Authority-Based Accountability is Causally Extended Accountability: On Saba Bazargan-Forward's *Authority, Cooperation, and Accountability*

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1. INTRODUCTION

According to Saba Bazargan-Forward's account of authority-based accountability, one agent—the deliberator—can be accountable for the fact that another agent's action—the executor's—has a certain wrongful purpose or, put differently, for that action's wrong-making feature of having that wrongful purpose. To be accountable for such a fact or for an action having such a feature is to be an appropriate target of others' resentment or indignation in light of it, and perhaps also to be liable to be punished for it.

To illustrate the view, consider Bazargan-Forward's Olympic Sabotage:

Olympic Sabotage. Contender is vying with Victim for first place in an Olympic competition. Contender consequently hires Goon to maim Victim in a way that will put her out of the running. Goon promises to do so and Contender accepts that promise. Goon subsequently maims

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Victim. (Bazargan-Forward 2022, 4)¹

According to Bazargan-Forward, the further purpose of Goon's action is in this case constitutively determined by Contender's motivating reason to be that "of facilitating Contender's victory in the upcoming competition" (4). An agent's motivating reason is the consideration in the light of which she acts. Contender's motivating reason for hiring Goon to maim Victim is the following consideration: that Victim is Contender's arch-rival for the gold medal. This motivating reason is normatively rather than causally linked with the further purpose of Goon's action: the agreement between Goon and Contender provides Goon with a protected reason to do as promised—that is, a reason to maim Victim supported by a reason to disregard most reasons against maiming Victim. In creating this protected reason, the agreement gives Contender the role of reasoning practically about what Goon should do, and it gives to Goon the role of executing the conclusion of Contender's practical reasoning.

Goon's action will according to Bazargan-Forward have the wrongful purpose of facilitating Contender's victory even if Goon himself is unaware of the fact that his action has this purpose. The deliberator only furnishes the executor's *action* with the purpose, she does not in this way furnish *the executor* with his purpose (9).

Furthermore, Goon's maiming of Victim would have the wrongful purpose of facilitating Contender's victory even if Goon maimed Victim motivated by reasons having nothing to do with his promise to Contender. Suppose that Goon had forgotten that he had made the promise, or that he was unaware of the fact that the person he happened to maim was the person Contender had hired him to maim. In this case, Goon's unwitting fulfilment of the agreement would according to Bazargan-Forward have the normative consequence that Contender were accountable for the (alleged) fact that Goon's maiming of Victim had the purpose of facilitating Contender's victory (but not for the fact that Goon maims Victim). This normative consequence is supposed to be akin to other normative consequences of the agreement's fulfilment: Contender would no longer have a claim against Goon that he must maim Victim—he has already maimed her—and Contender would owe Goon payment for having done his part of the agreement. Thus, according to Bazargan-Forward, all that is necessary for authority-based accountability is that the executor's promise to the deliberator is "normatively in effect" and that

¹ Reference to Bazargan-Forward (2022) will be shortened to page number only throughout this paper.

the executor "acts in accordance with that promise" (66).

Since the executor on Bazargan-Forward's account has the role of executing the conclusions of the deliberator's practical reasoning, the deliberator has "constitutive control" over the purpose of the executor's action: "the deliberator can, 'on the fly,' modify her own motivating reasons and thereby alter the purpose for which the executor is acting" (74–5).² The deliberator thus constitutively determines the action's purpose "from afar" (5, 41), without any "gap" (74). The idea is that this is no stranger than the fact that Contender's claim against Goon that he maims Victim is eliminated on the fly when Goon maims Victim. This change in Contender's normative status vis-à-vis Goon is a consequence of what Goon does at a location far away; it is not causally propagated across a physical gap between them.

This means that if Contender's motivating reason for having Victim maimed were to change after hiring Goon, then the purpose of Goon's maiming would likewise change, even if he were then beyond her causal influence. Suppose that Contender, before Goon has carried out the assault, finds out that "there is a credible threat on Victim's life should she compete" and that "Victim refuses to take the threat seriously" (5).³ Suppose further that Contender's motivating reason in favour of having Victim maimed change in response to this new information: She is overcome by concern for her arch-rival's life and wants Victim out of the competition in order to save her, rather than in order to herself win. According to Bazargan-Forward, this would change the purpose that Contender furnishes for Goon's maiming of Victim "on the fly."

