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Alternative Possibilities and Causal Histories

TWO INCOMPATIBILIST INTUITIONS

The claim that moral responsibility for an action requires that the agent could have done otherwise is surely attractive. Moreover, it seems reasonable to contend that a requirement of this sort is not merely a necessary condition of little consequence, but that it plays a significant role in explaining why an agent is morally responsible. For if an agent is to be blameworthy for an action, it seems crucial that she could have done something to avoid being blameworthy – that she could have done something to get herself off the hook. If she is to be praiseworthy for an action, it seems important that she could have done something less admirable. Libertarians have often grounded their incompatibilism precisely in such intuitions. As a result, they have often defended the following principle of alternative possibilities:

- (1) An action is free in the sense required for moral responsibility only if the agent could have done otherwise than she actually did.

or a similar principle about choice:

- (2) An action is free in the sense required for moral responsibility only if the agent could have chosen otherwise than she actually did.

I shall argue that despite resourceful attempts to defend conditions of this sort, any such requirement that is relevant to explaining why an agent is morally responsible for an action falls to counterexamples. I maintain instead that the most plausible and fundamentally explanatory incompatibilist principles concern the causal history of an action, and

not alternative possibilities.¹ These claims leave open the prospect of alternative-possibilities conditions necessary for moral responsibility but nevertheless irrelevant to explaining why an agent is morally responsible. I believe that there could well be such conditions.

LEEWAY VS. CAUSAL HISTORY INCOMPATIBILISM

Familiarly, arguments of the kind devised by Harry Frankfurt provide an especially formidable challenge to alternative possibility conditions.² The standard versions deploy examples with a particular sort of structure. Here is one of Fischer's cases:

Black is a nefarious neurosurgeon. In performing an operation on Jones to remove a brain tumor, Black inserts a mechanism into Jones's brain which enables Black to monitor and control Jones's activities. Jones, meanwhile, knows nothing of this. Black exercises this control through a computer which he has programmed so that, among other things, it monitors Jones's voting behavior. If Jones shows an inclination to decide to vote for Carter, then the computer, through the mechanism in Jones's brain, intervenes to assure that he actually decides to vote for Reagan and does so vote. But if Jones decides on his own to vote for Reagan, the computer does nothing but continue to monitor – without affecting the goings-on in Jones's head. Suppose Jones decides to vote for Reagan on his own, just as he would have if Black had *not* inserted the mechanism into his head.³

1. I argued for this view in "Determinism *Al Dente* (1985), and later in "Alternative Possibilities and Causal Histories," *Philosophical Perspectives* 14 (2000). For similar positions, see Eleanore Stump, "Intellect, Will, and the Principle of Alternate Possibilities," in *Christian Theism and the Problems of Philosophy*, ed. Michael Beatty (Notre Dame, IN: University of Notre Dame Press, 1990), pp. 254–85, reprinted in *Moral Responsibility*, ed. John Martin Fischer and Mark Ravizza (Ithaca: Cornell University Press, 1993), pp. 237–62; "Libertarian Freedom and the Principle of Alternative Possibilities," in *Faith, Freedom, and Rationality*, ed. Jeff Jordan and Daniel Howard Snyder (Lanham, MD: Rowman and Littlefield, 1996), pp. 73–88; Linda Zagebski, *The Dilemma of Freedom and Foreknowledge* (New York: Oxford University Press, 1991), Chapter 6, Section 2.1; "Does Libertarian Freedom Require Alternate Possibilities?" *Philosophical Perspectives* 14 (2000); Robert Heinaman, "Incompatibilism without the Principle of Alternative Possibilities," *Australasian Journal of Philosophy* 64 (1986), pp. 266–76; Michael Della Rocca, "Frankfurt, Fischer, and Flickers," *Noûs* 32 (1998), pp. 99–105; David Hunt, "Moral Responsibility and Unavoidable Action," *Philosophical Studies* 97 (2000), pp. 195–227.
2. Harry G. Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 1969, pp. 829–839; John Martin Fischer, "Responsibility and Control," in *Moral Responsibility*, Fischer, ed. (Ithaca: Cornell University Press, 1986), pp. 174–190.
3. Fischer, "Responsibility and Control," p. 176.

Fischer's intuition is that Jones could be responsible for voting or deciding to vote for Reagan, although he could not have done or chosen otherwise. Jones could not have done or even have chosen otherwise, because the device would have arrested the deliberative process before it resulted in any alternative choice. The conclusion of the argument is that conditions (1) and (2) are mistaken.

