

Aristotle on Mixed Actions

Abstract

Most of commentators believe that the so-called mixed actions in *NE* 3.1 are actually voluntary, which conflicts with Aristotle's classification of compelled actions as involuntary in *NE* 5.8 and *EE* 2.8. By examining these different discussions, I argue that Aristotle provides a superior account of mixed actions in *NE* 3.1, which is grounded upon a morally loaded conception of voluntariness rather than upon an ontological approach to human behavior he adopts elsewhere. I also argue that this non-ontological conception of voluntariness helps us better understand moral dilemmas such as the one Agamemnon faces in Aulis.

Keywords

Aristotle – Mixed Action – Voluntary – Involuntary – Responsibility

At the beginning of the expedition to Troy, the Greek forces were held in Aulis by opposing winds sent by the goddess Artemis. Agamemnon was told that he was bound to offer his daughter Iphigeneia as a sacrifice to Artemis. The old king pondered over his duties as the commander of the expedition as well as the obligations of a father. It was a difficult or even impossible decision to make: either to slay his beloved child in order to calm the storm, or to disobey the goddess and abandon his fleet. As reported by the Chorus in Aeschylus' play, Agamemnon groaned, 'Which of these courses is not filled with evils?'¹

¹ Aeschylus, *Agamemnon*, 211, the translation is cited from Aeschylus, *Aeschylus*, with an English translation by Herbert Weir Smyth, (Cambridge, MA. 1926).

Agamemnon's situation is often cited by philosophers as a forceful example of actions under necessity or compulsion, where one's alternatives are terribly constrained.² On the one hand, one may think that Agamemnon was free. For according to Aeschylus, he was presented with two options and retained the capacity to make a choice after rational deliberation. On the other, his action seems to be forced, since he had to incur unbearable cost no matter what option he chose. It has been claimed that Agamemnon was required to choose between two crimes.³ Nevertheless, Agamemnon decided by himself, though unwillingly, to 'put on the yoke of necessity' (*ἀνάγκας ἔδω λέπαδνον*).⁴ Compulsion, unwillingness, and freedom of choice are closely entangled in Agamemnon's final decision. This constitutes a severe challenge to philosophers who interpret human freedom and responsibility in terms of freewill or capacity of choice.

One may object that the moral dilemma Agamemnon faced in Aulis is too dramatic to relate to everyday action. It is true that the supernatural necessity makes little sense in our moral life. It is not often that we come into moral conflict as severe as this case. However, as Bernard Williams argues, the exercise of freewill does not differ substantially in cases of actions done under extreme compulsion and those done under normal circumstances, 'since all choices operate in a space of alternatives constrained by the contingent cost of various possibilities, and these exceptional cases are simply dramatic cases of that, where the space has been unexpectedly restricted.'⁵

² See for instance, M. Nussbaum, *The Fragility of Goodness* (Cambridge, 1986) 32-38. B. Williams, *Shame and Necessity* (Berkeley and Los Angeles, 1993), 132-135, and 208-210 for his criticism of Nussbaum's interpretation of the necessity in question. For a recent and detailed analysis of Agamemnon's deliberation, see S. Lawrence, *Moral Awareness in Greek Tragedy* (Oxford, 2013), 71-83.

³ H. Lloyd-Jones, "The Guilt of Agamemnon," *Classical Quarterly*, NS 12 (1962), 187-199, at 191. It deserves notice that Lloyd-Jones followed D. L. Page to argue that in Aeschylus' play Agamemnon actually had no choice but to sacrifice his daughter. See also B. Williams, *Shame and Necessity*, 208, n. 9-10.

⁴ Aeschylus, *Agamemnon*, 218, the translation is slightly modified here.

⁵ B. Williams, "How Free Does the Will Need to Be?" in id. *Making Sense of Humanity: And Other Philosophical Papers* (Cambridge, 1995), 3-21, at 4.

If Williams is right, it follows that one cannot fully grasp the meaning of freedom and responsibility without tackling this sort of thorny cases. I will argue that Williams is right in this regard and he is not alone in maintaining this. In his approach to the moral responsibility of human behavior in *Nicomachean Ethics* (hereafter *NE*) 3.1, Aristotle already draws our attention to such controversial actions that challenge our conception of voluntariness. Examples include doing something shameful in order to satisfy a tyrant who took your family hostage, or throwing cargo overboard in storms for the safety of the sailors onboard. Aristotle labels such actions as “mixed” (*μικται*) even though they seem more like (*εὐόικασι δὲ μᾶλλον*) voluntary actions. In his own words, they are involuntary without qualification (*ἀπλῶς*), but voluntary on the occasion. (*NE* 3.1, 1110a5-19)

The phenomenon of action under duress and Aristotle’s account certainly do not escape the notice of commentators. However, most of them argue that the so-called ‘mixed actions’ in *NE* 3.1 are not just similar to but actually turn out to be exactly the same as voluntary actions.⁶ This interpretative tradition can be traced back even to the first commentators on Aristotle’s ethics.⁷ Accordingly, it is often assumed that ‘mixed action’ is merely a provisional label Aristotle used in introducing a puzzle or *aporia*

⁶ See e.g., A. Kenny, *Aristotle’s Theory of the Will* (London, 1979), 34-5; R. Sorabji, *Necessity, Cause and Blame: Perspectives on Aristotle’s Theory* (Chicago, 1980), 260-7; S. Broadie, *Ethics with Aristotle* (New York, 1991), 142-149, esp. 145; S. S. Meyer, *Aristotle on Moral Responsibility* (Oxford, 2011, first edition 1993), 99-100; T. Irwin, *Aristotle, Nicomachean Ethics*, 2nd edition (Indianapolis, 1999), 202; J. M. Cooper, “Aristotelian Responsibility,” *Oxford Studies in Ancient Philosophy*, XLV (Winter 2013), 265-312, at 288. However, there are still few scholars trying to do justice to the involuntary character of the ‘mixed actions’ in the *Nicomachean Ethics*. See S. Everson, “Aristotle’s Compatibilism in the *Nicomachean Ethics*,” *Ancient Philosophy* 10 (1990), 81-103, esp. 86-88; C.C.W. Taylor, *Aristotle, Nicomachean Ethics: Books II-IV*, (Oxford, 2006), 135-6; R. Heinaman, “Voluntary, Involuntary, and Choice,” in G. Anagnostopoulos (ed.), *A Companion to Aristotle* (Oxford, 2009) 483-497, at 489.

⁷ Aspasius, *Aspasii in Ethica Nicomachea quae supersunt commentaria*, 60.11-62.27, see D. Konstan, *Aspasius on Aristotle’s “Nicomachean Ethics 1-4, 7-8”* (Ithaca, New York, 2006), 59-62; Alexander of Aphrodisias, *Problemata ethica* 12, see R.W. Sharples, *Alexander of Aphrodisias: Ethical Problems* (London, 1990), 41-43.

concerning action under compulsion, a label he later discarded when he solved the puzzle.⁸

Certainly, it makes sense to say that the captain threw the cargo overboard voluntarily to save himself and others. However, it is rather difficult or at least *prima facie* bizarre for us to say that a person under pressure, e.g. at gunpoint, voluntarily handed over his wallet to a robber. In any event, it seems ridiculous to hold the victim accountable for the action. If we apply this interpretation to the moral dilemma of Agamemnon, it seems that this proposed solution is too simplistic to address the genuine challenge.

Moreover, the mainstream reading inevitably leads to an inconsistency in Aristotle's ethical treatises. Though the label 'mixed action' is absent in his *Eudemian Ethics* (hereafter *EE*), Aristotle nonetheless analyzes actions under compulsion and comes to the conclusion that at least some actions of this type are involuntary.⁹ Even worse, Aristotle's position in the *EE* seems to be echoed in the so-called common books shared by the *NE* and the *EE*.¹⁰ In his analysis of the act of returning a deposit out of fear

⁸ This opinion is even popular among studies focusing specifically on mixed actions, K. M. Nielsen, "Dirtying Aristotle's Hands? Aristotle's Analysis of 'Mixed Acts' in the Nicomachean Ethics III, 1," *Phronesis* 52 (2007) 270-300, at 280; M. Pakaluk, "Mixed Actions and Double Effect," in M. Pakaluk and G. Pearson (eds.) *Moral Psychology and Human Action in Aristotle* (Oxford, 2011), 211-231, esp. 220-223; E. di Nucci, "Aristotle and Double Effect," *Journal of Ancient Philosophy* (forthcoming). A recent exception is A. Campos, "Responsibility and Justice in Aristotle's Non-Voluntary and Mixed Actions," *Journal of Ancient Philosophy*, 7.2 (2013), 100-121. Campos recognizes mixed actions as an independent category of action, but he fails to notice the difference between relevant discussions in *NE* 3.1 and *NE* 5.8 and unconvincingly argues that Aristotle's criteria for voluntariness and involuntariness cannot fully explain many hard cases.

⁹ *EE* 2.8, 1225a2-19, esp. 17-19. In a most recent discussion of psychologically compelled actions in *EE* 2.8, Josef Müller rightly relates them to the mixed actions in *NE* 3.1 and argue that some of them are involuntary, see id. "Agency and Responsibility in Aristotle's *Eudemian Ethics*," *Phronesis*, 60 (2015), 206-251, esp. 233, n. 55.

¹⁰ For convenience, I will use the *NE* book number of the common books without deciding which *Ethics* is their original home, though it will be shown that the position on mixed actions in the common books is closer to that in the *EE*.

which is often interpreted as an action under psychological compulsion, Aristotle argues that this does not count as a just action because the agent does it involuntarily (*ἄκων*). (*NE* 5.8, 1135b2-8)¹¹

These theoretical and textual discrepancies provide us with good reasons to rethink Aristotle's account of mixed actions and the underlying conception of voluntariness in his different ethical writings. Incidentally, recent research on the mixed actions specifically focuses on Aristotle's presumable contribution to the moral justification of some shameful actions or of some actions inevitably leading to bad consequences, because supposedly they are necessitated. Thus it is assumed that Aristotle contributed to later theories of 'dirty hands' and 'double effect'.¹² Yet little attention has been paid to the mixed actions themselves and their relevance for our understanding of Aristotle's conception of moral agency in general.

In this paper, I will take Aristotle's label 'mixed action' seriously and examine his reflections upon this type of action in the various contexts mentioned above, from *EE* 2.8 via *NE* 5.8 to *NE* 3.1.¹³ The main purpose is to argue that Aristotle provides a superior

¹¹ *NE* 5.8, 1135b2-8.

