

In Defense of Frankfurt

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§0. INTRODUCTION

One widespread strategy among compatibilists with respect to moral responsibility and determinism employs so-called Frankfurt-Style Cases (FSCs), marshalling them as counterexamples to the so-called principle(s) of alternate possibilities. FSCs have also been employed as counterexamples to a family of modal transfer principles. Since many arguments for incompatibilism with respect to moral responsibility and determinism rely on these very principles, FSCs constitute an important maneuver in the compatibilist's overall strategy.¹ While there are many objections to these compatibilist employments of FSCs, one, if successful, is particularly devastating. Call it the Kane/Widerker Objection (KWO)—after its most prominent proponents.

In this paper, I proceed as follows. In §1, I briefly indicate the importance of FSCs in contemporary debates about free will and moral responsibility. In §2, I exposit the Kane/Widerker Objection, which takes the form of a dilemma for proponents of FSCs. In §3, I examine one response to the KWO by John Martin Fischer (to take the first horn of the dilemma)—and I find it lacking. In §4, I examine more closely the metaphysics of determinism and success conditions for FSCs. Out of this discussion, I continue in §5 to give a case that meets these success conditions. My cumulative argument constitutes a defense of FSCs against the Kane/Widerker objection. A FSC can be constructed that avoids the force of that criticism.

§1. FRANKFURT-STYLE CASES & WHY THEY MATTER

In this section, I briefly indicate the relevance and importance of FSCs in contemporary debates about free will and moral responsibility. I examine the use of FSCs as counterexamples

¹ I will refer to “(in)compatibilism with respect to moral responsibility and determinism,” merely as “(in)compatibilism” in the sequel, noting that this is distinct from (in)compatibilism with respect to *free will* and determinism.

to the so-called Principle of Alternate Possibilities, and then as counterexamples to modal transfer principles in the logic of moral responsibility.

But first a word about FSCs in general; they are cases with the following form. A paradigmatic instance of moral responsibility is described. A mechanism is then added to the case that deprives the subject of alternatives,² while putatively leaving intact everything that made the case a paradigmatic instance of moral responsibility. Finally, the reader is encouraged to notice that the subject is still morally responsible, despite the lack of alternatives.

As Hunt playfully points out,

...the viability of such a counterexample depends crucially on the nature of the mechanism, which must be both passive (allowing the agent to proceed unmolested down the path he is actually taking) and aggressive (vigilantly guarding against any significant deviation from this path). To bring off this delicate balancing act, the typical Frankfurt counterexample posits for its mechanism a “counterfactual intervener”: a device capable of interfering with an agent’s mental processes to ensure his acting in a certain way and primed to exercise this capacity if certain triggering conditions obtain, but which in the absence of those conditions simply “idles.”³

I now turn to the application of cases with this structure to two arguments for incompatibilism.

Ted Warfield sketches an argument for incompatibilism, indicating that it has had some influence.⁴ It may be put as follows:

The Standard Argument

- P1. Determinism implies that, whatever one does, it is not the case that one could have done otherwise.
- P2. One is morally responsible for what one does only if one could have done otherwise.
- C1. Determinism is incompatible with moral responsibility.⁵

² The lack of alternatives may be construed as the subject being unable to choose otherwise than she does, unable to falsify a proposition, unable to prevent an event-type from occurring, and so forth. These details are not relevant to my project so I shall not discuss them further.

³ Hunt (2005): 127.

⁴ O’Connor also describes the standard argument, noting that it is a “typical” motivation for incompatibilism with respect to determinism and moral responsibility. O’Connor (1993a): 345. Similar lines of reasoning can be found in Chisholm (1966): 12-14, van Inwagen (1983): 161-162, and Ginet (1995): 85-86.

⁵ Warfield (1996): 219.

One might reason toward P1 with something like Peter van Inwagen's consequence argument.⁶

P2, an iteration of the Principle of Alternate Possibilities (PAP), also has some degree of initial plausibility. But it is subject to counterexample via FSCs:

Jethro's Paper (Part 1)

Jethro has never been all that successful as a graduate student in philosophy. He will soon lose his stipend, his place in the department life, and his already-small office space—that is, unless he captures an 'A' in at least one of his courses. Jethro's recently deceased brother, Joel, has left behind a stack of philosophy papers. Coincidentally, one of these papers is a perfect match for Jethro's Kripke seminar, brilliantly argued, and bursting with original insight and rigor. Jethro carefully deliberates, freely decides to submit, and in fact submits Joel's paper as his own.

Pause for a moment. Absent any further information, we are inclined to ascribe moral responsibility to Jethro for submitting Joel's paper as his own. It is also presumably a wrong thing to do (among other reasons, it violates the plagiarism policy Jethro has signed). But let us now transform this into a Frankfurt-style case.