Bazargan-Forward occasionally presents authority-based accountability as a distinct way in which an agent can be accountable "for the actions of another" or "for what others do" (see e.g. 3, 11, 12). To the extent that what the other does is determined by the purpose(s) of their action, authority-based accountability concerns what the other does. But the deliberator does not bear authority-based accountability over the fact that the other performs the act she furnishes with a wrongful purpose. The *actus reus* so to speak—e.g. the executor's bodily movement—is not an object of the deliberator's authoritybased accountability. The deliberator can be accountable also for the fact that the executor performs the act, but this accountability would not be authority-

² This quote may suggest that Bazargan-Forward takes the deliberator to furnish not only the executor's action, but also the executor, with her purpose. But the quote should be read in view of his note that, "for the purpose of brevity," he often writes as if the executor and not only the executor's action has the furnished purpose (9).

³ I am here adapting a variation of *Olympic Sabotage* imagined by Bazargan-Forward.

based.⁴ Rather, it would be based on the deliberator's causal influence on what the executor does. Thus, if Goon indeed maims Victim in *Olympic Sabotage* to fulfil his promise to Contender, then

Contender is also accountable for what Goon does in a more familiar sense: by contracting the assault, Contender *causally* influences what Goon subsequently does. Contender presumably bears accountability for doing so. (5)

In the next section (§2), I argue that this more familiar way of being accountable for an action or outcome can in fact capture much (but not all) of what Bazargan-Forward wants to capture with his purely normatively grounded authority-based accountability. In §3, I then proceed to argue that deliberators need to non-deviantly cause their executor's actions to be accountable for the fact that those actions have their wrongful purposes. In §4, I consider whether accountability judgements regarding some cases discussed by Bazargan-Forward might support his theory, but I argue that such intuitive support is at best weak. I conclude that Bazargan-Forward is wrong to think that authority-based accountability is needed "at the most fundamental level" for understanding the social extension of individual accountability (12). It is, however, an intriguing and sophisticated authority-involving way in which the causal reach of ordinary individual accountability is extended.

2. HOW TO CAUSALLY DETERMINE THE PURPOSE OF ANOTHER AGENT'S ACTION

In this section, I aim to show that ordinary individual accountability and ordinary social (causal) influence can enable an agent to be accountable not only for the fact that another performs an act, but also for fact that it has a certain wrongful purpose. There is one way in which everyone should agree that this is possible: If one agent intentionally causes another agent to gain new motivating reasons that in turn determines that agent's own action to have a wrongful purpose, then she is accountable for the fact that other agent performs an action with that wrongful purpose. In Bazargan-Forward's case *Drug Theft* (73–4), a drug dealer—Talker—intentionally brings it about that Listener steals another drug dealer's supply of narcotics to take him out of business. Talker does this by highlighting to Listener why it would be a good

⁴ Blomberg (2023) argues for the possibility of such accountability for another agent's free intentional action. See also Bazargan-Forward (2018, 329–31; 2022, 165–9).

idea for Listener to commit the theft. Talker, we might assume, can reliably and accurately predicts that Listener will commit the theft. In this case, "Talker might be accountable for what Listener does as an intended outcome of giving that advice" (74). But can a deliberator bear ordinary accountability for an executor's action having a wrongful purpose without causally influencing the executor via the executor's own motivating reasons? I will argue that she can.

Suppose that Goon in *Olympic Sabotage* successfully maims Victim to fulfil his promise to Contender. By virtue of causing Goon to maim Victim, Contender would then be accountable for this action being performed by Goon. But by virtue of the same causal influence, Contender would also, I claim, be accountable for furnishing the maiming with the purpose of facilitating her victory in the upcoming competition. Compare with the following case:

Wake-Up Call. You and I are planning to travel together to the Social Ontology conference. Since I am worried that you might have forgotten to set an alarm and risk missing the early-morning train, I call you at 5:30 am to wake you up from your deep sleep. The call indeed wakes you up and you answer in a drowsy voice.

When I make the call to wake you up, there is a sense in which I furnish the event of your phone's buzzing with the purpose of waking you up (Schueler 2001, 258). By calling you with this purpose, I am implicitly assigning the *agentive function* of waking you up to the operation of your mobile phone and various components of the mobile telecommunications network connecting our phones.⁵ Similarly, in *Olympic Sabotage*, Contender assigns—through the causal effects of her agreement with Goon—the agentive function of facilitating her victory in the upcoming competition to the operation of Goon's planning and action-execution systems.