¹² This idea can be traced back at least to Gauthier's erudite commentary on the *Nicomachean Ethics*. See R.A. Gauthier and J.Y. Jolif, *L'Éthique à Nicomaque : Introduction, Traduction et Commentaire*, 2nd edn., 2 vols. in three parts (Louvain and Paris, 1968), tome II, 172-173. For recent discussions, see M. Stocker, 'Dirty Hands and Conflicts of Values and of Desires in Aristotle's Ethics', in id. *Plural and Conflicting Values* (Oxford, 1990), 51-84; Pakaluk, 'Mixed Actions and Double Effect', 211-231. Taylor rightly observes that Aristotle merely regards enduring rather than doing shameful things for a good end is praiseworthy. Moreover, the shameful things can be justified only under specific circumstances. See, Taylor, *Nicomachean II-IV*, 133-4. Nielson also denies the dirty hands thesis for similar reasons, see ea., 'Dirtying Aristotle's Hands?', esp. 277-286.

¹³ I will not address the problem of chronological order of these texts, which has been hotly debated in the recent decades revolving around Kenny's controversial Anthony Kenny's controversial claim that the *EE* is a mature work and not inferior to the *NE* especially with regard to the reflections on human agency. See A. Kenny *The Aristotelian Ethics: A Study of the Relationship between the Eudemian and Nicomachean Ethics of Aristotle* (Oxford, 1978) and *Aristotle's Theory of the Will* (London, 1979). For a recent brilliant attempt to defend the traditional account by reconstructing the inherent theoretical relationship among Aristotle's three accounts of the voluntary, which highlights the role of decision

account of actions under compulsion in *NE* 3.1, which is grounded upon a morally loaded conception of voluntariness rather than upon an ontological approach to human behavior he adopts elsewhere. According to *NE* 3.1, mixed actions are genuinely voluntary and involuntary, though from different perspectives. Both their voluntariness and involuntariness faithfully reflect the agent's dispositional character and her situations in this world. This new reading of *NE* 3.1 will also contribute to a deeper understanding of moral action and its voluntary nature in Aristotle's *Ethics*, which is so profoundly rooted in his realistic conception of human nature and its character dispositions such as virtues.

Actions under Compulsion in *EE* 2.8

It is sometimes suggested that Aristotle offers a more systematic account of human agency in *EE* 2.6-9.¹⁴ For our current purposes, we will briefly present the theoretical context in which Aristotle introduces his account of the voluntary (*ἐκούσιον*) and the involuntary (*ἀκούσιον*) and then focus on cases in *EE* 2.8 that are similar to the mixed actions, though he does not use that label in this text.¹⁵

Above all, as commentators have rightly noticed, there is no pair of terms that exactly matches the Greek *hekousion* and *akousion*. This is clearly reflected in different choices in modern translations, which include 'voluntary/involuntary', 'voluntary/counter-voluntary', 'intentional/unintentional', 'of one's own free will/against one's will'.¹⁶ As will be clear in later discussions, the aptness of various renditions

unique in the *NE* 3.1, see Charles, 'The *Eudemian Ethics* on the 'Voluntary'', esp. 24-26. For a different approach taking *EE* 2.6-9 as a premature dialectical exercise that is completed and rectified by *NE* 3.1, see Meyer, *Aristotle on Moral Responsibility*, xvi-xvii and 93-121.

¹⁴ See for instance, M. Woods (trans.), *Aristotle, Eudemian Ethics: Books I, II and VIII*, 2nd edition (Oxford, 1992), 115; A. Kenny, (trans.) *Aristotle: The Eudemian Ethics* (Oxford, 2011), xii. David Charles also observes that the *EE* account relies more on Aristotle's theoretical philosophy even though the *NE* account is more unified, see id. "The *Eudemian Ethics* on the 'Voluntary'," 17-18.

¹⁵ Woods, *Eudemian Ethics I, II, and VIII*, 133-34; Nielsen, "Dirtying Aristotle's Hands".

¹⁶ For references to these versions, see Taylor, *Nicomachean Ethics II-IV*, 125-127.

partially turns on their applications to mixed actions. For our purpose, I simply assume that the pair ‘voluntary/involuntary’ is equivalent to the Greek terms ‘*hekousion/akousion*’.

In *EE* 2.6, Aristotle inaugurates his account of the voluntary with a systematic examination of the meaning of principle or source (*ἀρχή*), which is left unexplained in the *NE* account.¹⁷ He lists human beings, animals, God, and mathematical axioms as principles in a broad sense, which are further divided into controlling and non-controlling, necessary and non-necessary principles. (*EE* 2.6, 1222b15-1223a3) Aristotle stresses that only (adult) human beings can be origins of actions (*πράξεις*) because actions are ascribed to rational beings (*EE* 2.8, 1224a29). A human being is said to be the non-necessary principle and controller (*κύριος*) of his actions in that it is up to him (*ἐφ’ αὐτῷ*) whether they occur or not. (*EE* 2.6, 1223a4-7) On the one hand, as Jozef Müller persuasively shows, Aristotle means by controlling that a human being has the capacity to initiate and complete an action on his own.¹⁸ It is important not to interpret this sort of control in terms of the capacity to do otherwise because it contradicts with Aristotle’s claim that god is the controlling principle of changes that occur necessarily. (1222b20-23) For Aristotle’s god as the unmoved mover cannot be otherwise than what it is (*Metaphysics* 12.7, 1072b6-8). On the other hand, by non-necessary, Aristotle indicates that human beings themselves as principles of their actions are also subject to changes because they are capable of being otherwise than what they are. (*EE* 2.6, 1222b41-1223a4) This capacity of being otherwise should not be confused with the capacity to do otherwise as well, since it simply means that human beings as agents are also products of contingent changes, which does not imply that their actions can be otherwise. Therefore, when Aristotle claims that one’s action is up to oneself, he merely identifies a human

¹⁷ It is interesting to note that even a passionate defender such as Anthony Kenny concedes that the classification of principle (or source in his translation) appears unnecessary. See Kenny, *Aristotle’s Theory of the Will*, 4. However, Jozef Müller has convincingly shown that this chapter is crucial to establish Aristotle’s causal account of voluntariness in *EE* 2.7-9. See Müller, “Agency and Responsibility,” esp. 211-23.

¹⁸ Müller, “Agency and Responsibility,” 214.

being as the origin that determines the occurrence of his actions without implying that the human agent has the counter-factual capacity to choose otherwise than he actually does.¹⁹

Nevertheless, in virtue of this specific sort of principle or cause (*αἰτία*),²⁰ human beings become responsible (*αἴτιος*) for things that are up to them to do or not to do. (*EE* 2.6, 1223a7-9) It deserves notice that to explain the relationship of a human agent and his actions, Aristotle here uses an adjective *aitios*, which is almost neglected in parallel discussions in the *NE*.²¹ In ancient Greek, x is *aitios* for y either in a broad sense that x is a cause or explanation of y or in a more specific sense that x is legally culpable for y. Though it is obvious that this concept is not introduced in a legal context,²² nevertheless, Aristotle claims immediately that a human being is blamed and praised for what he is *aitios*, which explains why this concept is important for the study of virtue and vice. (1229a10-15) Here, we translate this term as “responsible” to leave it open for a while whether Aristotle is talking about causal responsibility or moral responsibility in this text.²³ What is uncontroversial in *EE* 2.6 is that Aristotle explicitly refers the ground of responsibility for an action to the control of the agent: what one is responsible for is up to oneself.

“Controlling principle”, “cause”, “responsible”, all these causal terms or terms with strong causal connotations and Aristotle’s analysis of other sorts of principle show that in

¹⁹ For a more detailed examination of the meaning of “what is up to oneself” in this chapter against a contingency interpretation, see S. Meyer, “Aristotle on What is up to Us and What is Contingent,” in *What is up to us? Studies on Agency and Responsibility in Ancient Philosophy*, edited by P. Destrée, R. Salles, and M. Zingano (Sankt Augustin, 2014), 75-89, esp. 83-87. See also Müller, “Agency and Responsibility,” 221.

²⁰ In this text, Aristotle identifies *ἀρχή* as a specific sort of *αἰτία*, cause or explanation. See for instance, ‘In other cases, the principle is a cause of whatever is the case because of it, or comes about because of it,’ (*EE* 2.6 1222b30-31).

²¹ It is only mentioned by passing at *NE* 3.5, 1113b25.

²² David Charles argues that the legal context of Aristotle’s discussions of the voluntary and responsibility is introduced in the passage from the common books, namely, *NE* 5.8, which paves the way for Aristotle’s discussions in *NE* 3.1. See Charles, ‘The *Eudemian Ethics* on the ‘Voluntary’,’ 25.

²³ Here I follow Kenny’s practice. In Woods’ translation, *aitios* is rendered as “the cause of”.

EE 2.6 he is mainly concerned with the ontology of action and its causal account. In this context, it seems that a human agent is held responsible for an action primarily because the action can be causally related to the agent as its first principle that initiates and completes the action on its own efforts. Accordingly, when Aristotle takes for granted that each man is responsible for his voluntary actions and not responsible for involuntary actions (1223a16-18), he needs to specify the causal mechanism in these actions, which constitutes the topic of *EE* 2.7-9.²⁴

Aristotle's strategy is to inquire whether there is some specific activity in a human agent that accompanies one's actions and makes them voluntary. He looks inward to find three sorts of mental activities apparently relevant to his approach: desire, choice, and thought. (*EE* 2.7, 1223a23-26) As it turns out, Aristotle assumes that this is an exhaustive list. If two of the candidates are ruled out, the remaining one will be the one that defines the voluntary. (*EE* 2.8, 1224a4-7)

In *EE* 2.7, Aristotle distinguishes desire further into appetite (*ἐπιθυμία*), spirit (*θυμός*), and wish (*βούλησις*), and goes on to argue that none of them is the controlling element he is looking for. Aristotle's main argument is based upon two assumptions: (1) the same person at the same time cannot do the same thing voluntarily and involuntarily under the same description; (2) Both the continent person and the incontinent person act voluntarily, otherwise they would not act justly or unjustly. For instance, when tackling appetite, Aristotle argues that if behaving in conformity to appetite were voluntary, then a continent person who acts contrary to his appetite would be acting involuntarily. On the other hand, according to assumption (2), the continent person is acting justly and therefore voluntarily. It follows that the same person at the same time acts both voluntarily and involuntarily, which violates assumption (1). (1223b10-17) The same argument holds also in the cases of spirit and wish.

