

The Frankfurt Cases: The Moral of the Stories

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I. Keeping up with the Joneses (and Black)

Harry Frankfurt's article, "Alternate Possibilities and Moral Responsibility," triggered a huge literature discussing whether Frankfurt presents a case (or perhaps a template for a case) in which an individual is morally responsible for behavior that he or she could not have avoided.¹ In his seminal article (which in a sense goes back to an example originally presented by John Locke in *An Essay concerning Human Understanding*), Frankfurt seeks to impugn the Principle of Alternate Possibilities

I have benefited from giving a previous version of this essay as the first in a series of lectures delivered at the State University of New York at Buffalo in Fall 2008: The Hourani Lectures in Human Values. I am grateful to the Department of Philosophy for the opportunity to give these lectures, and I thank David Hershenov, David Braun, and John Kearns for comments on the first lecture. Also, I have delivered previous versions at Syracuse University, Cornell University, and the University of Colorado, Boulder. At Cornell, my commentator was Sean Stapleton, who gave me very helpful comments. I have learned much about these issues from presenting some of the material in this essay to two graduate seminars; I am grateful to the participants in the seminar at UCLA (Winter 2006) and UC Riverside (Spring 2007). The following have also given me extremely helpful comments on previous versions: Neal Tognazzini, Mark Heller, Robert Van Gulick, Carl Ginet, Derk Pereboom, Bernard Berofsky, Michael McKenna, Ishtiyaque Haji, and two anonymous readers for the *Philosophical Review*.

1. Harry Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 66 (1969): 829–39. For some of the debates, see David Widerker and Michael McKenna, *Moral Responsibility and Alternative Possibilities: Essays on the Importance of Alternative Possibilities* (Aldershot, U.K.: Ashgate, 2003). For a recent contribution to the literature, see Neil Levy, "Counterfactual Intervention and Agents' Capacities," *Journal of Philosophy* 105 (2008): 223–39.

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(PAP): An agent is morally responsible for performing a given act A only if he or she could have done otherwise. Here is a somewhat updated version of the sort of example Frankfurt presented:

Because he dares to hope that the Democrats finally have a good chance of winning the White House, the benevolent but elderly neurosurgeon, Black, has come out of retirement to participate in yet another philosophical example.² (After all, what would these thought-experiments be without the venerable *éminence grise*—or should it be *noire*?) He has secretly inserted a chip in Jones's brain that enables Black to monitor and control Jones's activities. Black can exercise this control through a sophisticated computer that he has programmed so that, among other things, it monitors Jones's voting behavior. If Jones were to show any inclination to vote for McCain (or, let us say, anyone other than Obama), then the computer, through the chip in Jones's brain, would intervene to assure that he actually decides to vote for Obama and does so vote. But if Jones decides on his own to vote for Obama (as Black, the old progressive would prefer), the computer does nothing but continue to monitor—without affecting—the goings-on in Jones's head.

Now suppose that Jones decides to vote for Obama on his own, just as he would have if Black had not inserted the chip in his head. It seems, upon first thinking about this case, that Jones can be held morally responsible for his choice and act of voting for Obama, although he could not have chosen otherwise and he could not have done otherwise.³

This sort of case—a “Frankfurt-style case”—appears to threaten PAP. Although PAP has traditionally been accepted by both compatibilists and incompatibilists about causal determinism and moral responsibility, the denial of PAP potentially opens up an interesting new route to compatibilism about causal determinism and moral responsibility; that is, one might contend that causal determinism is perfectly compatible with moral responsibility, quite apart from the issue of whether causal determinism entails that no agent has “genuine metaphysical access to alternative possibilities.” That is, a denial of PAP would seem to allow a compatibilist about causal determinism and moral responsibility to *side-step* the contentious and evidently intractable debates about the relationship between causal determinism and “freedom to do otherwise” (or real

2. Whew! Black was right. I began writing this essay before the elections of 2008; obviously, the specifics of the case are now out of date, but what matters is the structure of the example.

3. For such an example, see John Martin Fischer, “Responsibility and Control,” *Journal of Philosophy* 79 (1982): 24–40.

access to alternative possibilities). Insofar as causal determinism's threat to alternative possibilities is, if not decisive, at least significant, Frankfurt's suggestion that we reject PAP would appear to help us make philosophical progress. More precisely, it would seem to allow us to avoid getting entangled in dialectical stalemates and to reconfigure the debate in terms of whether causal determination *directly* rules out moral responsibility, that is, whether causal determination in itself and apart from considerations pertaining to alternative possibilities rules out moral responsibility. Here the ground has shifted from the traditional debates about causal determinism and alternative possibilities, and arguably it has shifted to more compatibilist-friendly terrain.⁴

Whereas some philosophers have been persuaded by Frankfurt that we should reject PAP, many have not been convinced by the arguments of Frankfurt or the proponents of Frankfurt-style compatibilism. Some skeptics reject the contention that Frankfurt has provided cases (or templates of cases) in which an individual is morally responsible for something and in which he or she could not have prevented *that very thing*; thus, these philosophers insist that we are not forced by the Frankfurt-style cases to give up PAP. Other skeptics about Frankfurt-style argumentation are willing to jettison PAP, but they insist that causal determinism rules out moral responsibility for *some reason other than eliminating alternative possibilities*. Of course, both sides of the debate here will agree that Frankfurt cases, even if they show PAP false, do not in themselves and without further argumentation establish the compatibility of causal determinism and moral responsibility.⁵ But whereas "Frankfurt-style compatibilists" contend that there is no other consideration in virtue of which we should conclude that causal determination rules out moral responsibility, the skeptics will insist that there is precisely such a reason; for some, causal determination is inconsistent with an individual's being the "source" of his behavior in the way required for moral responsibility.⁶

4. For a more detailed explanation of this compatibilist strategy, and a (limited) defense of the contention that the new terrain is more compatibilist friendly, see John Martin Fischer, "Frankfurt-Style Compatibilism," in *Contours of Agency: Essays on Themes from Harry Frankfurt*, ed. Sarah Buss and Lee Overton (Cambridge, MA: MIT Press, 2002), 1–26; reprinted in *Free Will*, ed. Gary Watson, 2nd ed., Oxford Readings in Philosophy (Oxford: Oxford University Press, 2003), 190–211; and *My Way: Essays on Moral Responsibility*, ed. John Martin Fischer (New York: Oxford University Press, 2006), 124–43.

