's friend, Faye, challenges Erin's decision to excuse Dana. She does so by arguing that although blame might be counterproductive in general, in this particular situation (say because of Dana's history of unfiltered bluntness) it is important for Erin to blame their sister. The grounds for contesting blame on the one hand, and excuse on the other, differ in quality: the former can appeal to objective (or at least intersubjective) standards and the latter are restricted to personal standards. This qualitative difference between grounds for contestation speaks to the idea that whether to excuse is the excuser's business.

6.3 Objections, Replies, and Alternatives

Let me consider two important objections to the Excuser View. First, one might object that the above reasoning merely shows that individuals have leeway in choosing to blame, or not, a blameworthy agent. I think that this is in fact correct: if what I have been arguing in Sects. 2 and 3 is sound, i.e. excuses do not undermine blameworthiness, and if we wish to preserve the integrity of the notion of excuse, then I am happy to grant that taking advantage of such leeway exhausts the meaning of excuse.

Second, a serious objection to the Excuser View is that it fails to discriminate between intuitive and counterintuitive cases of excuse. Consider the following, admittedly, trickier example. Gabe kicks his colleague Helena in the shin and on purpose. Helena would be justified in blaming Gabe for his action, but instead she decides not to blame him, thereby excusing Gabe for his nasty kick. The Excuser View seems to accept too wide of a range of reasons for Helena to do so, from good ones to absurd ones: that Gabe was undergoing extreme stress; that Helena feels a lot of sympathy for Gabe given that like her, he is a Lakers supporter; that Helena simply does not want to blame Gabe; that the sky was cloudy the previous day; and so on¹².

¹² Many thanks to an anonymous referee for suggesting these examples to me and pressing me to address this objection.

A possible reply to this objection, is an addendum to the Excuser View and that would require that the excuser's reasons to opt out of blame be at least rational. This would at least eliminate the implausible end of the spectrum of reasons. But this solution is unfortunately ad hoc and would contradict the view itself by positing objective grounds for excuses. Instead, I will attempt to modestly gnaw on the bullet by appealing to personal autonomy. Even if Helena's reason for excusing Gabe is unconvincing, it is after all Helena's choice. She is the only one for whom it would be appropriate to blame Gabe, and as such she is entitled to take up this opportunity or not. This does not mean however that holding each other accountable should not be part of a functioning society. Knowing when to hold others responsible for wronging us¹³ when we need it and letting go when we don't is part of learning how to navigate the social world, both its private and public spheres, in a way that is suited to the person we are. Looking at the implausibility of certain excuses from this perspective takes accountability practices to be a matter of self-knowledge and ownership. I recognize that my reply to the second objection might be unsatisfying to those sympathetic to a stricter approach to the normativity of excuses, but I sincerely hope that my shift of focus will nonetheless present some appeal to my interlocutors.

Before moving on to the last section of this paper, let me consider a last alternative. One might argue that the failure to identify grounds for excuses tied to blameworthiness is a symptom of the fact that some cases of apparent excuse for morally wrong actions are in fact cases of justified actions. For instance, Eduardo Rivera-López rejects the claim that "an individual can be fully excused for having performed a wrong action" (Rivera-López, 2006, 124) by arguing that the kind of considerations that typically excuse agents for their actions are incompatible with these actions being morally wrong in the first place. There might be genuine cases of excused actions, e.g. bad actions, but these are not blameworthy actions (Rivera-López, 2006, 140).

Because the Excuser View is a remedy to the conclusion that excuses do not undermine blameworthiness, it is indisputably incompatible with an error theory like that of Rivera-López. I have already provided an argument against the former claim in the first part of this paper. Here I can only refer to examples like the one I have discussed a few paragraphs ago to offer try and convince error theorists to come over to my side. The question whether Erin should excuse Dana arises precisely because she has done something which is at the least morally objectionable. Recall Sliwa's and Copp's insistence on the fact that there must something we excuse the agent *for* (Sect. 5). In the same way that eliminating responsibility cancels out the target of an excuse, so does eliminating the moral objectionability of the action at stake. I find this idea aptly captures what is going on in the example above and similar cases of excuse.