It is unclear whether Bazargan-Forward would accept that an agent can furnish another's action with a purpose in this causal way. One might think that, just as your phone's buzzing functions to achieve my purpose of waking you up in *Wake-Up Call*, Listener's theft functions to achieve Talker's purpose in *Drug Theft*, or—to use Bazargan-Forward terminology—that it functions to enact Talker's motivating reasons.⁶ But he appears to think not:

⁵ The notion of agentive function comes from Searle, who writes: "When we say, 'This stone is a paperweight,' 'This object is a screwdriver,' or 'This is a chair,' these three functional notions mark *uses* to which we put objects, functions [...] that are assigned relative to the practical interests of conscious agents" (1995, 20). See also Bazargan-Forward (2022, 25–6).

⁶ To enact a motivating reason "is just to do as the reason prescribes" (39).

[T]o ascertain the purpose of Listener's action, Listener's victim needn't refer to Talker's motivating reasons, since Listener's conduct did not have the function of enacting those reasons; Talker's advice did not serve for Listener as a protected reason to act accordingly. (74)

Why does an agentive function have to be assigned to another's conduct by giving the other a protected reason? Bazargan-Forward does not say. He seems to assume that, in the absence of some special mechanism or trick, the purpose of an action must be determined—constitutively at least—by the agent to whom we "metaphysically attribute" the action (5, 41)—that is, by the agent who performs the action.

Now, causal determination of the purpose of another's action does not allow an agent to change this purpose from afar and on the fly. Consider the following case:

Neighbourly Grudge. I hold a grudge against one my neighbours. I pick up a rock with the plan to use it to break his window. I hurl the stone through the air, aiming to break his kitchen window as I release it. My further purpose when making the throw and releasing the stone is to cause damage to his property and make him distressed. Half a second after releasing the stone, but before it reaches the kitchen window, I see and realize that a fire has broken out on the stove in his kitchen.

At this moment in *Neighbourly Grudge*, I could not—"on the fly," as it were change the purpose of the stone's impact on the window from that of causing damage and distress to that of alerting my neighbour of the fire. I could *think* of the stone's impact *as if* it had that purpose, and its impact might in fact alert my neighbour of the fire. But the stone's impact would not thereby really acquire this purpose (if it did, then we would operate with a notion of purpose that was completely morally vacuous). My action would not become intentional under the description "alerting my neighbour of the fire," and I would not become praiseworthy for alerting the neighbour even if I did in fact alert him of the fire. I would be no more or less responsible and praiseworthy for doing so than I would have been if I had *not* thought of it as if it had the new purpose). Similarly, in *Olympic Sabotage*, Contender could not through mere causal determination change the further purpose of Goon's maiming of Victim from afar.

In conclusion, an on-the-fly change of purpose is not enabled by an agent's causal determination of the purpose of another's action. In fact, I doubt that such on-the-fly changes of purpose from afar are at all possible. In the next

section, I argue that authority-based accountability is best seen as one species of ordinary individual accountability for another's action. I am thus sceptical of Bazargan-Forward's claim that a deliberator through the normative mechanism of a protected reason gets "constitutive control" over the purpose of the executor's action. A non-deviant causal connection between the deliberator's motivating reason (or the belief and desire underwriting it) and the executor's action can not only make the deliberator accountable for that action having the wrongful purpose it has, but such a non-deviant causal connection is necessary for authority-based accountability. In a slogan: no constitutive control without (direct or indirect) causal control.

3. NO CONSTITUTIVE CONTROL WITHOUT CAUSATION

Given that "authority-based accountability is a species of ordinary accountability" (43), and that non-authority-based ordinary accountability for another's action requires a non-deviant causal connection, Bazargan-Forward arguably owes us an argument showing why ordinary accountability that is authoritybased does not require such a connection. Furthermore, I will in this section show how Bazargan-Forward's own arguments in support of the intelligibility of authority-based accountability suggest that such accountability requires a non-deviant causal connection between the deliberator's motivating reasons (or the beliefs and desires underwriting them) and the executor's action.

Bazargan-Forward observes that it would be insufficient in Olympic Sabotage for Victim to merely find out of why Goon maimed her. To make a comprehensive moral assessment of the wrong done to her, and to accurately determine whom to blame, Victim also needs to find out why Contender had her maimed (see e.g. 4, 41, 51). In finding this out, "Victim 'looks through' Goon to Contender in determining the reasons for which she was maimed" (41). This is a striking observation that rings true—see also e.g. Hanser (1998, 390-1) and Lusson (2021). But it would arguably not ring true in the version of Olympic Sabotage where Goon forgets his promise and maims Victim for reasons unrelated to his agreement with Contender. Suppose Goon maimed Victim because she disrespectfully insulted him on the street and he was unaware that the woman who insulted him was the woman Contender had instructed him to maim. In this case, Victim arguably ought not to look through Goon to Victim in determining the reasons for which she was maimed. Contender's motivating reasons and the further purpose she tried to furnish for Goon's action would not have played any role in explaining why Goon did what he did. To ascertain the purpose of Goon's action, we should not refer to Contender's motivating reason for hiring him. His act of maiming Victim did not function to enact that reason. Absent a non-deviant causal connection between the deliberator's instructions and the executor's action, the deliberator arguably bears no authority-based accountability for the (alleged) fact that the executor's action has a wrongful purpose furnished by the deliberator.