5. For an early articulation of this point, see Fischer, "Responsibility and Control."

6. For a development of Source Incompatibilism, see Derk Pereboom, *Living without Free Will* (New York: Cambridge University Press, 2001).

As I said above, there is a huge literature surrounding the Frankfurt cases and their philosophical implications. In many ways the situation here is similar to the literature that was triggered by Edmund Gettier's famous article, "Is Justified True Belief Knowledge?"⁷ Here I do not propose to give a comprehensive overview of the literature discussing the Frankfurt cases; nor do I aspire to go into much of the literature at all. Rather, what I hope to do is to focus on an important subset of the issues with an eye to crystallizing a crucial insight of the Frankfurt cases—the moral of the stories. Yes, the literature is large, intricate, and complicated; I can understand why Harry Frankfurt once complained to me that the literature surrounding his examples was "a young person's sport." As I become less qualified to participate in such sports, I seek to find the simple, powerful lesson of the literature—abstracting away from the details.

Without further ado and at the risk of spoiling the drama, here is what I take to be the basic insight of the Frankfurt cases: if causal determinism rules out moral responsibility, it is not in virtue of eliminating alternative possibilities. At the most basic level, it is that simple! I do not suppose that the Frankfurt cases provide a decisive or knockdown argument for the basic insight; rather, they provide part of a strong plausibility argument for it. Nor, as above, do I suppose that the cases—or the associated argument—in themselves establish the compatibility of causal determinism and moral responsibility; rather, they arguably help us to reconfigure the argumentation in a way that will be advantageous to the compatibilist.

So I claim that the moral of the Frankfurt stories is this: if causal determinism rules out moral responsibility, it is not in virtue of eliminating alternative possibilities. But whereas this is a rather simple point, it is highly contentious whether it is indeed a lesson we can learn from the Frankfurt cases. In my view, the most important challenge to my contention that this is the moral of the Frankfurt stories comes from an argument called "The Dilemma Defense." Philosophers such as Robert Kane, David Widerker, Carl Ginet, Keith Wyma, Stewart Goetz, Derk Pereboom, and David Palmer have vigorously explored the Dilemma Defense (although not all of these philosophers end up endorsing it).⁸ In this

7. Edmund Gettier, "Is Justified True Belief Knowledge?" *Analysis* 23 (1963): 121–23.

8. Robert Kane, *Free Will and Values* (Albany: State University of New York Press, 1985), and *The Significance of Free Will* (New York: Oxford University Press, 1996), 142–45; David Widerker, "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities," *Philosophical Review* 104 (1995): 247–61; Carl Ginet, "In Defense

essay I propose to present a reply to the Dilemma Defense and thereby protect what I have identified as the simple, basic lesson of the Frankfurt cases.

II. The Dilemma Defense

The Dilemma Defense is one of the most potent tools in the arsenal of the first group of skeptics about Frankfurt-style argumentation: those who deny that Frankfurt cases successfully impugn PAP. Here is the argument. Note, first, that often the Frankfurt stories are told without an explicit assumption about whether causal determinism holds. So let us be explicit about this matter and first assume that causal determinism does not obtain; more specifically, assume that indeterminism obtains (at the relevant point, whatever that is taken to be) in the sequence that leads to the choice and action. Now how can Black's device help Black to know that Jones will choose to vote on his own for Obama (and indeed vote for Obama on his own)? It would seem that, given indeterminism in the right place, all the evidence Black could muster about Jones prior to his decision would leave it open that Jones at least begins to decide to vote for McCain. Of course, at that point Jones's brain would be zapped, but it would be *too late* to prevent Jones's having had access to an alternative possibility, exiguous as it might be.

Let us be even more explicit, and let us suppose that Jones decides "on his own" at t_2 to vote for Obama; and imagine that Jones involuntarily exhibits some sign, such as (appropriately enough) a furrowed left brow, at an earlier time t_1 . When Jones furrows his left brow at t_1 in this sort of way, he typically chooses at t_2 to vote for the Democrat. The problem for Black is that, although this may in general be a reliable "prior sign," given indeterminism, it is possible that Jones begins to decide to vote

of the Principle of Alternative Possibilities: Why I Don't Find Frankfurt's Argument Convincing," *Philosophical Perspectives* 10 (1996): 403–17; Keith Wyma, "Moral Responsibility and Leeway for Action," *American Philosophical Quarterly* 34 (1997): 57–70; Stewart Goetz, "Frankfurt-Style Counterexamples and Begging the Question," *Midwest Studies in Philosophy* 29 (2005): 83–105; Derk Pereboom, "Reasons-Responsiveness, Alternative Possibilities, and Manipulation Arguments against Compatibilism: Reflections on John Martin Fischer's *My Way*," *Philosophical Books* 47 (2006): 198–212, and "Defending Hard Determinism Again," in *Essays on Free Will and Moral Responsibility*, ed. Nick Trakakis and Daniel Cohen (Newcastle-upon-Tyne: Cambridge Scholars Press, 2008), 1–33; and David Palmer, "New Distinctions, Some Troubles: A Reply to Haji and McKenna," *Journal of Philosophy* 102 (2005): 474–82. I have also benefited from unpublished work on these topics by David Palmer and David Goldman.

for McCain, even though he exhibited the relevant sign—the furrowed left brow—at t_1 . Under the assumption of causal indeterminism (of the right sort), it seems that there is no way for Black to expunge all (relevant) alternative possibilities; thus we do not yet have a counterexample to PAP. That is, we do not yet have a case in which an individual is morally responsible for something, although he or she has no alternative possibilities. Arguably, it is the very existence of the possibility of beginning to choose to vote for McCain that renders Jones morally responsible for his actual choice and action.

Now assume that causal determinism obtains in the example. On this horn of the dilemma, the Frankfurt skeptic will insist that we cannot now baldly state that Jones is morally responsible for his choice to vote for Obama and his act of voting for Obama. After all, it is precisely the issue under debate whether causal determinism would rule out such moral responsibility; it would be question-begging to assume that causal determinism is true in the example (quite independently of the presence of Black's device) and also to hold that it is uncontroversial that Jones is morally responsible for his choice and action. Thus, again, we do not yet have a case in which we are entitled to say that an individual is morally responsible for something and yet has no alternative possibilities.

