

Moral Responsibility and the Ethics of Traffic Safety

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ABSTRACT

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The general aim of this thesis is to present and analyse traffic safety from an ethical perspective and to explore some conceptual and normative aspects of moral responsibility. Paper I presents eight ethical problem areas that should be further analysed in relation to traffic safety. Paper II is focused on the question of who is responsible for traffic safety, taking the distribution of responsibility adopted through the Swedish policy called Vision Zero as its starting point. It is argued that a distinction should be made between backward-looking and forward-looking responsibility and that Vision Zero should be understood in terms of this distinction. Paper III discusses responsibility ascriptions in relation to public health problems like obesity and lung cancer. It is argued that what makes discussions about who is responsible for such problems complicated is that we have two aims when ascribing responsibility to someone. First, we want responsibility ascriptions to be fair and morally justified. Second, we also want to achieve progress and solve problems through ascribing responsibility to someone. It is argued that the two aims influence debates concerning who is responsible for problems like obesity and lung cancer and that we should attempt at striking a balance that is both perceived as fair and that is efficient. Paper IV discusses two potential arguments against the suggestion that alcohol interlocks should be mandatory in all cars, namely 1) that it displaces the responsibility of individual drivers, and 2) that it constitutes a paternalistic interference with drivers. The first objection is found unconvincing, while the second only has limited bite and may be neutralized if paternalism is accepted for the sake of greater net liberty. It is argued that if technological development can make mandatory interlocks cost-efficient, the policy seems a commendable public health measure. In Paper V, the question discussed is to what extent individuals should be ascribed moral responsibility for the environmentally damaging consequences of their actions. It is argued that responsibility depends on the reasonableness of the alternatives open to an individual when acting. The lack of reasonable alternatives should reduce the degree of individual responsibility.

Key words: moral responsibility, ethics, traffic safety, public health, environment

LIST OF PAPERS

This doctoral thesis consists of the following introduction and papers I-V:

I: Fahlquist, J.N.– “The Ethics of Traffic Safety“, submitted manuscript.

II: Fahlquist, J.N. - “Responsibility Ascriptions and Vision Zero“, *Accident Analysis and Prevention* 38 2006, pp.1113-1118.

III: Fahlquist, J.N. “Responsibility Ascriptions and Public Health Problems. Who is responsible for obesity and lung cancer?” *Journal of Public Health* 14:1 2006, pp.15-19.

IV: Grill, K. and Fahlquist, J.N. - “Responsibility, Paternalism and Alcohol Interlocks”, submitted manuscript.

V: Individual Responsibility, Alternative Actions and Environmental Problems”, submitted manuscript.

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PREFACE

I recently found a drawing I made when I was about seven years old. I had drawn a girl and a map and written “When I grow up I want to become a researcher.” As I remember, a friend’s father who was a professor in human geography inspired me to draw that picture. I admired his knowledge and how he used to tell us stories about the way people lived in earlier times. The curiosity and need to know more has always been there and I doubt that it will go away any time soon. Someone said that the more you learn, the more you realize how little you really know and how much you do not understand. In a way, this seems to be true and the frustration never goes away. However, having the opportunity to do research in philosophy one can at least spend one’s time *attempting* to understand more.

I am grateful for having been able to do this for five years. I could not have done it on my own. I am grateful to my supervisor Dr. John Cantwell and Professor Sven Ove Hansson for helping me write this thesis. I would like to express my sincere gratitude to my assistant supervisor Dr. Martin Peterson. Thank you for invaluable help, advice and encouragement. I would also like to thank all my friends and colleagues at the Division of Philosophy, especially Hélène Hermansson, Karin Edvardsson, Elin Palm and Barbro Björkman for continuous advice and encouragement.

Without my family, I would not have been able to do this. Therefore, I wish to express my gratitude to the following people. My beloved son, William Fahlquist, for being the sunshine and joy of my life and for reminding me of what characterises an ideal philosopher: inhibited curiosity and not accepting any boundaries (without a really good argument). My husband Rickard Fahlquist for unconditional love and support as well as for striking an impressive balance between attempting to understand and questioning my views. Your encouragement is the main reason why I continued even during frustrating times. I want to thank my mother, Ylva Skogström, for endless support and encouragement. I am eternally grateful. My father Gunnar Nihlén for support and for inspiring me with your admirable way of handling critique. I also want to thank my brother, Tomas Nihlén for friendship and for our discussions over the years about morality and politics. Thanks are also due to my mother-in-law Eva Fahlquist and father-in-law Per Fahlquist, who have been tremendously supportive. Finally, I also wish to thank Linda Pierre and Birgitta Nihlén for supporting me throughout this process.

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1. INTRODUCTION

Road traffic has many advantages, individual as well as social and economic. We are able to travel to places, transport food and other goods in a way that would not be possible had it not been for the technological and infrastructural developments primarily during the 20th century. However, there are two serious side effects associated with road traffic. First, the environmental damage produced by the use of motor vehicles is substantial. Second, about 1, 2 million people die and many more are injured globally every year due to road traffic.¹ In this thesis, focus is primarily on the latter problem.

