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HOW TO ASSESS THE VALUE OF AN ACT?

Abstract. The aim of this paper is to reduce evaluation of acts to evaluation of events. To achieve this goal we explicate the notion of act used in law and ethics in terms inspired by the symbolism of Wolniewicz's ontology of situations and present some consequences of such explication. In particular, bad acts are distinguished from wrong acts. Two notions of wrong act are introduced: the internally wrong act and the externally wrong act.

1. Values and responsibility: moral and legal

The question whether values are of objective or subjective character is one of the basic issues of ethics.

If one admits that values are of a subjective character, one must also admit relativism and consequently deny the possibility of objective attribution of responsibility based on values, *i.e.* based on the principle of justice. In a such case, responsibility for any act could be attributed objectively only when a certain rule is broken by the act. However, attribution of responsibility in connection with breaking rules is relative by definition, provided that rules have no objective justification.

In ethics, the question whether values are of objective character has two faces:

- the first is the question of the objectivity of values “as such” and
- the second is the question of the possibility of the objective assessment of acts.

Values “as such” can be recognized easily. Moreover, one can easily admit that the important part of them have an objective character (*e.g.* values “as such” like life, safeness, healthiness, family, human society, civilization) and constitute a hierarchy which is also of an objective character. However, it is much more difficult to learn the values of acts. In fact, we have no clear notion of an act as well as any clear criterion for the evaluation of acts.

The question whether values are of an objective or subjective character is also important in law and jurisprudence since in some circumstances the law itself admits the superiority of values over the letter of the law, *i.e.*, it allows us, provided some conditions are fulfilled, to abandon the strict meaning of legal prescriptions to keep a legal solution fair and just. For example, Polish civil law enables the judge to refuse to provide legal protection to formally legal acts which contradict the so-called “principles of social coexistence”.

Having all the above in mind, one can see that a clear notion of an act is of real importance both to ethics as well as to law and jurisprudence. In particular, such a notion should make easier the evaluation of acts.

2. Ontology of situations: basic ideas

In the next paragraph, we will use some basic ideas of Wolniewicz’s ontology of situations, combined with some ideas of temporal logic and possible worlds semantics, to clarify the notion of act. Therefore, let us recall a few basic ideas of Wolniewicz’s ontology here.

Professor Wolniewicz considers a structure $\langle SE, \leq \rangle$, where SE is a set of so-called “elementary situations” and \leq is a partial order. An elementary situation can be perceived as a semantic correlate of an elementary conjunction in Wolniewicz’s sense (*i.e.* can be perceived as a semantic correlate of a simple sentence or a conjunction of simple sentences). For SE holds:

$$SE = SE''U\{o, \lambda\}$$

where SE'' is a set of proper elementary situations, o (“zero”) is an empty situation and λ is an impossible situation. For any elementary situation x holds:

$$o \leq x \leq \lambda.$$

For any elementary situations x and y holds:

$$x ; y = y \Leftrightarrow x \leq y \Leftrightarrow x!y = x.$$

The set SP is the set of maximal elementary situations (or “possible worlds”). The set SA is the set of atoms (*i.e.* $SA = \{x \in SE : x \text{ covers } o\}$). For atoms the following relation is defined:

$$x, y \in SA \Rightarrow (x \approx_d y \Leftrightarrow (x = y \vee x ; y = \lambda)).$$

If the set SE'' is not empty, $D = SA/\approx_d$ is a set of logical dimensions of SP . Wolniewicz’s assumption is that the number of logical dimensions is finite.

In Wolniewicz's ontology, every possible world has exactly one atom from each dimension.

3. Alternative events: acts and choices

Let S be the set of Wolniewicz's structures described above (*i.e.* $S = \{s_i : s_i = \langle SE_i, \leq \rangle\}$) and T be a linearly ordered set of time moments. For any $t \in T$ we attribute exactly one structure $s \in S$. As a result some structures are linearly ordered. Respectively, some sets of possible worlds are linearly ordered (we may number them SP_1, SP_2, SP_3, \dots).