²⁴ Most of commentators therefore agree that Aristotle is going to give a causal account of the voluntariness and responsibility in the *EE*. Nevertheless, they disagree on whether Aristotle is merely explaining the causality contained in voluntary actions without clarifying their normative perspectives. For a purely causal approach to the *EE*, see for instance, Cooper, "Aristotelian Responsibility", esp. 273-277; for a causal-normative approach, see Müller, "Agency and Responsibility."

It is certainly wrong to draw the conclusion at this stage that the voluntary is not the same as acting in accordance with desire. (*EE* 2.8, 1223b36-38)²⁵ For it merely shows that the voluntary is not identical with acting in accordance with a specific subspecies of desire. Nevertheless, this argument taken by itself seems to be persuasive because it is formally valid and relies upon apparently plausible premises. The second assumption mentioned above entails that only a voluntary action can be called just or unjust, which seems to accord with the intuition that only voluntary actions have moral qualities. On the other hand, the first assumption presupposes that voluntariness does not admit of degrees and there are no genuinely mixed actions that are both voluntary and involuntary. This is plausible in the causal approach to the voluntary in the *EE* because Aristotle assumes at the beginning that the voluntariness of an action depends upon the presence of a specific sort of mental activity of the agent. It is impossible that this mental activity is both present and not present in the agent. In other words, under the same causal description of an action which identifies some specific psychological activities as its efficient cause, the action cannot be both voluntary and involuntary. As I will argue later, Aristotle recognizes the possibility of genuine mixed actions in *NE* 3.1 simply because he believes that these actions should be considered from a non-causal perspective as well.

Aristotle's argument against defining voluntariness in terms of decision is quite straightforward: there are many voluntary actions that we do instantly according to our wish with no time to make a deliberate decision. (*EE* 2.8, 1223b38-1224a4)

After ruling out desire and choice, Aristotle comes straight to the conclusion that voluntary actions should be accompanied by some sort of thought. (*EE* 2.8, 1224a4-7) However, instead of elucidating how the thought of a human agent accompanies his actions and makes them voluntary, Aristotle brings the topics of force (*βία*) and compulsion (*ἀνάγκη*) into discussion. They are relevant to Aristotle's approach to the

²⁵ Meyer argues that the account in *EE* 2.7-9 is a dialectical argument and Aristotle's objection to desire should be evaluated within the whole account, especially in his discussions on internal impulse in *EE* 2.8. See Meyer, *Aristotle on Moral Responsibility*, 59-92, esp. 76-78.

voluntary because the presence of force and compulsion in an action is taken as a causal factor that makes the action involuntary.²⁶

As in his analysis of principle earlier, Aristotle does not limit his investigation into forced and compelled actions within the domain of human behavior but appeals to broader natural phenomena. With respect to inanimate natural objects, a motion is forced when an external agent moves or restrains a thing against its natural inclination. For instance, a stone moves upwards only by an external force because as a heavy object it has a natural inclination to go downwards. (*EE* 2.8, 1224a15-23) Similarly, a living being acts under force when an external agent brings about a movement against its intrinsic inclination. Two elements are essential in Aristotle's conception of forced movements here: the external origination and the contrariety to the inherent inclinations.

Unlike inanimate things and other animals, human beings have two internal sources of conduct, viz., desire and reason, which can come into conflict with each other, especially in the continent and the incontinent person. (*EE* 2.8, 1224a23-25) Aristotle immediately denies the possibility of internal or psychological compulsion in their actions. First of all, he highlights the internal origination of their actions by arguing that both the continent and the incontinent person are motivated by their internal impulses: one by reason, the other by appetite. (*EE* 2.8, 1224b8-10) Therefore, no external force is involved in moving them against their own impulses. Secondly, even though their actions seem to be reluctant and painful, Aristotle insists that both the continent and the incontinent person can find their unique pleasure in their actions, the first through the satisfaction of the appetite, the second through his hope or through the immediate benefit from his rational decision. (*EE* 2.8, 1224b15-20) Thirdly, even when we grant that reason and appetite belong to different parts of the soul, the whole soul still acts voluntarily in both the continent and the incontinent person. (*EE* 2.8, 1224b21-27) Finally, Aristotle argues further that reason and desire are not only internal but also natural because one is an attribute of everyone at birth, while the other is what 'comes to us if development proceeds normally.' This puts his analysis of human actions back into the framework of

²⁶ It is worth noting that Aristotle does not distinguish between forced and compelled actions in this context as he does elsewhere such as *EE* 2.8. See Meyer, *Aristotle on Moral Responsibility*, 94-97.

natural movements. Nature plays a significant role in Aristotle's classification of actions in the *EE*: being voluntary implies being natural, or more precisely, being in conformity to at least one natural tendency. (*EE* 2.8, 1224b28-36)²⁷

However, a greater obstacle to understanding of voluntariness is the cases of doing something evil out of the fear of greater evils or for the sake of something noble, which contain no conflict between reason and desire. For these actions are said to be both under compulsion and done voluntarily. Above all, Aristotle tackles the case of a person being threatened to do something he considers painful and vicious. First he mentions two extreme positions: all such actions are involuntary because they are done under compulsion; or all are done voluntarily because it was in the agent's power not to do it. (*EE* 2.8, 1225a2-8)

Aristotle then suggests a solution that seems to be something in the middle: some cases are voluntary, while others involuntary. (*EE* 2.8, 1225a8-9)²⁸ However, Aristotle's

²⁷ This emphasis on the role of nature and natural impulses in determining the voluntariness of continent and incontinent actions does not get the attention it deserves in recent literature. For instance, Woods concedes that it is unclear how this passage is related to earlier discussions. See, Woods, *Eudemian Ethics: I, II and VIII*, 131-32; Meyer simply mentions that their actions are voluntary because they are not externally caused. See Meyer, *Aristotle on Moral Responsibility*, 2011, 78. In his otherwise careful analysis, Müller also fails to notice how this "natural" conception of voluntariness will challenge his main thesis that an action is voluntary only when its efficient cause is a person qua individual. For both reason and desire as natural impulses are common to all human individuals. See Müller, "Agency and Responsibility," 231-32. In contrast, David Charles rightly observes that this emphasis on desire or reason as part of one's nature is a significant characteristics of the *EE* account of voluntariness. See Charles, "The *Eudemian Ethics* on the 'Voluntary'" 14-15.

²⁸ As Woods rightly notes, the line indicating Aristotle's own position can be interpreted in two ways: (a) "Alternatively, one might say that some of these things [said above] are true, others not;" or (b) "Alternatively, one might say that some cases are voluntary while others not." Though interpretation (a) seems linguistically more natural, I follow Kenny to take reading (b). For if we maintain that Aristotle only has one sort of actions in mind in the following lines, it follows that he will be forced to say that these actions are both voluntary and involuntary, which contradicts with his earlier denial of the degrees of voluntariness. For more detailed analysis, see Woods, *Eudemian Ethics: I, II, and VIII*, 132-134, see also Müller, "Agency and Responsibility," 232.

account for this distinction is quite obscure. The first factor he considers is the controlling power of the agent over the situation: If the situation is still up to the agent or in his power, then his final action is voluntary, even though he is doing something that he has no wish to do if not being threatened. In contrast, if the situation is not up to the agent, then his action is somehow compelled, not simply because he does not decide to do what he actually does, but in that he does not decide the purpose of his action. (1225a9-13)²⁹ It is unclear what is meant by “up to the agent” in this passage. Another difficulty is how to distinguish between choosing an action and choosing its purpose. Since Aristotle shows unambiguous interests in the psychological activities underlying human actions in the earlier discussions, it seems natural to take into consideration the psychological force of the fear due to the external threat.³⁰ If the fear of the evil involved in the threat does not deprive the agent of the power to act in accordance with one of his natural impulses, either desire or reason, then his final action will still be voluntary in that it originates from his natural inclination on the situation. In contrast, if the fear of the threat is so strong that it fully occupies the agent’s mind, then it is no longer possible for him to do something other than escape from what is feared. The agent is acting involuntarily in that not only the course of his action, but even the end of his action is forced upon him by an external agent. Even under such circumstances, Aristotle insists that we still need to consider the moral qualities of the commanded action. Aristotle claims that it is ridiculous to say that one can be compelled to kill in order to avoid being caught in a game. (*EE* 2.8, 1225a14-16) I think here Aristotle is trying to suggest that the fear of being caught is not powerful enough to deprive the agent of the capacity to take a

²⁹ The second case is extremely ambiguous and difficult to make sense. Another possible reading is given in Kenny’s translation, “When the situation is not under his control, then in a fashion he is acting under force, but not without qualification. For even if he does not choose what he actually does, he does choose the thing that is the purpose of his doing it.” Cf. Cf. Woods, *Eudemian Ethics: I, II, and VIII*, 134. Here I follow a reading mentioned in Woods’ analysis because in all cases of being threatened to do something, the actions are decided by those who threaten rather than by the agents themselves. However, it is possible for someone to do it for a different sake than simply fulfilling the requirement of the one who is threatening him.

³⁰ Cf. Woods, *Eudemian Ethics: I, II, and VIII*, 133.

different end as the purpose of his action. However, if what is feared is a greater and more painful evil, it seems that the agent can exculpate himself from blame by appealing to the prevailing force of the fear.

It is evident now that Aristotle acknowledges the presence of internal or psychological compulsion, at least as concerns fear. As mentioned above, compelled actions or movements should satisfy two conditions: the external origination and contrariety to one's natural inclinations. Fear certainly occurs in an agent's mind, nevertheless, its occurrence can be causally related to another external agent, especially when the latter is threatening the former with intolerable sufferings. More importantly, an intense fear that catches hold of an agent and deprives him of the capacity to act in conformity with his natural inclinations. It is precisely for this reason that Aristotle examines whether erotic love and some kinds of anger or physical condition count as involuntary because these internal factors can 'do violence to nature' as well. (*EE* 2.8, 1225a19-21) It seems that Aristotle agrees with the popular view that these strong passions can surpass one's power in the same way as the fear of greater evil. This consideration of the agent's power refers us back to Aristotle's emphasis on the role of nature in this text: 'What is up to a person ... is what his nature is able to bear; what it is unable to bear, and what is not the result of his own natural desire and reasoning, is not up to him.' (*EE* 2.8, 1225a25-27) ³¹ Aristotle concludes that one's psychological activities such as passions or thoughts can change into a compulsive power when they go beyond what an agent's nature can endure. In that case, the agent's actions are directly caused by these non-natural inclinations and are no longer up to him. In short, what clashes with one's natural inclinations is compelled and involuntary, no matter whether it is caused by an external force or something inside the agent.³²

After clarifying the involuntary characteristics of actions driven by extreme passions or thoughts, in *EE* 2.9 Aristotle resumes his approach to the underlying

³¹ The citation is adapted from Kenny's translation.