Jethro's Paper (Part 2)

Unbeknownst to Jethro, a freakish storm has converged over his head and struck with (phantom) lightning. Consequently, some matter in Jethro's head has fundamentally re-arranged to form a nanobot. The nanobot monitors Jethro's deliberation. Should Jethro begin to form a decision other than the decision to use Joel's paper (the nanobot would know this is happening by looking for a certain neurological pattern), the nanobot would cause Jethro to form the decision to submit Joel's paper. As it happens, Jethro chooses to use Joel's paper. So in the actual sequence of deliberation, the nanobot made no difference; Jethro has chosen what to do, and all on his own.

Pause again. We now have a standard Frankfurt-style case. It involves an intervener who makes no difference in the actual sequence (thus a 'counterfactual intervener'), a hapless subject, and the exclusion of alternate possibilities for the subject. And the intuitive result is supposed to still be the same: that Jethro is morally responsible for submitting Joel's paper as his own. That he could not have done otherwise (due to the nanobot) is immaterial.

⁶ van Inwagen (1983): 93-104. For plausible accounts of the consequence argument that (successfully, it seems to me), answer a variety of criticisms see Huemer (2000) and van Inwagen (2002).

To see the force of the case, suppose that Jethro indeterministically formed his decision to use Joel's paper (in just the way that incompatibilists favor), and subtract the nanobot from the case. Jethro is plainly morally responsible for his decision. But adding the nanobot (which makes *no difference* in the actual sequence) to the case doesn't seem to in any way alter this ascription of moral responsibility.⁷ So even if one couldn't have done otherwise, one might still be responsible for what one has done.

Note that should the nanobot have interfered (as it does in the counterfactual sequence), Jethro would presumably *not* be morally responsible for using Joel's paper. It's not hard to see why. The decision to do so would not be *his*—it would only be the result of manipulation, a factor that *prima facie* undermines moral responsibility.

Jethro's Paper is a counterexample to PAP. It presents us with a subject, Jethro, who could not have done otherwise, but who intuitively is still morally responsible for what he has done, precisely that state of affairs that PAP assured us would not be. There seem to be grounds, then, to reject as false a premise of the Standard Argument.

There is another influential argument for incompatibilism. Following van Inwagen, I cast this as an argument by conditional proof: assume determinism, the thesis that given the past and the laws of nature, there is only one possible future. From this assumption and two modal principles, derive the conclusion that no one is responsible for anything.⁸

The argument employs a modal operator, 'N.' Np is true just in case ' p and no one is even partly morally responsible for the fact that p .' The conclusion of the argument is that for

⁷ I owe this way of putting it to Fischer (1982): 33.

⁸ This is a presentation of van Inwagen's argument for the incompatibility of moral responsibility and determinism, which in turn is modeled after his original consequence argument for the incompatibility of free will and determinism. See Van Inwagen (1980).

any true proposition p , given determinism, Np . van Inwagen proposes two principles in the logic of N:

$$\begin{aligned} \text{A: } & \Box p \vdash Np \\ \text{B: } & Np \ \& \ N(p \supset q) \vdash Nq \end{aligned}$$

Letting P_0 express the complete state of the world at a time before there were any humans, and L , the laws of nature, we may generate the following argument:

The Direct Argument⁹

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|----|-----------------------------------|---|
| 1. | $\Box((P_0 \ \& \ L) \supset p)$ | (Assumed, consequence of determinism) |
| 2. | $\Box(P_0 \supset (L \supset p))$ | (1, elementary propositional and modal logic) |
| 3. | $N(P_0 \supset (L \supset p))$ | (2, A) |
| 4. | NP_0 | (Assumed, no responsibility for the distant past) |
| 5. | $N(L \supset p)$ | (3, 4, B) |
| 6. | NL | (Assumed, no responsibility for the laws of nature) |
| 7. | Np | (5, 6, B) |

Premise 1 follows trivially from our definition of determinism. Premises 4 and 6, too, seem *prima facie* true. It is plausible to think that no one is not even partly responsible for the state of the world in the distant past (long before we were born), or for the laws of nature. Thus, if determinism is true, no one is morally responsible for anything.

But FSCs will prove useful in dismantling this argument, too, by undermining the validity of Rule B. Recall Jethro's Paper, and let 'the nanobot is in Jethro's head' be p . Let q be 'Jethro submits Joel's paper as his own.' The conditional ' $p \supset q$ ' is true, and since no one seems responsible for this fact, $N(p \supset q)$ is true too.

Jethro's Paper is a counterexample to Rule B; no one is even partly morally responsible for the fact that p , nor anyone even partly responsible for the fact that p implies q . And yet someone (Jethro) is still at least partly morally responsible for q . Since Rule B is invalid, so, too,

⁹ So called because it *directly* argues for incompatibilism without making use of PAP as an explicit premise.

is the Direct Argument.¹⁰

In this section, I have shown how useful FSCs can be in resisting two sets of influential arguments for incompatibilism. The incompatibilist who wishes to make use of these arguments has her task set out for her, then—to find some way of resisting FSCs. To this task I now turn.