Stewart Goetz has presented an additional objection to the views of some of the proponents of Frankfurt-style compatibilism, on the deterministic horn.⁹ Goetz assumes that causal determinism eliminates genuine metaphysical access to alternative possibilities. Now suppose that there is a deterministic relationship between the state of the universe at t_1 and Jones's choice at t_2 to vote for Obama. It follows—without any invocation of Black and his device—that Jones is unable (at t_2 or just prior to t_2) to choose to vote for a Republican (and to vote for a Republican). Goetz's point is that what really renders it true (on the deterministic horn) that Jones is unable to choose otherwise at t_2 is the prior state of the universe at t_1 combined with the laws of nature; the elderly and admittedly somewhat benighted neurosurgeon Black and his fancy device are quite beside the point. Goetz puts the point as follows:

[The Frankfurt-style example] creates the appearance that it is Black's device, which is in the alternative sequence of events, that makes it the case that Jones is not free to choose otherwise. This appearance is *illusory* because without the obtaining of causal determinism in the actual sequence of events, the device cannot prevent Jones from making an

9. Goetz, "Frankfurt-Style Counterexamples and Begging the Question."

alternative choice, and with causal determinism in the actual sequence of events it is not the device that prevents Jones from making an alternative choice. In short, if Jones is not free to choose otherwise, it is because of the occurrence of causal determinism in the actual sequence of events and not because of Black's device in the alternative sequence.¹⁰

Put in terms of Goetz's point, the Dilemma Defense is as follows. Either causal determinism is true (in the appropriate place) in the Frankfurt cases, or it is not. If causal determinism obtains, then Black and his device "drop out"—they play no role in rendering it true that Jones is unable to do otherwise. And, given this, the putative irrelevance of Black and his device to Jones's moral responsibility is neither here nor there; it would *not* show that the fact that Jones is unable to do otherwise is irrelevant to Jones's moral responsibility.¹¹ And if causal determinism is false, then Black and his device are impotent—they cannot prevent Jones from at least beginning to choose to vote for McCain. Goetz suggests that it is as if Frankfurt has brought us into a "house of mirrors"; we are distracted by the intriguing philosophical machinery, and we are tricked into thinking that (on either horn) Black plays the crucial role of eliminating alternative possibilities. When the deception is revealed, it can be seen that Black and his device do *not* play this role at all.

III. Reply to the Dilemma Defense: The Indeterministic Horn

In this essay I wish to focus on the deterministic horn, but I will say a few words about the indeterministic horn. Previously I have argued that it is not enough for the critic of the Frankfurt cases to point to some residual alternative possibility; rather, the alternative possibility must be sufficiently *robust* to ground plausibly attributions of moral responsibility.¹² Robert Kane, who is a libertarian, agrees with me about this point; he has emphasized what he takes to be the "plurality" conditions on moral

10. *Ibid.*, 85.

11. Although I have sympathy with Zagzebski's point, the following passage seems to be grist for Goetz's mill: "My real reaction to F[rankfurt] cases does not depend upon their being literal counterexamples to PAP. The beauty of these thought experiments is that they force us to confront what it is in a situation in virtue of which we judge the agent responsible. What we see in a[n] F[rankfurt] situation, I believe, is that we *don't care* what Black's mechanism is capable of doing because it doesn't actually do anything at all. And since the lack of alternate possibilities is tied to what the mechanism is capable of doing rather than to what it actually does, we see that we don't care whether or not the agent has alternate possibilities." Linda Zagzebski, "Does Libertarian Freedom Require Alternate Possibilities?" *Philosophical Perspectives* 14 (2000): 242–43.

12. Fischer, "Responsibility and Control."

responsibility.¹³ After all, it is a well-known challenge for libertarians that the *mere possibility of something different's occurring* is not sufficient for the presence of the *kind of alternative possibility* involved in moral responsibility. The insufficiency of nonrobust alternative possibilities in the context of the Frankfurt examples is then a special case of the larger problem of “luck” and its relationship to control.

Various philosophers have sought to present explicitly indeterministic versions of the Frankfurt cases in which the agent has no *robust* alternative possibilities. Of particular interest to me is a class of “Buffer Zone” Frankfurt cases presented by such philosophers as David Hunt and Derk Pereboom.¹⁴ In these cases, it is imagined that there is some *necessary condition* for the agent (say Jones) to choose to do otherwise—a necessary condition the satisfaction of which does not in itself seem enough to ground moral responsibility. Perhaps it is necessary for Jones to choose otherwise that he have a certain thought by a certain time—the thought (say) that Republicans are better at protecting national security and the fat paycheck to which Jones (although not a neurosurgeon) has become accustomed. We suppose that having this (no doubt pathetically misguided) thought (by a certain time) is both necessary for Jones to choose otherwise and not in itself causally sufficient (even together with the natural laws) for such a choice; further, it just seems that merely having the thought (perhaps not even voluntarily) is not sufficiently robust to ground an attribution of moral responsibility. Black’s device can be set up so that it is triggered by the mere having of the relevant sort of thought, and it can thus prevent Jones’s access to a *robust* alternative possibility.¹⁵

13. Kane, *The Significance of Free Will*, esp. 109–11; Kane defends what he calls the “plurality” condition on control that is relevant to moral responsibility. This is the same basic point as the point I have insisted upon—that *if* one adopts a model of moral responsibility that requires alternative possibilities, the alternative possibilities in question must be robust. (Kane affirms the antecedent as well as the conditional.)

14. Pereboom, *Living without Free Will*, esp. 18–28; and David Hunt, “Moral Responsibility and Unavoidable Action,” *Philosophical Studies* 97 (2000): 195–227, and “Moral Responsibility and Buffered Alternatives,” *Midwest Studies in Philosophy* 29 (2005): 126–45.

