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PROBLEMS WITH ACTUAL-SEQUENCE INCOMPATIBILISM
(COMMENTS ON ROBERT KANE'S PRESENTATION)

I would also like to say how honored I am to be up here. I have learned a lot over the years from both Ish's [Haji] work and Bob's [Kane] work, and of course from Carl Ginet's work. Carl was my supervisor at Cornell many years ago. I did not actually write out my comments since I wanted to speak them informally. So I apologize to Bob. He really didn't have a chance to see them, although I am basing what I have to say on something that is written out.

I am a compatibilist about determinism and responsibility. One of my main motivations for being a compatibilist is that I don't want our personhood and our moral responsibility, as it were, to hang on a thread, or to be held hostage to the possible scientific discovery that determinism is in fact true. There are different plausible accounts of responsibility. One, roughly speaking, Strawsonian account, because it follows Peter Strawson's account in his landmark essay, "Freedom and Resentment," is that responsibility involves certain reactive attitudes – indignation, resentment, hatred, love, respect, gratitude – and associated activities, punishment and moral praise and blame. I think that these are central features of our lives as we live them, and I want it to be the case that we would not have to abandon those attitudes and activities if a consortium of scientists announced that, in fact, determinism is true. So that's a motivating intuition for me, this resiliency of our personhood and responsibility.

But, what I am also inclined to, by that same intuition, is the view that responsibility is compatible with *indeterminism*. Not all sorts of indeterminism of course, but certain sorts of indeterminism. That is, if a consortium of scientists from Cal Tech, Stanford and Cornell, and of course, UC Riverside, announced tomorrow in the newspapers that causal *indeterminism* is true, and if these physicists have actually decisively argued that indeterminism is true, I would not want to then have to abandon my view of myself and others as persons. So I actually want to begin by highlighting agreements that Bob Kane and I have. I believe that indeterminism is compatible with responsibility. I believe that it is more productive, more fruitful, to look for accounts that are not agent-causation accounts. So Bob [Kane] and I agree on that. Also, we are in agreement



that causal determinism rules out freedom to do otherwise and freedom to choose otherwise. So in all these important respects we are in agreement.

It is the convention in philosophy on occasions like this one to sort of focus on the areas of disagreement. But I actually hate that practice. I think that it is philosophically helpful but also emotionally disturbing. So I have started by highlighting the ways in which we agree. I also want to say how much I admire his book. I recommend it in part because it is so beautifully written, in part because he shows a mastery of the literature, which I think is unparalleled. It is especially useful for students getting into this literature – extremely helpful. I also like the way he attempts to make indeterminist accounts continuous with what we know, with the best science, the best physics. It is very innovative as well. So in all of these ways I really like the book.

I would just like to focus on one area of disagreement for the rest of the time. This is the way I seek to understand it: Causal determinism has disturbed many philosophers. That is, it is a threat to our personhood and our responsibility. You can distinguish two ways in which it threatens our moral responsibility. One is because it seems to rule out alternative possibilities. If causal determinism were true, there is a potent argument that we don't have the freedom to will or choose otherwise. This is an argument that has been expressed through the centuries in some form or other, although it has been put very nicely in recent times by Carl Ginet and Peter van Inwagen and others. So one worry is that determinism rules out alternative possibilities. Some have thought that responsibility requires alternative possibilities and that is why determinism rules out moral responsibility.

But here is another way in which it might be thought that determinism rules out moral responsibility: It might rule it out directly and not in virtue of ruling out alternative possibilities. So it is important to distinguish those two kinds of incompatibilist worries. One worry concerns alternative possibilities. Another worry says, forget about whether or not determinism rules out alternative possibilities: it rules out responsibility directly. If what might be called the actual sequence of events that issues in a choice or action is causally deterministic, then there is, by definition of determinism, a causal chain that began prior to one's birth. At each point it is a deterministic chain. Each link is an instantiation of some universal causal law. And that chain issues in one's choice and action. And that, in itself, some people believe, rules out responsibility, quite apart from considerations pertaining to alternative possibilities.

