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# **A Distributive Justice Approach to Blameworthiness Over Time**

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**Abstract** This paper brings together two recent shifts in the moral responsibility debate: on one side, the distinction between synchronic and diachronic responsibility; on the other, the incorporation of the distribution of responsibility itself into the domain of distributive justice. Focusing on individuals with morally arbitrary traits that increase their likelihood of wrongdoing and thus of being blameworthy, it argues that society has a duty not only to allocate resources to correct these unjust inequalities, but also to transfer resources to support those who seek to mitigate their blameworthiness. Combining these latest shifts in theories of moral responsibility, the paper argues for a distributive justice-oriented approach to addressing blameworthiness over time.

**Keywords** Moral responsibility · synchronic and diachronic blameworthiness · distributive justice · egalitarianism · public blaming · Victor Tadros · Andrew Khoury · Leonhard Menges

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## 1. Introduction

Think of a twenty-year-old dyslexic man who, with the cheering and support of his friends, violently offends someone. In committing this crime, the young man exercises control: he is sufficiently responsive to reasons, not coerced or manipulated, aware of his actions and their wrongful nature, identifies with what he is doing, and could have refrained from acting. It is likely that this young man would be the target of public blame, both socially and legally. Being a target of public blame is a painful burden imposed on individuals considered worthy of it, like this man, in order to uphold valuable social and legal norms that protect society, particularly the victims who have been wronged.

However, being a young adult male and dyslexic makes him more likely to offend aggressively than individuals without these traits (see Casal 2023: 448-449; Urban Institute 2011; Macdonald 2012). Both traits are beyond his control, as he could not have avoided them, yet they increase his likelihood of offending and being held responsible for wrongdoing. Do these disadvantageous characteristics, present at the time of the crime, diminish his responsibility for it in any way? Do they create a societal duty to reduce the likelihood of such traits leading to wrongdoing?

Furthermore, imagine that he later offers a sincere apology and fully compensates the victim. In doing so, he acknowledges the wrong and demonstrates genuine remorse for his past actions. He then undergoes a complete transformation, rejecting and changing all those beliefs, desires,

intentions, and other psychological traits that led him to commit the crime, even changing his friends and social environment. In fact, he feels extremely disconnected from the person he once was. Convinced that he has earned forgiveness, the victim forgives him, and they reconcile. Does this man's blameworthiness for the wrongdoing diminish or disappear after going through this process of psychological change and reparation? Do his dyslexia and youth generate a duty to help him stop being worthy of blame later on?

Khoury (2013) initiated a new trend in the moral responsibility debate by distinguishing between the conditions for synchronic and diachronic responsibility. Additionally, Tadros recently proposed a reassessment of the discourse on responsibility, blame, and punishment, suggesting a partial integration of these elements into the field of distributive justice (2020). While there has been extensive debate about whether responsibility plays a role in determining the distribution of goods and burdens (see Knight & Stemplowska, 2011: 1-23), Tadros highlights a significant gap – the insufficient attention given to the direct allocation of responsibility itself (2020: 223-224). In this paper, I aim to put together this contemporary work and extract new conclusions from it.

Focusing on individuals with morally arbitrary traits or circumstances that increase their likelihood of wrongdoing and, consequently, being held blameworthy –such as being dyslexic or a young adult male–, I argue that society has a duty to allocate resources to correct unjust inequalities on blameworthiness, and to transfer resources to compensate those who seek to mitigate their blameworthiness over time. Thus, the paper advocates for a distributive justice-oriented approach to address blameworthiness unjust inequalities, both synchronically and diachronically<sup>1</sup>

In Section 2, I discuss various morally arbitrary characteristics, either with a natural or social in origin, that generate inequalities in the likelihood of committing wrongdoing. Section 3 is divided into three subsections: In 3.1, I present an account of responsibility as being liable to blame and praise. In 3.2, I review several attempts to create a unified theory of blame, explaining why these attempts fail. I then follow Menges (2021) and advocate for a problem-driven approach to blame, proposing a claim forfeiture characterization of it. In 3.3, I explore the distinction between synchronic and diachronic responsibility, outlining their different conditions and associated problems. In Section 4, I examine the social practice of public moral criticism, which, along with the law, serves as the main source of public blame. I then present

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<sup>1</sup> I do not intend to enter into the debate about the currency of distributive justice. I will therefore talk either about resources, welfare or resources that generate welfare.

an account of excuses linking it to blameworthiness mitigation. Finally, in Section 5, I conclude by arguing from a distributive justice perspective that we have a duty to transfer welfare-generating resources to keep individuals with a morally arbitrary propensity to commit wrongdoing away from it. Moreover, when prevention has not been possible, I defend that we have a duty to transfer resources to aid them in diminishing and, eventually, eliminating their blameworthiness for their past deeds.

## **2. Natural and Social Inequalities Related to the Likelihood of Committing Wrongdoing**

Although moral luck theorists, such as Thomas Nagel (1979), have extensively discussed *circumstantial* luck – luck in the circumstances in which decisions are made – and *constitutive* luck – luck in one’s traits and dispositions arising from genetic and environmental influences – in a more abstract manner, little attention has been given to the normative significance of empirical research that shows how certain characteristics affect the likelihood of wrongdoing.

The rates and distribution of wrongdoing are influenced by a variety of factors, both social and natural, or usually a combination of both. It is widely acknowledged that social inequalities make those who are worst off likelier to offend others, and incarceration rates show that individuals belonging to marginalised or disadvantaged groups, such as racialised or impoverished people, are much more likely to be incarcerated (Fassin et. al., 2018).

Examples of social disadvantages that affect both responsibility for wrongdoing and the extent of that responsibility are abundant. Crime is unequally distributed across different areas, and this distribution is far from random. It tends to be heavily concentrated in specific locations, known as hotspots, where criminal activity is high (Sherman et al., 1989; Sherman, 1995; Weisburd et al., 2012; Weisburd, 2015; Vandeviver & Bernasco, 2017). Living in or near these hotspots is often an unchosen circumstance that increases the likelihood of committing wrongdoing. Additionally, factors such as architectural and urban environmental design (Crowe & Lawrence, 2013), as well as parenting and the quality of educational and social facilities for young people, also influence the propensity to offend (Tadros, 2020: 226-227). The same goes for the likelihood of doing good: Education and parenting are key to fostering a sense of justice, and the distribution of educational resources and parental support play a critical role in encouraging good behaviour (Tadros, 2020: 227).