15. The distinctive feature of a Buffer Case is not merely the presence of a necessary condition for doing otherwise. Rather, this type of case features a necessary condition for doing otherwise *the absence of which at any specific time will not be a sufficient condition for the agent performing the action he or she does*. In Pereboom’s “Tax Evasion,” the necessary condition for not deciding to evade taxes, that is, the specified level of attentiveness to the moral reasons, is the right sort of necessary condition since its absence at any specific time is not a sufficient condition for Joe’s deciding to evade taxes. Rather, its absence at

In the Buffer Zone versions of the Frankfurt cases, it is as though a “no-man’s land” is established between the border of Country A and Country B. To get from Country A to Country B, it is necessary that one enter the no-man’s land, but if one does, one can still avoid or be prevented from entering Country B. The no-man’s land is a kind of buffer zone. Such examples, although contentious, have some promise of providing explicitly indeterministic versions of the Frankfurt cases in which an agent lacks the *relevant kind of alternative possibility* and yet is morally responsible.

I certainly recognize that I have only sketched the indeterministic cases, and I have only scratched the surface of an adequate analysis. But for my purposes here, I simply want to motivate the idea that the jury is still out with respect to the indeterministic horn of the Dilemma Defense. I wish to emphasize that it is not enough to point out that if indeterminism obtains, there will always be *some sort of residual alternative possibility*; the alternative possibility must be of the right sort—it must be sufficiently robust to ground attributions of moral responsibility. Arguably, explicitly indeterministic versions of the Frankfurt cases can be developed in which it is highly plausible that the agent is morally responsible and yet lacks access to robust alternative possibilities. Intuitively, the lack of access to robust alternative possibilities in these cases is *irrelevant* to the agent’s status as morally responsible.

IV. Reply to the Dilemma Defense: The Deterministic Horn

Return to what I have articulated as the kernel insight of the Frankfurt cases: if causal determinism rules out moral responsibility, it is not in virtue of eliminating alternative possibilities. In previous work I suggested a “two-step” reply to the Frankfurt skeptics, on the deterministic horn.¹⁶ That is, supposing that we explicitly assume that causal determinism obtains in the cases, it is important first to note that I do *not* propose that we precipitously conclude, from mere reflection on the cases, that (say) Jones is morally responsible for his choice and action. Rather, the initial conclusion is that if he is not morally responsible, it is not because he lacks appropriate alternative possibilities. *This initial conclusion does not beg the question against the incompatibilist.* Further, a Frankfurt-style

any specific time is compatible with both Joe’s deciding to evade taxes and with his not deciding to evade taxes. Pereboom, *Living without Free Will*, 18–28.

16. John Martin Fischer, “Recent Work on Moral Responsibility,” *Ethics* 110 (1999): 93–139; and “Frankfurt-Style Compatibilism.”

compatibilist will go on to consider various *other* reasons why causal determinism might be alleged to rule out moral responsibility. If such a theorist concludes that, since there are no *other* reasons that constitute good and sufficient reasons to believe that causal determinism rules out moral responsibility, causal determinism is indeed compatible with moral responsibility, this too would *not* beg the question against the incompatibilist.

But various philosophers have challenged my initial conclusion that if Jones is not morally responsible, this is not because he has no (sufficiently robust) alternative possibility.¹⁷ My basis for this conclusion was that Black's role in the example both rendered it true that Jones could not choose (and do) otherwise and also seemed to me to be *irrelevant* to Jones's moral responsibility. These philosophers have pointed out that Black and his device *in themselves* do *not* render it true that Jones could not have chosen or done otherwise. Rather, it is only with the additional assumption of causal determinism that one can eliminate alternative possibilities. But now Goetz's point above becomes pressing: if causal determinism *already* rules out access to alternative possibilities, Black "drops out," and his role becomes nugatory. Thus, the intuition that might be elicited by the Frankfurt cases to the effect that Black is *irrelevant* to Jones's moral responsibility is seen to be quite beside the point. Since Black alone, by himself, is *not* a factor that renders it true that Jones cannot choose and do otherwise, we do not yet have an argument that Jones's inability to choose and do otherwise is irrelevant to his moral responsibility.

To bring out the force of the objection to my previous attempt to defend Frankfurt-style compatibilism, given the deterministic horn, note that I contended that in the Frankfurt cases there are *two* analytically separable factors that render it true that the relevant agent (Jones) lacks genuine metaphysical access to alternative possibilities: Black (and his device), on the one hand, and causal determination, on the other.¹⁸ Then I presented the following sort of argument:

1. Assume that causal determinism obtains and that the Frankfurt case of Jones and Black unfolds as above.

17. For a sampling, see the proponents of the Dilemma Defense referred to in n. 8 above.

18. Fischer, "Free Will and Moral Responsibility," in *Oxford Handbook of Ethical Theory*, ed. David Copp (New York: Oxford University Press, 2006), 321–54; reprinted in Fischer, *My Way*, 182–216.

2. Black's presence (and device) and dispositions in themselves and apart from the assumption of causal determinism rule out Jones's access to alternative possibilities. (Causal determinism in itself and apart from Black also in itself rules out alternative possibilities, but this will not be pertinent here.)
3. Black's presence (and device) and dispositions in themselves are irrelevant to moral responsibility.
Thus, from 2 and 3:
4. Lack of alternative possibilities is in itself irrelevant to moral responsibility.
Thus:
5. If causal determinism rules out moral responsibility, it is not in virtue of eliminating access to alternative possibilities.

The objection is that Black's presence (and device) and dispositions in themselves and apart from the assumption of causal determinism do *not* eliminate alternative possibilities. As above, it is *only* with the assumption of a causally deterministic relationship between the state of the universe at t1 and Jones's choice at t2 that the possibility of Jones at least *beginning* to choose to vote for McCain is eliminated. Thus, premise 2 is false, and the argument is unsound.