The ethics of traffic safety is a potential branch of applied ethics. But what is applied ethics? A normal initial response to that question may be that applied ethics consists in applying ethical theory to empirical subject areas, for instance medicine, or information technology. For example, one could apply virtue ethics to medicine thereby attempting to come up with answers to the question which are the most important virtues in medicine. Similarly, one could apply a utilitarian perspective to problems of privacy and internet surveillance and analyse what balance between privacy and, for instance, national security would result in the highest expected utility. However, this view of applied ethics has been justifiably criticised. According to Alasdair MacIntyre, the term 'applied ethics' is a "barrier to understanding what is actually going on". He claims that two things are going on under this label. First, in some areas the traditional conception of applied ethics protects power from moral scrutiny. Second, in other areas, what is being called 'applied ethics' is nothing but the same kind of general moral discussion that has been going on since antiquity.² Similarly, Tom Beauchamp argues that although there are differences in content, there are no fundamental differences between ethical theory and applied ethics as philosophical activities or methods, since philosophers engaged in applied ethics do precisely what philosophers specialized in ethical theory do.³

Theoretically oriented philosophers and those interested in applied matters alike analyse concepts, scrutinise justifications for beliefs, policies and actions and criticise moral phenomena, thereby employing the same methods. Whereas someone more interested in theoretical aspects of

¹ M., Peden R. Scurfield, D. Sleet, D. Mohan, A. Hyder, E. Jarawan, C, Mathers C. *World Report on Road Traffic Injury Prevention*, 2004 World Health Organization, p.3.

² Alasdair MacIntyre "Does applied ethics rest on a mistake" *Monist* 67, 1984, pp.498-513, p. 513.

³ Tom Beauchamp "On eliminating the distinction between applied ethics and ethical theory" *Monist* 67, 1984, pp. 514-531.

philosophy and someone interested in applying philosophy may focus their analyses partly on different concepts, some concepts are discussed in ethical theory and applied ethics alike.⁴ Directing one's attention to the field of traffic safety, this observation becomes highly relevant.

While there is not much written on the ethics of traffic safety, philosophical discussions concerning responsibility, paternalism, privacy and risk are well-established. The challenge was to analyse the relevance of these concepts to the subjects to traffic safety. Whereas a theoretically focused philosopher could focus all efforts on the age-old dispute between defenders and opponents of free will and what the existence or non-existence of free will would imply for the concept of moral responsibility, this would not necessarily be relevant to the field of traffic safety. Instead, to analyse responsibility in relation to road traffic a better way to start is to look at conventions of holding individual and social actors responsible in road traffic. First, one could ask, what is the conventional answer to the question of who is responsible for traffic accidents and safety? Second, are there competing views? Third, which is the most justified account? After having some idea of what the answers to the first two questions may be, it could be valuable to direct one's attention to philosophical theories of responsibility. There may be suitable frameworks of analysis that could facilitate our understanding of the practice of holding each other responsible in road traffic. In the intersection between philosophical theories of responsibility and the practice of holding agents responsible in road traffic a possible answer to the third question may be found. In this way, philosophers interested in applying theories to empirical subject matters move back and forth between theory and practice. The aim of this process may be seen as facilitating the analysis of, for example, the practice of holding agents responsible in road traffic. Ideally, but not necessarily, studying an empirical field like road traffic also improves theory in some respect.

2. MORAL RESPONSIBILITY

2.1. FREE ACTION AND CAUSALLY DETERMINED BEHAVIOUR

The concept of responsibility is used frequently in public debates and conversations. It appears to be important to us, as human beings and members of a society, to ascribe responsibility to individuals and institutions for actions, omissions, some of the consequences of actions and so

⁴ Ibid., pp. 515-516.

forth. Given the centrality of responsibility ascriptions in society, it is not surprising that the concept is important for philosophers as well. However, what is rather surprising is that the focus of a considerable part of the philosophical discussion is whether moral responsibility is compatible with determinism.⁵ The philosophical debate on moral responsibility has largely been carried out within the framework of compatibilism and incompatibilism, the former arguing that responsibility is compatible with determinism and the latter denying this.

Thus, there appears to be a significant gap between the public conception of responsibility, which more or less assumes free will to some extent and major philosophical discussions, which rarely get further than to discussing the importance of this very assumption. What philosophers have been largely interested in has been called *normative responsibility*, i.e. “eligibility for normative assessment regarding an action”.⁶ There are certainly interesting aspects of that problem and some of it may even be used in analyses of responsibility in empirical contexts. However, there are other important aspects of moral responsibility in need of clarification, for example its nature and scope.⁷

The essence of the debate between compatibilists and incompatibilists is to what extent we have to be considered free in order to fairly be ascribed responsibility. Although this discussion is often relatively esoteric, its central question is present in public debates and ordinary conversations. One such example is the perennial debate to what extent we are responsible for the way we are. For example, if a person grew up in a home where she was abused on a daily basis, to what extent is she responsible for her flawed moral character as an adult and to what extent is she responsible for actions based in that character?⁸ Such debates are often divided between those who are more willing to excuse a person whose background appears to have, to a greater or lesser extent, produced her character flaws and those who argue that individuals are free not to let their background necessitate their future. The same tension between necessity and free agency echoes in the debate concerning to what extent a certain cultural background excuses conduct that would otherwise be considered immoral. One example is the debate regarding the so-called honorary killings in Sweden. An honorary killing is a case in which a woman is killed by

⁵ For a relatively brief introduction to the issues, see John Martin Fischer “Recent work on moral responsibility” *Ethics*, 110:1 (1999), pp. 93-139.

⁶ Robert Audi “Responsible action and virtuous character” *Ethics*, 101: 2. (1991), pp. 304-321, p. 305.

⁷ *Ibid.*, p. 304.