There are other characteristics that, while usually not rendering the agent a member of a generally marginalized or discriminated-against group in society, significantly increase their

likelihood of committing wrongdoing, being held responsible, and often being punished accordingly. These characteristics include being male (Greenfeld & Snell, 2000; Benatar, 2012: 59; Aebi & Tiago, 2020; Eurostat 2022), especially being a young adult male (Urban Institute 2011); being dyslexic (Macdonald, 2012); having a mental disorder such as ADHD (Mordre et al., 2011; Young & Thome, 2011; Young & Cocallis, 2021), obsessive-compulsive disorder (Freckelton, 2020), bipolar disorder (Fazel. et al. 2010; Daff & Thomas, 2014), or post-traumatic stress disorder (Trauffer & Widom, 2017).<sup>2</sup> Additionally, having been a victim of bullying (Farrington & Ttofi, 2011; Olweus, 2011); having had early language and intelligence development (Stattin & Klackenborg-Larsson, 1993); or having been an aggressive child (Huesmann et al., 1984), among many other factors, also significantly increase the probability of offending.<sup>4</sup> Although these studies show correlations rather than causal relationships, in the interests of space I will assume that these data suggest that these unchosen characteristics have a causal effect on the likelihood of offending, given that many of them are also cross-correlated with other well-studied disadvantages.

Despite some of these conditions have a natural origin (see Anderson 2020 for an overview of biological influences on criminal behaviour), they are all shaped by social and political choices, since both the social structure of a society and its policies influence whether these conditions worsen or improve, and whether they translate into wrongdoing. Moreover, the distinction between natural and social origin of disadvantage is far from clear. As Paula Casal stresses in her recent paper “Gender and Responsibility”,

Evolutionary explanations include not just anatomical variation but behavioral changes. For example, to be less visible, a species may become darker, nocturnal, or both. Some such behaviours are not transmitted genetically but learned. What makes them evolutionary is the mechanism: chance variation and natural (and sexual) selection cause certain genes to spread. Our genes affect our conduct our

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<sup>2</sup> In Europe and much of the world around 95% of the prison population are men (Benatar, 2012:59; Aebi & Tiago, 2020, Eurostat 2022). Women commit smaller crimes and do so less often, with men having higher recidivism rates (Heidensohn, 1989: 86). Many of the crimes women commit are linked to prostitution, drugs, or are migration-related, often in collaboration with men with whom they have a close relationship, especially in the more serious cases. Even crimes typically associated with women, such as shoplifting, are more common in men (Casal, 2023: 449). Males are more likely than females to commit serious crimes such as homicide (Monkkonen 2001; Capaldi & Owen 2001; Batton 2004; RB Felson & Cares 2005; Daly & Wilson 2022). As sexism diminishes, *male* crime drops (Kruttschnitt 2013, 295). All these scientific studies are mentioned together in Casal’s paper “Responsibility and Gender” (2023: 448-449).

<sup>4</sup> As Gina Schouten (2015: 137) notes when mentioning incarceration rates related to poverty and racial discrimination, public blame can occur independently of wrongdoing. People with some of these characteristics are blamed more than others not because they committed wrongdoing, but because of straightforward discrimination. However, as Schouten does, I assume here that the differences in public blame derive from the differences on wrongdoing, both because many of the studies mentioned correlate certain characteristics with *wrongdoing*, and when the correlation is between certain characteristics and incarceration rates, I assume that part of the correlation is because of the elevated wrongdoing rates.

entire lives, and social facts, such as stress in pregnancy, may affect individuals before birth (2023: 442).

However, whether inequalities are ultimately natural or social does not matter from a justice perspective. Both the influence of the social and natural lottery has a decisive impact on the life prospects of the members of a given society and, if Rawls was right, justice must correct both for being morally arbitrary, i.e., because their allocation is random and cannot be justified by appeal to merit or desert (Rawls, 1971: 72)<sup>5</sup>. Furthermore, Casal (2023: 443) argues that the common generalisation that social inequalities are easier to eliminate than natural inequalities is a false prejudice. As Schouten (2015) and Casal (2023) point out, social causes of behaviour, such as belief in a particular religion, can be very difficult to remove. Genes and their effects are not immutable, and gene therapy is becoming increasingly sophisticated, so natural science can be used to eliminate inequalities rather than deny the feasibility of the project.

For agents who are typically assumed to meet all the compatibilist conditions for being considered morally responsible, the normative significance of the possession of characteristics that, while not generally considered disadvantageous, increase the likelihood of committing wrongdoing – and consequently, the burden of being held responsible for it – has remained largely unexplored.

But before continuing, some clarifications are needed. First, when I refer to "disadvantage" or "inequality" without further specification, I am being descriptive. It is only when I add "unjust" to these terms that I am making a normative evaluation. Second, I do not endorse either compatibilism or incompatibilism regarding free will and moral responsibility, although I often discuss compatibilist conditions for moral responsibility because they are widely accepted. Instead, I adopt a scientifically informed perspective on the causes that influence human action, particularly wrongdoing, which could be accepted by both compatibilists and libertarians.

Third, some might find it puzzling to consider characteristics such as being male as a source of injustice. One could argue that the injustice of men being more likely to engage in wrongdoing is outweighed by the numerous gendered harms that women endure, from which men often benefit. However, this objection would only be valid if all components of a good life were commensurable, but some advantages and disadvantages are incommensurable. As Schouten points out, just as some health deficits cannot be compensated for by an increase in other goods – such as wealth – “it may be that men’s greater likelihood of committing violent crime is a

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<sup>5</sup> For more on this distinction, see Tim Lewens’ paper “What Are ‘Natural Inequalities’?” (2010), and Kasper Lippert-Rasmussen’s paper “Are Some Inequalities More Unequal than Others?” (2004).

disadvantage that cannot be compensated for by other goods” (2015: 143), because the pain and suffering involved are typically very severe.

Having addressed these initial points, by analysing the impact of these natural and social disadvantages related to wrongdoing, I will argue that our understanding of moral responsibility and its justification should be revised and incorporated, at least in part, into the domain of *distributive justice*. This is because responsibility for wrongdoing has a substantial impact on life prospects and exerts a pervasive influence on individuals’ resources and well-being throughout their lives. Thus, all members of a society have a strong interest in not committing wrongdoing and not being held responsible for it.