Fischer has contended that this type of argument does not refute the claim that moral responsibility requires that the actual causal history of the action not be deterministic. It leaves untouched the view that moral responsibility requires that one's action not actually result from a deterministic causal process that traces back to factors beyond one's control – back to causal factors that one could not have produced, altered, or prevented.⁴ I believe that this contention of Fischer's is correct. Notice that this Frankfurt-style case does not specify that Jones's action is causally determined in this way. If it were specified that his choice is deterministically produced by factors beyond his control, by, for example, Martian neuroscientists, then the intuition that he could be morally responsible might well fade away. Furthermore, it seems possible for one's action not to result from a deterministic causal process that traces back to factors beyond one's control while one cannot do or choose otherwise. For, as is clear from the Frankfurt-style case, the factors that make it so that an agent cannot do or choose otherwise need not also determine him to act as he does, since they need not be part of the actual causal history of his action at all.

This reflection suggests a different requirement on the sort of freedom we are seeking to characterize:

- (3) An action is free in the sense required for moral responsibility only if it is not produced by a deterministic process that traces back to causal factors beyond the agent's control.

Condition (3) specifies a necessary condition on the sort of freedom required for moral responsibility that I believe any incompatibilist should endorse. One might note that even if it is not a necessary condition on moral responsibility that the agent could have done or chosen otherwise, the incompatibilist can still claim that one is not morally responsible for an action if one could not have done or chosen otherwise due to the choice's resulting from a deterministic causal process that traces back to factors beyond one's control.

4. Fischer, "Responsibility and Control," pp. 182–85.

In his central condition on moral responsibility (UR, for “ultimate responsibility”), Kane expresses one aspect of this intuition very nicely:

(U): For every X and Y (where X and Y represent occurrences of events and/or states), if the agent is personally responsible for X, and if Y is an *arche* (or sufficient ground or cause or explanation) for X, then the agent must also be personally responsible for Y.

(Kane spells out the alternative-possibilities intuition in the (R)-part of (UR).)⁵ Conditions such as (3) and (U), I believe, have a critical role in explaining why agents would be morally responsible. If such conditions are not met by an agent’s decision, he lacks a certain kind of control over this decision, and it is for this reason that he is not morally responsible. The sort of control at issue is that the agent must in an appropriate sense be the ultimate source or cause of the action. Kane expresses the point in this way:

What (U) thus requires is that if an agent is ultimately responsible for an action, the action cannot have a sufficient reason of any of these kinds *for which the agent is not also responsible*. If the action did have such a sufficient reason for which the agent was not responsible, then the action, or the agent’s will to perform it, would have its source in something the agent played no role in producing. Then the *arche* of the action, or of the agent’s will to perform it, would not be “in the agent,” but in something else.⁶

What lies at the core of the intuition expressed by (3) and (U) is a claim about origination, which might be formulated as follows:

(O) If an agent is morally responsible for her deciding to perform an action, then the production of this decision must be something over which the agent has control, and an agent is not morally responsible for the decision if it is produced by a source over which she has no control.

5. Robert Kane, *The Significance of Free Will* (New York: Oxford University Press, 1996), p. 35. (UR) in its entirety is: (UR): An agent is *ultimately responsible* for some (event or state) E’s occurring only if (R) the agent is personally responsible for E’s occurring in a sense which entails that something the agent voluntarily (or willingly) did or omitted, and for which the agent could have voluntarily done otherwise, either was, or causally contributed to, E’s occurrence and made a difference to whether or not E occurred; and (U) for every X and Y (where X and Y represent occurrences of events and/or states) if the agent is personally responsible for X, and if Y is an *arche* (or sufficient ground or cause or explanation) for X, then the agent must also be personally responsible for Y. Thus, if there is a sufficient ground for an agent’s decision in events that precede the agent’s birth (together with laws of nature), then presuming that an agent cannot be personally responsible for events that precede her birth or for laws of nature, she cannot be personally responsible for the decision.

6. Kane, *The Significance of Free Will*, p. 73.

Ted Honderich also stresses the importance of a notion of origination for our sense of moral responsibility.⁷ I think that (O) expresses the most fundamental and plausible incompatibilist intuition about how an agent's moral responsibility is grounded.⁸ It explains not only why one might think that determinism and moral responsibility are incompatible, but also why one might believe that an agent cannot be morally responsible for a decision if it occurs without any cause whatsoever. For such a decision is produced by nothing, and hence the production of the decision is not something over which the agent has control. I shall clarify this condition and examine the surrounding issues more thoroughly in Chapter 2.