³² Josef Müller offers a different interpretation of psychologically compelled actions by emphasizing that these internal principles like fear are still external to the agent *qua* individual, see "Agency and Responsibility," 232-37. For a possible challenge to this interpretation, see note 26.

psychological activities that are decisive in voluntary actions. As mentioned earlier, there is only one alternative left, i.e., thought. It turns out what matters here is a special sort of thought, namely, knowledge. Aristotle briefly explains that knowledge about the circumstances of an action makes the action voluntary because the absence of knowledge or the status of ignorance makes the action involuntary. Aristotle brings his psychological approach to the voluntary to an end with a comprehensive definition: “Whatever a person does that is up to him not to do, and does it not in ignorance and through his own agency, he must needs do voluntarily; this is what voluntariness is.” (*EE* 2.9, 1225b8-10)

It goes beyond the scope of this essay to give a full account of this definition.³³ What is interesting for us is Aristotle’s inclusion of “up to the person not to do” and “through his own agency” as necessary conditions of voluntary actions. Whether these two phrases refer to two different conditions or a single condition is still an issue of controversy.³⁴ Nevertheless, it is incontestable that the agent should be the causal principle that controls the occurrence and completion of voluntary actions. However, we have already seen that Aristotle introduces the element of nature to balance his emphasis on the control of the agent on his actions. What is up to a human being is determined by what is bearable by his nature. The agent does not possess an absolute power with respect to all his actions, and not even all his mental activities are under his control. Human nature sets the boundaries of the individual’s power. In other words, Aristotle’s causal account of the voluntary should be understood within the framework of his natural philosophy, especially his ontological conception of human nature. Psychologically compelled actions are in fact borderline cases of one’s power and one’s given nature. Therefore, in Aristotle’s ontological approach to action and its voluntary characteristics, he endeavors to do justice to the complex of human behavior. On the one hand, he does not acknowledge the mixture of voluntariness and involuntariness, because this is impossible in a primarily causal account of the voluntary. On the other hand, he insists

³³ See for instance, R. Heinemann, “The *Eudemian Ethics* on Knowledge and Voluntary Action,” *Phronesis* 31 (1986), 128-147; Müller, “Agency and Responsibility,” 237-241.

³⁴ Woods, *Eudemian Ethics: I, II and VIII*, 137-38.

that these borderline cases should be divided into two different subsets, one is voluntary while the other involuntary.

However, the Eudemian causal account of psychologically compelled actions has significant defects. Above all, the border between voluntary and involuntary cases, though already set by human nature, is still difficult to demarcate. For to determine whether one's fear or *eros* is beyond the measure of human nature, one has to take their formal objects into consideration, i.e., the fearsome and the desired, and investigate their moral implications as in the case of killing in order not to be caught at blind man's buff, which seems beyond the scope of Aristotle's ontological approach in *EE* 2.6-9.

More importantly, the human nature in question that determines one's control over his mental activities is ambiguous as well. On the one hand, it can mean characteristics of human beings that are indifferent to human individuals as Aristotle suggests in his account. In particular, it seems to be an Aristotelian teleological conception of human nature that prescribes what an individual ought to be rather than describes what he is. In that case, it is difficult to see how this conception can help with a causal account of human actions. Imagine a person who is born to be completely unable to endure being caught by another person. Unfortunately, this extraordinary fear of being caught is so strong that it drives the person to kill his friend at a blind man's buff. However, from a normative conception of human nature, this fear ought to be bearable for all human beings and therefore it should be in the power of the poor guy not to act out of fear, which conflicts with our assumption. On the other hand, if the human nature is understood on individual levels which varies from one to another, then it offers little if any help to appeal to human nature to account for what is up to a human agent. For to know whether a particular individual's nature is able to endure a certain passion is to know whether it is up to him not to act in accordance with the passion.

Finally, it is difficult for this account of compelled actions to do full justice to the moral dilemma of Agamemnon. According to the Eudemian theory, Agamemnon's action of sacrificing his daughter could be described as a compelled action. For if he fails to do so, he will offend the Goddess Artemis and fails the Greek army at his command, which is a great and painful evil that goes beyond what a human being can endure. This is especially true for the tragic hero. So Agamemnon's action out of the fear of disobeying

goddess will be classified as entirely involuntary, which renders the punishment on the chosen crime of killing his daughter completely unfounded.

Actions under Compulsion in *NE* 5.8

Aristotle returns to the topic of the voluntary in his discussions on just and unjust actions in *NE* 5.8, which belongs to the common books. Here, Aristotle claims that a person does an action of justice when it is done voluntarily; otherwise this person is merely doing justice accidentally (*κατὰ συμβεβηκός*). (1135a15-18) Since accidentally is opposed with *per se* (*καθ' αὐτὸ*), it seems to imply that a voluntary action is done *per se* or on account of itself. The qualification “*per se*” will prove to be significant for Aristotle’s understanding of compelled and mixed actions.³⁵ Here Aristotle simply take this requirement for granted and immediately proceeds to a definition of the voluntary. An action is voluntary if the following conditions can be satisfied: (1) it is up to the agent, and (2) the agent completes the action with knowledge of the person, instrument, end concerning the specific occasion, and (3) the action is neither done accidentally, (4) nor by force. (1135a23-27)

These four conditions seem to be jointly sufficient for an action being voluntary. For Aristotle insists that if any of these conditions is not satisfied, an action will not be a voluntary one. (1135a31-33) For our purpose, it is noteworthy that in addition to the non-accidental condition, Aristotle draws a distinction between (1) and (4), which is not explicitly mentioned either in *EE* 2.6-9. It is so because in this context Aristotle notices that there are some natural processes such as aging and dying that appear to satisfy conditions (2) to (4) but are neither voluntary nor involuntary. (1135a33-b2) This observation brings about a new category of actions other than the voluntary and the involuntary and requires Aristotle to introduce a new condition to account for the non-

³⁵ For a different approach to compelled actions and non-accidental production, see Meyer, *Aristotle on Moral Responsibility*, 100-118, esp. 101 on this passage.

voluntariness of this new sort of action.³⁶ I call “up to the agent” a new condition here because its definition in terms of human nature in *EE* 2.8 is no longer valid. For ageing and dying as a part of human nature are obviously what each one can endure. When Aristotle implies that these processes are not voluntary because they are not up to us, he must needs provide a different definition of “up to us” that emphasizes more on the control of an individual agent over his actions or processes involving him. For instance, he can appeal to his definition of the voluntary in *EE* 2.9 to argue that ageing and dying are not voluntary because it is not up to us not to do so.

However, Aristotle seems to assume that the meaning of “up to us” is obvious³⁷ and goes on to discuss compelled actions of justice that are not voluntary for a different reason. Aristotle mentions cases of someone returning a deposit or failing to do so unwillingly (*ἄκων*), either because of fear or under compulsion. Aristotle claims that the person is neither doing something just or unjust, nor completing an action of justice or injustice, except in an accidental manner. (1135b2-8)

These cases are often taken as similar to the psychologically compelled actions in *EE* 2.8 and Aristotle’s description of the unwilling agent also seems to be more in line with the Eudemean view of some compelled actions as involuntary.³⁸ However, the brevity of Aristotle’s description in *NE* 5.8 makes it difficult to explain why these actions are involuntary. It seems *prima facie* that they are involuntary because they do not satisfy

³⁶ Certainly, Aristotle also needs to explain the non-involuntariness of these processes as well. David Charles follows John Ackrill to suggest that in the definition of the involuntary at 1135a31-33, the condition done-by-force is merely a qualification of the condition not-up-to-the-agent. See Charles, “The *Eudemean Ethics* on the ‘Voluntary,’” 23, esp. n. 41. However, this reading is compatible with our interpretation of not-done-by-force and up-to-the-agent as two independent conditions for here the voluntary is not contradictory with the involuntary but with the non-voluntary, which include both the involuntary and things that are neither voluntary nor involuntary.

³⁷ In her recent study on the term “up to us”, Meyer writes, “While the notion has a long afterlife in subsequent philosophy, Aristotle shows no interest in defining it.” See ea. “Aristotle on What Is up to Us,” 75.

³⁸ For instance, Meyer, *Aristotle on Moral Responsibility*, 101; Charles, “The *Eudemean Ethics* on the ‘Voluntary,’” 22-23.

the newly introduced non-accidental condition. As Aristotle explains at the beginning of this chapter, the agent does justice or injustice accidentally because the actions he does are accidentally just or unjust. (*NE* 5.8, 1135a18-19) However, if we suspend this non-accidental condition for a while, these actions will look like voluntary actions. For instance, the action of returning a deposit is done knowingly just because it is done unwillingly and not caused by external force but by an internal affection of fear. Unlike the case of ageing or dying, it seems up to the fearful agent not to return the deposit. Certainly one can appeal to the conception of internal compulsion in *EE* 2.8 to argue that the fear can be a compelling force external to the agent's natural inclinations.³⁹ For this reason, it is also possible that the act out of fear is not up to the agent because the strength of this passion is beyond what his nature is able to endure.

To this possible objection, we should remember above all that the meaning of “up to the agent” has changed in this context. Moreover, Aristotle says nothing about the strength of the feeling of fear at all. It is not clear whether the fear is a natural fear of imprisonment or an unusual fear of being caught at blind man's buff or something that a normal human being cannot bear. It even seems that this is not relevant to the discussion because the accidental characteristics of the action in question already determines its involuntariness.

Now we return to this ambiguous requirement of a voluntary action being done non-accidentally. If returning a deposit out of fear is merely a just action *per accidens*, it is natural for us to ask what it is *per se*. The answer seems to be that it is an action out of fear *per se*. Let us assume that this fear is a natural feeling for human beings, it follows that as an action out of fear it is done non-accidentally and therefore voluntarily. For an action in accord with a natural feeling is not taken to be an action under compulsion at least according to the definition of compulsion in *EE* 2.8. In short, when the unwilling

³⁹ Aristotle also claims later in this chapter that the principle of an action caused by spirit is not “the agent who acted on spirit, but the person who provoked him to anger”. (*NE* 5.8, 1135b25-27) This seems to offer additional support to identify the unwilling action out of fear as an action caused by external force. However, this does not help because in that context, Aristotle is quite explicit that the person acting on spirit did injustice voluntarily. (1135b20-24)

action of returning a deposit is described as an action of justice, it is an action done accidentally and therefore involuntary. In contrast, when the action is described as an action out of bearable fear, it is done *per se* and therefore voluntary.