I believe that moral responsibility does not require alternative possibilities. There are various roots to that conclusion. One route is followed by Jay Wallace in his book, *Responsibility and the Moral Sentiments*. In

it he looks carefully at our practices of exculpation and of finding other people morally accountable. What he wants to say is that it is not the case that included in our common ordinary practices of finding people responsible or exculpating them, is a principle that says that we need alternative possibilities for moral responsibility. We have other principles that we use that explain at a deep level why we find certain individuals accountable and others not. So, what he wants to say is, if you look at our ordinary practices, you find that responsibility does not require alternative possibilities. I have a different route to the same conclusion; I focus more on certain thought experiments or possible contexts which have a distinctive structure. Originally, I think the examples can be found in John Locke's, *An Essay Concerning Human Understanding*. Locke talks about a man who is in a room and, unbeknownst to him, the door to the room is locked. He is asleep. He wakes up and deliberates about whether or not to leave the room. For his own reasons he chooses to stay in the room. Locke says he voluntarily stays in the room, but he couldn't have done otherwise. Locke actually wouldn't say that the man *freely* stays in the room, because in order to freely stay in the room, according to Locke, he must have been able to do otherwise. Locke does say that the man voluntarily stays in the room.

Harry Frankfurt, in a 1969 article and in subsequent work, presented this sort of example in a little more detail. The idea is that there might be cases in which someone freely makes a choice and freely acts and yet there are conditions in the world which make it the case that he or she couldn't have chosen otherwise. There is some fail-safe device or some feature of the world which plays no role in what happens in the actual deliberations and the actual behavior of the agent. But, nevertheless, the device would be triggered in certain alternative scenarios, scenarios in which the agent is inclined to choose or to do differently. And, because of these fail-safe devices, the agent couldn't have chosen otherwise, and couldn't have done otherwise. Yet, it seems, intuitively, that the agent is morally responsible. Intuitively, the man in Locke's room is morally accountable for staying in the room even though he could not have left the room because the fact that he could not have left the room plays no role in his choice and decision.

So I don't think that determinism rules out responsibility in virtue of ruling out alternative possibilities because we don't need alternative possibilities for moral responsibility. But, then someone will say, and Robert Kane *does* say, that casual determinism in the actual sequence rules out responsibility, quite apart from ruling out alternatives, and this is where the disagreement is. I ask, why? Why do you say that casual determination in the actual sequence rules out responsibility? I can understand why you think determinism rules out responsibility by ruling out alternative possi-

bilities, because it's natural to think that we need alternatives in order to be responsible. But if you give that up, why exactly do you claim that casual determinism in the actual sequence rules out responsibility?

There is an interesting debate, an interesting dialectic here. I think it is one of the real advances that Harry Frankfurt helped us make to shift the debate about responsibility from questions pertaining to alternative possibilities to questions about the nature or the properties of the actual sequence. Well, someone might say, the reason that responsibility is undermined by determinism is that, if determinism is true, there is this chain that starts before one's birth that issues in one's choice and action. Upon reflection, we have a deep and justified preference not to be an intermediate link in a chain like this. Upon reflection, quite apart from alternative possibilities, we value not being intermediate links in a chain that is causally deterministic and starts prior to our birth: that's why determinism rules out responsibility.

What I would say is that it is a difficult dialectical situation, because, if we are thinking about the question of whether determinism rules out responsibility, it looks like this answer begs the question, or comes very close to begging the question. It says that, upon reflection, we place a deep value in not being an intermediate link in a casual chain that extends back before our birth. It seems to me that that is either identical to or equivalent with the claim simply that we have a deep preference for its not being the case that casual determinism is true, or that we have a deep preference for and we value its being the case that our own choices are not the result of a causally deterministic sequence. But that is cheating in this dialectic. In other words, the question is, "Does casual determinism rule out responsibility?" A committed compatibilist says, "Of course not. The actual sequence can be casually deterministic and there can still be responsibility." And the committed incompatibilist will say, "Of course, if determinism is true in the actual sequence, then you don't have responsibility." Those are the committed positions already. But if we are discussing this issue and we are being dialectically *fair*, we cannot, I think, say, "Well, the reason determinism in the actual sequence rules out responsibility is because we all have a deep preference for it's being the case that determinism is false." That just seems to be dialectically unfair. In my view, one of the interesting things about the Frankfurt examples is that they push us into a dialectical situation in which it is not at all easy to argue that casual determination in the actual sequence rules out responsibility *directly*.