⁸ Audi (1991) discusses responsibility for character traits.

a male relative, usually the father or brother, because she does not follow the family's tradition or religion or because she is believed to have had inappropriate relations with a man who is not accepted by the family.⁹ Few of us would excuse someone who killed his daughter for "cultural reasons" and this is an extreme example. In less dramatic cases it is less straightforward to what extent cultural background conditions may excuse an agent from responsibility. It is a widespread, and to some extent plausible, belief that individuals are affected by their cultural and social context.¹⁰ If something is culturally and socially accepted, but morally wrong, people in that culture may commit wrongdoing when they did not intend any wrong-doing. However, if our acceptance of cultural influence is taken too far, it becomes difficult to account for moral progress. As pointed out by Tracy Isaacs, most of us would probably want to see the abandonment of slavery and the fact that people now generally find it unacceptable as moral progress and not merely change.¹¹ Thus, a balance needs to be struck between the observation that cultural and social contexts do influence our behaviour and the notion of individual responsibility.

2.2. REACTIVE ATTITUDES AND REFLECTION

Let us imagine a little girl being stabbed to death by a man who has a psychiatric diagnosis. Let us also imagine that he killed her after having been released from the psychiatric clinic where he had spent most of his adult life.

Confronted with this story, the first reaction for most people is emotional and consists of anger, empathy for the victim's family and so forth. Those of us who have children probably think about the horror of having our own child being killed by a stranger and what we would do should it happen to us. Would we go after him and try to kill him? Having contemplated the event for some time, the emotional reaction is accompanied and perhaps moderated by reflection and analysis. Some questions that may come to mind are the following. What caused this man to kill an innocent little girl? What was the extent of the perpetrator's psychiatric problems? Could social actors have acted differently to prevent the tragedy? These are merely a few of the questions that contribute to making our thinking about the event more complex and detached than the initial emotional reaction.

⁹ <http://sv.wikipedia.org/wiki/Hedersmord> (In Swedish), accessed 1 Nov 2007.

¹⁰ Tracy Isaacs "Cultural context and moral responsibility" *Ethics* 107: 4. (1997), pp. 670-684, p. 670.

¹¹ *Ibid.*, pp. 670-671.

This case illustrates two elements of moral responsibility. First, there is often an emotional element in responsibility ascriptions, a reaction to wrongdoing. This element is associated with Peter Strawson's theory of responsibility, which has been tremendously influential. According to him, reactive attitudes are all there is to moral responsibility. Moral responsibility consists of the reactive attitudes, for example resentment and gratitude, we hold towards each other as co-members of the moral community. When we have been injured or offended by someone else's actions, we are normally expected to feel resentment unless there are special considerations. There are two kinds of special considerations. First, there are considerations that are related to excuses like "He didn't mean to" or "He didn't know" and these pleas invite us to think of the agent as someone who is normally a fully responsible agent but who is not responsible for this particular injury. The other kind of special considerations are associated with cases where the circumstances are believed to be normal but where the agent is not seen as a fully responsible agent due to psychological abnormality or moral underdevelopment.¹² If the agent is judged to belong to this category our reactive attitudes are normally modified in light of this.

Whereas resentment is a reaction towards another agent when we have been injured by her actions (unless there are special considerations), we also react with moral indignation towards the actions of agents when we are not affected by these but where others are. In such cases we react to the quality of others' will as reflected in their behaviour towards others, i.e. resentment on behalf of others.¹³ In addition to having expectations on others' behaviour towards us and others, we also have expectations on our own behaviour towards others. This explains why we often have feelings of guilt, remorse and responsibility.¹⁴

However, the reactive attitudes appear not to tell the whole story of what moral responsibility is. For, as the case with the little girl being killed by someone who is possibly not mentally well shows, as members of the moral community we also have the capability to step back and analyse the situation from a more detached perspective. Similarly, although we are affected by cultural and social contexts, most of us are also able to assess and alter our conduct, for example when confronted with new information.

¹² Peter Strawson "Freedom and resentment" *Proceedings of the British Academy* 48, 1962, pp. 1-25, reprinted in John Martin Fischer and Mark Ravizza (eds) *Perspectives on moral responsibility* Cornell University Press, Ithaca, 1993, p. 50-52.

¹³ *Ibid.*, p. 56.

¹⁴ *Ibid.*, p. 57.

Strawson's view makes it impossible to criticise practices of holding agents responsible and it is very static and relativistic in that sense. There is a difference between *being held* responsible and *being* responsible that is not captured by the theory of responsibility as reactive attitudes.¹⁵ We are able to, and regularly do, criticise and question our own and others' reactive attitudes. We ask ourselves and discuss with others to what extent those reactive attitudes are justified. Hence, to be morally responsible is not merely to be a target of reactive attitudes. According to John M. Fischer's revised Strawsonian theory, "agents are morally responsible if and only if they are *appropriate* recipients of reactive attitudes".¹⁶ Hence, whereas the first element of moral responsibility is the reactive attitudes towards the actions of co-agents in a moral community, the other element is critical reflection of these practices.

2.3. BACKWARD-LOOKING AND FORWARD-LOOKING RESPONSIBILITY

In addition to showing that moral responsibility is both a matter of emotional reactions and reflective analysis, the case with the killing of the little girl also illuminates the distinction between backward-looking and forward-looking responsibility. It may be argued that the psychiatric clinic shares the backward-looking responsibility for the killing of the little girl if they, for example, released the man although there were clear signs that he had not yet recovered. In addition, an argument that is often put forward in similar situations relates more to the future than to the past. For, apart from the question of whether the man was mentally well or not and to what extent he, and perhaps the clinic, should be held responsible for what happened, a question that often arises is whether social actors should do more to prevent similar acts in the future.