§2. THE KANE/WIDERKER OBJECTION

In this section, I exposit in broad strokes a powerful objection to the employment of FSCs against arguments for incompatibilism—the Kane/Widerker Objection (KWO)—named after its most prominent proponents, Robert Kane and David Widerker.¹¹

Let us first see in broad strokes how the KWO runs in defense of PAP and The Standard Argument, and apply the KWO to Jethro’s Paper. The KWO takes the form of a dilemma. Either determinism obtains in the FSC, or it does not. Consider Jethro’s Paper and this response that the incompatibilist might make, upon discovering the determinism obtains in the case:

Well, you’re either begging the question, or Jethro *isn’t* morally responsible. To merely stipulate that Jethro is morally responsible for the result of a deterministic sequence is just to assume compatibilism about moral responsibility and determinism (the very thing under question). But I’m inclined to say that Jethro isn’t morally responsible after all, so Jethro’s Paper isn’t even a counterexample to PAP—since it isn’t an instance of genuine moral responsibility.

But on the assumption of an indeterminism, other problems arise. Without determinism, alternatives cannot be systematically eradicated; and as long as there are alternatives available to the subject, a FSC is no counter-example to PAP.¹² The Standard Argument thus remains sound.

¹⁰ As I later argue, the Kane/Widerker Objection has no application to this employment of Frankfurt-style cases. Nonetheless, I cite the usage to give a sense of just how *useful* and widespread FSCs are in defending compatibilism.

¹¹ Kane offers the first instance of the objection that I know of in Kane (1985): 51. Widerker (1995) systematically develops the objection further. See also Kane (1996): 142-4. See also Haji (1998): 34-5 and Ginet (1996), Wyma (1997), and Fischer (1999): 111-2.

¹² The classic treatment of the nature of the alternatives available to subjects of FSCs and the role they play is Fischer (1994): ch. 7. See also Della Rocca (1998), Mele (1998), Allen (2004), Fischer (2000), Fischer (2004b), Haji and McKenna (2004), Goetz (2005), Pettit (2005), and Widerker (2005b).

More carefully, we can put the problem in the form of another dilemma. Recall that the nanobot interferes on the basis of a neurological pattern—a prior sign. As Derk Pereboom explains:

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 she does, and which 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 [incompatibilist] 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 [incompatibilist] can claim that the agent could have done otherwise despite the occurrence of the prior sign. Either way, some alternative possibilities condition on moral responsibility emerges unscathed.¹³

Notice that the KWO has no force against the employment of FSCs as counterexamples to modal transfer principles (like Rule B). In this dialectical context, taking the first (determinism) horn of the dilemma can plausibly be seen as begging the question. But the second horn (indeterminism) has no such damning consequences. Since the employment of FSCs as counterexamples to modal transfer principles does not rely on the systematic elimination of alternative possibilities, the defender of Frankfurt's strategy can help herself to indeterminism without fear. Of course, the KWO *might* be retooled to come to the aid of modal transfer principles, but no one in the literature has done this. Instead of developing such a KWO and discussing it, I shall henceforth attend only to FSCs as counterexamples to PAP, while still asking my reader to not forget the various other applications of FSCs.¹⁴

The KWO is a significant and widely recognized contribution to the growing literature on FSCs. Fischer calls the objection a “powerful challenge,”¹⁵ and Mele and Robb agree, commenting that the objection is “seemingly devastating.”¹⁶ And these judgments are sound, for the KWO is a *principled* objection. It doesn't target features of any particular FSC (as early

¹³ Pereboom (2000): 130.

¹⁴ I note also that FSCs prove useful in debates far removed from free will and moral responsibility. See, for example, Fischer (1997).

¹⁵ Fischer (1999): 112.

¹⁶ Mele and Robb (1998).

responses and rejoinders in *Analysis* seemed to do), but instead gives reason to think that *no* FSC could be a criticism of PAP.

§3. DETERMINISM AND BEGGING THE QUESTION

I now give a more detailed inspection of each horn of the KWO dilemma; in this section, I focus on the first (deterministic) horn. My strategy is to find a representative instance of a compatibilist embracing the first horn (determinism)—and find that it still begs the question.¹⁷ Out of this discussion, a crucial ambiguity will emerge that I shall address in the next section.

John Martin Fischer notes in response to the KWO that we cannot “simply and precipitously conclude, from consideration of the examples, that the agent is morally responsible,”¹⁸ but maintains that FSCs “help to establish that it is very plausible that moral responsibility does not require alternative possibilities,”¹⁹ even when determinism is made an explicit component of the FSC in question.