This brings us to a significant difference between *EE* 2.8 and *NE* 5.8 that have escaped the notice of commentators. As mentioned earlier, Aristotle's digression on compelled actions in *EE* 2.8 is a part of his ontological approach to the voluntary. He shows little interest in the moral quality of an action as such unless it proves to be necessary for his causal account of compelled actions such as to kill because of the fear of being caught. For this reason, the Eudemian account cares more about the motivational force of fear. According to this psychological account, the action of returning a deposit is voluntary as something helpful to rid oneself of the fear, not as something contributing to justice. In contrast, the discussion of the voluntary in *NE* 5.8 is introduced in Aristotle's normative investigation of the virtue of justice. Aristotle is primarily concerned with whether an action is merely something just or a just action or something that makes the agent just. The definition of the voluntary is useful because it helps with these distinctions.⁴⁰ Therefore his analysis of the action of returning a deposit should be interpreted under the description in term of justice rather than in terms of its motivation such as fear. From this viewpoint, the action is involuntarily done.

To conclude this short section, we can say that in comparison with *EE* 2.8, *NE* 5.8 not only brings new conditions for a thing to be voluntary, but also suggests that different descriptions of the same action will change its voluntariness, especially in the controversial cases of actions under psychological compulsion. All of these are due to its strong emphasis on the significance of moral contexts for reflections on the voluntary, which paves the way for a morally-loaded conception of voluntariness in *NE* 3.1.

⁴⁰ See for instance, *NE* 5.8, 1135a21-23, "And so something will be unjust without thereby being an act of injustice, if it is not also **voluntary**." and 1136a3-5, "In the same way, a person is just if his decision causes him to do justice; one [merely] does justice if one merely does it **voluntarily**." The translation is cited with added emphases from T. Irwin (tr.), *Aristotle: Nicomachean Ethics*, Second Edition (Indianapolis, 1999).

Mixed Actions in *Nicomachean Ethics* 3.1

Aristotle introduces the topic of voluntariness in the *NE*, with the belief that this is useful for legislators as well as for those who inquire into the subject of virtue. (*NE* 3.1, 1109b32-35)⁴¹ For the formation of virtue turns on how we act as well as on how we are affected (*πάθη*). Conversely, a preexistent virtue of character also disposes us to praiseworthy actions and affections.⁴² However, voluntary things (*ἐκουσία*) deserve praise or blame, whereas involuntary ones (*ἀκουσία*) receive pardon or even pity. (1109b30-32.) Therefore, a moral philosopher, especially a virtue ethicist, should demarcate the boundaries between the voluntary and the involuntary.

The opening passage of *NE* 3.1 has several points worthy notice before we embark on the investigation into the *aporia* of the mixed actions:

First, the distinction between the voluntary and the involuntary applies not only to actions, but also affections, or things that merely happen to us, which will be further confirmed in the examples Aristotle alludes to in his analysis. This is obviously distinct from the use of the terms in current philosophical English. As C.C.W. Taylor suggests, we need a broader conception of events to cover both actions and affections that can be called voluntary.⁴³ This also distinguishes the Nicomachean approach from the extraordinary emphasis on rational actions in *EE* 2.6-9.

⁴¹ In fact, the purpose of the *Nicomachean Ethics* 3.1-5 is still a controversial issue among Aristotelian scholars, who dispute how virtue is related to our practice of praise and blame and to the voluntary character of our emotions and actions. For a list of major positions and corresponding references, see S. Bobzien, 'Choice and Moral Responsibility (*NE* iii 1-5),' in R. Polanski (ed.), *Cambridge Companion to Aristotle's Nicomachean Ethics* (Cambridge, 2014), 81-109, at 81-82.

⁴² As Javier Echeñique rightly observes, Aristotle merely claims that virtue is about actions and affections without clarifying how they are related to each other. Here I follow Echeñique's formulation to emphasize the bidirectional character of this relation, for Aristotle insists that virtues are caused by the same actions which they cause us to do. (*NE* 3.5, 1114b26-27) See Echeñique, *Aristotle's Ethics and Moral Responsibility* (Cambridge, 2012), esp. 21-22.

⁴³ Taylor, *Nicomachean II-IV*, 126.

Secondly, the functions of the pair voluntary/involuntary, though taken as characteristics of actions and affections, are primarily described in terms of the consequential or reactive attitudes to them in a certain community. Whether these attitudes are merely retrospective or have some prospective and educational value is not our concern here.⁴⁴ It is important to note that the distinction of our actions and affections is in service of the ascription of moral responsibility: being voluntary is a necessary condition for an action or affection to be praised and blamed, while being involuntary is a necessary condition for it to be pardoned or excused.⁴⁵ By moral responsibility, I mean nothing more than the evaluative attitudes like praise or blame, which are thought

⁴⁴ Recent research inspired by P. F. Strawson's theory of moral responsibility as reactive attitudes tends to interpret Aristotelian praise and blame as retrospective attitudes, see especially T. H. Irwin, "Reason and Responsibility in Aristotle," in *Essays on Aristotle's Ethics*, ed. A. O. Rorty (Berkeley, 1980), 117-56, esp. 133-34; Meyer, *Aristotle on Moral Responsibility*, 17-19. For a defense of the proreptic function of praise-blame practices, see A. Speight, "'Listening to Reason': The Role of Persuasion in Aristotle's Account of Praise, Blame, and the Voluntary," *Philosophy and Rhetoric* 38 (2005), 213-225; for a more philosophical argument against the Strawsonian reading, see Echeñique, *Aristotle's Ethics and Moral Responsibility*, esp. 19-54.

⁴⁵ See also *NE* 7.2 "In fact, however, we do not pardon vice, or any other blameworthy condition." (1146a3-4) David Charles questions this claim because Aristotle later in *NE* 3.5 regards an action committed in drunkenness as blameworthy, while such an action by definition is non-voluntary (1113b32). See id., 'The *Eudemian Ethics* on the "Voluntary,"' 7-8. This seems to confuse Aristotle's distinction between action caused by ignorance (*δι' ἄγνοιαν*) and action in ignorance (*ἀγνοῶν*). The former is non-voluntary (*οὐχ ἑκούσιον*) and has nothing to do with praise and blame, while the latter, in particular those caused by drunkenness and anger can be voluntary. See *NE* 3.1, 1110b18-27. In a written comment, [NAME REMOVED] refers to *NE* 6.11, 1143a19ff and 7.6, 1149b4ff. to argue that pardon need not be confined to what is involuntary. However, the former context is concerned about sympathetic consideration of a decent person. It is a feature that the decent agent should have rather than a reactive attitude he received because of his activities. On the other hand, the latter passage claims that the incontinent about spirit is more pardonable than that about appetite even though both are acting voluntarily. However, this comparison is possible only when the different parts of the soul are taken into consideration. From that perspective, according to the Eudemian account of voluntary, the appetitive or spiritual part of the agent is acting involuntarily because they are acting against one's rational decision. See *EE* 2.8, 1224b21-26.

appropriate to a special sort of actions or affections.⁴⁶ With this broad conception of moral responsibility in the mind, we leave it open for the moment whether Aristotle's account of moral responsibility in *NE* 3.1 is a causal or non-causal one.

Thirdly, the ultimate object of praise and blame is one's character disposition rather than one's action or affection. "For praise is given to virtue" (*NE* 1.12, 1101b31-32), "We are praised or blamed, however, insofar as we have virtues or vices" (*NE* 2.5, 1106a1-2), as Aristotle claims elsewhere.⁴⁷ No matter how we define the voluntary, it should enable us to appropriately bestow praise or blame not only upon an action or an event, but more importantly upon the person who behaves under a certain disposition. In *NE* 5.8, Aristotle already argues that if an action, e.g., inflicting harm in a community, is caused not by one's previous deliberation, but by spirit and other affections, then the action is voluntary and injustice can be rightly ascribed to the action. However, we cannot call the agent unjust or ascribe the disposition of injustice to him. (*NE* 5.8 1135b20-25) In this context, the criteria for praise and blame are applied differently when judging an action and judging a person. In the latter case, one should consider the role of his disposition through deliberation and decision more than the external action taken by itself. So we find that both in *NE* 5.8 and 3.1, the importance of character disposition is not separated from the concern for the voluntariness of actions and affections relating to the character disposition.

Finally, we should not neglect the role of legislators in this context, whose role is primarily to make the citizens good by shaping their character dispositions, to encourage virtuous persons and restrain the vicious ones.⁴⁸ This not only confirms again the significance of virtue in the distinction between the voluntary and the involuntary, but

⁴⁶ For a brief account of this broad conception of moral responsibility, see A. Eshleman, "Moral Responsibility," *The Stanford Encyclopedia of Philosophy* (Summer 2014 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/sum2014/entries/moral-responsibility/>>.

⁴⁷ *NE* 1.12 1101b31-32, *EE* 2. 1, 1219b15-16; *Rhet.* 1.9, 1367b27-8. For more detailed analysis of Aristotle's conception of praise as *logos* appropriate to virtue, see Echeñique, *Aristotle's Ethics and Moral Responsibility*, 43-47.

⁴⁸ See for instance, *NE* 2.1, 1103b3-4; 3.5, 1113b25-26.

also brings the third person perspective into the discussion. To some extent, the criteria for the distinction in question should be accessible to a spectator.

With these preliminary considerations, we return to Aristotle's negative approach to the definition of the voluntary. He begins with two familiar factors that determine the boundaries of the voluntary: force (*βία*) and ignorance (*ἄγνοια*).

