

This is not only an intuitively sound translation of (24), but clearly justifies the inference from (24) and (25) to (26).

V

I do not wish to suggest that Pollock's analyses of subjunctive 'even if' conditionals is totally acceptable. Nor do I wish to suggest that a satisfactory analysis of indicative 'even if' conditionals exists. Nevertheless, I think that there is strong if not conclusive evidence that 'even' affects the truth conditions of both subjunctive and indicative conditionals.

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COMPATIBILISM AND THE BURDEN OF PROOF

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RICHARD Foley's 'Compatibilism and Control Over the Past' (ANALYSIS 39.2) is an attack on James W. Lamb's 'On a Proof of Incompatibilism' (*The Philosophical Review* LXXXVI, 1977, pp. 20-35) and, rather less directly, on my 'The Incompatibility of Free Will and Determinism' (*Philosophical Studies* 27, 1975, pp. 185-199). In this note I shall try to bring out the oddness of a certain argument that Foley employs.

Foley's argument concerns a premise of Lamb's that Lamb calls 'a principle of can entailment':

If a set F of true propositions logically entails that S does action A then if S at time t can refrain from A there is some member of F such that at t S can make it false.

In the course of a discussion of this principle, Foley says I present an argument in 'its' defence. Well, perhaps the argument of mine that Foley misquotes (p. 70) could be adapted to defend Lamb's principle, though my argument was for a principle of my own; what the relation is between my principle and Lamb's is a rather tricky question I shall not attempt to answer. (I do find Lamb's principle—let's call it 'PCE'—highly plausible whether or not it's mine, but I shall not defend it in this paper.)

Now for Foley's odd argument. He first presents a certain analysis of 'could have done otherwise' statements, a version of the well-known "conditional" analysis of such statements, and shows that if this analysis is right, PCE is wrong. He then argues as follows:

Of course, I do not endorse the above analysis of 'could have done otherwise'. I have used it only to show how compatibilistic analysis of 'can' and 'could' statements might be used to argue against the principle of can entailment and accordingly show why Lamb and van Inwagen, if they wish their arguments to be convincing, must demonstrate the inadequacy of such analyses. But this neither Lamb nor van Inwagen has done. (Moreover, if plausible arguments against compatibilistic analyses of 'can' and 'could' statements were available, then arguments using the principle of can entailment would seem to be unneeded. And so, it would seem that Lamb's and van Inwagen's argument *at best* is superfluous.) (pp. 71-72)

I shall first consider the parenthesis. I am not sure what Foley means by 'compatibilistic analysis of "can"'. Perhaps he means 'analyses that treat "can" statements as disguised conditionals'. In that case, he seems to be saying that if someone had a plausible argument for

- (1) All analyses that treat 'can' statements as disguised conditionals are wrong,

he would not need any further argument for

- (2) Free will and determinism are incompatible.

But at least one philosopher has accepted (1) and rejected (2) (see Keith Lehrer, 'An Empirical Disproof of Determinism?', in *Freedom and Determinism*, ed. K. Lehrer, Random House 1966). And whether or not that philosopher's reasons for accepting (1) and rejecting (2) were good, surely (2) does not follow from (1). A philosopher who wished to show that free will and determinism were incompatible could not accomplish this task by showing that some analysis, or class of analyses, of 'can' was wrong. Such an accomplishment could show no more than that a certain argument for compatibilism was unsound; it could not show that compatibilism was false. So much for the charge that Lamb's and my arguments are 'at best' superfluous. I turn now to Foley's contention that Lamb and I, if we wish our arguments to be 'convincing', must demonstrate the inadequacy of 'compatibilistic' analyses of 'can'.

Why must we do this? In order to accomplish *what*? It is not clear to me what general principles of argumentation Foley is appealing to. Does he accept this principle:

No argument is convincing unless it is accompanied by arguments showing that all its possible counter-analyses are incorrect?

(Let us say that an analysis of a term or concept is a *counter-analysis* to an

argument if it follows from the assumption that that analysis is correct that that argument is unsound.) If so, he is being unreasonable, since this principle obviously has the consequence that no argument is convincing, for no one *knows* all the possible analyses of any term. A more likely principle is this:

No argument is convincing unless it is accompanied by arguments showing that all its *well-known* counter-analyses are incorrect.

More likely, perhaps, but I don't believe it. My argument and Lamb's appear to me to be perfectly convincing, though they are accompanied by no refutation of Foley's analysis or of any of the well-known family of conditional analyses of 'can'. It's true, of course, that my conviction that the premises of my argument are true depends on my *pre-analytical* understanding of 'can'. But then so does Foley's conviction that his analysis of 'can' is correct (or even worth considering) depend upon *his* pre-analytical understanding of this word. Suppose I were to say that Foley has to show that one of the premises of my argument was false if he wanted his analysis of 'can' to be convincing. Wouldn't that be a pretty odd thing for me to say? Isn't what Foley says I must do if I want my argument to be convincing odd for just the same reason?

I don't wish to appear intransigent, however. If Foley really must have an argument for the conclusion that his analysis is wrong, I'll give him one:

PCE is true
So Foley's analysis is wrong.

This strikes me as a pretty good argument. Foley himself admits that its conclusion follows from its premise. The premise, as Lamb says, verges on being tautological. And the conclusion is not particularly paradoxical or counter-intuitive. Nor, indeed, is the stronger statement (1), which I suppose also follows from PCE, particularly paradoxical or counter-intuitive. At any rate, I see no particular reason to think that 'can' statements are disguised conditionals. Does anyone?¹

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¹ In the remainder of his paper, Foley does what he ought to have done in the first place and argues against PCE. I shall not discuss his argument. PCE is, after all, Lamb's principle and I will leave it to Lamb to defend it. In my papers 'Reply to Narveson' and 'Reply to Gallois', I have replied to certain criticisms of my own premises that are not entirely dissimilar to Foley's criticism of PCE. Both these papers appeared in *Philosophical Studies* 32 (1977).