¹³ This does not mean that excuses are only relevant to cases in which someone is wronged personally. First, the parties involved maybe groups of agents or collectivities, and second, agent-A may be entitled to blame blameworthy agent-B not because they've been wronged personally but because it is their role to do so or because they are responsible for the wronged individual, for example.

6.4 Directions for Further Research: Excuses, Forgiveness, and Their Close Cousins

In closing, I would like to linger on notions closely related to excuses for a moment. Here I have in mind notions like forgiveness, compassion, redemption, accepting an apology, pardon, mercy, letting go¹⁴ and so on. My reason for grouping these notions together is that, intuitively, they seem to stand in a similar relation to blame and blameworthiness: where blame is renounced despite conditions of blameworthiness being met. By means of illustration, let's focus on forgiveness. One could object to my view by pointing out that it blurs the boundary between excuses and forgiveness, whereas the philosophical literature traditionally contrasts these two notions against each other¹⁵. Indeed the received view takes forgiveness to entail blameworthiness whereas excuses do not (Warmke et al., 2021). Having rejected the latter claim, I am forced to sacrifice this important distinction.

In response, I sketch out the first lines of an account of forgiveness, according to the Excuser View. My view of excuses requires very little from the situation for the excuser to forgo blame: namely, a blameworthy agent¹⁶ and the willingness to opt out of blame. Arguably, forgiveness is a more demanding notion. This might be due to the (perceived) seriousness of the offense, the intensity of competing negative emotions, the stakes associated with forgiveness, to name a few examples. In this sense, an act of forgiveness might be a more robust variety of excuse. By this mean that the presence of these factors will likely require more intellectual and emotional work from the excuser to be in a position to forgo blame. When such work is involved, an excuse could be thought of being 'upgraded' to the status of act of forgiveness.

Given the limited scope and space afforded by this essay, I leave this first sketch as it is. For now, let me point out its relevance to the objection introduced earlier. Contra the received view, my approach embraces that excuse and forgiveness stand in a qualitatively identical relation to blameworthiness. Rather, it seeks to account for the distinctions between these two practices in terms of their psychological and functional features. This is an exciting endeavor I shall save for future work.

7 Conclusion

I have inquired into the question “what makes the commonly accepted relation between excuse and blame appropriate?” by trying to identify which component of blameworthiness is undermined in cases in which an excuse is appropriate. The bipolar-

¹⁴ In a recent paper, Brunning and Milam develop an account of “letting go” of blame as a practice directly connected to forgiveness as well as excuses (Brunning & Milam, 2022).

¹⁵ For example, Milam, 2022; Nelkin, 2013; Griswold, 2007; Pettigrove, 2007; Baron, 2006; Murphy, 2005; Hieronymi, 2001, to name but a few authors who discuss forgiveness together with excuses.

¹⁶ Since blameworthiness entails responsibility, as well as moral objectionability, excuses, on my account, are irrelevant to cases in which the agent who acted in a morally objectionable way but was not responsible. For example, cases of accidental actions (although one could argue that these are not a relevant candidate for excuses because of the condition of moral objectionability is not met either, see my discussion of Sliwa's truck driver in Sect. 6.1) or cases of mind control.

tite picture of blameworthiness provides two options: either excuses are warranted because the condition of moral objectionability is not met or because the condition of responsibility is not met. A ‘Moral Objectionability view’ is untenable given that the property that it captures amounts to what is traditionally recognized as justification. The standard views, ‘Responsibility views’, face a compelling challenge: for an agent to be excused for their morally objectionable action, the action in question must rightfully belong to them. In other words, excusability entails responsibility. If we take this challenge seriously, we must accept that in undermining an agent’s blameworthiness for a certain action, excuses neither the action’s moral objectionability nor the agent’s responsibility. These considerations suggest one avenue of reflection according to which excuses leaves blameworthiness intact. Finally, I have argued that if excuses’ function is to relieve an agent from blame, they do so in virtue of *excuser’s* decision to opt out of blame.

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