Fischer’s approach to the KWO consists of two points. He first concedes that compatibilists employing deterministic FSCs should shy away from insisting that the subject is morally responsible. They should instead claim, “I don’t know at this point whether the agent is morally responsible for his behavior, but if he is not, then it is not because he lacks alternative possibilities.”²⁰ Second, Fischer claims that, “everything that has any causal (or any other kind of) influence on [the subject] would be exactly the same, if we ‘subtracted’ [the intervention mechanism] entirely from the scene. And [the subject’s] moral responsibility would seem to be supervenient on what has an influence or impact on him in some way.”²¹

¹⁷ For this section, I owe much to conversation with Daniel Fogal.

¹⁸ Fischer (1999): 113

¹⁹ Fischer (1999): 112.

²⁰ Fischer (2004): 197.

²¹ Fischer (1999): 113

What is to be made of Fischer's argument? Despite my regard for him as a philosopher, I respond, "not much." Consider the first line of response. Fischer thinks that careful reflection on (deterministic) FSCs will elicit the response that alternate possibilities are not a condition of moral responsibility. It's unsurprising that this is Fischer's intuitive reaction to such cases. But it is hardly fair to expect an incompatibilist proponent of PAP to have the same. With PAP in mind, the incompatibilist is free to retort that the subject is *not* morally responsible, precisely because alternate possibilities are not available to him. In short, Fischer's point seems to beg the question no less than before. It relies on judgments that are not dialectically neutral, and in doing so, remains unpersuasive.

Fischer's second line of response requires a more detailed treatment. It's not at all clear what Fischer means, precisely, by his terse comments, but on the most obvious reading, it stands no better chance of being dialectically above-board than the first. PAP states that alternate possibilities are a necessary condition of moral responsibility. Fischer claims that only things that have influence or impact on an agent are relevant to ascriptions of moral responsibility. This is consistent with many compatibilist ("actual sequence") accounts of moral responsibility like Fischer's own. But it also just is a flat-out denial of PAP, since it doesn't seem that the availability of alternate possibilities to an agent is a matter of causal (or otherwise) influence on an agent's actual choice.

Furthermore, it's not clear that the irrelevance of the intervention mechanism to the subject's moral responsibility vindicates FSCs. For the incompatibilist may quite plausibly respond that the mechanism is irrelevant precisely because determinism obtains in the actual sequence. Of course removing the mechanism makes no difference—for the conjunction of the past and the laws entail that the subject does as he actually does. Realizing this, we may say that

the intervening mechanism is irrelevant, but we cannot conclude from this that alternate possibilities are also irrelevant, since *determinism* is what (contrary to appearances) guarantees the elimination of alternate possibilities in FSCs.²²

§4. THE METAPHYSICS OF DETERMINISM & SUCCESS CONDITIONS FOR FSCs

If we have learned anything from this discussion, it is that assuming determinism in a FSC is dialectically tricky. But what sort of determinism is at stake? This is a crucial ambiguity, and one I attempt to resolve in this section. Toward this end, I first give an account of the metaphysics of determinism, and then discuss the success conditions of a FSC. Out of this discussion will emerge a more refined response to the first horn of the KWO.

While I explicate the structure of various determinisms, I do not discuss the explanations that might lie behind them. These could be logical (eg, if one finds fatalist arguments persuasive), theological (eg, given an essentially omnipotent god who foreordains ‘whatsoever comes to pass’), causal (eg, a view of causation according to which causes necessitate their effects), or otherwise. But these *explanations* of determinism are irrelevant to my project. What is more relevant is the modal and metaphysical structure of determinism (not the facts on which this structure supervenes).

I shall make use of the notion of the state of a world at a time. I mean by this roughly, a complete statement of facts about a world at a time. From this concept, I exclude all temporally relational facts. So a statement of the actual world at some time *t* (in the distant past) would

²² My discussion of the No-Influence Condition below is relevant; determinism turns out to *play a role* in the actual sequence, and this renders the FSC unsuccessful.

include all facts about the distribution of fundamental properties at t , but exclude facts like, 'George W. Bush will be the president of the United States of America in 2006.'²³

Call *strong global determinism* the thesis that the conjunction of a statement of the world at a time and the laws of nature necessitates all truths. The actual world is strongly globally deterministic just in case there is no possible world sharing any statement of the world at a time with the actual world and the actual laws of nature but not sharing *all* states of the world. What's important to note about strong global determinism is that it "runs forwards and backwards." A statement of the world at the present time (conjoined with the laws of nature) entails all truths about both the past and the future; that is, it entails all states of the world at all times.

Call *weak global determinism* the thesis that the conjunction of a statement of the world at a time t and the laws of nature necessitates all truths at any time $t+n$. The actual world is weakly globally deterministic just in case there is no possible world sharing a statement of the world at t with the actual world and the actual laws of nature but not sharing *all* states of the world at any time $t+n$. Weak global determinism (unlike its stronger counterpart) runs forwards only. At a weakly globally deterministic world at t , nearby worlds sharing the same state of the world at t and the laws of nature might have divergent pasts. But no such world has a divergent future. As Hume taught (and Lewis reminded) us, causes need not necessitate their effects. Nonetheless, causation is typically thought of as a one-way street from the past to the future. Where all causes do necessitate their effects, weak global determinism obtains; this is why weak global determinism has also gone by the name of *causal determinism*.