Disagreement about who is responsible for societal problems are common and apart from being a mirror of the many different moral and political perspectives people have, what often becomes clear is that discussants may not even agree on what "being responsible" means. Furthermore, it is not obvious that they themselves have a clear notion of what they mean by asserting that X is responsible for A. Part of this confusion is the common propensity not to clearly separate the following questions:

- Who caused A?

¹⁵ John Marin Fischer and Mark Ravizza "Introduction" in John Martin Fischer and Mark Ravizza (eds) *Perspectives on moral responsibility* Cornell University Press, Ithaca, 1993, p. 18.

¹⁶ Ibid.

- Who is to blame for A?
- Who should do something about A?

With the help of these questions, we should make use of the following distinction.

- Backward-looking responsibility ascriptions (consisting of backward-looking causal responsibility and blame)
- Forward-looking responsibility ascriptions (consisting of forward-looking causal responsibility, *potential* backward-looking causal responsibility and *potential* blame)

Robert Audi, discussing whether we are responsible for our character and character traits, distinguishes between generative responsibility, retentional responsibility and prospective responsibility to separate questions of producing a trait of character, retaining a trait of character and taking on a trait of character. An agent can be excused from generative responsibility because she, for instance, did not produce the character trait, but since she is now able to change she is ascribed retentional responsibility. So, even if she could not help becoming a certain way the questions concerning what she should do now and in the future remain open.¹⁷ In this way, she may be excused from backward-looking responsibility, but be ascribed forward-looking responsibility for that character trait.

Discussions about societal problems, for example the debate on who is responsible for the public health problem related to obesity, are multi-layered. At the individual level, the question is whether an agent, A, is responsible for becoming obese and for the health-related consequences of that. To evaluate her responsibility, we would want to know A's circumstances and whether she has any excuse. Was she, for instance, aware of the risks of obesity? Furthermore, as I argue in essay V, what alternatives did she have? If she could not afford to exercise at a gym or buy healthy food, this may reduce her responsibility. At a more general level, the question is whether other actors, for instance the government, authorities, the food industry, health care institutions and so forth, share responsibility with her. To estimate their role in A's and other people's obesity, we would be interested in knowing more about their causal contribution, whether they had any valid excuse and the way in which they create and affect the alternatives that are open to individuals. At the individual as well as the general level, we are interested both in what caused A and others to become obese and whether anyone should be blamed, but also how this problem should be solved and who should solve it. If backward-looking responsibility and forward-

¹⁷ Ibid, pp.308-309.

looking responsibility are conflated, this could have negative consequences in moral as well as efficiency terms. Agents could be unjustifiably blamed and communication problems could hamper the process of solving the problem at hand.

2.4. CAUSATION AND RESPONSIBILITY

Acknowledging that responsibility is sometimes forward-looking puts focus on the question of how important causation is to ascriptions of moral responsibility. A common assumption when discussing moral responsibility is that:

- (i) If the agent A caused the state-of-affairs S, she is responsible for it.
- (ii) If A is responsible for S, she caused it.

This strict relationship between causation and responsibility is either assumed by philosophers or, as the extensive literature on free will and determinism shows, the exact content of this kind of causation is the focus of the discussion. Causal responsibility is so closely attached to the concept of moral responsibility that it is sometimes difficult to detach the two. Intuitively, we are only morally responsible for what we cause.¹⁸

The Swedish adoption of Vision Zero as the long-term goal for traffic safety entailed a shift of focus from the backward-looking responsibility of the individual road users to the forward-looking responsibility of the system designers.¹⁹ This is one example where an agent, in this case a road user, may be said to have causal responsibility for a collision, but where this gives rise to a forward-looking responsibility of one or several other agents or institutions, in this case the system designers. An individual car driver may, for instance, have caused a collision through her inability to notice a pedestrian at a crossing. She is causally responsible for it, but the circumstances in terms of the systemic setting in which the accident occurred may reduce or eliminate her moral responsibility. In addition, the accident entails a moral forward-looking responsibility for some other agent or institution. In this case, the system designers did not cause the accident, the road user did, but they are responsible to make sure that the systems are changed in a way that prevents similar collisions in the future.

¹⁸ Carolina Sartorio "How to be responsible for something without causing it" *Philosophical Perspectives (ethics)* 18:1, 2004, pp. 315-336, p. 315.

¹⁹ Jessica Nihlén Fahlquist "Responsibility ascriptions and Vision Zero" *Accident Analysis and Prevention* 38 2006, pp. 1113-1118.

The notion that responsibility is sometimes is more forward-looking than backward-looking is a fundamental part of ordinary language responsibility ascriptions, but it is to some extent a neglected topic in philosophical discussions. However, there are some exceptions.²⁰

As Stale Fredriksen argues, the standard philosophical conception of responsibility, focusing on “responsibility because of control”, is too narrow and should be supplemented with “responsibility because of social involvement”.²¹ He claims that the standard model is wrong and that we do not merely ascribe responsibility to agents who have had control over their actions. He gives an example in which a young father is told that he has a serious neurological disease which will break him down and lead to his death within 10 years. Obviously, neither the father nor his wife controlled or caused this in any way, but they still have a responsibility to see to it that their children are taken care of and provided for and so forth. He is not exempt from responsibility because he did not control or cause it.

