

Shaky Ground

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The debate surrounding free will and moral responsibility is one of the most intransigent debates in contemporary philosophy - but it does not have to be. At its heart, the free will debate is a metaethical debate - a debate about the meaning of certain moral terms - free will, moral responsibility, blameworthiness, praiseworthiness. Compatibilists argue that these concepts are compatible with wholly deterministic world, while incompatibilists argue that these concepts require indeterminism, or multiple possible futures. However, compatibilists and incompatibilists do not disagree on everything - both parties agree that free will and moral responsibility require control - the kind of control that we believe we have over the majority of our everyday actions. Over the course of any given day each of us makes countless choices, and in most situations as we make these choices we cannot help but believe that we are in control of them - that our actions are free and we are morally responsible for them. Here I argue that our concepts of free will and moral responsibility are inexorably tied to this experience of apparent liberty.

Introduction

Susan opens her refrigerator looking for a midnight snack and spots a batch of Christmas cookies that her sister, Mary, had cooked the day before explicitly exclusively for their Christmas party the following day. Susan likes cookies. It occurs to her that she can do one of two things - either take a cookie, or not take a cookie.

Over the course of any given day each of us are confronted with countless situations like the one described above - situations in which it appears to us as if we have multiple possible options and that we are free to choose amongst them. The vast majority of choices we make are such that - at least as we make them - we cannot help but believe that our choices are entirely up to us, that we are the determining factor between two or more possible series of events, that we could choose to initiate any of these series of events, and that we can choose to act for reasons - or without regard to reasons at all. To choose in this manner is to act *freely*, or to exercise one's *free will*. Furthermore, we cannot help but believe that we are *truly morally responsible* for these choices (such that it would be appropriate to praise or blame us for these actions) because we believe that we are the authors of these choices.

One of the most seemingly intractable debates in philosophy - the free will debate - is a *metaethical* debate, or a debate about the meaning of moral terms - in this case *free will* and *moral responsibility*.¹ A satisfactory metaethical theory is a theory that defines terms in a manner consistent with how we actually use them, and it is in situations like that described above in which we are likely to describe ourselves as exercising our *free will* and being *morally responsible* as a result.

The major point of contention in the free will debate is about whether or not our concepts of free will and moral responsibility are compatible with the theory of *universal causal determinism*, where universal causal determinism is the theory that the actual past, coupled with the laws of nature, determine the future. If determinism is true, at any given time there is only one possible future - the actual future. *Compatibilists* contend that free will and moral responsibility are compatible with universal causal determinism, while *incompatibilists* contend that free will and moral responsibility are not.² Both sides

¹ It is important to distinguish between an agent *being* morally responsible from our being morally justified in *judging* an agent to be morally responsible. It is generally accepted that one's moral responsibility for their actions depends in no small part on the intentions and beliefs one had when acting. Indeed, we're very likely to revise our judgments of moral responsibility when we learn more about the agent's beliefs, intentions, or ability to do otherwise. For example, see William Simkulet, 'On Moral Enhancement', *American Journal of Bioethics Neuroscience* 3:4 (2012), pp. 17-18, and 'In Control', *Philosophical Inquires* 2:1 (2014), pp. 59-75. The metaethical inquiry in this paper will focus on moral responsibility, and not judgments of moral responsibility.