Call *strong local determinism* the thesis that the conjunction of a statement of the world at a time and the laws of nature necessitates some truth p , where p is some fact about the world at

²³ There are, of course, puzzles and problems associated with defining concepts like the state of a world at a time. I ignore these for now, assuming that a coherent account can be given, and that if it cannot, the concepts still have sufficient intuitive content to be of use in clarifying other issues in the metaphysics of FSCs.

any time.²⁴

Finally, call *weak local determinism* the thesis that the conjunction of a statement of the world at a time t necessitates some truth p , where p is some fact about the world at $t+n$. Note that weak local determinism is possible in a wildly indeterministic world, one at which, at a time t , no truths but p about $t+n$ are necessitated.

We can think of the first horn of the KWO as teaching us one of the success conditions of FSCs. By success conditions, I mean, those features an FSC must have if consideration of the case is to provide rational grounds for the rejection of PAP—by someone who is not already committed to compatibilism. But the lack of determinism is not the only success condition, so let us lay them all out explicitly before treading onward.²⁵

1. The Responsibility Condition: The subject of the case must be morally responsible for something

Since PAP is a principle governing moral responsibility, a counterexample to PAP must involve a subject who is morally responsible for something.

2. The No-Alternatives Condition: The subject must be deprived of alternatives

Similarly, a morally responsible subject must have no alternatives available to her. If alternatives are available, PAP does not kick in; it is a principle only telling us when a subject is *not* morally responsible, viz., when she has no alternatives.

3. The No-Influence Condition: The mechanism depriving the subject of alternatives must play no relevant role in the actual sequence.

²⁴ I shall make no further reference to strong local determinism in this paper, but I list it for completeness' sake.

²⁵ This section shall focus on FSCs as counterexamples to PAP. The success conditions for FSCs employed toward other ends will obviously differ. I take all of these to be fairly uncontroversial and will thus not defend them in too much detail.

This condition, too, seems obvious (and perhaps entailed by the Responsibility Condition). It is easy to concoct cases where subjects have no alternatives available to them (eg, a chained prisoner). But the alternatives-stripping mechanism in such cases causally contributes to the subject's choice, thus depriving the subject of moral responsibility required for a counterexample to PAP in the first place. Indeed, Frankfurt himself takes on the burden of the No-Influence Condition as a fundamental part of his project.²⁶ That is why the interventions he devises are counterfactual, playing no role in the actual sequence.

4. The No-Determinism Condition: Determinism must not obtain in the actual sequence
This is the lesson of the first horn of the KWO. For assuming the compossibility of determinism and moral responsibility just is an assumption of compatibilism. With our previous discussion of the metaphysics of determinism in mind, we may now ask of the No-Determinism Condition *which* iteration of determinism it bars the compatibilist from including in a FSC. And the answer to this question will hang on the dialectical context. For given one iteration of determinism we might affirm the possibility of moral responsibility, and another, deny it. Let us consider each possibility and its appropriateness as an assumption in an argument against PAP.

An assumption of compatibilism with respect to weak global determinism and moral responsibility is clearly misguided. For I take it that the truth of this compatibility thesis is precisely what is at stake when examining The Standard Argument for soundness. This is the sin of Fischer, and we shall not repeat it. And *a fortiori*, it is not dialectically appropriate to assume compatibilism with respect to strong global determinism and moral responsibility. So a success condition of FSCs is that neither strong nor weak global determinism be included in the case.

And what of our two varieties of local determinism? Here, the answers are not nearly as

²⁶ Frankfurt (1969): 33.

clear-cut. But they can be found. I shall now attempt to motivate the idea that compatibilism with respect to weak local determinism is entirely dialectically appropriate. Consider this case:

The Divine Bomb

Jones, a denizen of world *W*, pushes a button at *t*₁. It was not determined (in any sense) at *t*₀ that Jones push the button. But it was determined that at *t*₂, an explosion take place, given that Jones has pushed the button at *t*₁. To fill in the story: an essentially omnipotent god built the failsafe detonation device in question, and endowed it with this property: once its button is pushed at *t*₁, an explosion is necessitated. In all the worlds with the same laws as *W* where the button is pushed at *t*₁, an explosion results at *t*₂.

Since the state of the world at *t*₀ and the laws of nature (at *W*) did not necessitate Jones' pushing of the button at *t*₁, it is neither weakly nor strongly globally deterministic. But the Divine Bomb is an instance of weak local determinism. Given the laws of nature at *W* and Jones' pushing of the button at *t*₁, some fact about the world at a future time *t*₂ is necessitated.