Iris Marion Young has presented a novel conception of responsibility, the social connection model of responsibility, which is different from the standard concept. Her topic is in what way individuals in the developed part of the world are responsible for the conditions of workers in the global apparel industry located in third world countries, but she argues that her model is applicable to all cases of structural injustice. Young argues that “all agents who contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices.”²² There are five distinguishing features of this concept, namely the following.

- It does not isolate perpetrators.
- It judges background conditions of action.
- It is more forward-looking than backward-looking.
- Its responsibility is essentially shared.

²⁰ Henry S. Richardson, “Institutionally divided moral responsibility”, in Paul, Ellen Frankel, Miller, Fred D. and Paul, Jeffrey (eds) *Responsibility*, 1999 Cambridge University Press, Cambridge 1999, pp. 218-249, Iris Marion Young “Responsibility and global justice: A social connection model”, *Social Philosophy and Policy* 2006:23 (1), pp. 102-130, Robert E. Goodin “Responsibilities” *Philosophical Quarterly* 1986:36, pp. 50-56, Stale Fredriksen

²¹ Stale Fredriksen “Luck, risk and blame” *Journal of Medicine and Philosophy* 30 2005, pp. 535-553, pp.551-552.

²² Iris Marion Young “Responsibility and global justice: A social connection model”, *Social Philosophy and Policy* 2006:23 (1), pp. 102-130, p. 103.

- It can be discharged only through collective action.²³

This concept of responsibility focuses more on social connection than causation. Of course causal links are not completely irrelevant since a) the agents who are ascribed responsibility *contribute by their actions* to structural injustice and b) forward-looking causal power is necessary to achieve the desired collective action. However, the social connection model focuses less on backward-looking causal responsibility as a necessary requirement for moral responsibility and as such it could be a promising starting-point for the development of the forward-looking concept of responsibility.

With the help of Fischer's revised Strawsonian account responsibility, the two concepts may be described as follows. Let us say that we are analysing the statement that "X is responsible for her health". This could then mean either of the following.

1. X is responsible for her health (backward-looking).

X is an appropriate target for reactive attitudes, for example blame, to the extent she is believed to have contributed causally to her health. Her responsibility also depends on the reasonableness of the alternatives she had, for example if she could afford to buy healthy food.

2. X is responsible for her health (forward-looking)

X is an appropriate target for prospective attitudes, for example blame, to the extent she is believed to have the ability to influence her health. Her responsibility also depends on the reasonableness of the alternatives she has now to, for example, buy healthy food.

3. AIM AND SCOPE OF THE THESIS

The most general aim of this thesis is to analyse traffic safety from an ethical perspective, with a special focus on the concept of moral responsibility. This is really two aims, which converge in some of the essays. One of the aims is to analyse traffic safety from an ethical perspective, another is to analyse conceptual and normative aspects of moral responsibility. The thesis consists of five essays. Three of them relate to the ethics of traffic safety and three of them relate to moral responsibility, which obviously means that one essay relates to both aims.

²³ Iris Marion Young "Responsibility and global justice: A social connection model", *Social Philosophy and Policy* 2006:23 (1), pp. 102-130, p. 105.

The road traffic system is one of the places where human beings in industrialised societies meet on a daily basis. There is almost no way of avoiding using the transport system in one way or another; as a pedestrian, a cyclist, a passenger or a driver. Hence, there is essentially no way of escaping the risks associated with road traffic completely and the risk to be in an accident is substantial, as are the effects of accidents. About 1.2 million people die globally every year as the result of traffic accidents.²⁴

The ultimate goal of traffic safety is, of course, to save people's lives, to reduce the number of dead and injured. Evidently, road traffic is only one of many places where people are killed and injured and because of this, priorities have to be made. There are many activities in modern societies apart from road traffic that cause people to die and get injured; smoking, unhealthy food, lack of exercise, stress and so forth. So, the question of where public resources are best spent is inevitable.

Moreover, there are ethical constraints on what the government is allowed to do to save lives. If, for instance, we could eliminate the number of fatalities by surveilling everything individual road users do and say, this would be a highly dubious method of saving lives. This is so because there are undoubtedly other values that safety would have to be weighed against, for example respect for people's privacy.

Thus, the question for ethicists or ethically interested traffic safety researchers is what measures, policies and technologies are *ethically justifiable* to achieve the goal to save people's lives. In addition to the methods used, we should also question the goal of traffic safety. Should the goal be to save as many as possible, to save all, to save all as long as it does not interfere with individual liberty and freedom of movement, or to save people as long as this does not interfere with saving lives in other areas? Vision Zero was introduced in Sweden in 1997 and it has been followed by similar policy goals in other countries. The ethical premise in Vision Zero is that it is not acceptable that people die and get seriously injured in road traffic. The novelty, or the visionary aspect, is that it claims that it is *never* acceptable, i.e. it is not ethically acceptable to say that we have to accept a few hundred fatalities annually because we have to balance this goal against other policy goals.

²⁴ M., Peden R. Scurfield, D. Sleet, D. Mohan, A. Hyder, E. Jarawan, C. Mathers C. *World Report on Road Traffic Injury Prevention*, 2004 World Health Organization, p.3.

