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to say that the logic of Q-sentences is orthomodular is simply to say that a selection of the predictions of quantum mechanics (those which assign extremal values (1 and 0) of probability to measurement outcomes) are related in just the way that the theory tells us. But we have no reason to interpret the sentences quantum logic deals with other than as Q-sentences.

Gibbins might agree with this. In fact he hints as much at the foot of p. 160, but he never makes the argument fully explicit. Instead we are left with an odd ambivalence about quantum logic, in which the dismissal of it as "philosophical fancy footwork" on the book's final page is at odds with the cheerful rehearsal of the steps in Chapter 9.

To sum up, this short book contains much astute commentary, but I fear that many of its intended readers will find it frustrating. The impression it gives, of having been over-hastily put together, is one for which the author and Cambridge University Press are alike responsible; a good editor could have made it into a very handy introduction to the subject.

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FREEDOM FROM NECESSITY: THE METAPHYSICAL BASIS OF RESPONSIBILITY. By BERNARD BEROFSKY. New York, N.Y., Routledge and Kegan Paul, 1987. Pp. viii, 234.

A certain sort of incompatibilist argues that causal determinism is incompatible with moral responsibility. On Berofsky's account, a person is morally responsible for a state of affairs insofar as the person's bringing about the state of affairs is relevant to a moral assessment of the person. The incompatibilist then claims that if a state of affairs is causally determined, it is irrelevant to the moral assessment of the individual who brings it about.

Now it is reasonable to ask why causal determinism is alleged to rule out moral responsibility. Because of "Frankfurt-type" cases in which an agent is morally responsible for doing something which he could not have avoided doing, it is not in virtue of implying that all actions are unavoidable that causal determinism rules out moral responsibility. After considering other possible answers, including compulsion, Berofsky concludes that the most perspicuous way of understanding the incompatibilist is to interpret him as claiming that causal determinism rules out moral responsibility in virtue of implying that everything is *necessitated*. On this view, the

reason that nomic subsumption of a state of affairs implies lack of moral responsibility is that it implies necessitation.

One way of arguing for incompatibilism is to employ a modal principle such as the "Principle of Transfer of Powerlessness": $N(P)$ and $N(\text{If } P \text{ then } Q)$ together imply $N(Q)$, where "N" expresses "power necessity" or "unalterability." Berofsky rejects such an approach. Rather, Berofsky develops a system of "contingent necessity" which allows the incompatibilist to argue (as a first approximation) from " P " and the "factual necessity" (entailment by the natural laws) of "If P then Q " to the "contingent necessity" of Q . Whereas it is often thought that such an argument commits a modal fallacy, Berofsky seeks to develop a system which validates this inference. In developing this sort of system, Berofsky claims to be capturing a common and reasonable kind of inference. For instance, if a man is thrown out of a window, and if it is factually necessary that if he is thrown out of the window, he falls, then he *must* (in some sense) fall. Here, we would ordinarily conclude (after he is thrown out of the window) that the man must fall, even if it was in no sense necessary that he be thrown out of the window. Thus, the system of contingent necessity is supposed to be faithful to common sense and also to give a framework in which the incompatibilist can formulate his position: that nomic subsumption implies necessitation.

Berofsky believes that the key claim in the debates about the relationship between causal determinism and freedom (and moral responsibility) is the incompatibilist's claim that natural laws necessitate. Berofsky argues against this claim. His task is to distinguish natural laws from mere accidental generalizations without employing resources which would imply that natural laws necessitate. Berofsky undertakes this task in his ninth chapter, in which he argues for a "regularity" theory of laws. If Berofsky is correct, natural laws can be analyzed without the use of modal notions. Thus, even if a state of affairs is subsumed under a law, it will not follow that the state of affairs is necessitated, in a sense of "necessitation" which involves ineliminable reference to modal notions. Thus, it is open to Berofsky either to deny the incompatibilist's inference from " P " and the factual necessity of "If P then Q " to the contingent necessity of " Q ," or to insist that the contingent necessity operator can be analyzed into non-modal notions and thus be eliminated. (Presumably, Berofsky would take the latter tack, since he has defended the form of reasoning underlying the incompatibilist's inference.)

Having argued against incompatibilism, Berofsky develops a compatibilistic theory of moral responsibility. Rather than focusing on character assessment, which Berofsky associates with Frankfurt's theory of moral responsibility, Berofsky's approach attends to such factors as effort, intention and will. For example, rather than holding an agent morally respon-

sible for an action to the extent that the agent's defective character explains the action, Berofsky wishes to ascertain whether the agent tried as hard as he could to avoid manifesting the defective character trait. More specifically, Berofsky states a version of his theory as follows: "An agent is *prima facie* morally responsible (blameworthy) for *A*, a heinous action—even under determinism—if and only if he failed to exert maximal effort to refrain from doing *A*, where he is uncertain the effort would be futile" (p. 160). Similarly, on Berofsky's approach, an agent would be morally responsible for a character trait (roughly) insofar as he has failed to exert maximal effort to change the trait.

How exactly does Berofsky's theory differ from a character-based theory such as Frankfurt's? Berofsky says:

Consider three persons, Smith, Robinson, and Green, each of whom is driven by an irresistible desire to do evil. Were the desires merely very powerful, Smith would, in virtue of a very strong desire to be good, resist evil; Robinson, possessed of only a moderately strong desire to be good, would suffer from weakness of will and succumb to his evil nature; but Green, also laboring under the same discrepancy of strength of desires, would exert an effort of will on behalf of the good and rise to duty (p. 41).