Let us now add to the Divine Bomb case. Jones has libertarian freedom at *t*₀ (and feel free to here insert whatever conditions are fashionable among libertarians when making such ascriptions). Jones' choice to push the button at *t*₁ was not necessitated by the state of the world at *t*₀ and the laws of nature at *W*; that is, there are nearby worlds with the same laws as *W* and with the same state of the world as *W* at *t*₀ at which Jones does *not* push the button. Let us further stipulate that Jones deliberates carefully at *t*₀, taking into account an ethical framework and letting reasons guide his actions. No other agent is not manipulating Jones; he is free, in that sense. And pushing the button was a morally significant event. Without further detail, I think it reasonable for the incompatibilist to agree that Jones is morally responsible for pushing the button at *t*₁. Indeed, it would be unreasonable to deny this.

On the basis of the Divine Bomb case, I conclude that compatibilism with respect to weak local determinism and moral responsibility is a reasonable position to assume in debates about PAP and the Standard Argument. Indeed, compatibilism with respect to weak local

determinism about some truth p and some agent's being responsible for p is a dialectically above-board assumption. And finally, the presence of weak local determinism *alone* is not a sufficient condition for (even an incompatibilist) to refrain from ascriptions of moral responsibility.

If the No-Determinism Condition is interpreted as barring the inclusion of weak local determinism in a FSC, it is clearly false. But this is not the most reasonable reading of the No-Determinism Condition. So I take it that a FSC may meet all the success conditions set above and still include weak local determinism.

§5. A SUCCESSFUL FRANKFURT-STYLE CASE

I have laid out the success conditions for a FSC. If I can devise a case that meets these conditions, I will have done much toward the dismantling of the KWO.²⁷ To this task I now turn—taking care to explicate the relevant metaphysical details at play. I shall present a case and then catalogue its advantages over other cases in the literature. I note that while a species of determinism does obtain in the case I give, it is not the species under question in the first horn of the KWO dilemma or the No-Determinism Condition. I thus take hold of the second horn of the KWO dilemma (and with joy).

Gustav's Gas

Gustav, like Jones, is a denizen of world W —a world at which neither strong nor weak global determinism obtain. But he lives at t_3 , in the apocalyptic aftermath of Jones' earlier (and disastrous) detonation of the Divine Bomb. Refined petroleum products are a rare commodity these days, and when Gustav spies a tanker truck full of the stuff, he considers siphoning off some for his motorcycle. But the tanker truck is not his—it belongs to Smith. And Smith has plans for his gasoline tanker: he will use it to power a generator, and with the generator bring warmth and light to his entire community (or what remains of it).

²⁷ Of course, there are many other objections to FSCs in the literature, and I do not address all of them in this paper. For a sampling of these objections, see O'Connor (1993), Lamb (1995), Warfield (1996), Ginet (1995), Vihvelin (2000), van Inwagen (2002), and Haji and McKenna (2004).

Gustav is psychologically structured such that it is impossible for him to decide to steal the fuel without first thinking about which siphon hose he will use to purloin it. That is, in all the nearby worlds sharing a state of the world with W at t3 and W's laws of nature, Gustav steals the fuel at t5 only after considering at t4 which siphon hose he will use to do the deed.

At t3, Gustav deliberates carefully, and at t5 forms the decision to not steal the gasoline. Gustav does not, in fact, steal the gasoline, and in doing so, saves Smith's community from just a little unhappiness.

All the while, the god who built the Divine Bomb is not dead. He has observed with displeasure the turn of events and further displeasure the prospect of Gustav's stealing gasoline from Smith. God regrets his construction of the Divine Bomb and wishes to make amends to the people of W. Gustav is the agent whereby god will affect these amends. But Gustav must be kept both alive and morally pure. God has therefore ordained that Gustav remain in the world of being for some time. In all the nearby worlds sharing a state of the world with W at t3 and W's laws of nature, Gustav exists at t5. And in all of those worlds Gustav does not steal Smith's fuel, for god carefully monitors Gustav's deliberation at t3 to preserve Gustav's moral purity. In all and only these worlds where Gustav considers at t4 which siphon hose he will use, god intervenes and causes Gustav to choose to not steal the gas.

Gustav's Gas is what has become known in the literature as a Buffered Alternatives

FSC.²⁸ The subject's performance of an act (the one the intervener doesn't want to be performed) is buffered with necessary (but not sufficient) conditions—and these necessary conditions trigger the intervention. And it meets the success conditions for FSCs that I have outlined. It is an instance of genuine moral responsibility. No alternatives are available to Gustav; in all the nearby worlds sharing W's laws of nature and state of the world at t3, Gustav decides to not steal the gas. The elimination of alternatives is *metaphysically complete*. If this does not secure the elimination of alternatives in a way relevant to debates about PAP, I don't know what would. Finally, the intervention mechanism in question (divine foreordination) has no relevant influence in the actual sequence, and global determinism (of any sort) does not obtain.