In the set $\{SP_1 \cup SP_2 \cup SP_3 \cup \dots\}$ we define a relation of attainability R . For R we assume only that:

$$xRy \Rightarrow \text{there are } SP_n \text{ and } SP_{n+1} (x \in SP_n \text{ and } y \in SP_{n+1}).$$

Any act is represented by a pair of elementary situations $\langle \mathbf{a}, \mathbf{b} \rangle$ such that:

- (1) if situation \mathbf{a} has an atom from a certain dimension then \mathbf{b} has an atom from the same dimension and *vice versa*, *i.e.* for any D_i :

$$W(D_i, \mathbf{a}) \Leftrightarrow W(D_i, \mathbf{b})$$

(we read " $W(D_i, \mathbf{a})$ ": "the situation \mathbf{a} has an atom from D_i "; intuitively, according to this condition \mathbf{a} and \mathbf{b} are alternative arrangements of a certain fragment of the world),

- (2) \mathbf{b} is attainable from \mathbf{a} , *i.e.* there are $x \in SP_n$ and $y \in SP_{n+1}$ such that:

$$\mathbf{a} \leq x \text{ and } \mathbf{b} \leq y \text{ and } xRy$$

- (3) \mathbf{b} is not a necessary consequence of \mathbf{a} (intuitively, \mathbf{b} is the result of a choice), *i.e.* there is $z \in SP_{n+1}$ such that:

$$xRz \text{ and}$$

for any atoms \mathbf{k} and \mathbf{m} such that $\mathbf{k} \leq y$ and $\mathbf{m} \leq z$ and for any dimension D_i :

$$(W(D_i, \mathbf{a}) \text{ and } \mathbf{k} \in D_i \text{ and } \mathbf{m} \in D_i \Rightarrow \mathbf{k} ; \mathbf{m} = \lambda)$$

and

$$(-W(D_i, \mathbf{a}) \text{ and } \mathbf{k} \in D_i \text{ and } \mathbf{m} \in D_i \Rightarrow \mathbf{k} = \mathbf{m}).$$

Intuitively, according to the conditions defined above, any act is a choice between alternative events, where alternative events may be perceived as the alternative ways in which a person in a choice situation can arrange a certain

fragment of the world. In this sense, every choice is an act and every act is a choice. Respectively, if one choose to do nothing, doing nothing is acting. Further, if one has no choice, there is no acting.

4. Consequences

Having the above explication of the notion of act in terms of a choice between alternative events, we can reduce the evaluation of acts to an evaluation of events.

If a choice is between exactly two alternative events, which both are atoms in Wolniewicz's sense, we will call this choice an "elementary choice".

Let us define now the notion of the internal value of an act and the notion of the external value of an act. The internal value of an act is the difference between the value of the chosen alternative event and the value of the best of the rest of the alternative events in a given choice situation. Respectively, the external value of an act is the difference between the value of the chosen alternative event and its consequences, and the value of the best of the rest of the alternative events and their consequences, in a given choice situation. In this way, the evaluation of acts is reduced to comparing the values of situations.

Having in mind the above, one can define the notions of a bad act, an internally wrong act and an externally wrong act in the following way:

- 1) a bad act is any act with negative internal value in an elementary choice situation,
- 2) an internally wrong act is any act with negative internal value,
- 3) an externally wrong act is any act with negative external value.

Respectively, *e.g.* killing people always is bad (since, in an elementary choice situation "to kill or not to kill" killing has always a negative internal value) but sometimes may be not wrong (since in a non-elementary choice situation "to kill the terrorist or not to kill him" killing may have positive internal value as well as it may have positive external value).

Among these three notions, the notion of an externally wrong act seems to be the most suitable criterion for evaluation of the acts. This is because if one admits as the criterion in question the internal value of an act, one consequently arbitrarily excludes from assessment all consequences of alternative events.

Respectively, the possibility of the objective assessment of acts seems to depend on the possibility of objective deciding on the external values of acts, in the sense defined above.

R E F E R E N C E S

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