How might one try to do this? One of the nice things about Bob Kane's book is that he offers various arguments which are designed to show that causal determinism in the actual sequence rules out responsibility. He does not just simply beg the question. And he does not just say that, upon

reflection we all just have a deep preference for its being the case that our choices are not the result of a causal sequence. Bob says a couple things. First he says that there are certain cases that we would all agree involve the lack of responsibility. They involve what he calls “CNC,” or “Convert Non-constraining Control.” They are covert because someone secretly is controlling your brain in certain ways. Bob talks about Walden Two. Here is just a brief quote:

We are well aware of ways to get others to do our bidding in everyday life. We may force them to do what we want by coercing them or constraining them against their wills, which is constraining or CC control. Or we may manipulate them into doing what we want while making them feel as if they have made up their own minds and are acting “of their own free wills” – which is convert non-constraining or CNC control. [This is actually rather like bringing up children!] Cases of CNC control in larger settings are provided by examples of behavioral engineering such as we find in utopian works like Aldous Huxley’s *Brave New World* or B.F. Skinner’s *Walden Two*. Frazier, the fictional founder of Walden Two, gives a clear description of CNC control when he says that in his community persons can do whatever they want or choose, but they have been conditioned since childhood to want and choose only what they can have or do.

In fact Bob goes on to quote Frazier, the founder of Walden Two, as describing Walden Two as the freest place on earth (somehow this reminds me of the sign at Disneyland that says, “The happiest place on earth”).

Of course we would all agree upon reflection that Walden Two is not the freest place on earth. When there is Convert Non-constraining Control, there is no responsibility. And, yet Kane is saying, there would be no principled way to distinguish those kinds of cases from what might be called “mere casual determination.” Casual determination in principle cannot be distinguished from Convert Non-constraining Control. So that would be a reason why causal determination in the actual sequence would rule out moral responsibility quite apart from ruling out alternative possibilities.

My reply to this is that not all causal chains are created equal. There are different kinds of causal chains, and even in a deterministic world we could usefully distinguish between covert control and mere casual determination. The theory that I sketch in *The Metaphysics of Free Will* and try to develop a little more in *Responsibility and Control* is an attempt to make precisely this kind of distinction. What I want to say is that you can focus on the properties of even a deterministic sequence and you can distinguish between cases where we would all say that there is no responsibility and other cases. So any compatibilist worth his salt would say that we can distinguish between the Walden Two type cases and cases of mere casual determination. But my view is different from traditional compatibilism. The traditional compatibilist said that not all causal chains are created equal and, therefore, in certain cases, even if determinism were true, we could have done otherwise. That is the bad old kind of compatibilism. I

don't think that we could have done otherwise if determinism were true. I want to say that, *just focusing on the actual sequence*, we can usefully make these distinctions.

One final point: Professor Kane emphasizes in his book a notion that he calls 'objective worth.' Objective worth is a kind of value notion that is over and above how we look at ourselves and whether we are satisfied with our lives. It has to do more with how our lives go, as opposed to how we look at our lives. He distinguishes between two versions of Allen the artist. In one case Allen creates a certain work and he is deceived into thinking that the critics love it. He is deceived into thinking that everyone really loves his work when in fact they are attacking it scurrilously behind his back. They have nothing but disdain for it. In the other case Allen does the same work of art but actually people do respect it. What Professor Kane points out is that in both of these worlds Allen is equally happy, equally contented, has the same attitudes towards himself. But what he wants to say is that there is some notion of objective value that Allen in the first scenario does not have.

I agree that value is not just an internal thing. I think that various thought experiments similar to Professor Kane's decisively show that. But I do not believe that compatibilism is saddled with the view that there is no objective worth, that we have to define value internally. I say this for two reasons. First of all, I am a compatibilist but I care deeply about the *history* of actions. So I would look carefully at the history behind certain choices. So in a parallel way we could look at the history of Allen's attitudes to learn whether he was deceived or manipulated. So I am a historical theorist with respect to responsibility even though I am a compatibilist. I could also be a historical theorist about value. But secondly, the notion of responsibility is a different notion than the notion of value. And they are different in such a way, I think, that even if you were a time-slice responsibility theorist like Harry Frankfurt, that would *not* entail that you would have to be a time-slice theorist about value.

What I would say in a nutshell is that it is difficult to see how you could argue that determinism in the actual sequence rules out responsibility apart from ruling out alternative possibilities. Some ways of making the argument seem to beg the question. They are just contending that it is obvious that if the actual sequence is deterministic, then you are not responsible. That might be true, but it does not advance the argument. If you consider various ways of advancing the argument, I would suggest that they are not persuasive.¹

¹ Some of the material presented here is developed at greater length in my paper, "Frankfurt-style Compatibilism," in L. Overton and S. Buss (eds.), *Contours of Agency: Essays in Honor of Harry Frankfurt* (Cambridge: MIT Press).