Our main concern is cases involving force in the causation of the effect. In *NE* 3.1, an action or affection caused by force must satisfy two conditions: (1) the principle (*ἀρχή*) of the event is external; and (2) the agent or the victim contributes nothing to the event. Without further elucidating these two conditions, Aristotle offers an example of force: a wind or some people carry a person off. (*NE* 3.1, 1109b35-1110a4) The force in question seems to be a brutal force that directly causes the victim's bodily movements despite his wish. Accordingly, it is taken as the principle in that it functions as the efficient cause of what happened to the victim. So far the Nicomachean account of force is fully consistent with what we see in *EE* 2.8 and *NE* 5.8. It is important to note, however, that the condition (2) must be satisfied not only on the spur of the moment, but also at any moment before. We can borrow a sophisticated case from Augustine to elucidate this qualification: a person knows in advance that another person will use his hand to write disgraceful words when he falls asleep. Nevertheless, to prevent being awakened during the guilty action, he drank in excess before going to sleep.⁴⁹ It is evident that the agent is unconscious and contributes nothing at the crucial moment of action and the movement of his hand comes from outside. However, it seems absurd to say that his action is involuntary because he actively contributed to the shameful deed in advance. This case is relevant to Aristotle's discussion here. For he later claims that actions committed in ignorance through drunkenness cannot be excused, because they are caused not by ignorance, but by the status of drunkenness which can be causally traced back to a voluntary action of the agent in question. (*NE* 3.1, 1110b25-27.) Therefore, it seems

⁴⁹ Augustine, *De duabus animabus*, 10. 12.

reasonable to assume that Aristotle intends to exclude this sort of events by condition (2), i.e., that the agent or victim contributes nothing to the event.⁵⁰

Against this background, Aristotle presents the puzzling cases of mixed actions, which raise questions about their voluntariness. These actions are done “either because of the fear for greater evils or because of something noble (*καλόν*).” (1110a4-5)⁵¹ This is quite similar to Aristotle’s description of compelled actions in *EE* 2.8. (1225a17-19) The comparative case in the first phrase clearly shows that the events in question are bad to some extent. On the other hand, the second phrase can be reformulated as “because of the desire of something noble (*διὰ καλοῦ ὄρεσιν*)”, as Aristotle does elsewhere in the *NE*.⁵² It appears that Aristotle approaches the mixed actions in terms of passions such as fear and desire, which determine their purposes. Both fear and desire have internal principles and can function as the efficient cause of bodily movements. It implies that the actions out of fear and desire do not belong to the forced actions, since they contradict the aforementioned condition (1), i.e., the principle of the event is external.

However, there is also a subtle distinction between actions caused by fear and those by desire. For fear is “a pain or disturbance due to imagining some destructive or painful evil in the future.”⁵³ It is difficult for an agent to welcome this disturbance for its own sake. In fact, his corresponding actions or reactions are actually for the sake of escaping the disturbance so to speak. In contrast, the object of desire, no matter whether it is

⁵⁰ Taylor suggests that the condition (2) is introduced to exclude the mixed actions, see Taylor, *Nicomachean Ethics: II-IV*, 128.

⁵¹ The translation is cited with slight modification from Irwin, *Nicomachean Ethics*.

⁵² *NE* 3.8 1116a28. This phrase is a focus of interpretation because Aristotle seems to forget this cause of the mixed actions in the examples following this claim but focus exclusively on cases out of the fear of greater evils. See Taylor, *Nicomachean II-IV*, 129-130. Taylor interprets it as another aspect of the mixed actions. However, in a passage discussing civic bravery, Aristotle contrasts the brave actions out of desire for something fine and those out of fear of pain. See *NE* 3.8, 1116a29-32. Moreover, in the following passage Aristotle mentions that some people are praised for enduring shameful things for the sake of something fine, though he does not offer a concrete example. See *NE* 3.1, 1110a19-21.

⁵³ *Rhet.* 2.5, 1382a22-23, the revised Oxford translation.

rational or irrational, is “the good or the apparent good”, which produces bodily movements.⁵⁴ Even though one may not identify with all the desires within oneself, as already manifest in the discussions on continence and incontinence in *EE* 2.8, an agent needs to act in accordance with at least a sort of internal inclination to pursue the good that is dominant in his decision. Otherwise the action would seem rather unintelligible and difficult to be ascribed to the agent. Even actions out of fear contain at least implicitly the desire to rid oneself of the fear or what causes the fear. For the feeling of fear often paralyzes the agent rather than motivates that person to take some action. In short, actions caused by fear are more difficult to categorize with regard to the ascription of moral responsibility. This subtle difference between desire and fear explains why Aristotle does not address actions for the sake of a noble end in his analysis of the mixed action, though he explicitly argues that actions caused by spirit and appetite, two types of Aristotelian desire, are definitely not involuntary. (*EN* 3.1, 1111a25-1111b3.)

The first example of the mixed actions in the *NE*, as we have mentioned earlier, concerns a poor person commanded by a tyrant to do something disgraceful in order to save his family. Aristotle merely mentions that this case raises dispute about its voluntariness without clarifying the details.

Then he moves on to the well-known example of a captain jettisoning his cargo in a sea storm. This is where he introduces the label ‘mixed actions’ and offers an account for it:

*However, the same sort of [dispute] is found in throwing cargo overboard in storms. For without qualification (ἀπλῶς), no one willingly (ἐκῶν) throws cargo overboard, but to save oneself and the other, anyone with any sense throws it. These sorts of actions, then, are mixed, but they seem more (μᾶλλον) like voluntary actions. (NE 3.1 1110a8-12)*⁵⁵

⁵⁴ See for instance, *DA* 3.10, 433a28-29; *NE* 3.4, 1113a23-24. For comments on Aristotle’s conception of the desired object in this context, see G. Pearson, *Aristotle on Desire* (Oxford, 2012), 62-87.

⁵⁵ Translation is modified from Taylor’s and Irwin’s versions.

Though Aristotle does not explain what he has in mind when introducing the label ‘mixed’, it is evident from the context that the action is called mixed in that there is a mixture of voluntariness and involuntariness.⁵⁶ However, this remark is of little help because the precise meaning of voluntariness remains to be deciphered. Moreover, it is openly denied in the Eudemian account that an action can be both voluntarily and involuntarily under the same description. Probably it is more natural to say that the captain jettisoned the cargo both willingly and unwillingly. As mentioned earlier, some commentators believe that this point is significant for the translation of the Greek term ‘*hekousion*’.⁵⁷ We need to be cautious and patient here. Unfortunately, Aristotle’s description of the mixture is confusing rather than helpful: mixed actions are voluntary, although they are involuntary without qualification (ἀπλῶς). (*NE* 3.1, 1110a18)

Above all, the Greek term *haplôs* (‘without qualification’) is ambiguous and troublesome. It can mean either (a) ‘absolutely’ that is, that what is said to be *haplôs* is ‘completely the case’, or (b) ‘in general’ or ‘universally speaking’, or (c) ‘simply’ in the sense of ‘in its own right’.⁵⁸ To determine its precise meaning in modifying the

⁵⁶ Pakaluk proposes that the mixture in question is concerned with forces, namely, “a mixture of its natural inclination and something which constrains and influences it externally.” This is based upon Aristotle’s account for the violent motion as found in the *Physics* 8.4. See Pakaluk, ‘Mixed’, 220. However, as we see in the first section, this reading is more congenial with the context of the Eudemian account of the voluntary. For a position similar to the one mentioned here, see D. Klimchuk, “Aristotle on Necessity and Voluntariness,” *History of Philosophy Quarterly* 19, 1 (2002), 1-18.

⁵⁷ For instance, Charles argues that it should be translated as ‘intentional’, *Aristotle’s Theory of Action* (London, 1984), 60-62. For criticism, see for instance, Heinemann, “The Eudemian Ethics on Knowledge and Voluntary Action,” 128-130; Meyer, *Aristotle on Moral Responsibility*, 9-14.

⁵⁸ Reeve rightly observes in his comment on *NE* 1.3, 1095a1, “To speak *haplôs* sometimes means to put things simply or in simple terms, so that qualifications and conditions will need to be added later. Sometimes, as here, to be F *haplôs* means to be F in a way that allows for no ‘ifs,’ ‘ands,’ or ‘buts.’” See id., *Aristotle: Nicomachean Ethics*, translated with introduction and notes by C. D. C. Reeve, (Indianapolis, 2014), 206. These roughly correspond to meaning (b) and (a) listed above. On the other hand, H. H. Joachim chooses meaning (c) to claim that “no one [rational] would choose such an action, *per se* – apart from the given circumstances.” See id. *Aristotle. The Nicomachean Ethics: A Commentary* (Oxford, 1951), 97, cited from Echeñique, *Aristotle’s Ethics and Moral Responsibility*,

classification of the involuntary, it is useful to take a closer look at what the word ‘involuntary’ is contrasted with, namely the word ‘voluntary’. Aristotle’s account for the voluntary character of the mixed actions deserves a full citation here:

*These sorts of actions are mixed, but they seem more (μᾶλλον) like voluntary actions. (A) For at the time they are done they are choice-worthy (ἀρεταί), and the end of an action accords with the specific occasion; hence we should also call the action voluntary or involuntary on the occasion when he **does** it. (B) Now in fact he **does** it willingly. For in such actions he has within him the principle of moving the limbs that the instruments [of the action]; but if the principle of the actions is in him, it is also up to him to do them or not to do them. Hence actions of this sort are voluntary, though presumably the actions without qualification are involuntary, since no one would choose any such action in its own right. (NE 3.1 1110a12-19)⁵⁹*

It seems that Aristotle specifies two different conditions for an action to be voluntary.⁶⁰

136. On the same page, Echeñique himself wrongly claims that (c) is simply unintelligible and Aristotle always use “*haplôs*” to indicate that qualifications and conditions are needed.

⁵⁹ Irwin’s translation with slight modifications, emphases and numbers added.

⁶⁰ Echeñique detects two independent arguments here for the voluntariness of a mixed action and argues that the first one is Aristotle’s main argument. Almost all other commentators opt for the second argument. However, Echeñique rightly argues that this traditional interpretation cannot do justice to Aristotle’s emphasis on the choice-worthiness of a voluntary action on 1110a12-13, 1110b4. Moreover, the second argument itself is defective. See id. *Aristotle’s Ethics and Moral Responsibility*, 139-140. I agree with him that there are two different aspects functioning in Aristotle’s account. I would also like to add 1110a30, 1119a22 as textual evidences for the significance of choice-worthiness in Aristotle’s conception of voluntariness. Nevertheless, as will be more evident in the following analysis, I still think that Aristotle is offering a **single** argument here not only because it is the most natural way to read the text, especially the smooth transition at 1110a14-15 (...ὅτε **πράττει**, λεκτέον. **πράττει** δὲ ἐκόν ...), but also because it is a more charitable way to interpret Aristotle’s

(A) Unfortunately, Aristotle's explanation of the first condition is rather condensed and difficult to unpack. Here is a heavily reconstructed version: It is obviously true that a voluntary action is choice-worthy (*αἰρετόν*).⁶¹ Moreover, some things are choice-worthy in their own right, while others for some other end (*NE* 10.6, 1176b2-3), it is not difficult to see that an action is choice-worthy if it is an end or something that promotes the end. However, the end of an action is determined according to its specific occasion.⁶² It follows that whether an action is voluntary or involuntary depends on the specific occasion as well. In the case of throwing cargo overboard, the end of the action is to save oneself and the others onboard. It is evident that throwing cargo overboard promotes this end. Therefore, it is choice-worthy and seems to be like a voluntary action.