²⁸ See Hunt (2000), Hunt (2005), and Pereboom (2000).

Note that one iteration of determinism does obtain in Gustav's Gas: weak local determinism. That is, the state of W and W 's laws of nature at t_3 strictly entail that Gustav not decide to steal Smith's gas. I have already argued, however, that this sort of determinism is innocuous. At the very least, its presence *alone* does not justify rejecting the case as one that begs the question by assuming the compatibilism it hoped to argue towards.

But let me now catalogue the advantages Gustav's Gas has over other cases in the literature. We may divide these cases into several categories: Fischer-style Cases, Pre-emptive Overdetermination Cases, Divine Foreknowledge Cases, and Buffered Alternative Cases. I address these each in turn.

First, Gustav's Gas is more dialectically appropriate than the strategy favored by Fischer. Gustav's Gas does not require the assumption of global determinism of any sort. A plausible incompatibilist excuse for resisting the case is thus eliminated.

Second, Gustav's Gas is more intuitively clear than cases involving Pre-emptive Overdetermination. Mele and Robb construct an elaborate Frankfurt-style case involving such an intervention mechanism. It posits an indeterministic decision-forming process x and a deterministic process P . The processes have the following features: P deterministically ensures that only one outcome O will obtain, but will only *cause* O to obtain if the subject does not decide on O via x . P does not affect x (which actually results in O). In all nearby worlds where x results in O , x preempts P . In all nearby worlds where x results in something other than O , P preempts x . Mele's and Robb argue at length for the coherence of their case.²⁹ But many have disagreed with their judgment—and I don't blame them. At least, it's not *obvious* to me on reflection that a case with this structure is even possible. And even when the case seems possible,

²⁹ See Mele & Robb (1998) and Mele & Robb (2003).

the judgement of moral responsibility we must make is unclear. Gustav's Gas requires no such dubious assumptions about the metaphysics of causation. This much is an advantage.

Third, consider cases involving divine foreknowledge. David Hunt has argued that (essential) divine foreknowledge can be used as a mechanism to strip agents of alternate possibility. But Hunt's case depends on an assumption many will not share: that essential divine foreknowledge precludes genuine alternate possibilities. For the record, I agree with this assumption; but many do not. A massive body of literature now surrounds Nelson Pike's argument for this conclusion (an argument Hunt takes to be sound), but there is as of yet no consensus on the matter.

Finally, consider buffered alternative cases still in the literature, especially those offered by Hunt and Pereboom. Gustav's Gas has two distinct advantages of such cases. First, I have made explicit all the metaphysical details surrounding the case. I have no doubt that Hunt and Pereboom could not have done the same—but they haven't always. This much is a virtue. Second, I have given a defense of the propriety of using a form of determinism in a FSC. Of course, if pushed, I suspect that both Pereboom and Hunt would make the same move. I have simply gone to lengths to *defend* it. My novel contribution to the vast literature surrounding FSCs, then, is quite small. But it has made some progress toward a compatibilist understanding of moral responsibility. And that much is progress enough.

REFERENCES

- Allen, Robert. 2004. "Robust Alternatives and Responsibility," *The Journal of Moral Philosophy* 1.
- Chisholm, Roderick. 1966. "Freedom and Action." in *Freedom and Determinism*, Keith Lehrer (ed.): 11-44. New York: Random House.
- Della Rocca, Michael. 1998. "Frankfurt, Fischer, and Flickers," *Noûs* 32: 99–105.
- Fischer, John Martin. "Responsibility and Control," *Journal of Philosophy* 79: 24-40.
- _____. "Introduction: Responsibility and Freedom." in *Moral Responsibility* John Martin Fischer (ed.). Ithaca and London: Cornell University Press.
- _____. 1994. *The Metaphysics of Free Will*. Oxford: Blackwell.
- _____. 1997. "Death, Badness, and the Impossibility of Experience," *Journal of Ethics* 1: 341-53.
- _____. 1999. "Recent Work on Moral Responsibility," *Ethics* 110.
- _____. 2000. "Problems with Actual-Sequence incompatibilism." *The Journal of Ethics* 4:323–28.
- _____. 2002. "Frankfurt-Type Examples and Semi-Compatibilism." in *The Oxford Handbook of Free Will*, ed. Robert Kane, 281–308. Oxford: Oxford University Press.
- _____. 2004a. "Frankfurt-Style Compatibilism," in *Free Will 2* (ed.) Gary Watson. New York: Oxford.
- _____. 2004b. "The Transfer of Nonresponsibility." in *Freedom and Determinism*, Michael O'Rourke & David Shier (eds.). Cambridge, MA: MIT Press.
- Fischer, John Martin & Mark Ravizza. 1998. *Responsibility and Control: An Essay on Moral Responsibility*. Cambridge: Cambridge University Press.
- Frankfurt, Harry. 1969. "Alternative Possibilities and Moral Responsibility." *Journal of Philosophy* 66: 829–39.
- Ginet, Carl. 1995. "Freedom, Responsibility, and Agency." *The Journal of Ethics* 1: 85-98.
- _____. 1996. "In Defense of the Principle of Alternative Possibilities: Why I Don't Find Frankfurt's Arguments Convincing," *Philosophical Perspectives* 10: 403-417.