Bazargan-Forward also appeals to an analogy between inter- and intrapersonal divisions of agential labour in support of his account. Like the observation regarding "looking through" to another agent's reasons, I find the analogy striking and insightful. But just like the observation, the analogy points toward the necessity of a non-deviant causal connection between the deliberator's motivating reason and the executor's action. Drawing on Luca Ferrero's (2010) work on diachronic agency, Bazargan-Forward argues that, just like an agent's ϕ -ing at t₂ can be explained and justified by her motivating reasons that led to her decision at t_1 to ϕ at t_2 , so the executor's γ -ing can be explained and justified by the deliberator's motivating reasons for instructing the executor to γ . In the intrapersonal case, Bazargan-Forward explains that "the earlier decision serves as a stand-in, or a surrogate, by which I determine whether to do ϕ now" (30). At t₂, the unrescinded decision functions as "an anaphoric device" that refers to his motivating reasons that at t1 settled him on intending to ϕ at t₂ (31, quoting Ferrero (2010, 13)). Similarly, in the interpersonal case, a deliberator's instruction to γ works as an anaphoric device that refers to the deliberator's motivating reasons for instructing the executor to γ .

Arguably, this analogy gives no support for the claim that the deliberator determines the purpose of the executor's action "from afar" without any "gap," nor for the claim that the deliberator can modify the purpose of the executor's γ -ing "on the fly." In the intrapersonal case, the anaphoric reference depends on there being a non-deviant causal connection between the agent earlier making the decision and the agent later executing the unrescinded decision.⁷ Consider the following case:

Sleep or Six-Pack. I decide to go to the gym next week because the physical exercise helps me sleep better. I then completely forget my decision (without rescinding it). The following week, I see a poster advertisement for the gym and decide to go to the gym in the evening

⁷ Ferrero writes: "A successful theory of future-directed decisions [...] does not deny that decisions might play a causal role in the agent's psychology and that their effectiveness is, in part, a causal matter. But such a theory rejects the suggestions that genuine future-directed decisions operate as mere time-delay devices such as lit-fuses, that is, by way of mechanisms of brute, non-rational causality [...]." (Ferrero 2010, 1)

because it helps me get a six-pack like the one the muscular guy on the poster has. I implement the decision in the evening and go to the gym. At no point during the evening do I recall my earlier decision to go the gym and exercise to help me improve my sleep.

In this case, I am not exercising at the gym to improve my sleep even if what I do is in accordance with the decision made the week before. Likewise, in the interpersonal case, the anaphoric reference depends on there being a non-deviant causal connection between the deliberator issuing her instructions and the executor acting to fulfil them (Lusson 2021, 113 fn. 12). Bazargan-Forward's analogy between intra- and interpersonal divisions of agential labour thus favours thinking of authority-based accountability as piggybacking on non-deviant causation. Goon would not be maiming Victim to facilitate Contender's victory unless he is acting to fulfil Contender's instructions. Acting in a way that merely happens to accord with the instructions would not suffice.

More generally, I find it hard to see how the deliberator's motivating reasons could "normatively guide" the executor's action, or how the executor could successfully enact those reasons, unless they non-deviantly cause or explain the action (see e.g. 26, 39). Also consider this: In Olympic Sabotage, I take it that Contender could not change the purpose of Goon's action after Goon's maiming of Victim, but before the criminal trial. If authoritybased accountability piggybacks on non-deviant causation, then this is easily explained. If it does not, then it is unclear why the deliberator's constitutive control over the purpose of the executor's action must precede the action's performance. Perhaps Bazargan-Forward could say that only a change of purpose that occurs before the performance of the executor's action could intelligibly figure in an explanation of why the executor did what he did. However, it seems to me that this is the case precisely because the deliberator's motivating reason must cause the executor's action. Without the causal connection, the reason doesn't explain the action, nor does the reason determine the action's purpose.