Three articles can be seen as addressing the aim to analyze traffic safety from an ethical perspective. Essay I is an overview of ethical problem areas in need of further analysis. It is not exhaustive, but should be seen as a catalogue of questions that should be addressed within the area of traffic safety ethics. In essay II, the concept of responsibility is analyzed against the background of Vision Zero's stipulation of responsibility for traffic safety. In essay IV, we address two possible ethical arguments against alcohol interlocks.

As mentioned above, in addition to the aim to analyse traffic safety from an ethical perspective this thesis aims at analysing moral responsibility, conceptually and normatively. The initial question asked in light of this was how the shift of focus in Swedish traffic safety implied by Vision Zero should be understood. According to Vision Zero, the policy goal for all traffic safety projects in Sweden since 1997, the system designers are ultimately responsible for traffic safety. According to the previous view, the individual road users are responsible. With Vision Zero, this view was fundamentally changed. It was now said that although individuals must abide by the law and behave responsibly, the system designers (primarily road maintainers and vehicle-producing companies) are ultimately responsible, which means that *they* have to take measures if individuals fail to take responsibility.

Examining that question, it was natural to start asking more general questions concerning responsibility. In essay II, the concept of moral responsibility is analysed and it is argued that we should distinguish clearly between backward-looking and forward-looking responsibility. In public debates, these two concepts are often conflated and it is not clear what debaters are really claiming when declaring that, for example, fast-food chains are partly responsible for people being obese. This lack of clarity and the fact that both concepts are present in debates about who is responsible for something can be seen as due to two different aims of responsibility ascriptions. When ascribing responsibility for social problems, for example public health problems like obesity, we appear to aim partly at an efficient responsibility distribution which can help us solve the problem at hand. However, we also aim at a fair distribution of responsibility. This suggestion is discussed in essay III. In essay V, moral responsibility is discussed from a normative angle. It is claimed that to assess an individual's responsibility for, e.g., contributing to environmental problems, we need to know what alternatives they had when acting. A further description of the articles follows below.

4. PREVIEW OF PAPERS I-V

PAPER I “THE ETHICS OF TRAFFIC SAFETY”

This essay is an overview of ethical aspects of traffic safety. It is not exhaustive, but gives examples of ethical areas within the field of traffic safety. It aims at introducing the questions, hopefully inviting further discussion on the various topics and preferably with ethicists as well as traffic safety researchers.

The need to analyse traffic safety from an ethical perspective has become more urgent due to some recent tendencies. First, traffic accidents are a growing global problem. Approximately 1,2 million people are killed in road traffic every year, many more are injured. Second, due to technological development there are a number of new possibilities that either force road users to behave in a certain way to increase safety or that control their behaviour.

Third, an ethical debate on the goal of traffic safety started in Scandinavia after the adoption of Vision Zero in Sweden in 1997 and in Norway in 2001. The new policy stated that the long-term goal for traffic safety should be zero deaths and serious injuries. These new policies illuminated the ethical dimension of traffic safety by saying that it is not acceptable that people are killed and seriously injured as a consequence of traffic accidents.

In the essay, some of the ethical questions concerning traffic safety are presented. The main purpose is to present some general ethical problem areas that should be analysed in relation to traffic safety. Eight such major ethical problem areas of traffic safety are discussed. First the problem of which actions should be criminalised is discussed. Second, the subject of paternalism is addressed since many traffic safety measures have been accused of being paternalistic. Third, the right to privacy has arisen as an issue, partly due to the increased use of surveillance cameras. Fourth, some ethical aspects of risk-imposition are presented. Everyone is more or less exposed to the risks of the road traffic system and it is not necessarily straightforward to evaluate risks from a moral point-of-view, partly due to the inadequacy of traditional moral theories to deal with situations lacking well-determined and knowable consequences. The fifth question concerns who should be saved and whether the risk proneness and vulnerability of different groups of road users should be taken into account in traffic safety policy. Furthermore, it is

customary to exclude suicide from fatality statistics, but this is not unproblematic. Sixth, traffic safety has implications for health equity, for example with about 90 per cent of traffic fatalities occurring in low- and middle-income countries. Seventh, as in other empirical research, ethical questions arise when doing research on how to improve safety and whereas some of these questions are similar to other areas, others are specific to road traffic. Finally, the question of who is responsible for traffic safety is discussed. Is individual responsible for not behaving in a way that puts her life and wellbeing at risk or is it the responsibility of the government to make sure that the system is safe?

PAPER II “RESPONSIBILITY ASCRIPTIONS AND VISION ZERO”

An interesting feature of the concept of responsibility is its double nature. While the concept is used in public debates and everyday conversations all the time, its meaning is highly evasive. To claim that an agent is responsible for something can mean many different things and debaters often appear to have different views of what being responsible entails.

The concept of responsibility has been analysed extensively by philosophers. There are two main categories of responsibility that capture the essence of the concept. First, we ascribe *backward-looking responsibility* to an agent or institution when we believe he/she/it has done something wrong. We often make use of the Aristotelian conditions and ascribe responsibility to the extent that we believe the agent performed the act voluntarily, i.e. without being forced and with the relevant knowledge. Second, we ascribe *forward-looking responsibility* to agents and institutions when we believe that they have it in their power to, and should use that power, influence the future in a certain way.

These two categories are often conflated in debates about social problems. For example, the discussion concerning the problem of obesity in the Western world aims in part at deciding who is responsible for the problem; the individual, the government or the food industry. Clearly distinguishing backward-looking and forward-looking responsibility would make the arguments easier to assess. One question is what causes obesity and whether anyone is to blame for not doing what they could be expected to do. Another question is, now that we have a problem with obesity, who is able and should be expected to do something about it?