### **3. A Problem-Driven Account of Responsibility Over Time**

#### *3.1 Responsibility as blameworthiness and praiseworthiness*

Among the various meanings and kinds of responsibility, I focus on blameworthiness and praiseworthiness assignment. This form of responsibility is commonly discussed under the label *accountability*, which revolves around an agent’s moral fault or merit for an action and the conditions under which certain responses to them, such as blame or praise, and emotions, such as resentment and indignation, are appropriate. (Watson, 1996; Schoemaker, 2015; Pereboom, 2014).

Accountability differs from mere attributability, which is primarily concerned with whether an action can be rightly attributed to an agent for the purposes of moral evaluation (Watson, 1996; Scanlon, 1998, 2008; Sher, 2006, 2009; Smith, 2005; Hieronymi, 2004, 2008; Talbert, 2012, 2013). The problem with attributionism is that it typically holds that merely correctly attributing an action to an agent is sufficient for blaming or praising them (Talbert, 2019: 25-26).

Some philosophers, such as Watson (2004), argue that blame and praise require more than simply attributing behaviour to an agent, because blameworthiness and praiseworthiness raise questions of fairness that do not arise when we merely attribute a bad behaviour to someone (Talbert, 2019: 25). In this vein, Levy (2005) says that there should be conceptual space for a distinction between the bad and the blameworthy, and attributionists must explain why they are justified in closing this gap (2005: 5- 6). Thus, I am concerned with accountability responsibility, that is, with blameworthiness and praiseworthiness. Moreover, I leave aside epistemic conditions, as well as the debate about free will, and focus on conditions for blameworthiness that relate to fairness.

### 3.2 *A problem-driven approach to blameworthiness*

As I focus on moral responsibility in relation to blameworthiness, it is important to clarify what is meant by blame, as it is easy to end up with verbal rather than substantive disagreement in this debate. Over the past two decades, various efforts have been made to develop a *unified* account of blame (for a comprehensive overview, see Tognazzini & Coates, 2021). Some think that to blame someone is to judge that they have acted with ill will (J. J. C. Smart, 1961; Watson, 1996; Zimmerman, 1998; Hieronymi, 2004), a process of judging and revising impaired relationships (Scanlon, 2008: chap. 4), or a combination of a negative judgment directed to the agent and the desire that things had been different (Sher, 2006). These are all judgment-based theories of blame. Another group of blame theories are called functionalist. They define the nature of blame in terms of its function. For instance, some argue that blame expresses the blamer's commitment to certain norms and values (Shoemaker & Vargas, 2021), while others see it as a form of protest (Talbert, 2012; Smith, 2013) or as a way to initiate a conversation with the target of blame (McKenna, 2013).

As far as I can see, all these forms of blame are applicable even if we assumed scepticism about moral responsibility. Menges, for instance, argues that according to these theories a calm and private conversation with a friend about something you dislike about them – such as their habit of breaking promises – can be considered a form of blame. Such a conversation might involve judging that your friend has shown ill will, desiring that this were not the case, and communicating this to them. It could also serve as a process of revising an impaired relationship, a form of protest, the beginning of a conversation, or an expression of commitment to certain norms and values (Menges, 2021: 404). Therefore, this is not the type of blame I am interested in here, as it makes blame trivially appropriate in most cases (Ibid.: 405).

Other theories of blame, in contrast, are relevant for the arguments to be presented in this paper. But although they are worth considering, they are not, for the reasons I will now briefly outline, the views I ultimately favour. Following P.F. Strawson (1962), several philosophers have characterised blame as an emotion or a complex of emotions, such as resentment and indignation towards others, or guilt in self-blame cases (Wallace, 1994; Wolf, 2011; Menges, 2017). The problem with this view is that the mere presence of an emotion by itself cannot harm others and constitute injustice, only its expression can (Sher, 2019, Chap. 2; Menges, 2021: 407). Justice concerns interactions between people, not private attitudes such as beliefs, emotions, or desires that are not necessarily expressed (Menges, 2021: 407). Moreover, the expression of these emotions does not necessarily characterise blame practices in a way that is,

other things being equal, problematic from the perspective of justice. This is because even the most negative emotions can be expressed in ways that are not harmful to their targets at all (Ibid.: 408). Concerned with this issue, some philosophers have defined blame as some form of punishment or sanction, which involves inflicting intentional harm (for an assessment of this view, see Menges, 2021: 405-406). However, here I want to include blame practices in which harm is not intentional, but only a foreseeable side-effect. Thus, I also discard this view.

Having presented the main accounts of blame, it remains unclear whether a *unified theory* of blame can be achieved and what its utility would be. For this reason, Menges proposes a problem-driven approach to developing accounts of blame, which I follow. He asks the following question: What should we want from a theory of blame?

The idea is to start with an interesting social or philosophical question that has something to do with blame (of course, the problem should not be “what is the common core of all blame responses?”). Then, we can use theories of blame as tools to answer that question. Thus, we should want from theories of blame that they help us solve important social and philosophical problems. (...) All we need is a plausible characterisation –not a unifying explanation – of relevant parts of our blame practices (Ibid.: 320-321).

Following this problem-driven approach, I begin with two socially relevant philosophical questions: 1) Do society and political institutions have a duty to redress or compensate unjust social and natural inequalities to ensure that the burden of blameworthiness and the benefits of praiseworthiness or the absence of blameworthiness are equally distributed? 2) Is there any reason to allocate welfare or resources on those who are blameworthy for wrongdoing to aid them to diminish or eliminate their blameworthiness?

I propose an account specifically focused on public blame and the questions this paper seeks to answer, which is very similar to the account proposed by Menges (2021).<sup>6</sup> I define blame as a response that (i) would normally violate a person’s claim against others to have their rights respected or not be treated in certain non-trivially negative ways – in case the claim is not waived, overridden, or forfeited – and (ii) involves the blamer’s thought that the person has forfeited this claim because they have done something morally objectionable *without having an excuse*. In case the claim was not forfeited – indicating a misrepresentation by the blamer – the response would constitute a violation of someone’s rights. The advantage of presenting the account this

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<sup>6</sup> We should distinguish between private and public blame. Private blame involves moral assessments and responses within interpersonal relationships that are not, or at least should not be, of concern to the wider society. This type of evaluation is not necessarily based on public values or standards of behaviour. In contrast, public blame involves society – or at least a significant portion of it – assessing an individual’s actions that concern the public. This form of blame is usually judged according to public moral standards or values, often (though not always) through societal institutions.

way is, in my opinion, that it provides a precise and familiar understanding of why the claim is thought to be forfeited. Moreover, this allows putting together an account of blame and an account of excuses.