We might call those who incline toward the view that an alternative possibilities condition has the more important role in explaining why an agent would be morally responsible *leeway incompatibilists*, and those who are predisposed to maintain that an incompatibilist condition on the causal history of the action plays the more significant part *causal history incompatibilists*.⁹ Leeway incompatibilists would argue that the actual causal history of a morally responsible action must be

7. Ted Honderich, *A Theory of Determinism* (Oxford: Oxford University Press, 1988), e.g., pp. 194–206.
8. Gary Watson, although he is not an incompatibilist, also maintains that the condition on origination is the fundamental incompatibilist claim; “Responsibility and the Limits of Evil,” in *Responsibility, Character and the Emotions*, ed. Ferdinand Schoeman (Cambridge: Cambridge University Press, 1987), pp. 256–86, at p. 282.
9. In “Compatibilists Could Have Done Otherwise: Responsibility and Negative Agency” (*The Philosophical Review* 103 (1994), pp. 453–88), Alison McIntyre convincingly argues that an analog of Frankfurt’s argument undermines the Principle of Possible Actions for omissions. But she also attempts to undermine any indeterminist requirement for moral responsibility with a Frankfurt-style case (pp. 472–78). A princess rises from her seat at the opera for a photo opportunity, and while it is customary for her to sit down after one minute, she decides to stand for four minutes. But a scientist has placed a force field around her, so that had she decided to sit down after one minute she would have remained standing for an additional three. Yet it is clear she is morally responsible for standing for the four minutes. About this case McIntyre says: “. . . even if her decision to stand for four minutes is not causally determined, it is nevertheless causally determined, once she has stood for a minute, that she will stand for three more minutes. To grant that the Princess can be morally responsible for standing for the last three minutes is *ipso facto* to grant that an agent can be morally responsible for behavior that is causally determined.” But this is not a situation in which an agent is responsible for an action that is produced by a deterministic process that traces back to factors beyond her control. McIntyre’s case specifies external factors that prevent the Princess from performing the action in question, but these external factors play no role in the actual causal history of the action. In fact, her case is consistent with the action’s being freely produced by a libertarian agent-causal power. Hence, condition (3) survives McIntyre’s argument, and I maintain that this condition withstands any argument that employs a Frankfurt-style strategy.

indeterministic, but they would be amenable to the claim that this is so only because an indeterministic history is required to secure alternative possibilities. Causal history incompatibilists would lean toward the position that the role the causal history plays in explaining why an agent would be morally responsible is independent of facts about alternative possibilities.

Against causal history incompatibilism, Fischer argues that “there is simply no good reason to suppose that causal determinism in itself (and apart from considerations pertaining to alternative possibilities) vitiates our moral responsibility.”¹⁰ Fischer, I believe, is mistaken on this point. To be sure, one incompatibilist intuition that we seem naturally to have is that if we could in no sense do otherwise, then we could never have refrained from the wrongful actions we perform, and thus we cannot legitimately be held blameworthy for them. But another very powerful and common intuition is that if all of our behavior were “in the cards” before we were born – in the sense that things happened before we came to exist that, by way of a deterministic causal process, inevitably result in our behavior – then we cannot legitimately be blamed for our wrongdoing. By this intuition, if causal factors existed before a criminal was born that by way of a deterministic process, inevitably issue in his act of murder, then he cannot legitimately be blamed for his action. If all of our actions had this type of causal history, then it would seem that we lack the kind of control over our actions that moral responsibility requires.

Now I do not believe that in the dialectic of the debate, one should expect Fischer, or any compatibilist, to be moved much by this incompatibilist intuition alone to abandon his position. In my view, the more powerful, and indeed the best, type of challenge to compatibilism develops the claim that causal determination presents in principle no less of a threat to moral responsibility than does covert manipulation. We shall turn to that challenge in Chapter 4. Nonetheless, what this intuition should show at this stage is that there might well be a coherent incompatibilist position that could survive the demise of alternative-possibilities requirements.¹¹

FLICKERS AND ROBUSTNESS

Thus in my view it is the intuition expressed by (O) rather than one associated with an alternative-possibility condition that is the most fun-