IV.1. The Agnostic Assumption

I accept the criticism, but I wish to present a refined articulation of the basic insight I have been seeking to capture. I still think that one can defend Frankfurt-style compatibilism, on the deterministic horn, and that the defense will be similar to the defense I articulated above; but it will be subtly different in a way that both better captures the basic insight and also avoids the criticisms I have sketched. A key point is that we begin by assuming causal determinism, but we *take no stand* about whether causal determinism eliminates genuine metaphysical access to alternative possibilities. That is, we remain officially *agnostic* about the relationship between causal determinism and freedom to choose and do otherwise. This agnosticism is congenial to me, as it is officially built into my doctrine of Semicompatibilism. Semicompatibilism, after all, is simply the claim that causal determinism is compatible with moral responsibility, quite apart from whether causal determinism eliminates access to alternative possibilities. Thus, agnosticism about the relationship between causal determinism and alternative possibilities is part of the official doctrine of Semicompatibilism, although I myself am inclined to accept (as an additional view) that causal determinism eliminates access to alternative

possibilities. At the very least, we should be able to seriously entertain the hypothesis of agnosticism and begin our newly formulated defense of Frankfurt-style compatibilism with it.

So we assume causal determinism obtains and that the case of Jones and Black unfolds as above, and we make *no* assumption about the relationship between causal determinism and access to alternative possibilities. Black checks and sees the “prior sign” at t1 that is associated with a subsequent vote for the Democrat—say, the furrowed *left* brow. Given that Black knows that causal determinism obtains, he can now relax, as it were; under these circumstances, Black knows that Jones in fact will subsequently choose to vote for Obama and carry out that choice. It is *also* true, given Black’s device and dispositions, that if Jones were to show the sign at t1 associated with voting for a Republican at t2 (appropriately enough, the furrowed *right* brow), Black’s device would swing into action and stimulate Jones’s brain so as to ensure that he chooses at t2 to vote for Obama and does so vote at t3. I claim that this additional fact, when added to the assumption of causal determinism and the fact that Black can thus be sure that Jones’s showing the prior sign at t1 will in fact be followed by his choosing accordingly at t2, renders it true that Jones cannot at t2 choose to vote for McCain (or subsequently vote for McCain). These two facts *together* make it the case that Jones cannot at t2 choose to vote for McCain or carry out such a choice.

Note that in the case as analyzed above I do not claim that Jones cannot at t1 involuntarily exhibit a different sign—the sign associated with his subsequently voting for a Republican. After all, we are *not* at this point in the argument assuming that causal determinism expunges alternative possibilities. But the possibility of exhibiting a different sign is a mere flicker of freedom and obviously not sufficiently robust to ground attributions of moral responsibility. We can see, then, that the deterministic example works in a similar way as the indeterministic examples: they are all cases in which the relevant agent lacks access to *robust* alternative possibilities (even if they in fact have access to mere flickers of freedom).

Note also that it is a crucial feature of the case, as I am presenting it, that it is a necessary condition of Jones’s choosing at t2 to vote for McCain (and so voting at t3) that he have (say) furrowed his right brow by t1. That is, the necessary-condition-specifying conditional, “If Jones were to choose at t2 to vote for McCain, he would have (say) furrowed his right brow by t1,” must be true in the example. Given that my interpretation of the example assumes that this sort of conditional must be true, this raises the question of whether my example is simply a “special case” of

the Buffer Zone strategy (discussed above); and, given this, one might wonder why I need to assume causal determinism at all.¹⁹

I agree that my strategy here is similar to the Buffer Zone versions of the cases and that its plausibility comes from a similar source. That is, it seems that in the example I have presented, it is a necessary condition of not voting for Obama that Jones raise his right eyebrow in advance. So, in order not to vote for Obama after raising his left eyebrow at t_1 , Jones would have to have raised his right eyebrow first, whereupon Black would intervene. On this interpretation, it seems clear that Jones is unable at t_2 not to vote for Obama, and it also might appear as if we do not need to assume causal determinism.

I do not have any objection to this construal of the case. It is not at all clear that the example *must* be construed deterministically. All I wish to show here is that a Frankfurt case that *is* clearly deterministic can be successful. There are various reasons why I believe that it is helpful to have an explicitly causally deterministic version of the Frankfurt cases (and the associated reply to the deterministic horn of the Dilemma Defense). First, various philosophers (I am not one of them) hold that moral responsibility *requires* causal determinism; they contend that we would not have the sort of control associated with moral responsibility in the absence of causal determination of our choices and actions. Additionally, it may well be the case that the relevant necessary-condition-specifying conditionals are easier to defend in the context of causal determination; in the absence of causal determination, many philosophers would resist the claim that it can be a necessary condition of an agent's performing a certain action that (for example) he or she have had a certain thought in the past. These philosophers—and presumably including Sartre—would deny that the agent cannot begin to choose to perform the relevant action at the subsequent time, despite not having shown the appropriate sign at the previous time; they would insist that an agent's freedom cannot be constrained in this way. So, for instance, these philosophers would say that if indeterminism obtains (in the relevant place), it would have to be possible for Jones not to vote for Obama after raising his left eyebrow at t_1 *without* raising his right eyebrow first. It is hard to *prove* that this contention is false. Thus, although I am in considerable sympathy with the Buffer Zone strategy, it may well be useful to have available a reply to the deterministic horn of the Dilemma Defense.²⁰

19. Here I am indebted to Derk Pereboom.

20. Note that if my overall template offered in this essay for a reply to the Dilemma Defense is satisfactory, then I will have shown that an example that features determinism

So the situation is as follows. The assumption of causal determinism cannot *in itself* be taken (in this dialectical context) to entail that Jones cannot at t_2 choose otherwise. It is only after the addition of Black and his device and dispositions that it follows that Jones cannot at t_2 choose otherwise. So Black and the associated machinery is not super-numerary or a dangling and redundant distraction; Black (unlike many people these days) is not unemployed. Of course, Black and his device and dispositions may not be enough to rule out alternative possibilities without the assumption of causal determinism; but I do not see any objection to conceding this fact and yet providing a defense of Frankfurt-style compatibilism, regimented as follows:

1. Assume that causal determinism obtains and that the Frankfurt case of Jones and Black unfolds as above.
2. At this point in the argument, causal determinism is not assumed in itself to rule out access to alternative possibilities. (Neither is it to be supposed here that Black's presence, device, and dispositions in themselves rule out such access.)
3. Causal determinism plus Black's presence, device, and dispositions rule out Jones's freedom at t_2 to choose otherwise.
4. If Jones is not morally responsible for choosing at t_2 to vote for Obama at t_3 , it is not in virtue of the *mere* fact that he was not free at t_2 to choose otherwise.
Thus:
5. If causal determinism rules out Jones's moral responsibility for his choice at t_2 , it is *not* in virtue of its eliminating alternative possibilities (if in fact it does eliminate alternative possibilities).²¹

The generalized conclusion is precisely what I have identified as the moral of the Frankfurt stories: if causal determinism rules out moral

in the actual sequence can sidestep Goetz's criticism to the effect that Black "drops out." Nothing that Pereboom or Hunt say about the Buffer Cases can explain why this is so. (I thank Derk Pereboom for this generous point.)