Regarding (i), it is important to note that it is not necessary to attribute an intention to violate others' rights to the blamers. Sometimes the violation of rights occurs as a side effect that is not necessarily intended by the blamers (2021: 411). With respect to (ii), its definition refers to the mental state of the blamers. It requires them to think that their targets have forfeited the claim to have their rights respected. This does not necessitate a clear and deliberate judgment but rather a less demanding representation – such as appraisals in theories of emotion (see Scarantino, 2018) – that would help explain the kind of response outlined in (i). It is also crucial to keep in mind the reason why the target might have forfeited their rights: because they did something morally objectionable without having an excuse. For example, if rights are violated for other reasons, such as exercising proportional violence to repel an unjustified threat, this does not constitute public moral blame. Note that what is morally condemned is not the thought described in (ii), but the response specified in (i). While (i) is morally problematic, (ii) might be only epistemically problematic. However, (ii) is relevant for understanding the response mentioned in (i). Similarly to the concept of *mens rea* in legal contexts, the mental state described in (ii) could also affect the responsibility of the blamer for their response.

To be *blameworthy*, then, means that a person has forfeited their legitimate claim against others to have their rights respected because they have engaged in morally objectionable behaviour. This forfeiture is not just about the wrongness of the act itself but also about excusing conditions. As a result, the person loses the position to legitimately demand that others refrain from responding to them in a significantly negative way.

### 3.3 Distinction between synchronic and diachronic responsibility

Trying to answer the questions raised above leads us to a recent shift in the debate about moral responsibility, introduced by Andrew C. Khoury (2013), who distinguished between synchronic and diachronic responsibility.<sup>7</sup>

*Synchronic* responsibility refers to an agent's responsibility for an action at the time it occurs, whereas *diachronic* responsibility refers to an agent's responsibility for an action later in time. Most theorists have assumed that *personal identity* is the relevant criterion for assigning

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<sup>7</sup> For avoiding repetition, I use responsibility and blameworthiness interchangeably, for the reasons exposed in the other subsections. In case I mention other kinds of responsibility, I specify the kind.

diachronic responsibility. More specifically, they hold that an agent  $x$  is diachronically responsible at  $t_2$  for an act  $\phi$  that occurred at  $t_1$  if and only if  $x$  is personally identical to agent  $y$  who is synchronically responsible at  $t_1$  for  $\phi$ -ing at  $t_1$ . In short, one is diachronically responsible for past deeds if they are the same person that committed those deeds, according to what our best theories of personal identity, like *animalism* or *psychological continuity*, determine in such a matter.

However, philosophers such as Khoury (2013, 2022), Matheson (2019, 2024), Khoury & Matheson (2018) or Shoemaker (2012) have recently criticised this view and introduced different conditions for *diachronic* responsibility. Taking personal identity as the condition for transmitting responsibility over time presents two main problems. One is that from this view it follows that a non-moral agent can be morally responsible for actions. For instance, after suffering a severe accident, a person might still be the same individual they were before, given their biological or psychological continuity with their past self. However, if the accident results in significant brain damage that impairs their moral capacities, it might have put an end to their moral agency. Consequently, if personal identity is deemed sufficient for transmitting responsibility, this person could be held morally responsible for actions at time  $t$  even though they may no longer possess moral agency at  $t$  (Khoury & Matheson, 2018: 213).

Another problem for this view is that attributions of blame *are intrinsically a form of criticism or negative evaluation*. Blame and praise target specific psychological features of an agent that are deemed either good or bad, proper or flawed. Actions stem from the agent's set of psychological traits such as beliefs, desires, values, character traits, or intentions, and when we blame someone, we are negatively evaluating this psychological set. If the psychological state that was crucial in causing a certain wrong action at time  $t_1$  no longer exist at time  $t_2$ , having been replaced with a contrary psychological set devoid of flaws, it seems both aimless and inappropriate to blame that person. Blame is attributed to agents, not actions (Shoemaker, 2014: 110). Blaming, thus, involves representing someone as having some kind of flaw, and to represent someone who, by hypothesis, no longer has such a flaw as still having it, constitutes a form of misrepresentation.

Many theorists think that the agent's behaviour after performing an action cannot alter their responsibility for the prior action, while others believe that subsequent behaviour can and *should* influence how we assess and respond to the agent (Khoury, 2013: 736). While it may still be true that someone *was* responsible at  $t_1$  for  $\phi$ -ing, given the fixity of the past (Khoury & Matheson, 2018: 207), this responsibility might not necessarily extend to  $t_2$  (Ibid: 738). That

is because the criteria for synchronic responsibility and diachronic responsibility are distinct (Ibid).

The relevant criteria or sufficient condition for ascribing responsibility over time is, according to Khoury (2013) and Khoury & Matheson (2018), psychological *connectedness*<sup>8</sup>. Distinct from psychological *continuity*, which is a form of numerical identity, psychological *connectedness* is a non-numerical, scalar, and non-transitive relation that refers to the preservation of certain relatively distinctive psychological content (Khoury, 2013). Distinctive psychological features are those that vary significantly across different individuals and over time within a single individual. For example, while the belief that all bachelors are unmarried generally remains stable over time and across different people, the desire to play the guitar may change over time and differ between individuals.

Khoury & Matheson (2018) argue that psychological connection depends on the relationship between the agent's current mental features and the mental features that originally triggered their wrong action. These mental features include beliefs, desires, emotions, values, and other aspects of the motivational framework that caused the act. If a person did  $\phi$  at  $t1$  as a result of a particular psychological set, their level of responsibility at  $t2$  is contingent on how closely the new psychological set at  $t2$  remains tied to the former at  $t1$  (Ibid: 741). Moral responsibility theories that focus exclusively on synchronic responsibility face a challenge when dealing with people who have completely changed from the psychological state that caused their past wrongdoing (Khoury, 2013: 745). In those cases, blaming supposes a misrepresentation of the object of the evaluation.

Diachronic responsibility exists on a spectrum, with its midpoint aligning with synchronic responsibility. When psychological connectedness is at its highest between two points in time, diachronic responsibility and synchronic responsibility are equivalent. At one end of the spectrum, there is no diachronic responsibility, which occurs when the agent is psychologically completely detached from the factors that made them blameworthy and has developed beliefs, values, desires, and intentions that are opposite to those they held at the time they became blameworthy. At the other end of the spectrum, an agent may have intensified their flaws to the greatest extent, resulting in their diachronic responsibility surpassing their synchronic responsibility. Thus, diachronic responsibility can remain the same, increase, decrease, or cease

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<sup>8</sup> Some agent S's psychological state P1 is psychologically connected to S's later psychological state P2 if and only if P1 caused (in the right way) P2 and P2 is similar to P1" (Khoury, 2013: 740).

to exist depending on the degree of psychological connectedness between the past and present states of the agent.