- Goetz, Stewart. 2005. "Frankfurt-Style Counterexamples and Begging the Question," *Midwest Studies in Philosophy* 29: 83-105.
- Haji, Ishtayaque. 1998. *Moral Appraisability*. New York: Oxford University Press.
- Haji, Ishtayaque & Michael McKenna. 2004. "Dialectical Delicacies in the Debate about Freedom and Alternative Possibilities," *Journal of Philosophy* 101: 299–314.
- Huemer, Michael. 2000. "van Inwagen's Consequence Argument." *Philosophical Review* 109: 525-544.
- Hunt, David. 2000. "Moral Responsibility and Unavoidable Action." *Philosophical Studies* 97: 195–227.
- _____. 2003. "Freedom, Foreknowledge, and Frankfurt," in Widerker and McKenna: 159-83.
- _____. 2005. "Moral Responsibility and Buffered Alternatives." *Midwest Studies in Philosophy* 29: 126-145.
- Kane, Robert. 1985. *Free Will and Values*. Albany: SUNY Press.
- _____. 1996. *The Significance of Free Will*. New York: Oxford University Press.
- Lamb, James W. 1993. "Evaluative Compatibilism and the Principle of Alternate Possibilities." *Journal of Philosophy* 90: 497–516.
- McKenna, Michael. 1997. "Alternate Possibilities and the Failure of the Counterexample Strategy," *Journal of Social Philosophy* 28.
- Mele, Alfred. 1998. "Flickers of Freedom," *Journal of Social Philosophy* 29: 144-156.
- Mele, Alfred & David Robb. 1998. "Rescuing Frankfurt-Style Cases." *Philosophical Review* 107: 97–112.
- _____, "Bbs, Magnets and Seesaws: The Metaphysics of Frankfurt-Style Cases," in Widerker and McKenna: 127–38.
- O'Connor, Timothy. 1993. "Alternative Possibilities and Moral Responsibility." *Southern Journal of Philosophy*, 31: 345-372.
- Pereboom, Derk. 2000. "Alternative Possibilities and Causal Histories," *Philosophical Perspectives* 14: 119-37.
- Pettit, Gordon. 2005. "Moral Responsibility and the Ability to Do Otherwise," *Journal of Philosophical Research* 30: 303-319.

- Ravizza, Mark. 1994. "Semi-Compatibilism and the Transfer of Nonresponsibility." *Philosophical Studies* 75: 61-93.
- Speak, Daniel. 2005. "PAPistry: Another Defense," *Midwest Studies in Philosophy* 29: 262-268.
- Van Inwagen, Peter. 1980. "The Incompatibilist of Responsibility and Determinism." M. Bratton and M. Brand (eds.) *Bowling Green Studies in Applied Philosophy*, Vol. 2. Bowling Green, Ohio: Bowling Green State University Press, 1980: 30-37. Also reprinted in Fischer (1986).
- _____. 1983. *An Essay on Free Will*. Oxford: Clarendon Press.
- _____. 2002. "Free Will Remains a Mystery." in *The Oxford Handbook of Free Will*, Robert Kane (ed.): 281–308. Oxford: Oxford University Press.
- Vihvelin, Kadri, 2000. "Freedom, Foreknowledge, and the Principle of Alternate Possibilities," *Canadian Journal of Philosophy* 30: 1-24.
- Warfield, Ted. 1996. "Determinism and Moral Responsibility are Incompatible." *Philosophical Topics*, Vol. 24, No. 2: 215-226.
- Widerker, David. 1995a. "Libertarian Freedom and the Avoidability of Decisions." *Faith and Philosophy* 12: 113–18.
- _____. 1995b. "Libertarianism and Frankfurt's Attack on the Principle of Alternative Possibilities." *Philosophical Review* 104: 247–61.
- _____. 2000a. "Frankfurt's Attack on the Principle of Alternative Possibilities: A Further Look." *Philosophical Perspectives* 14:181–201.
- _____. 2000b. "Theological Fatalism and Frankfurt Counterexamples to the Principle of Alternative Possibilities," *Faith and Philosophy* 17: 249-54.
- _____. 2005. "Blameworthiness, Non-robust Alternatives, and the Principle of Alternative Expectations" *Midwest Studies in Philosophy* 29: 292-306.
- Widerker, David & Michael McKenna. (eds.) 2003. *Moral Responsibility and Alternative Possibilities*. Aldershot: Ashgate Press.
- Wyma, Keith. 1997. "Moral Responsibility and Leeway for Action," *American Philosophical Quarterly* 34: 57-70.