² *Semicompatibilists*, like John Martin Fischer, contend that while moral responsibility is compatible with determinism, free will is not. See John Martin Fischer, 'Responsibility and Control', *Journal of Philosophy* 79 (1982), pp. 24-40; John Martin Fischer, 'As Go the Frankfurt Examples, so Goes Deontic Morality', *Journal of Ethics* 4 (2000), pp. 361-363; John Martin Fischer, 'The Importance of Frankfurt-Style Argument', *Philosophical Quarterly* 57 (2007a), pp. 464-471; John Martin Fischer, Robert Kane, Derk Pereboom, and Manuel Vargas, *Four Views on Free Will* (Walden, MA: Blackwell Publishing, 2007); John Martin Fischer, 'The Frankfurt Cases: The Moral of the Stories', *Philosophical Review* 119 (2010), pp. 315-336. However, insofar as most of us would likely revise our judgments of moral responsibility when we discover an agent lacks free will, this view is substantially at odds with how we actually use moral terminology (see Simkulet 'On Moral Enhancement' and 'In Control'). *Revisionsists* argue that we ought to revise our concepts of free will and moral responsibility, usually so that they fit in with our now, largely deterministic scientific view of the world. See Vargas 2007. Because this paper is interested in metaethics, revisionism is outside the scope of this paper. For compatibilist theories, see Daniel Dennett, *Elbow Room: The Varieties of Free Will Worth Wanting* (Cambridge, Mass: MIT Press, 1984); Harry G. Frankfurt, 'Alternate Possibilities and Moral Responsibility', *Journal of Philosophy* 66:23 (1969), pp. 829-839; Harry G. Frankfurt, 'Freedom of the Will and the Concept of a Person', *Journal of Philosophy* 68 (1971), pp. 5-20; Harry G. Frankfurt, 'Some Thoughts Concerning PAP', in *Moral Responsibility and Alternative Possibilities Essays on the Importance of Alternative Possibilities*, edited by David Widerker and Michael McKenna (Aldershot: Ashgate, [2003] 2006), pp. 339-345; David Hume, *A Treatise of Human Nature*, edited by L. A. Selby-Bigge, 2nd edition, revised by P. H. Nidditch (Oxford: Clarendon Press, [1739-1740] 1975); David Hume, *Enquiry Concerning the Principles of Morals*, edited by L. A. Selby-Bigge, 3rd edition, revised by P. H. Nidditch (Oxford: Clarendon Press, [1751] 1975); David Hunt, 'Moral Responsibility and Unavoidable Action', *Philosophical Studies* 97 (2000), pp. 195-227; David Hunt, 'Moral Responsibility and Buffered Alternatives', *Midwest Studies in Philosophy* 29 (2005), pp. 126-145; Peter F. Strawson, 'Freedom and Resentment', *Proceedings of the British Academy* XLVIII (1962), pp. 1-25.

in the debate generally accept that moral responsibility requires control of some sort, and this control comes with free will.

Libertarianism is, roughly, the theory that the experience of apparent liberty described in the case above are largely veridical and capture a relevant, indeterministic feature of our decision making process. According to the libertarian, if Susan has free will, then she doesn't just believe that she can either take the cookie or not take the cookie, but that she actually can choose to do either. Libertarians are incompatibilists who believe that (i) incompatibilism is true - free will and moral responsibility are incompatible with determinism, (ii) determinism is false, and (iii) free will and moral responsibility are possible in the actual world.³

Many philosophers believe that experiences like Susan's are illusory, 'false sensation[s]' of liberty,⁴ requiring an 'obscure and panicky metaphysics'.⁵ Most compatibilists believe determinism is true at the actual world, and these compatibilists are committed to the proposition that Susan is, in an important sense, wrong - there are no alternate possible futures and her choice about whether or not she would take the cookie was determined long before she was even born.⁶ None of us, they contend, can do anything but what we actually do.

The primary way in which analytic philosophers endeavor to discover truth about concepts like free will and moral responsibility is to see how we employ these concepts in actual and hypothetical situations.⁷ This method assumes that the ways in

³ Libertarians can be contrasted with *hard incompatibilists* who believe that free will and moral responsibility are incompatible with either determinism or indeterminism, and *hard determinists*, incompatibilists who believe determinism is true and thus free will and moral responsibility are not possible in the actual world. For an example of hard incompatibilism, see Galen Strawson, 'The Impossibility of Moral Responsibility', *Philosophical Studies* 75 (1994), pp. 5-24; Derk Pereboom, 'Defending Hard Incompatibilism', *Midwest Studies* 29 (2005), pp. 228-247; Derk Pereboom, 'Defending Hard Incompatibilism Again', in *Essays on Free Will and Moral Responsibility*, edited by Nick Trakakis and Daniel Cohen (Newcastle-upon-Tyne: Cambridge Scholars Press, 2008), pp. 1-33.