However, this view is not exempt from objections. Tierney (2022), for instance, argues that while psychological disconnectedness might be a necessary condition for blame to diminish over time, it is not a sufficient condition. She contends that according to Khoury and Matheson's view, a privately reformed agent who has undergone significant psychological change without visibly demonstrating this change to others – especially the victims – would not be considered blameworthy anymore. Tierney finds this counterintuitive and argues that an agent remains diachronically blameworthy for past deeds until they have fulfilled their reparative obligations to their victims, even if they have experienced considerable psychological change (2022: 381).

Khoury and Matheson, as Tierney acknowledges (Ibid.: 389), could respond to this objection by suggesting that the issue is only *epistemic*. Although the agent may no longer be blameworthy due to their private reform, others might not be aware of this change. In an epistemic sense, it may be appropriate to blame a privately reformed wrongdoer if the evidence available does not indicate their reformation (a response suggested by Khoury & Matheson, 2018: 215). However, this does not mean that it is appropriate in a sense of accurately representing the agent as being worthy of blame.

However, Tierney believes that reparations carry a value that influences the assignment of blameworthiness and extends beyond merely expressing psychological change.<sup>9</sup> I agree that wrongdoers incur certain duties they are obligated to fulfil, which concerns what we owe to each other (Scanlon, 1998). However, harm and duty violations can, on their own, ground obligations to repair, independently of blameworthiness. Thus, it may be that until they do not fulfil these *substantive* obligations, agents are blameworthy for not complying with their obligations and duties to repair, but not blameworthy for the action they once performed in case they have undergone the relevant psychological change.

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<sup>9</sup> Tierney insists that “we often continue to blame those who wrong us, even when we know they have changed significantly and feel guilty for what they have done” (Ibid.). But this only informs about some of our practices, not about their correctness. Given the prevalence of recalcitrant emotions – those that persist despite our better evaluative judgments, such as fearing flying despite knowing it is safe (see Brady, Michael S., 2009 for a defence of their irrationality) – we can explain and accommodate these reactions while still arguing that they are unfitting. Another reason that might explain Tierney's intuition is that blame might be inappropriate other things been equal, but at the same time be all-things-considered appropriate for some pragmatic reasons such as encouraging wrongdoers to discharge their obligations to repair. However, in this case blame would be appropriate because of its consequences, not because the agent is worthy of blame.

Fortunately, I do not need to defend a specific view on the conditions for diachronic blameworthiness terminability. Tierney's account is more demanding than Khoury and Matheson's, requiring psychological disconnection and additionally discharge of reparative duties. However, for the argument from distributive justice presented in section 5, more demanding conditions for diachronic blameworthiness are not a problem. In fact, more demanding conditions might require more resources for the agent to meet them, thus strengthening the argument that this matter falls within the domain of distributive justice.

To summarize what I have done in this section: First, I presented responsibility as blameworthiness (accountability). I reviewed various attempts to create a unified theory of blame and rejected them. Consequently, I advocated for a problem-driven approach to blame, which led me to propose Menges' account of blame as a response that involves violating others' rights because those rights are thought to be forfeited. I then discussed the distinction between synchronic and diachronic responsibility, outlined some of their different conditions and their problems, and concluded that all of them fall under the argument to be presented in section 5. But first, in the next section I present the social practice of public moral criticism, which is the main source, together with the law, of public blame. Following this, I present an account of excuses linking it to blameworthiness mitigation.

## **4. Responsibility Over Time and Distributive Justice**

### *4.1 The harms and burden of public blame*

Some social norms have neither moral content, nor do they refer to behaviours sanctioned by the law – e.g. norms about how to use cutlery. Other social norms are also legal norms. However, here I am focused on social norms that embody moral obligations, many of which are also sanctioned by the criminal law, but not all. Social life is improved when people share common moral values, and these values are embedded in and enforced by these social norms.

Public moral criticism is a social practice that serves an important role in maintaining and creating valuable social norms. Among the aims of public moral criticism, we find (i) drawing attention to a moral or social norm violation; (ii) making the wrongdoer aware of their norm violation and morally educate them; (iii) strengthening the solidarity with the victims and standing with them, recognising that they have been wronged and that they ought not be treated this way; (iv) avoiding connivance with wrongdoers; (v) expressing commitment to certain norms and values; (vi) protesting; and (vii) deterring future norm violators (Billingham & Parr 2020: 999-1000).

Public moral criticism distributes both benefits and costs. Those who do not commit wrongdoing benefit from this practice, as it provides them with goods such as safety and peaceful coexistence, making them better off than they would otherwise be. Additionally, individuals who perform supererogatory moral acts – those who go above and beyond standard moral expectations – receive not only the same benefits as non-wrongdoers but also the extra benefit of praiseworthiness.

However, for public moral criticism to be an effective social practice and achieve its aims, it must impose certain burdens or costs on individuals deemed blameworthy for their wrongful actions. The imposition of these costs also means that wrongdoers no longer benefit from the practice, as the responses they face generally make them less safe and negatively impact their welfare.

One common – and arguably the most effective – way to achieve some of the aims of public criticism, such as deterring future wrongdoing or showing support for victims, is through public *blame*. Not all practices of public moral criticism involve blaming. For example, we can express our commitment to certain values or make the wrongdoer aware of their actions without publicly blaming them.

When a wrongdoer becomes the target of public blame, a burden is imposed on them for three main reasons: two instrumental and one non-instrumental (for similar reasons, see Tadros, 2020: 228-234). First, blameworthy wrongdoers face harm, deprivation, social ostracism, a lower social position, reduced job opportunities, exclusion from certain social and political institutions, and other welfare-reducing hardships. These significant costs are typically borne *for a long time*, and wrongdoers generally lack the position to legitimately demand others to lift these burdens. The duration of active blame imposition or of its effects is relevant for assessing the hardship of the burden: When two harms are qualitatively the same, the harm that lasts more is greater. Importantly, these are responses that would normally violate people's claim against others to have their rights respected or not to be negatively affected in a relevant way.

Second, the fact that it is *possible* for blameworthy wrongdoers to face these kinds of responses – since they are seen as suitable targets – regardless of whether others respond or not, is also a burden. This situation usually generates stress, anxiety, depression, and other negative psychological effects on the possible targets of public blame.