(B) Aristotle's account for the second condition for being voluntary is better structured. If the principle of an action is in an agent, it will be up to him to do it or not to do it. This is taken to be the meaning of internal principle. Moreover, if one thing is up to an agent and he actually does it, then the action will be voluntary. However, it is taken for granted that the principle of moving one's limbs to complete the action of jettisoning is in the captain. Therefore, the action is voluntary and the captain does it voluntarily.

These two conditions for being voluntary are distinct for the following reason. The second condition requires the agent's controlling power over his actions or the up-to-the-agent condition we mentioned earlier, while the first does not.⁶³ For a thing can be specified as choice-worthy even though the agent has no control over its occurrence. For instance, pleasure is obviously a choice-worthy thing, but it is not always up to an agent

argument without committing him to a defective argument as Echeñique claims. I want to thank [NAME REMOVED] for his questions forcing me to clarify this point.

⁶¹ Rowe translates it as "desired". However, as Aristotle implies at 1119a22, an action or disposition seems to be voluntary because it is caused by a object such as pleasure that deserves to be chosen, which contrasts with that caused by something like pain that is to be avoided.

⁶² Here I follow the traditional interpretation of *τέλος* as 'end', rather than 'completion', as found in Taylor's translation, see Taylor, *Nicomachean Ethics II-IV*, 132.

⁶³ However, as Meyer rightly argues, Aristotle is not entitled to claim that an action is up to the agent when he moves his limbs to complete the action. For the agent can move his limbs accidentally. See *ea. Aristotle on Moral Responsibility*, 103.

such as Agamemnon in Aulis to obtain pleasure by his decision between such a dilemma. What matters in the condition of choice-worthiness is not the mental status of the agent and his control over bodily movements, but rather the appeal of the action itself either as a desirable end or as something promoting such an end. Certainly, the latter still relies on the agent in that an end always accords with the specific occasion and it cannot be given without being perceived by the agent. Certainly, it is not clear yet whether the choice-worthiness of an action in a given situation is independent from the judgment of the agent. For what is choice-worthy is good. (*NE* 5.3, 1131b23) However, as we mentioned earlier, Aristotle recognizes a difference between what is good in reality and what seems good to an agent. The latter obviously changes in accordance with the agent's status. For the moment, we leave it open whether throwing cargo overboard to save people is an action that appears good to an agent such as the captain or simply a good in reality.

Aristotle apparently assumes that these conditions are sufficient for establishing the voluntariness of the mixed action in question. It also seems *prima facie* that both are necessary conditions for an action to be voluntary. Unfortunately, both claims are problematic upon further reflections.

As we saw in the Eudemian account, it is plausible that a voluntary action needs to be in accordance with a desire within the agent, no matter whether it is appetite, spirit or rational wish. Since what is desired is obviously what appears choice-worthy to the desiring agent. In this regard, the condition of choice-worthiness is a necessary condition for the voluntary. However, if the choice-worthiness of an action is judged according to objective standards, it often happens that one voluntarily takes a course of action that is deemed to be avoided by a sensible person. For instance, it is not difficult to imagine a captain that voluntarily decides to retain the cargo even though all rational agents will throw it abroad on that occasion. Similarly, the internal origination of one's bodily movements is neither a necessary condition for the voluntary because Augustine's sophisticated case mentioned earlier and Aristotle's own example of the culpable drunk clearly show that an action can be blameworthy and therefore voluntary even though the agent does not have control over his bodily movements at the moment of action.

On the other hand, the choice-worthiness of an action and the control over one's bodily movements are not sufficient conditions for the voluntary by themselves, for as

will become clear later, some deliberately chosen actions can be pardoned and therefore involuntary because the choices were made under extreme pressure. (*NE* 3.1, 1110a23-26) Hence, it seems that these two conditions are distinct, and each of them is jointly sufficient with some unknown condition or conditions for the action to be voluntary. I hope that what is said below will shed some new light on this until now unknown condition(s).

It is evident now that mixed actions are not *haplôs* involuntary in that they are (a) “completely” and always involuntary without exceptions. Can this mean (b) that mixed actions are involuntary merely in general but not so in particular situations? This also seems unlikely, at least according to the principle of charity. As Aspasius, who wrote the first extant commentary on the *NE*, rightly notes, “in matters of action, an account of things in general (*καθόλου*) is empty, ‘for actions are among particular things’ (*NE* 3.1, 1110b5-6)”. (*InNE* 62, 19-20)⁶⁴ Nevertheless, Aristotle seems to do justice to the involuntary characteristic of mixed actions throughout *NE* 3.1, as it is shown at the end of the long citation above. If it makes no sense to say that some actions are involuntary in general, it follows that Aristotle is merely paying lip service in calling discarded cargo a ‘mixed action’, which seems to be an uncharitable interpretation. Certainly, we still need more substantial reasons to demonstrate that ‘mixed action’ is not a provisional label.

For the moment, let us assume that *haplôs* has another meaning than ‘in general’. Let us take it to be ‘in its own right’ as mentioned earlier. First of all, this can be confirmed in Aristotle’s later discussions on things that are involuntary *per se* (*καθ’ αὐτό*). (1110a19, 1110b3) Aspasius himself also proposes a similar reading of *haplôs* when applied to the involuntariness of mixed actions, namely, ‘in themselves, without the situation on the occasion at that time’. (*InNE* 62,16-18)⁶⁵ However, if what constitutes the particularity of an action is precisely the specific end or decision made on the occasion at that time, this reinterpretation of *haplôs* seems to be of little help here. For we still need to explain what we can learn about a particular action by taking it *per se*. As Anthony Kenny once complains, this implies a bizarre ontology that treats the properties

⁶⁴ Konstan, *Aspasius*, 61.

⁶⁵ Konstan, *Aspasius*, 61.

of a type of action and those of a particular token on the same level.⁶⁶ Worse yet, in the Aristotelian logical treatises, if an attribute belongs to a subject per se, the attribute is necessarily contained in the definition of the subject, or the subject is necessarily contained in the definition of the attribute. (*Post. An.* 73a34-b5) Since there are other sorts of involuntary actions, it follows that the mixed actions are involuntary by definition. If the *haplôs* in question is read in this way, Aristotle will be expected to account for the involuntariness rather than voluntariness of mixed actions in his account.⁶⁷ Finally, a mixed action is involuntary per se in that no one chooses it for its own sake and does it voluntarily. However, this claim is not true for everyone, especially when we take the character of the agent into consideration. As Rosalind Hursthouse rightly observes, the prodigal might willingly throw away his property simply for its own sake.⁶⁸

However, the final difficulty also indicates a possible solution of the *aporia* about mixed actions. This reminds us of the significance of character disposition in Aristotle's approach to voluntariness and responsibility in the *NE*, which is already apparent in the relevant discussions in the Common Books. Let us return to the condition of choice-worthiness in Aristotle's account for the voluntariness of throwing cargo overboard. It is also empty to talk about this feature of action in general as if it were the case for everyone, because choices or desires are among particular things as well. We need at least to mention the relevant type of agents in the definition of the mixed action to avoid Aspasius' accusation of emptiness.

⁶⁶ Kenny, *Aristotle's Theory of the Will*, 31.

⁶⁷ Pakaluk rightly notices the logical and ethical reasons (see *infra*) for adopting a pro-involuntary solution of the *aporia* on the mixed actions. However, as will be clear in later discussions, he wrongly concludes that Aristotle accepts a pro-voluntary reading for the possibility and intelligibility of praise and blame bestowed on the mixed actions. See *id.* 'Mixed Actions and Double Effect', 220-223, see also Klimchuk, "Aristotle on Necessity and Voluntariness".

⁶⁸ R. Hursthouse, 'Acting and Feeling in Character: *Nicomachean Ethics* 3.i.,' *Phronesis*, 29 (1984) 252-266, at 259.

Though Aristotle does not specify what sort of person he has in mind when talking about mixed actions, it seems plausible to take them as people who are sensible.⁶⁹ For when Aristotle talks about throwing away cargo in storms, he explicitly ascribes the action to those who have sense (*οἱ νοῦν ἔχοντες*). (*NE* 3.1, 1110a11) In his later discussions on the scope of deliberation, he also stresses that a thing open to deliberation is a thing that a sensible agent will deliberate about. (*NE* 3.3, 1112a19-21)⁷⁰ They are also, I believe, the intended audience of Aristotle's ethics, who are not disposed to follow their affections, but "accord with reason in forming their desires and in their actions." (*NE* 1.3 1095a2-11) It is obviously less difficult for these sensible agents to reach agreement about what sort of actions *per se* should be avoided.

Accordingly, this also explains why mixed actions are essentially involuntary. For it is not only a fact but also a necessity that sensible people find the actions *per se* objectionable. This is more obvious in the case of being threatened by the tyrant to do something shameful. If the agent in question merely perceives the required action as a necessary means to save his family without finding it repugnant, it is hard to call such a person sensible, not to say virtuous. In other words, this sort of actions is inherently wrong for sensible agents. Here I want to stress that they are wrong not in the abstract or in general, but rather in every particular instance under specific circumstances. For instance, in Agamemnon's case, if he made his decision without any reluctance and pain, he must have already been out of his mind. As Aeschylus told us, Agamemnon found the sacrifice of his daughter's blood so repugnant that after voluntarily making the decision to put on the yoke of necessity, he totally changed and lost his sense. (*Agam.* 219-226)

Now it is also clear why Aristotle put types and tokens of action on the same level in his analysis of the mixed actions. What concerns him is not the ontology of actions or the inherent properties of actions as he does in the *EE*, but rather their relevance to the

⁶⁹ Hursthouse also suggests that the agents in question are the virtuous and the mixed actions are only concerned with 'the possibly virtuous' doing what is wrong, which is somewhat narrow-minded. See ea., 'Acting and Feeling in Character', 259-260. Moreover, our position here leaves it open whether the responsible agent is already virtuous or possibly virtuous.