21. Note that certain philosophers hold that if the prior sign (say Jones's frowning his left eyebrow at t_1) *causally determines* his choice at t_2 , then he cannot be morally responsible for it. Of course, this is precisely what is at issue, and so it is not available at this point in the development of the dialectic. Further, it is important to see that the conclusion of the argument—(5)—is completely compatible with the contention in question. (5) does not state that causal determination does not rule out moral responsibility; rather, it makes a *conditional* claim. This shows that, if one were to contend that the prior sign's causally determining the subsequent choice rules out moral responsibility for that choice, this would be no objection to my argument here; at this point in the dialectic, I have no horse in that race.

responsibility, it is not in virtue of eliminating alternative possibilities. We have derived this conclusion by invoking a Frankfurt case that assumes causal determinism; but since it explicitly does *not* presuppose that causal determinism rules out alternative possibilities, there is a distinctive and substantive role for Black to play. In my previous defense of Frankfurt-style compatibilism (given the deterministic horn of the Dilemma), I had supposed that both causal determinism and Black were in themselves sufficient to rule out alternative possibilities; here I have supposed (for the sake of the argument) that neither can be assumed in itself to be sufficient, but that they work in combination to expunge alternative possibilities.

I wish to say a few more words about premise 3 and also the transition from 3 to 4. Begin with 3. Why exactly do I say that causal determinism plus Black rules out alternative possibilities, when I am not here supposing that mere causal determinism does not? Well, it is supposed to work as follows. Black knows that, given that Jones has exhibited the Democratic sign at t_1 , he need not intervene at all since Jones is going to vote for the Democrat. But, given our assumptions, Jones *can* exhibit the Republican sign at t_1 . But Black will be there monitoring the situation, and if he were to see the Republican sign at t_1 , then he would immediately zap Jones's brain and thereby prevent Jones from choosing to vote for McCain at t_2 (or voting for McCain at t_3). Without Black, there is nothing in the example that rules out Jones's power to choose and do otherwise; but with Black (together with causal determinism), we get the result that Jones cannot choose at t_2 to vote for McCain (and cannot so vote at t_3). (Without the assumption of causal determinism, as I pointed out above, even if Jones shows the Democratic sign at t_1 , Jones might still begin to choose to vote for McCain at t_2 .)²²

22. Now it might seem that my argument would work equally well if it is simply true at t_1 that Jones will choose to vote for McCain at t_2 (and Jones knows this), and thus that the assumption of causal determinism is not really necessary. (I am grateful to Neal Tognazzini for this point.) Perhaps this is so, but it is essentially contentious whether it could be true at t_1 that Jones would choose at t_2 to vote for McCain unless causal determinism were true. That is, it is unclear that "Jones will choose at t_2 to vote for McCain" can be true at t_1 without a truthmaker that obtains at t_1 ; and it is unclear that such a truthmaker could exist at t_1 unless causal determinism were true. Here there are interesting questions (beyond the scope of this essay) about the relationship between the doctrines of eternalism and presentism in philosophy of time and the Frankfurt examples.

How exactly do I get from premise 3 to 4? I want to hold the following three claims:

- A. Black's device together with causal determinism rule out Jones's ability to do otherwise, even though I am not supposing (at this stage of the argument) that either would do so on its own.
- B. Black's device (and dispositions) are irrelevant to Jones's moral responsibility.
- C. The fact that Black's device (and dispositions) in a causally deterministic context rule out Jones's freedom to choose and do otherwise is irrelevant to Jones's moral responsibility.

Claim C underwrites the transition from premise 3 to 4. But whereas it is relatively clear that I can assert A and B without begging the question against the incompatibilist, can I legitimately hold C without begging the question against the incompatibilist?²³ Although Black and his device are clearly irrelevant to Jones's moral responsibility, causal determinism cannot be taken to be irrelevant to Jones's moral responsibility. (After all, causal determinism might rule out moral responsibility *directly*, quite apart from considerations pertaining to alternative possibilities.) But given that causal determinism is not clearly irrelevant, it seems questionable to claim that something for which causal determinism is in part responsible—namely, Jones's lack of alternatives—is irrelevant to Jones's moral responsibility. That is, since causal determinism is needed in order to deracinate alternative possibilities, then it might seem that I cannot claim that lack of alternative possibilities is irrelevant to moral responsibility without implicitly claiming that causal determinism is irrelevant. And this is not dialectically kosher.

But there is nothing inappropriate in the move from 3 to 4—nothing, as far as I can see, that violates the dietary laws of philosophical arguments. (That is not to say that the conclusion will be digestible, or even palatable, to the Frankfurt skeptics—but that's a different issue entirely.) In order to see more clearly that there is nothing inappropriate in the move from 3 to 4 via Claim C, consider the following analogy. Suppose that one needs two medicines, M1 and M2, to cure Disease D. Each medicine is necessary for the cure, and together they are sufficient. Suppose, further, that the combination of M1 and M2 produces two distinct effects: an increase in Substance S in the blood and an independent increase in the body temperature. Additionally, it turns out that M1 and M2 are each necessary for the increase in body temperature (as well as the

23. I am indebted to Neal Tognazzini for this question.

cure). Imagine, further, that it is the increase in Substance S that leads to the cure of D; the increase in body temperature is causally inefficacious in curing the disease.