Third, when one is *in fact* worth of blame, blameworthiness for wrongdoing is a burden itself. Having forfeited the position to legitimately demand others not to be treated in certain negative

ways makes them worse-off. We generally have a claim against others to have our rights respected or not to be treated in certain negative ways in part because we possess the ability of responding to moral reasons and acting according to them. The fact that I have not exercised at all, or not well-enough, this ability is what makes me forfeit those claims that derive from my moral status, which in turn is partially constituted by these abilities. Thus, the way I act is in tension with what gives me moral status, and this gives me less reasons – normative reasons – to value the way I am.

#### *4.2 Excuses as a mitigator of synchronic blameworthiness*

According to the account of blame presented earlier, an agent is synchronically blameworthy if they have forfeited the claim or position to demand that other people not treat them badly or that their rights be respected. The blamers believe that this claim has been forfeited by the agent's wrongdoing and lack of excuse.

A starting point for defining what excuses are is by distinguishing them from justifications. The idea that the agent forfeited the claim because they acted in a morally objectionable way excludes the possibility of their behaviour being justified. Justifications rule out wrongdoing by demonstrating that carrying out the alternative action would have violated a stronger obligation or that the alternative choice was *permissible*. Therefore, when there is a justification, there is no wrongdoing. Excuses, on the contrary, do not change the moral valence of the action but mitigate the degree of the wrongdoer's blameworthiness due to the difficulties, obstacles, costs, or lack of eligible alternatives that affect the agent's moral understanding and motivation (Kelly, 2018; Sliwa, 2019; Alvarez, 2023). According to Kelly, "in evaluating an agent's blameworthiness, we assess how reasonable it is to expect an agent to act morally in the face of obstacles" (2012: 256).

Before delving deeper into the nature of excuses, a clarification is needed: We are concerned with moderately reason-responsive agents who clearly acted wrongly in a way that makes the action attributable to them. In other words, we are dealing with cases where the threshold for responsibility, as proposed by compatibilists like Fischer and Ravizza (1998), is met. According to this view, one is morally responsible for an action if one is (i) regularly reason-receptive and (ii) weakly reason-reactive. (i) can be interpreted as the capacity to regularly recognize reasons for action, particularly moral – that is, agents who show a pattern of recognition of those reasons – and (ii) as stating that given sufficient reason to do otherwise, there is at least one possible world in which the agent acts otherwise (for a more refined presentation of this interpretation, see Coates & Swenson, 2013: 632-634). Coates & Swenson (2013) use the example of Marcia,

a morally capable person who, due to her severe depression, stays lying on the couch instead of going to the airport to fulfil her promise to pick up her friend. Marcia is above the threshold for being morally responsible, as conditions (i) and (ii) are met. She regularly recognizes reasons for keeping her promises, and there is at least one possible world in which Marcia acts differently and fulfils her promise.

However, it is not the same to break a promise made to your friend because you are depressed as doing so because you found a nice program on TV. Similarly, it is not the same to blame a desperately poor father for stealing diapers from a small store as it is to blame a rich man who does it because he views stealing as a funny hobby. Some people who meet the threshold for being morally responsible and are somewhat blameworthy do not seem to be blameworthy to the same degree.

Excuses refer to facts or considerations that have normative import (Sliwa, 2019: 39), but do not change the moral obligations we have, nor do they impair our capacity for acting intentionally (Ibid.: 43). Excusing conditions, as Kelly puts it, “signal considerations of fairness that restrict the appropriateness of blame as a response to wrongdoing” (2012: 245). Excuses determine the claims against others that a wrongdoer forfeits. They also have a scalar nature: they can be full or partial, and the corresponding diminishment of blameworthiness can also be full or partial. Thus, excuses come in degrees, and some theories attempt to capture the degrees of blameworthiness by appealing to the difficulties the agent faces in complying with moral demands (Kelly, 2012; Coates & Swenson, 2013; Nelkin, 2016). The soundness of this view depends on how we understand difficulties.

Here, I understand difficulties as obstacles someone faces in protecting their own interests, rather than as the amount of effort to do something one wants to do or as the sacrifice of personal interests. For instance, people have an interest in being educated, at least to a certain extent. Someone from a poor family faces more obstacles than someone from a rich family in protecting their interest in education, because they need more help from others to fulfil this interest. If people have an interest in not bearing the burden of being held blameworthy for wrongdoing – not necessarily an interest in acting morally in all relevant situations – some people face more obstacles than others in protecting this interest. Thus, it is more difficult for them to avoid being blameworthy than it is for others, and how much someone is excused, and their corresponding degree of blameworthiness, depends on the obstacles they face in protecting their interest in avoiding blame.

Obstacles that are generally not legally and often not socially recognized are the morally arbitrary characteristics and circumstances that increase the likelihood of committing wrongdoing mentioned in section 2.1. The possession of characteristics empirically linked to a higher likelihood of committing wrongdoing can rightly be seen as pointing to difficulties that call for adjustments in our blame practices. The reason for softening our responses is that not everyone faces the same difficulties in protecting their interests when those interests depend on their actions. We cannot demand more from some people than from others, especially when they are arbitrarily affected by circumstances and conditions that most people rarely face. This is particularly relevant when we acknowledge that their difficulties are at least partially the result of our collective decisions.

This leads us to another independent reason for attenuating blame, though not blameworthiness. Sometimes, it is less appropriate for members of a society to blame someone because those blamers are not – or not fully – entitled to do so. The reason for this might be that, as a society, they have not done enough for the individuals in question. Members of a society might lack the position to legitimately demand that some people overcome more obstacles to act morally – obstacles that they create or not help to remove–, a demand that does not apply to all members of society. They may not have such a claim because they have failed to meet their duties towards these people. Blame, from those who lack standing, might serve as a distraction from the complicity they have in the causes of wrongdoing.

To conclude, we have a *pro tanto* reason to partially excuse those wrongdoers that have the morally arbitrary characteristics presented in 2.1. and reduce their synchronic blameworthiness accordingly.

Of course, the fact that there are *pro tanto* reasons to excuse wrongdoers that have those morally arbitrary characteristics does not mean that we should excuse them *all-things-considered*. I do not deny that holding people blameworthy and publicly blaming them might have instrumental value due to its beneficial consequences. Blame practices may emerge and play a role within a scheme of cooperation – public moral criticism – that has the goal of making society safer by incentivizing good conduct and disincentivizing bad conduct. To use blame instrumentally may work to motivate citizens to comply with social norms in ways that will further the goals of the social practice or institution.