4. CASES, INTUITIONS, AND SCALING UP

I have highlighted some action-theoretic considerations against accepting Bazargan-Forward's account of authority-based accountability. But perhaps his view receives support from widely shared judgements regarding cases and vignettes. Then it might not matter much whether the view is in tension with the highlighted considerations. To reach a wide reflective equilibrium, perhaps views about the role of causation in action explanation and in the effective working of future-directed decisions should be revised to accommodate our considered accountability judgements about cases. When it comes to my own such judgements, however, I find that they are typically sensitive to whether there is a causal connection between the deliberator's motivating reasons and the executor's action. Consider, for example, the following case:

Double Promise. Mastermind puts out an ad for a hitman to kill Politician but offers only paltry remuneration. Assassin takes the job, but only because she has already agreed to kill Politician for someone else who promised to pay much more. The first promise was sufficient motivation for Assassin to kill Politician. By the time she took on the second promise, Assassin had already settled on a plan for murdering Politician; the second promise has no effect on that plan. Indeed, after accepting the promise from Mastermind, Assassin promptly forgets doing so. (66)

Mastermind is here accountable for trying to have Politician killed. But he fails to accomplish what he tried to do, even if Politician is in fact killed by Assassin. Hence, Mastermind is not accountable for the assassination. Members of Politician's family ought not to look through Assassin *to Mastermind* in determining why Politician was assassinated. They instead ought to look to the motivating reason of the other person to whom Assassin made the promise to kill Politician. Bazargan-Forward thinks that they also ought to look through to Mastermind's reasons, however. I do not see why they should.

I am less sure, I must confess, about my considered accountability judgements regarding some of Bazargan-Forward's larger-scale cases that involve overdetermination. This is noteworthy since it is such larger-scale cases that are supposed to demonstrate the real advantage of Bazargan-Forward's view over views based on ordinary causal-influence-based accountability (see e.g. 7, 13–4, 47, 71, 172). Consider, for example:

Assassination Fund. A villain wishes to assassinate a political figure meddlesome to local criminal elements. With the expressed purpose of doing so, the villain solicits financial donations from various criminals in furtherance of hiring a hitman. Hundreds of small donations pour in. The donations she receives are far more than what is necessary to hire a hitman, which she subsequently does. No one donation was necessary or sufficient for hiring the hitman. (173)

In this kind of overdetermination case, "no single contributor's contribution makes a morally relevant difference to the resulting harm" (172). Hence:

"We have difficulty, then, explaining why [...] donors are liable *for a murder* when those donors did not cause that murder" (173). On Bazargan-Forward's account, irrespectively of whether or not a particular criminal's donation causally contributes to the murder, the criminal bears authority-based accountability for the purpose he furnishes for the villain's action of hiring the hitman—that of putting an end to the politician's meddling in the criminal's activities, say. The criminal bears this accountability by virtue of making his donation. By making the donation, he accepts the villain's promise to hire a hitman to assassinate the politician if she receives enough donations. Since enabling continued criminal activities is a purpose that makes the act of hiring the hitman (more) wrongful, the criminal is accountable for the act having this purpose even if he is not accountable for the villain's act of hiring the hitman itself (the *actus reus*).

Bazargan-Forward's account does get it right that the criminal in *Assassination Fund* is to some extent liable for something connected to the hiring of the hitman. It seems to me that we want to say more though: the criminal is to some extent, and in some way, accountable for the villain's act of hiring the hitman itself. This either requires a sophisticated causal-influence-based account that can accommodate *Assassination Fund*—such as, perhaps, Petersson (2013), Björnsson (2021), or Gunnemyr and Touborg (2023). Alternatively, the criminal's accountability for the villain's act could be explained by the criminal being accountable *qua* member of the group of criminals who together fund and bring about the villain's hiring of the hitman—e.g. Knudsen (2023). This again suggests to me that Bazargan-Forward is wrong to think of authority-based accountability as fundamental for understanding the social extension of individual accountability or for understanding the accountability of individuals in collective contexts.

5. CONCLUSION

Bazargan-Forward's account of authority-based accountability is original and innovative. The idea of deliberators and executors dividing up agential labour with the help of protected reasons is illuminating and useful. This is surely an important mechanism by which agents make themselves accountable for the actions of others, as well as for those actions having certain wrongful purposes. However, authority-based accountability is best understood as piggybacking on ordinary accountability extended by foreseeable chains of causal influence. Thus, while authority-based accountability is important, it is less fundamental than Bazargan-Forward supposes.

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