10. Fischer, *The Metaphysics of Free Will* (Oxford: Blackwell, 1994), p. 159.

11. Della Rocca, in “Frankfurt, Fischer, and Flickers,” develops a similar theme.

damental and plausible underlying ground for incompatibilism. But this claim has not yet been thoroughly tested. Perhaps some version of an alternative-possibilities condition on moral responsibility can survive any Frankfurt-style argument. Libertarians have contended that according to any argument of this kind, there must be some factor that the neurophysiologist's device is rigged up to detect that could but does not actually occur in the agent, such as an intention to do otherwise.¹² The possible occurrence of this factor – this “flicker of freedom,” to use Fischer's term – might then function as the alternative possibility that is required for moral responsibility.¹³ Libertarians, in particular, are predisposed to locate the source of moral responsibility in the will, and if moral responsibility requires alternative possibilities, it must require, more precisely, the possibility of willing to do otherwise. But it is not implausible that the formation of an intention to do otherwise should count as willing to do otherwise, and hence the possibility of forming such an intention would assist in explaining moral responsibility for the choice or action at issue.

Fischer, however, argues that one can construct different Frankfurt-style stories in which the intervening device detects some factor prior to the formation of the intention. One might, for example, imagine that Jones will decide to kill Smith only if Jones blushes beforehand. Then Jones's failure to blush (by a certain time) might be the alternative possibility that would trigger the intervention that causes him to kill Smith. Supposing that Jones acts without intervention, we might well have the intuition that he is morally responsible, despite the fact that he could not have done or chosen otherwise, or formed an alternative intention. He could have failed to blush, but as Fischer argues, such a flicker is of no use to the libertarian, since it is not sufficiently *robust*, it is too “flimsy and exiguous” to play a part in grounding moral responsibility.¹⁴

I agree with Fischer, and here is a first pass at characterizing robustness. The intuition underlying the alternative-possibilities requirement

12. Peter van Inwagen, *An Essay on Free Will* (Oxford: Oxford University Press, 1983), pp. 166–80. In my view, the intention to perform an action is produced by the choice to perform the action, and hence succeeds and does not precede it. Thus an intention to perform an action could not serve as a sign for intervention that would preclude a choice to perform it.
13. Fischer provides a lucid discussion and criticism of this strategy in *The Metaphysics of Free Will*, pp. 134–47.
14. Fischer, *The Metaphysics of Free Will*, pp. 131–59; “Recent Work on Moral Responsibility,” *Ethics* 110 (1999), pp. 93–139.

is that if, for example, an agent is to be blameworthy for an action, it is crucial that he could have done something to avoid being blameworthy. If having an alternative possibility does in fact play a role in explaining an agent's moral responsibility for an action, it would have to be robust at least in the sense that as a result of securing that alternative possibility, the agent would *thereby* have avoided the responsibility he has for the action he performed – it would be his securing of that alternative possibility per se that would explain why the agent would have avoided the responsibility. Failing to blush in Fischer's scenario does not meet this criterion of robustness. For if Jones had failed to blush, he would not thereby have avoided responsibility for evading killing Smith – it would not be the failure to blush per se that would explain why Jones would not be blameworthy. By typical libertarian intuitions, one robust sort of alternative possibility would involve willing to do otherwise than to perform the action the agent in fact wills to perform.¹⁵

A LIBERTARIAN OBJECTION TO FRANKFURT-STYLE ARGUMENTS

It might now seem that any alternative-possibilities condition on moral responsibility can be defeated by a Frankfurt-style argument that employs a non-robust flicker of freedom. But perhaps this line of defense for Frankfurt-style arguments is too quick. An important kind of objection against these sorts of arguments was initially raised by Kane and then systematically developed by David Widerker. (A close relative has been advanced by Carl Ginet, which we will consider shortly.¹⁶) The general form of the Kane/Widerker objection is this. For any Frankfurt-style case, if causal determinism is assumed, the libertarian will not have, and cannot be expected to have, the intuition that the agent is morally responsible. If, on the other hand, libertarian indeter-

15. See also Mele's characterization of robustness, which I endorse, in "Soft Libertarianism and Frankfurt-Style Scenarios," *Philosophical Topics* 24 (1996), pp. 123–41, at pp. 126–7.