It seems that this structure of claims is entirely coherent. Further, it seems to me that it is analogous to the situation with respect to causal determinism, moral responsibility, and alternative possibilities in the Frankfurt case we have discussed. That is, M2 is necessary for the increase in body temperature, but the fact that M1 and M2 together cause an increase in body temperature is *irrelevant* to the cure of the disease, even though M2 (together with M1) is clearly relevant to the cure of the disease. Similarly, the fact that causal determinism together with Black rule out alternative possibilities is *irrelevant* to Jones's moral responsibility, even though causal determinism may well be relevant to Jones's moral responsibility. (For example, it may be that causal determination *also* issues in lack of "sourcehood," in a sense relevant to moral responsibility.) Thus, I can maintain Claim C, and the transition from 3 to 4 need not implicitly beg the question against the incompatibilist.

In this section I have adopted the assumption of agnosticism about the relationship between causal determinism and access to alternative possibilities, and I have essentially considered two options, one on which the assumption of causal determinism is *not* required and one on which it is. (More carefully, although I have in this section taken it as a working hypothesis that causal determinism is true in the case under discussion, I have also paused to consider whether the case could be construed indeterministically.) I have argued that on *either* option, the case is successful. Here I have not contended that we *must* adopt the deterministic option, only that we *can*. My primary aim in this section has been to show that there is no dialectical impropriety in construing the case deterministically.

IV.2. Relaxation of the Assumption of Agnosticism

Thus far I have insisted on agnosticism, but I shall now relax this assumption. Although some philosophers believe that the assumption (or even a compatibilist assumption here) is *essential* to the defense of Frankfurt-style compatibilism (on the deterministic horn), I contend that a similar defense can be mounted, even with the strong assumption that causal determinism eliminates access to alternative possibilities.²⁴ So we make

24. Here I disagree with Haji and McKenna: Ishtiyaque Haji and Michael McKenna, "Dialectical Delicacies in the Debate about Freedom and Alternative Possibilities," *Jour-*

all the same assumptions as above, but this time we also assume that causal determinism is incompatible with genuine metaphysical access to alternative possibilities. I claim that *exactly the same core argument* as employed above can be given, even in the context of the incompatibilist assumption. In fact, nothing in the argument *uses* or *exploits* the assumption that causal determinism is incompatible with alternative possibilities; thus, the argument can proceed in *exactly the same way* as above. That is, one first notes that Black can, as it were, relax when he sees that Jones has exhibited at t_1 the sign associated with Jones's voting Democratic. Also, we know that if Jones were to show the sign associated with subsequent Republican voting, Black's device would zap his brain, thus ensuring a Democratic vote. These facts make it the case that Jones cannot at t_2 choose otherwise; we have not invoked the incompatibilist assumption.

But now Goetz might press his point, saying that causal determinism "already" rules out alternative possibilities; thus there is no dialectical space for Black to play a role in eliminating alternative possibilities. But I frankly cannot see why it makes a difference to relax the assumption of agnosticism and move to an incompatibilistic assumption about the relationship between causal determinism and access to alternative possibilities. And it is not at all clear that the mere fact that a prior state of the universe (together with the laws of nature) explains why Jones cannot at t_2 choose otherwise entails that *no other fact* can play this sort of explanatory role.²⁵ Why does the explanation in terms of causal determination "crowd out" all other explanations, including the explanation in which Black plays a crucial role?

Let's say that materialism about mental states is true, and, further, that causal determinism obtains. So there presumably exists an explanation of an agent's choices and behavior entirely in terms of physical states and laws of nature. Why does it follow—without all sorts of additional considerations and perhaps fancy philosophical footwork—that we cannot also have a perfectly good explanation of the agent's choices and

nal of Philosophy 101 (2004): 299–314, and "Defending Frankfurt's Argument in Deterministic Contexts: A Reply to Palmer," *Journal of Philosophy* 103 (2006): 363–72. Although I have considerable sympathy for their views, and I have learned much from their work on these topics, my position is even bolder than theirs. Of course, if necessary, one could fall back on a more conservative approach, such as that of Haji and McKenna, according to which the Frankfurt examples would target only a certain audience—the uncommitted voters, as it were.

25. For this point, see Haji and McKenna, "Defending Frankfurt's Argument in Deterministic Contexts"; I have also benefited from reading unpublished material by Michael McKenna.

behavior in terms of his desires, beliefs, and intentions? Why is it *just obvious* that the existence of the one sort of explanation crowds out the other? Why, more specifically, is it *just obvious* that a prior state of the universe (together with the laws of nature) explaining why Jones cannot at t_2 choose otherwise leaves no room for *any other explanation* of Jones's inability—such as the presence of Black, his device, and his dispositions (in a causally deterministic context)?²⁶

It has become a kind of conventional wisdom that the Frankfurt cases that feature determinism in the actual sequence cannot be used on an “audience” of committed incompatibilists about causal determinism and genuine access to alternative possibilities. But my argument shows that this is a gratuitous concession.²⁷ The argument I employed above to defend Frankfurt-style compatibilism, given the deterministic horn, can be employed without any changes within the context of an incompatibilistic assumption. As far as I can see, the argument proceeds in exactly the same way. Further, the contention that since causal determination rules out alternative possibilities, there can be no *other* factor that eliminates alternative possibilities (or the invocation of which explains the lack of alternative possibilities) is, at best, highly controversial.

V. Widerker's Critique

It might be illuminating to apply the analysis of the previous section to David Widerker's influential version of the Dilemma Defense. Widerker lays out the following thesis:

(IRR): There may be circumstances in which a person performs some action which although they make it impossible for him to avoid performing that action, they in no way bring it about that he performs it.²⁸

26. For a classic development of the notion that the belief-desire explanation and the “deterministic” explanation are compatible, see Daniel C. Dennett, “Mechanism and Responsibility,” in *Essays on Freedom of Action*, ed. Ted Honderich (Boston: Routledge and Kegan Paul, 1973), 157–84. Dennett has argued persuasively that we can explain the behavior of the same creature (or object) either mechanistically or teleologically; the explanations are entirely compatible.

27. Thus, Haji and McKenna are incorrect in their restriction of the appropriate target audience. In more recent work, Haji has presented a Frankfurt case that features causal determinism in the actual sequence: Ishtiyaque Haji, *Incompatibilism's Allure* (Peterborough, Ontario: Broadview Press, 2009), 63–76.