Berofsky claims that Frankfurt must say that, whereas Robinson is morally responsible for the evil deed, Green is not. According to Berofsky, this is because Frankfurt claims that an agent is absolved from moral responsibility only if he acted as he did because he could not have done otherwise (or because he believed that he could not have done otherwise) (p. 37). Since Robinson would have behaved in the same way, had his desire to do evil been resistible, Berofsky concludes that he did not act as he did because he could not have done otherwise. But since Green would have done otherwise, had his desire to do evil been resistible, Berofsky concludes that he acted as he did because he could not have done otherwise.

Berofsky thus believes that Frankfurt would implausibly distinguish between Robinson and Green. This would be a sign, according to Berofsky, that Frankfurt has confused two separate matters: "moral responsibility of an agent for an action *A* and relevant aspects of the moral character of an agent who performs action *A*" (p. 41). Although Green's character is better than Robinson's, Berofsky would claim that this is irrelevant to the moral responsibility of the agents for their actions. Presumably, if they both actually tried as hard as they could to refrain from acting on the desire to do evil, then Berofsky would say that neither is morally responsible.

I believe that Berofsky's criticism of Frankfurt here is off the mark. If both Robinson and Green were "driven by an irresistible desire to do evil" despite trying as hard as they could to avoid evil, then presumably they both actually had "second-order volitions" to avoid evil and thus Frankfurt

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would wish to say that neither is morally responsible for his action. Frankfurt could say this if his "mesh theory" (which calls for a mesh between preferences at various levels) or "identification theory" were correct. But, as Berofsky points out, the mesh theory does not give an adequate account of moral responsibility in part because it cannot distinguish between weakness of the will (for which there can be moral responsibility) and genuine compulsion.

So let us consider whether Frankfurt needs to distinguish Robinson from Green by reference to factors which "drive the agents to action." First, it should be noted that Berofsky ascribes to Frankfurt the view that behaving as one does because one cannot do otherwise (or so believes) is *necessary* for exculpation, not sufficient. Thus, this view *in itself* would not force Frankfurt to distinguish Robinson from Green. Second, Frankfurt does not make the claim that Berofsky ascribes to him, but rather the claim that behaving as one does because one cannot do otherwise (or so believes) is a sufficient condition for exculpation, not a necessary condition.¹ Of course, even this view would not *in itself* force Frankfurt to distinguish Robinson from Green.

Suppose, however, that Frankfurt adopted the biconditional: a person is morally responsible for what he does if and only if he acts as he does only because he cannot do otherwise (or so believes). Even this view would not force Frankfurt to distinguish between Robinson and Green. Frankfurt should say that, insofar as both tried as hard as they could to avoid evil, they both acted as they did because they could not have done otherwise. But does this mean that Frankfurt must give up the counterfactual test for "because"? No. Frankfurt's point would be that, given that both tried as hard as they could to refrain from evil, it was because of the irresistibility of the desire for evil that they both acted as they did. Thus, in employing the counterfactual test for "because," we must hold fixed the fact that both tried as hard as they could to avoid acting on the evil desire. But if this is done, then both Robinson and Green "pass" the counterfactual test for "because"; it is true of both that if they had tried as hard as they could to avoid evil and their desires to do evil had been less than irresistible, then they would not have done evil. Thus, Frankfurt can say what Berofsky wishes to say about Robinson and Green: that neither is morally respon-

¹Harry Frankfurt, "Alternate Possibilities and Moral Responsibility," reprinted in John Martin Fischer, ed., *Moral Responsibility* (Ithaca, N.Y.: Cornell University Press, 1986), p. 152. Here Frankfurt says, "a person is not morally responsible for what he has done if he did it only because he could not have done otherwise." Evidently, Berofsky changes the position of "only," reading the claim as: "a person is not morally responsible for what he has done only if he did it because he could not have done otherwise."

sible. I believe that Berofsky's error is to fail to hold fixed the actual level of effort in applying the counterfactual test.

There is much that is of interest in this book. Regrettably, most of it cannot be discussed in a short review. I shall simply end with some remarks about Berofsky's project. Some might believe in the following dilemma. If natural laws necessitate, then if causal determinism is true, agents are "pushed" to do what they do in a way that rules out their moral responsibility. That is, necessitation would imply a kind of "force" that would rule out "control" and moral responsibility. But if there were no necessitation, agents would not have control over what they do because their actions would not be connected to the past in a non-arbitrary way: the past would not *dictate* the present in the way required for control and moral responsibility.

Now perhaps Berofsky's approach could lead to a denial of the second horn of the dilemma. If natural laws can be distinguished from mere generalizations by a set of non-modal constraints, then it might be the case that causal determinism would not *push* us in such a way as to rule out moral responsibility, but would imply law-like connections between the past and present sufficient to ground control and moral responsibility. Berofsky is seeking to generate features of natural laws which are not so strong as to imply necessitation, but not so weak as to fall into arbitrariness. If he has succeeded in defending a non-necessitating model of natural laws, Berofsky may have carved out a middle ground between necessitation and randomness which the compatibilist has long sought. In this regard, it would be useful to consider whether the non-modal constraints which distinguish the natural laws from mere generalizations would also help us to understand how the law-like sequences which include human actions involve non-arbitrary connections between the past and these actions.²

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²In writing this review I have benefited from discussions with Phil Bricker, Sarah Buss, and Mark Ravizza.