16. Kane, *Free Will and Values* (Albany: SUNY Press, 1985), p. 51 n. 25, and *The Significance of Free Will*, pp. 142–4, 191–2; David Widerker, "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities," *The Philosophical Review* 104 (1995), pp. 247–61; Carl Ginet, "In Defense of the Principle of Alternative Possibilities: Why I Don't Find Frankfurt's Arguments Convincing," *Philosophical Perspectives* 10 (1996), pp. 403–17; see also Keith D. Wyma, "Moral Responsibility and Leeway for Action," *American Philosophical Quarterly* 34 (1997), pp. 57–70. Fischer provides a clear and helpful account of these views in "Recent Work on Moral Responsibility," pp. 111–12.

minism is presupposed, an effective Frankfurt-style scenario cannot be devised, for any such case will fall to a dilemma. In Frankfurt-style cases, the actual situation always features a prior sign by which the intervener can know that the agent will perform the action he does, and that signals the fact that intervention is not necessary. If in the proposed case, the sign causally determines the action, or if it is associated with something that does so, the intervener's predictive ability can be explained. But then the libertarian would not have the intuition that the agent is morally responsible. If the relationship between the sign and the action is not causally deterministic in such ways, then the libertarian can claim that the agent could have done otherwise despite the occurrence of the prior sign. Either way, some principle of alternative possibilities emerges unscathed.

Widerker's particular version of the objection has the following structure.¹⁷ The case at issue is the one we have just encountered, in which Jones wants to kill Smith, but Black is afraid that Jones might become fainthearted, and so he is prepared to intervene if Jones fails to show a sign that he will kill Smith. The sign that he will kill Smith is his blushing at t₁. The important features of the scenario are these:

- (1) If Jones is blushing at t₁, then, provided no one intervenes, he will decide at t₂ to kill Smith.
- (2) If Jones is not blushing at t₁, then, provided no one intervenes, he will not decide at t₂ to kill Smith.
- (3) If Black sees that Jones shows signs that he will not decide at t₂ to kill Smith – that is, he sees that Jones is *not* blushing at t₁ – then Black will force Jones to decide at t₂ to kill Smith; but if he sees that Jones is blushing at t₁, then he will do nothing.

Finally, suppose that Black does not have to show his hand, because

- (4) Jones is blushing at t₁, and decides at t₂ to kill Smith for reasons of his own.¹⁸

Although the case is meant to show that Jones is morally responsible despite the fact that he could not have done otherwise, Widerker claims that this conclusion is not forced on the libertarian:

17. Cf. Ishtayaque Haji, *Moral Appraisability* (New York: Oxford University Press, 1998), pp. 34–5.
18. Widerker, "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities," pp. 249–50.

Note that the truth of (1) cannot be grounded in the fact that Jones's blushing at t_1 is, in the circumstances, causally sufficient for his decision to kill Smith, or in the fact that it is indicative of a state that is causally sufficient for that decision, since such an assumption would . . . [not be] accepted by the libertarian. On the other hand, if (1) is not thus grounded, then the following two options are available to the libertarian to resist the contention that Jones's decision to kill Smith is unavoidable. He may either reject (1), claiming that the most that he would be prepared to allow is

(1a) If Jones is blushing at t_1 , then Jones will *probably* decide at t_2 to kill Smith . . .

But (1a) is compatible with Jones's having the power to decide not to kill Smith, since there remains the possibility of Jones's acting out of character. Or the libertarian may construe (1) as a conditional of freedom in Plantinga's sense . . . that is, as

(1b) If Jones is blushing at t_1 , then Jones will *freely* decide at t_2 to kill Smith, [in a sense that allows that the agent could have decided otherwise]¹⁹

in which case the libertarian may again claim that in the actual situation when Jones is blushing at t_1 , it is within his power to refrain from deciding to kill Smith at t_2 .²⁰

Widerker's is a very important objection, and it serves as a test for the effectiveness of any Frankfurt-style argument. One point of clarification: If the libertarian that Widerker supposes Frankfurt must convince is simply presupposing a principle of alternative possibilities, then one could not expect that a Frankfurt-style argument would dislodge his view. But Widerker, I think, does not intend that his libertarian simply presuppose this principle, but rather only the claim that moral responsibility is incompatible with an action's having a deterministic causal history. I will proceed with this understanding of Widerker's objection.

PROBLEMS FOR RECENT ATTEMPTS TO ANSWER WIDERKER

Several critics have tried to construct Frankfurt-style arguments that escape this objection. The cases used in these arguments divide into two categories:

19. This bracketed phrase does not occur in Widerker's text, but it clearly expresses his meaning.
20. Widerker, "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities," p. 250.