Backward-looking responsibility has been the focus of philosophical d, especially those devoted to the issue of free will and determinism. However, some philosophers have acknowledged the need for expanding the discussion to a forward-looking conception of responsibility.²⁵ Although nearly absent in philosophical debate, the concept is quite common in social practice.

In this article, the three components of responsibility ascriptions are presented and discussed in relation to Vision Zero and traffic safety. This topic was introduced in essay I, but in this article it is the main focus. The policy was adopted by the Swedish Parliament in 1997 and its major statement was that it is not ethically acceptable that people are killed and seriously injured in road traffic. What is less known is that a new distribution of responsibility was adopted along with the goal. As before, it is recognized that individuals are responsible for following rules and behaving responsibly in road traffic. What is more controversial is the addition that the so-called system designers are responsible for the systems and that if individuals fail to take responsibility, the system designers “must take measures”. This implies that system designers, instead of individual road users, are ultimately responsible for traffic safety (which is also explicitly stated).

PAPER III “RESPONSIBILITY ASCRIPTIONS AND PUBLIC HEALTH PROBLEMS. WHO IS RESPONSIBLE FOR OBESITY AND LUNG CANCER?”

The focus of this essay is the discussion concerning who is responsible for public health problems, such as obesity-related diseases and smoking-related lung cancer. Such discussions are often heated. A central question concerns the extent to which individuals are responsible for the consequences of their health-impairing behaviour and whether the government and the food and tobacco industries can justifiably be said to be responsible, too. In this essay it is argued that this controversy may be partly due to two different aims of responsibility ascriptions. There is an inherent tension in responsibility debates between efficiency concerns and moral concerns because we often want to achieve two things when ascribing responsibility to someone. First, we want to assign responsibility to the agent who is, from a moral perspective, responsible so that the chosen distribution of responsibility is justified and fair. Secondly, we also want to achieve

²⁵ Henry S Richardson, “Institutionally divided moral responsibility”, in *Responsibility* Paul, Ellen Frankel, Miller, Fred D. and Paul, Jeffrey (ed) Cambridge University Press, Cambridge 1999, pp. 218-249., Robert E. Goodin, “Responsibilities” *Philosophical Quarterly* 1986:36, pp. 50-56., Iris Marion Young, “Responsibility and global justice: A social connection model”, *Social Philosophy and Policy* 2006 23 (1), pp. 102-130.

progress, for example to solve public health problems, by assigning responsibility to someone who can actually make a difference. There are two major perspectives on responsibility ascriptions. First, there is the merit-based idea that responsibility should be ascribed to someone who deserves to be held accountable, e.g. because he or she voluntarily and knowingly brought about his or her own health impairment. Second, there is the consequentialist view that responsibility should be ascribed in ways that have as good effects as possible. If one takes a consequentialist approach, the efficient way to distribute responsibility is also the right way of doing it. However, to someone defending a non-consequentialist view of responsibility, for example a non-consequentialist libertarian, the most important requirement on responsibility ascriptions is that it should be fair and morally. There are two values at stake here and responsibility ascriptions in public health should satisfy criteria of moral norms or fairness as well as of efficiency. It is argued that both perspectives should be taken into account in public health policymaking. It is concluded that it is important to be aware of the two views of responsibility ascriptions in public health discussions and the policymaking process and to aim at striking a balance between the two.

PAPER IV “RESPONSIBILITY, PATERNALISM AND ALCOHOL INTERLOCKS”

This essay, written together with Kalle Grill, presents and discusses two major potential ethical challenges to the Swedish suggestion to make alcohol interlocks mandatory in all cars, one related to responsibility and the other to paternalism.

Drunk driving is a societal problem of great proportions and traditional counter-measures like punishment have proven not to be sufficient to solve it. The alcohol interlock is a safety device that measures the driver’s BAC level (the concentration of alcohol in the blood) before start, for example through an exhalation sample. The interlock is connected to the car’s ignition and if the measured level is above the maximum level set, the car will not start. With this device installed in all cars, drunk driving could be virtually eradicated.

The first possible ethical objection to alcohol interlocks is that such a requirement inappropriately places the responsibility for sober driving with system designers rather than with individual drivers. It is argued that the responsibility for dealing with drunk driving is to a large extent the forward-looking responsibility of system designers, including politicians. Individuals should take

responsibility for their choices, but choices are always made in a context and this context can be changed by system design. It is consistent to hold system designers responsible for the circumstances in which individual choice is made, while at the same time holding individuals responsible for the choice they make in these circumstances.

The second possible objection is that the policy is a paternalistic interference with voluntary risk-taking. Mandatory interlocks are potentially paternalistic because they limit liberty. Policies are paternalistic if they are supported by certain reasons. There are in principle three kinds of reasons that may potentially justify mandatory interlocks – direct protection of others from harm, avoidance of indirect costs to others from accidents, and direct protection of drivers themselves. These three are discussed in turn. It is argued that paternalistic reasons may well be acceptable as long as the cost in terms of limiting liberty is acknowledged. The government should promote public health a) when it is cost-efficient to do so and b) when doing so does not involve a net loss of liberty or other important values. Should paternalistic reasons nonetheless be rejected as invalid, and certain cost therefore excluded from cost-benefit analysis, great care should be taken to assess exactly what these costs are. Regardless of whether these costs are included or not, there are strong reasons for society to prevent drunk driving, as it presents an obvious risk of harm to others. Given technological development, the interlock may soon be the only justifiable as well as the only feasible way to seriously diminish drunk driving. Accordingly, it is concluded that given that the two objections are unconvincing, a policy prescribing alcohol interlocks as mandatory equipment in cars should be welcomed.