28. Widerker, “Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities,” 248.

He then contends that Frankfurt's case against PAP "depends crucially on his ability to convince us of the plausibility of IRR."²⁹ Widerker goes on to argue that Frankfurt and his followers have been unable to provide a scenario in virtue of which IRR would be true. Widerker presents his own (rather ghoulish) version of a Frankfurt case, in which

- (1) If Jones is blushing at t₁, then, provided no one intervenes, Jones will decide at t₂ to kill Smith

plays an important part. For Widerker, (1) specifies the prior sign of Jones's actual decision. Now Widerker says:

My strategy, then, of resisting Frankfurt's argument for IRR is to put before Frankfurt the following dilemma: Either the truth of (1) is grounded in some fact that is causally sufficient (in the circumstances) for Jones's decision at t₂ to kill Smith, or it is not. If it is, then the situation described by Frankfurt is not an IRR situation, since the factor that makes it impossible for Jones to avoid his decision to kill Smith *does* bring about that decision. On the other hand, if the truth of (1) is not thus grounded, it is hard to see how Jones's decision is unavoidable.³⁰

In an interesting footnote to this passage, Widerker says, "Frankfurt seems to concede that to ensure that Jones's decision to kill Smith is unavoidable, the decision has to be caused by an earlier state of Jones's. This is puzzling given that he undertakes to establish a thesis such as IRR."³¹

But I would reply that Frankfurt need not seek to establish IRR, and, more important, he would not accept Widerker's contention that IRR is crucial to his (Frankfurt's) case against PAP. This is because IRR would rule out any causally deterministic version of the Frankfurt cases (given that "bring about" is understood deterministically, which is Widerker's intended interpretation here). Given the analysis I offered in the previous section, it should be clear that it is not appropriate to rule out *ex ante* a causally deterministic version of the Frankfurt cases.

How might Widerker defend his claim that IRR is required for the case against PAP? Of course, it is not decisive what Frankfurt himself has

29. *Ibid.*, 248–49; for a similar thesis, see David Widerker and Michael McKenna, "Introduction," in Widerker and McKenna, *Moral Responsibility and Alternative Possibilities*, 1–16; and David Widerker, "A Defense of Frankfurt-Friendly Libertarianism," *Philosophical Explorations* 12 (2009): 87–108.

30. Widerker, "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities," 251.

31. *Ibid.*, 251, n. 8.

suggested or even said; the question is about the logic of the situation. And given the analysis of the previous section, Widerker cannot simply say that any causally deterministic version of the cases would be question-begging. As I argued above, there may be cases in which some package of factors deterministically brings about a choice, but where it is intuitively plausible that its ruling out the freedom to make a different choice is *irrelevant* to the agent's moral responsibility. This is all that is required to get the case against PAP going. It is *not* necessary here to assume or presuppose that the factor's bringing about the choice deterministically is irrelevant to the agent's moral responsibility, and thus such a scenario need not beg the question against an incompatibilist.

Thus Widerker is not entitled to his contention that defending IRR is crucial to the case against PAP, and it becomes less puzzling as to why Frankfurt suggested that in order to ensure that (say) Jones's decision to kill Smith is unavoidable, it would have had to be (deterministically) caused by an earlier state of Jones's. In any case, to force proponents of the Frankfurt cases as providing counterexamples to PAP to defend IRR is to put them in a Procrustean Bed.

VI. Conclusion: The Death of the Dilemma Defense

The literature surrounding the Frankfurt cases is voluminous and somewhat daunting. But despite the complicated nature of much of the discussion, the cases strike a chord. They continue to compel and fascinate in part because they exhibit a distinctive structure that helps us to see a set of simple, powerful points. When we consider examples with this signature structure (involving preemptive overdetermination), an initial reaction is that there are cases in which the agent's lack of access to a certain sort of alternative possibility appears to be irrelevant to his or her status as morally responsible for the relevant behavior. If this is correct, then PAP appears to be false. Building on this initial reaction, we can rather naturally and straightforwardly be brought to the view that if causal determinism (or, for that matter, God's omniscience) rules out moral responsibility, it is *not* in virtue of eliminating alternative possibilities. This insight can be an important part of a defense of compatibilism about causal determinism (or, say, God's omniscience) and moral responsibility.

Upon reflection, many philosophers have resisted accepting even the initial reaction to the cases. One of the most powerful bases for their skepticism is the Dilemma Defense. Indeed, a large cohort of philoso-

phers appears to think that the Dilemma Defense, in some form or other, is a decisive argument against Frankfurt-style compatibilism (or, more precisely, the first step in such compatibilism—the rejection of PAP). I have here sought to defend Frankfurt-style compatibilism against the Dilemma Defense.

A key part of my strategy is to emphasize that even a true believer in PAP should accept that the alternative possibilities in question must be *robust*. That is, it is *not* enough to protect PAP to identify *any old alternative possibility*. The possibilities must have the features in virtue of which their existence can plausibly ground attributions of moral responsibility; they must be *robust*. This key insight drives the most promising indeterministic versions of the Frankfurt cases, and it also drives my strategy for developing deterministic versions of the cases. I have argued here that we can give deterministic versions of the Frankfurt cases that do *not* beg the question against incompatibilists and that give a distinctive and substantive role to Black (the “counterfactual intervener”).

Thinking about the Frankfurt examples may sometimes issue in a kind of philosophical vertigo (as can consideration of the complicated examples inspired by Gettier), but this is not a necessary implication of the cases. Rather than stepping into a house of mirrors, employing Frankfurt cases is more like using a magnifying glass that can assist us in prizing apart features that are conflated by the unaided philosophical eye. A careful evaluation of the cases can help us to see even more clearly the simple lesson that moral responsibility is a matter of *how I walk down the path of life*, rather than selection from among a suite of available options. In taking the path that extends into the future, I may exhibit the kind of control that is the basis of moral responsibility, even if I lack genuine access to other paths. And in displaying this signature sort of control, I can do it *my way*, even in a causally deterministic world.

Given the history of debates about the Frankfurt cases, it would be naive in the extreme to suppose that this will be the “last word” on the examples, or that everyone will agree with my “coroner’s report” on the status of the Dilemma Defense. Nevertheless, and especially in light of the widespread acceptance of the strategy of the Dilemma Defense, I believe that it is important to lay out the template for a reply to this strategy. I thus unfurl my banner and proclaim, “Mission Accomplished!”