However, the beneficial consequences of certain blame practices are still under debate. For instance, evidence supporting the deterrent effect of the certainty of punishment is significantly more consistent than the evidence for the deterrent effect of the severity of punishment (Nagin,

2013). This is important because while deterrence might justify synchronic blameworthiness all-things-considered, it may not justify diachronic blameworthiness in the same way, given the controversy over whether prolonged blame is effective in preventing future wrongdoing. I cannot resolve these complex and largely empirical issues here, so I am simply arguing that there are pro tanto reasons to excuse wrongdoers with the morally arbitrary characteristics discussed above, and that some empirical evidence suggests that long-term blame has no positive benefits.

## **5. Do We Have a Duty to Correct Blameworthiness Inequalities?**

### **5.1. An Egalitarian Perspective on Blameworthiness Distribution**

I argued that certain social and natural characteristics—such as sex, gender, skin colour, family and place of origin, mental disorders, dyslexia, early intelligence development, having been a victim of bullying—affect the likelihood of wrongdoing, which is a burden, and that these characteristics are distributed in a purely arbitrary manner.

Examples of burdens or costs that individuals may face in a society are poor health, limited access to health care, low income, low education, low-quality jobs, social stigma, environmental hazards, risk of victimisation, inadequate housing, some forms of responsibility – e.g. those associated with certain parental duties – etc. Responsibility as blameworthiness is one of these burdens, the product of a social practice that distributes goods and costs. All or most of these burdens may be bad in themselves, bad for instrumental reasons – because they generate other burdens or, more generally, because they reduce welfare – or both.

Interestingly, blameworthiness often comes with additional burdens. For instance, individuals who gamble away their resources and become poor face the burden of blameworthiness for their actions. As a result, some believe that because they are blameworthy, they must endure the burden of poverty without entitlement to compensation. Thus, blameworthiness for wrongdoing can lead to lower income, and lower income, as we have seen, can in turn contribute to blameworthiness for wrongdoing, illustrating a case of bidirectional causation. This pattern also occurs with other burdens, such as from lower income to poor health – and vice versa – or from poor health to reduced educational attainment and lower occupational rank (Case, Fertig, & Paxson, 2005, cited in Mackay & Sreenivasan, 2021: 7-8).

Blameworthiness can also be a cause of further blameworthiness, as evidenced by research in criminal law, which shows higher recidivism rates among those who have been imprisoned compared to those who have undergone more rehabilitative programs. This pattern is also

observed in health: some illnesses can lead to other illnesses, which in turn exacerbate the original condition. Although blameworthiness is categorically different from other burdens, it often functions as a condition for other burdens and frequently accompanies them.

After these general remarks, I will now present an argument from a luck egalitarian perspective drawing an analogy with gender inequalities in income and division of labour and inequalities in health outcomes.

The characteristics of an agent can be linked to burdens in two different ways: 1) in the absence of a bad decision by the agent as interface - for example, difficulties in learning at school due to dyslexia, or a child's limited access to health care because their parents lack the financial resources - or 2) with the mediation of a bad decision by the agent. Examples include poor health as a result of smoking for a long period of time when it could have been avoided, or reduced income as a result of being fired from a job for being repeatedly late without an excuse. Blameworthiness falls into the second category: It is a burden always associated with a bad decision, in particular the decision to commit wrongdoing.

A *strict* egalitarian view on blameworthiness inequality would not be concerned with whether there is a decision as an interface of outcomes that make people worse-off. Accepting it would imply to stop blaming people, i.e. to completely renounce to our blame practices as characterised in section 3, or rather to hold all the members of the society blameworthy. Though this last option might seem a weird and not a pragmatic one, it interestingly has had certain appeal in the Christian tradition and other influential trends of thought. Moreover, accounts that place responsibility for wrongdoing on society as a whole for not doing enough to correct the determinants of wrongdoing, might also be seen as proposing a form of collectively shared blameworthiness. However, even if we hold this view, we might think that some are more blameworthy than others – e.g. those who design policies –, or the view might collapse in the renouncement to the practice. Since both renouncing to the practice or extending its targets to all members of society will put an end to the benefits of our blame practices identified in section 4.1., strict egalitarianism seems to fall too obviously under the levelling down objection. This is because without blame practices everybody is likely to be worse-off, since violations of basic rights and liberties might increase exponentially, affecting both non-wrongdoers and wrongdoers.

Luck egalitarians care whether the bad outcomes that make some worse off are the result of bad decisions. According to these views, if inequalities in bad health outcomes arise from voluntary choices, they might not be considered unjust. Similarly, if the distribution of liability for praise

and blame arises from voluntary choices, they might not be unjust. When decisions to engage in wrongful behaviour meet the control and epistemic conditions for moral responsibility typically described by compatibilists, one could argue that there is nothing unjust about inequalities in blameworthiness. If individuals are held responsible for the consequences of their wrongful actions, society might be justified in withholding resources from them or placing them lower on the priority list when distributing scarce resources.

However, things are not so straightforward. Schouten (2015), in trying to answer whether unequal incarceration rates are unjust to men, invites us to think about the income inequality between women and men. She highlights that some of this inequality stems from sexism, implicit biases, and the fact that women are often *perceived* as more likely to become caregivers' specialists, affecting their chances of being hired or promoted (Ibid.: 140). However, part of what causes this unequal outcome are women's own choices: they are more likely – and do so in higher rates – to decide to take on unpaid caregiving labour, work part-time, develop lower career aspiration, and choose flexible careers to balance caregiving responsibilities (Ibid.: 140-141). Most of these choices abide by compatibilist conditions for responsibility. Thus, some may argue that women's occupational choices are voluntary and therefore not unjust.

Schouten thinks this is wrong. Although these choices may indeed be voluntary choices, she argues that they are made within a *context of inequality*, where women face greater *difficulties* and higher costs for prioritising paid labour (Ibid.: 141). Schouten compares this to men's higher likelihood of engaging in violent crime, noting that in both cases, the individuals' choices are shaped by unchosen circumstances, leading to unjust outcomes – low income or responsibility for wrongdoing. She does not want to argue that the cases are analogous because women who quit their jobs do not in principle wrong anyone<sup>11</sup>, whereas wrongdoers do wrong to others. The aim of the comparison is solely to illustrate that both cases involve voluntary choice and inequalities in the context in which the choice is made. She then argues that justice should address these unequal propensities, which impact life prospects, because “the consequences of the choice can be unjust to the chooser if the terms of the choice are unfair through no fault of the choicer” (Ibid.).