⁷⁰ See also *NE* 3.7, 1115b07-09.

character of agents, as he already indicates in the Common Books. The mixed actions are involuntary *per se* because their undesirability reflects the dispositional attitude a sensible person should have. On the other hand, as mentioned above, actions are sources of one's character disposition and the activities of the virtues also consist in these same actions. (*NE* 2.2 1104a27-29) Obviously, in assessing one's dispositional character, the action he actually completed on a certain occasion is more decisive than the dispositional attitude he shares with other sensible agents before the action. Nevertheless, it is not so strong as to cancel its involuntariness *per se*. Aristotle is always cautious in his choice of words, 'they are more like (*εἰκέναι*) voluntary actions'. (*NE* 3.1, 1110a12; 1110b6) He never simply says that they are voluntary. Mixed actions are both involuntary and voluntary, though from different perspectives. In order to better appreciate this point, we move to the discussions on the praise and blame, or pardon and pity about the person with respect to mixed actions, which provides the substantial reason we mentioned earlier for our reading of mixed action as a unique type of actions or events.

Here Aristotle returns to the mixed actions caused by the desire of something noble. Nevertheless, as commentators rightly observe, there is a small but important change: it is about a person enduring (*ὑπομεῖναι*) rather than doing something shameful for a noble end. (*NE* 3.1, 1110a21)⁷¹ The passive implication of the verb emphasizes the fact that the agent does not want to do such a disgraceful thing *per se*, but rather suffers it against his will. Yet, he will be praised if the result is great and noble, but blamed if it is trivial or not so fine. (*NE* 3.1, 1110a20-23) This seems to echo Aristotle's earlier claim that mixed actions are more like voluntary, because praise and blame are taken to be appropriate reactive attitudes to things voluntarily done.⁷² Does this, as most of commentators believe, conflict with our interpretation of mixed actions as both voluntary and involuntary?

⁷¹ For the significance of this change, see note 12.

⁷² At the beginning of *NE* 3.1 (1109b30-32), Aristotle merely claims that the voluntariness of an action or affection related to a moral virtue is a sufficient condition rather than a necessary condition for it to be praised or blamed. However, as we saw in the *EE* account, praise and blame are only given to things that we are responsible for (*EE* 2.6, 1223a10-13). As shown above, what we are responsible for are things that are voluntary and in accordance with our decisions. We will not be held responsible for

Not necessarily. First of all, as mentioned earlier, the verb *hupomeinai* (to endure) already implies the undesirability and involuntariness of what happened to the agent as a sensible person. Moreover, the reason for blame that Aristotle offers also confirms our emphasis on the role of character in moral ascription: “for it is a base person who endures what is most shameful for nothing fine or for only some moderately fine result.” (NE 3.1, 1110a22-23) What matters is not primarily the evil he endures, but rather what sort of person he is. Most importantly, Aristotle offers an exception and an exception of an exception in praising and blaming such an agent:

In some cases, there is no praise, but there is pardon (συγγνώκη), whenever someone does something one should not because of things that overstrain human nature and which no one would endure. But there are some things which perhaps one cannot be compelled (ἀναγκασθῆναι) to do, but one should rather suffer the most terrible things and die; and indeed the things that “compelled” Euripides’ Alcmaeon to kill his mother appear ridiculous. (NE 3.1 1110a23-29)⁷³

In exceptional cases, one is not blamed but pardoned for his wrongdoings.⁷⁴ The case is once again different from the preceding ones. Here one does not voluntarily endure a shameful thing but rather does something wrong in order to escape from intolerable suffering, whether they be actual or possible sufferings. Nevertheless, from the ontological perspective of action, there is no substantial difference between this and other mixed actions. The shameful thing is choice-worthy for its end on that occasion. It is also up to the person to do or not to do the action even though his alternatives have been terribly constrained. Still, if throwing away cargo to save one’s life is voluntary, so is his

involuntary things. (1223a16-18) It follows that a praiseworthy or blameworthy thing is voluntary, which fits our moral intuition as well.

⁷³ Modified from Irwin’s translation.

⁷⁴ It is rather bizarre that Aristotle says there is no “praise” rather than no “blame”, because what is pardoned is obviously something bad or wrong. It is even more bizarre that no commentator has tried to explain or correct this.

surrender to extreme pressure such as intolerable torture to tell lie is so. This is also the reason why most scholars assume that here Aristotle is still talking about voluntary rather than mixed actions. Nevertheless, Aristotle advises us to give pardon (*συγγνώκη*) to the agent, or better, to the victim. The reason is that the evil resulting from one of his courses overstrains human nature. But Aristotle suggests elsewhere that we only accord pardon to things that are not blameworthy. (*NE* 7.2, 1146a3-4) Since being blameworthy is taken as a necessary condition for a morally relevant thing to be voluntary at the beginning of *NE* 3.1, it follows that a thing that is pardoned cannot be voluntary.⁷⁵

Yet, we still need to elucidate why the magnitude of evil and human nature matter here so that they change the voluntary character of an event. In our analysis of the Eudemian account, we offered a causal interpretation how fear as a causal power changes the principle of these actions. However, since Aristotle explicitly acknowledge the voluntariness of mixed actions as well as their involuntariness, he cannot appeal to such a causal account that denies the degree of voluntariness. In *NE* 3.1, I want to argue that the moral quality of an action is relevant to its voluntariness and involuntariness, because of its inherent reference to a sensible agent. For such a person, to suffer extreme pressures, especially for avoiding something only moderately evil, such as telling a lie which is insignificant. In an extreme case when the price of not doing a shameful thing is beyond one's human nature to endure, the involuntary side of mixed actions plays a more significant role because one possible course of action has touched the boundary of dispositional character. One's character does not come out of the blue but is essentially limited within the range of human nature. Aristotle excellently claims, puts it very well, "the virtues arise in us neither by nature nor against nature." (*NE* 2.1, 1103a23-24) When human nature is overstrained, so is one's character dispositions. We therefore accept

⁷⁵ It should be mentioned that non-voluntariness is a necessary condition for a thing to be pardoned but not a sufficient one. For instance, some non-voluntary actions caused by bestial feelings are not to be forgiven. see *NE* 5.8, 1136a5-9. Unfortunately, Aristotle does not clarify why this sort of non-voluntary things does not deserve forgiveness. See also note 45 for different interpretations of the relation between pardon and voluntary actions.

excuse for such mixed actions so that one's character dispositions can be accessed in a humane and realistic manner, rather than by some superhuman criteria.

This excuse also has its own limits. Aristotle immediately emphasizes that one can never be excused from some extremely horrible things like matricide, no matter how great the evil might be if one fails to commit it. It is evident that from the causal perspective, there is no real difference between Euripides' Alcmaeon, who killed his mother in order to escape his father's curse, and the victim of tremendous tortures. For the fear in both cases seems to be similar and therefore should have similar psychological compelling force upon the agents. What distances Alcmaeon from other agents in the mixed actions is the moral quality of his action. It is not difficult to infer that the evil of matricide also overstrains human nature. In that case, both the evil one may suffer by one's choice and the evil one may bring about by one's other choice, are equally repugnant to a sensible person so that they cancel out each other.⁷⁶ Therefore in this specific occasion, one's character disposition turns on one's choice at the time of action.

Now after solving the main difficulties in interpreting Aristotle's account for the mixed actions in *NE* 3.1, we attain a deeper understanding of its complexity. These actions are both voluntary and involuntary, though more voluntary than involuntary in most cases. To determine on a given occasion whether the action is voluntary or involuntary, one should not only consider its choice-worthiness, the control over one's bodily movement **at the time**, but also to what extent the options are **per se** desirable or undesirable for a sensible agent. It is one's character disposition that combines all these factors into a complex unity, under which an action is appropriately described in an ethical context. Probably we can say that the unknown condition for being voluntary that we mentioned earlier is precisely one's dispositional character: a voluntary action or affection should not go beyond human nature and character dispositions. Since unlike external actions, one's internal decisions and dispositions are not directly accessible to a

⁷⁶ This also explains why in the following passage, Aristotle repeats it is important (even though difficult) to judge what evils should be endured, what evils not, because it is relevant to the voluntariness of an action under duress or of necessity. A sensible person should take this into consideration. (*NE* 3.1, 1110a29-b1; b7-9)

moral spectator, it seems reasonable for a legislator or a student of Ethics to cite a sensible person's judgment to determine whether an action or affection reveals one's genuine disposition or not. However, who counts as a sensible person seems to depend on our moral practices. In this sense, Aristotle is introducing a morally loaded conception of the voluntary by emphasizing its immanent reference to the judgment of a morally sensible person's evaluation.

Agamemnon's dilemma provides a superb example to illustrate Aristotle's morally loaded conception of the voluntary in *NE* 3.1 and to conclude this essay. Agamemnon's final decision was both voluntary and involuntary. On the one hand, Agamemnon's action was involuntary in that whatever he chose would bring ruin to his dispositional character or moral self. From the perspective of a morally sensible person, Agamemnon is under extreme pressures that are beyond human nature: A human person cannot suffer the dreadful fate of killing one's own daughter, neither can a tragic hero like Agamemnon endure the prospective offence to a goddess and disappointment of the fleet he commands. On the other hand, the action he actually did should not be deemed as a compelled action, even if he had chosen otherwise. For murdering one's daughter is such a horrible thing like matricide that one can never be excused by being compelled. A similar case can be made for the action of disobeying a goddess and abandoning the fleet one commands, because this also seems to be a thing that a tragic hero has no excuse to do. Therefore, neither the Goddess' curse nor the loss of his daughter per se could be taken as his excuse. Normally, one should "suffer the most terrible consequences and die" than committing any of these two crimes. Unfortunately, death is not available for the tragic hero as a means out of the moral dilemma. The voluntariness of the decision and the involuntariness of its predictable result were so closely matched that they divided the old king as a rational human person so to say and finally led him to madness.⁷⁷ Aristotle's morally loaded conception of voluntariness as reconstructed above does not offer us a

⁷⁷ Harry Frankfurt insightfully points out, '[s]ince the volitional unity of the tragic hero has been irreparably ruptured, there is a sense in which the person he had been no longer exists.' See id., 'Autonomy, Necessity, and Love,' in id. *Necessity, Volition, and Love* (Cambridge, 1999), 129-141, at 139 n.8.

way to resolve the dilemma but rather a better way to engage with the genuine challenges from this extreme situation to our moral life.