⁴ Hume, *A Treatise of Human Nature*, 2.3.2.2.

⁵ P. F. Strawson, p. 25.

⁶ Some incompatibilist philosophers, such as Robert Kane, also reject the idea that our experiences accurately reflect the world. For Kane, free will and moral responsibility require only small, momentary bouts of indeterminism. See Robert Kane, *Free Will and Values* (Albany: State University of New York Press, 1985); Robert Kane, 'Two Kinds of Incompatibilism', *Philosophy and Phenomenological Research* 50 (1989), pp. 219-254; Robert Kane, 'Free Will: The Elusive Ideal', *Philosophical Studies* 75 (1994), pp. 25-60; Robert Kane, 'Freedom, Responsibility, and Will-Setting', *Philosophical Topics* 24:2 (1996), pp. 67-90; Robert Kane, *The Significance of Free Will* (New York: Oxford University Press, 1996); Robert Kane, 'On Free Will, Responsibility and Indeterminism', *Philosophical Explorations* 2 (1999), pp. 105-121; Robert Kane, 'Agency, Responsibility, and Indeterminism: Reflections on Libertarian Theories of Free Will', in *Freedom and Determinism*, edited by Joseph Keim Campbell, Michael O'Rourke, and David Shier (Cambridge, Mass.: MIT Press, 2004), pp. 70-88; Fischer, Kane, Pereboom, and Vargas.

⁷ Recently experimental philosophers have attempted to gather experimental data about how we utilize our concepts of free will and moral responsibility. In Eddy Nahmias, Stephen Morris, Thomas Nadelhoffer, and Jason Turner, 'Surveying Freedom Folk Intuitions about Free Will and Moral Responsibility', *Philosophical Psychology* 18:5 (2005), pp. 561-584, Nahmias *et al.* purport to show that we have compatibilist intuitions. In Shawn Nichols and Joshua Knobe, 'Moral Responsibility and Determinism: The Cognitive Science of Folk Intuitions', *Nous* 41 (2007), pp. 663-685, Nichols and Knobe offer a definitive criticism of Nahmias *et al.*, showing that we have largely

which we come to form our beliefs and practices are veridical and capture relevant truths about the world. Compatibilists and incompatibilists alike employ this method to construct and defend theories of free will and moral responsibility; each argues that their theories are as consistent, or more consistent, with our application of the concepts than competing theories.

In this article I argue that compatibilists cannot justify employing this method to defend their account of free will and moral responsibility. I argue that our concepts of free will and moral responsibility are founded on our experiences of apparent liberty - experiences like Susan's apparent ability to choose either to take a cookie or refrain from taking a cookie - and thus are inexorably tied to these experiences. These experiences are the experiences in which compatibilist and incompatibilist alike are inclined to say that the agent is both free and morally responsible in the relevant senses. If one argues, as the compatibilist does, that these experiences fail to accurately describe the world, then one has no reason to think that the concepts of free will and moral responsibility are applicable to the actual world. Instead, the would-be compatibilist has every reason to believe that our application of these concepts is erroneous, merely the result illusory experiences.⁸

This article is divided into two sections. In the first, I argue that our beliefs about free will and moral responsibility, and the applications of these concepts, are based upon our near constant stream of experiences of apparent liberty. As a libertarian, I believe that these experiences accurately reflect the world, however defending the veridicality of these experiences is outside the scope of this work. In the second, I consider several compatibilist responses, and argue that they fail to justify their appeal to our beliefs and practices about free will and moral responsibility.