In writing this essay, Kalle was responsible for the overall structure and coherence of the text. He also wrote most of the section on paternalism, while Jessica wrote most of the section on responsibility. That said, we were both actively involved in all parts of the essay.

PAPER V “INDIVIDUAL RESPONSIBILITY, ALTERNATIVE ACTIONS AND ENVIRONMENTAL PROBLEMS”

Is it reasonable to hold an agent responsible for an action even if she did not have any alternative possibilities but to perform that act? If an agent X has ten minutes to take her aluminium cans to the recycling station before it is closed for good and someone forces her into the bathroom, locks the door and walks away – should she still be held responsible for refraining from recycling her cans?

To most non-philosophers it does not seem fair to hold X responsible. A principle stating that we are merely responsible for an act if we could have done otherwise, i.e. if we had alternative possibilities to act appears reasonable. However, since 1969, when Harry Frankfurt's essay "Alternate Possibilities and Moral Responsibility" was published, many philosophers began to doubt the relevance and acceptability of this principle. In his essay, Frankfurt set out to defeat PAP and his argument had an enormous influence on the following literature concerning moral responsibility.

Frankfurt uses counter-examples to argue against PAP, cases where the agent did not have alternate possibilities but where we would arguably still hold her responsible. The point of Frankfurt's argument is to show that even if agents could not have acted otherwise, i.e. did not have alternative possibilities, there are cases where we would still hold him morally responsible for performing some action. Consequently, moral responsibility does not require alternative possibilities.²⁶ Although influential, his conclusion, however, does not stand undisputed.²⁷ Timothy O'Connor, for instance argues that whereas the "Frankfurt agent", i.e. Jones in the example above, cannot avoid performing a certain action she can avoid its *voluntary* performance.²⁸ David Copp²⁹ and David Widerker³⁰ argue that if we reject PAP we have to reject the maxim that 'ought' implies 'can'. Furthermore, Copp argues, Frankfurt's examples are "sufficiently unusual that our intuitions about them deserve to be treated with some

²⁶ Widerker, David and McKenna, Michael "Introduction" in Widerker, David and McKenna, Michael (eds) *Moral responsibility and alternative possibilities: essays on the importance of alternative possibilities* Ashgate, Aldershot, 2006, p.4

²⁷ Davidson, Donald "Freedom to act" in (ed) Ted Honderich *Essays on freedom and action* Routledge and Kegan Paul, London 1973, van Inwagen, Peter *An essay on free will* Clarendon Press, Oxford, 1983, Ginet, Carl "In Defense of the Principle of Alternate Possibilities: Why I Don't Find Frankfurt's Argument Convincing" in Widerker, David and McKenna, Michael (eds) *Moral Responsibility and Alternative Possibilities. Essays on the Importance of Alternative Possibilities* 2006 Ashgate, Aldershot, Widerker, David "Blameworthiness, non-robust alternatives and the principle of alternative expectations" in Peter A. French and Howard K. Wettstein (eds), John Martin Fischer (guest ed) *Free will and moral responsibility* Midwest studies in philosophy Blackwell, Malden 2005, pp. 292-306, O'Connor, Timothy *Persons and causes: The metaphysics of free will* Oxford University Press, New York, 2000, Copp, David "Defending the Principle of Alternate Possibilities: Blameworthiness and Moral Responsibility" *Noûs* 31(4), pp. 441-456, 1997, Copp, David "'Ought' implies 'can', blameworthiness and alternate possibilities" in Widerker and Michael McKenna 2006, Kane, Robert *Free will and values* State University of New York Press, New York, 1985, Kane, Robert "Responsibility, indeterminism and Frankfurt-style cases: A reply to Mele and Robb" in Widerker and McKenna 2006.

²⁸ O'Connor 2000, p.19

²⁹ Copp 1997, David Copp 2006.

³⁰ Widerker 1991.

scepticism.”³¹ If we have to choose between this maxim and the intuition that a “Frankfurt agent” did something wrong although she could not have done otherwise, it is preferable to reject the latter.³²

I agree with those who hold that alternatives in some form or other are needed for ascriptions of responsibility. In this essay, it is argued that the justifiability of responsibility ascriptions depend partly on the quality or reasonableness of these alternatives. Widerker suggests the following principle:

The Principle of Morally Significant Alternatives, PMSA:

An agent S is morally blameworthy for doing A only if S had a morally significant alternative to his doing A.³³

In this essay, PMSA is applied to the debate concerning individual responsibility for environmental problems. In addition it is argued that the reasonableness of the alternatives come in degree, hence individual responsibility comes in degrees.

An agent X who throws aluminium cans in the household trash instead of taking them to the recycling station is normally seen as being fully responsible for that action, which in the aggregate is environmentally damaging. According to this essay, X’s degree of responsibility depends on the reasonableness of the alternatives she had when choosing not to take her cans to the recycling station. If, for example, she had to bring her three children, pay for bus tickets and take the bus to the recycling station which was located far from her home, her degree of responsibility is less than it would have been if she just had to go e.g. 100 metres to the designated container.

³¹ Copp 1997, p.446.

³² Ibid.

³³ Widerker 2005, p. 298.

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