There is substantial evidence that behaviours such as smoking, excessive alcohol consumption, poor nutrition, and lack of physical exercise cause health problems. However, behaviours that are detrimental to health are more common in lower socioeconomic groups. As these behaviours

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<sup>11</sup> This is controversial. Some argue that they may harm other women who either do not want or cannot make this decision.

are more prevalent among those with lower socio-economic status, the choice to behave in this way is made against a background of inequality that is arguably not caused by any previous voluntary choice. If resulting health inequalities stem from unjust choices made in such circumstances, we could equally argue that the inequalities in outcome are unjust, and society is obligated to provide compensation.

Finally, the same reasoning could apply to inequalities in the distribution of blameworthiness, which is *always* linked to a wrong or bad decision. The fact that individuals are not responsible for the unchosen circumstances in which choices are made – circumstances that result from bad luck – poses a problem because the distribution of blameworthiness results from both voluntary choices and unchosen circumstances that crucially influence both the choices available, and the choice taken.

Luck egalitarianism requires compensating individuals for their unchosen genetic endowments and social upbringing but forbids compensating individuals for the outcomes of their voluntary choices *if they result from a fair prior distribution of resources*. However, the data mentioned in section 2.1. on the characteristics that make wrongdoing more likely can reasonably be interpreted as showing that this fair prior distribution of resources does not obtain. Thus, the voluntary choice to commit wrongdoing does not stem from a fair prior distribution of resources, and luck egalitarianism calls for either correction of the unequal background or compensation for the outcome.

Although there is no clear way to determine whether the background in which decisions are made is equal, i.e., whether wrongdoers have been provided with sufficient resources to compensate for their natural endowments and bad luck in their upbringing at the time they decide to commit wrongdoing – which, given also the epistemic limitations and the amount of data available, might argue in favour of extending the argument to all wrongdoers – the data of section 2.1 suggest that society has not discharged its duties towards likely potential wrongdoers.

As Arneson crucially points out, the inequalities resulting from brute luck include deficiencies in individuals' choice-making abilities - practical reasoning - and executive abilities - willpower - given their genetic endowment and socialisation (2007). Some of the correlations between certain traits and wrongdoing presented in 2.1. suggest that these morally arbitrary traits somehow impair choice and executive ability. Thus, a theory of distributive justice that attaches great importance to choice in the distribution of resources must either be non-egalitarian from the outset or ensure that everyone has the same ability to make and execute choices. Therefore,

inequalities in the distribution of blameworthiness stemming from morally arbitrary characteristics that increase the likelihood of wrongdoing are unjust because it is much harder for some to avoid the burden than for others.

## 5.2. Justice and Blameworthiness over Time.

Recall now the account of blame I presented above. Blame is a response that (i) would normally violate a person's claim against others to have their rights respected or not be treated in certain significant negative ways – if the claim is not waived, overridden, or forfeited – and (ii) involves the blamer's belief that the person has forfeited this claim because they have done something morally objectionable without having an excuse.

According to this, to be a synchronically blameworthy agent is to have forfeited a legitimate claim against others to have their rights respected by engaging in morally objectionable behaviour without having an excuse. We concluded in section 4.3. that there are *pro tanto* reasons to partially excuse people affected by morally arbitrary characteristics that increase the likelihood of wrongdoing. If the claim were not forfeited – indicating a misrepresentation by the blamer – the response would constitute a violation of someone's rights.

However, we may not want to stop or reduce the intensity and extent to which we consider someone to be synchronically blameworthy, because considering people *synchronically* blameworthy for their wrong behaviour is, all things considered, beneficial<sup>12</sup>. Thus, the claim to not having certain rights forfeited or not to be treated badly is overridden by the societal benefits.

Even if this is true, as I have said in this section, there remains an injustice because people choose to do wrong against a background of unjust inequality. How can this injustice be compensated? Distributive justice, seen from the lens of the luck egalitarian, holds that the lucky should transfer some or all of their lucky gains to the unlucky. In the case of responsibility for wrongdoing, how can the better-off in this regard – those who are not blameworthy or are praiseworthy – transfer some of their lucky gains – responsibility for good deeds or absence of responsibility for wrongdoing – to the unlucky – those who are held responsible for wrongdoing and are the target of public blame?

Here is where the distinction between synchronic and diachronic responsibility becomes relevant. To avoid committing wrongdoing and becoming synchronically blameworthy, those

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<sup>12</sup> As mentioned at the end of section 4, it is far from clear that diachronic responsibility, especially blaming people for a long time, is beneficial all things considered.

who are worse-off for having characteristics linked to a propensity for wrongdoing need resources. By correcting the natural and social inequalities that make them more likely to commit wrongdoing, e.g. through prevention programmes aimed at eliminating or reducing the social and natural determinants of blameworthiness, society could fulfil its duty to redress unjust inequalities and avoid the accusation of not having done enough to prevent wrongdoing.

Sometimes, however, prevention has not been achieved and background difficulties for becoming blameworthy remain unequal. In this case, compensation comes to the rescue of equality, and the different conditions for synchronic and diachronic responsibility open the door for partial or full compensation. For some burdens, compensation must be made by providing resources to achieve other commensurable goods instead. As we have seen, some goods and burdens, probably the most important ones, are not commensurable, and this is a problem. But in the case of responsibility for wrongdoing, at least partial compensation can be achieved by transferring resources that help wrongdoers diminish their blameworthiness or cease to be blameworthy and enjoy again the benefits of public moral criticism. To meet the conditions for diminishing diachronic blameworthiness, whether through psychological change or by discharging reparative duties, wrongdoers need resources. So one way of compensating is to provide them with welfare-generating resources that will help them to eventually meet the conditions to stop being diachronically blameworthy. This distributive justice framework is particularly useful for justifying, independently of other justifications, for example, rehabilitation and reintegration programmes aimed at reducing diachronic blameworthiness.

## **6. Conclusion**

In conclusion, I have argued that society has a duty to better distribute welfare-generating resources to reduce the obstacles that people with morally arbitrary characteristics face in avoiding wrongdoing, but also that those who are not blameworthy have a duty to transfer welfare-generating resources to those who are blameworthy as compensation. Given that resources are needed to meet the conditions for ceasing to be diachronically blameworthy, the aim of this compensation is to reduce and eventually eliminate the burden of diachronic blameworthiness by restoring the wrongdoer's claim on others to have their rights respected.

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