Free Will as Apparent Liberty

In 'The Impossibility of Moral Responsibility', Galen Strawson describes an example of the kind of experience that he contends serves as the foundation for our beliefs about moral responsibility:

Suppose you set off for a shop on the evening of a national holiday, intending to buy a cake with your last ten pound note. On the steps of the shop someone is shaking an Oxfam tin. You stop, and it seems completely clear to you that is it entirely up to you what you do next. That is, it seems to you that you are truly, radically free to choose, in such a way that you will be ultimately morally responsible for whatever you choose. Even if you believe that determinism is true, and that you will in five minutes time be able to look back and say what you did was determined, this does not seem to undermine your sense of the

incompatibilist intuitions, and that our compatibilist intuitions are restricted to emotional judgments of moral responsibility of the kind that are subject to revision.

⁸ By the same reasoning, incompatibilist theories that deny our experiences of libertarian free will accurately reflect the world cannot reasonably appeal to our moral beliefs derived from those experiences. See Kane, *Free Will and Values*; Kane, 'Two Kinds of Incompatibilism'; Kane, 'Free Will: The Elusive Ideal'; Kane, 'Freedom, Responsibility, and Will-Setting'; Kane, *The Significance of Free Will*; Kane, 'On Free Will, Responsibility and Indeterminism'; Kane, 'Agency, Responsibility, and Indeterminism'; Fischer, Kane, Pereboom, and Vargas.

absoluteness and inescapability of your freedom, and of your moral responsibility for your choice.⁹

Strawson's description of this kind of experience is especially compelling in that he focuses on our inability to interpret such experiences otherwise. This is to say that the beliefs we form on the basis of this experience are not merely misapprehensions of the experience that go away once we come to accept that universal causal determinism (or something sufficiently like it) is true. Rather it seems as though in that moment even the most stalwart and resolute of determinists cannot interpret their experiences as anything but experiences of libertarian free will.

Strawson's example focuses on a situation where we have a clear choice between two mutually exclusive options, and reasons in favor of either option. However, it seems uncontroversially true that we experience this kind of freedom in regards to the vast majority of our choices, from deciding what clothes we wear, to the food we eat, to the route we take to work. These experiences of apparent liberty are almost unrelenting, and in each situation where we have such experiences, we believe we act freely. Furthermore, the concept of free will seems to be inexorably tied to these experiences; in hypothetical scenarios where we stipulate that, contrary to our understanding of events, our experiences fail to accurately represent our decision making process, we tend to retract our belief that we had free will. Consider the following case:

Black wants Jones to steal Ann's car, and implants him with a device. If Jones is going to choose to steal the car on his own, the device does nothing. Otherwise, the device does two things – it (a) causally determines Jones to steal Ann's car, and (b) forces Jones to have the false experience of believing he can do otherwise despite being wholly causally determined to steal the car by the device. As it so happens, the device activates, Jones steals the car and experiences a false sensation of liberty.¹⁰

Although Jones cannot help but believe that he exercises his free will when he chooses to steal Ann's car, it is uncontroversially true that he did not do so. If Jones were to learn of the device, he'd abandon his belief that he had exercised his free will.

Just as the concept of free will is tied to our experiences of liberty, so too is the concept of moral responsibility. Galen Strawson says our experiences of liberty 'are the experiential rock on which the belief in true moral responsibility is founded'.¹¹ Strawson

⁹ G. Strawson, p. 10.

¹⁰ This case is a variant on Harry Frankfurt's infamous purported counterexample to the principle of alternate possibilities (Frankfurt, 'Alternate Possibilities and Moral Responsibility'), based on a version constructed by Alfred Mele and David Robb ('Rescuing Frankfurt-Style Cases', *Philosophical Review* 107:1 (1998), pp. 97-112). Frankfurt admits that in his famous case, Jones has alternate possibilities (Frankfurt, 'Some Thoughts Concerning PAP'); he can either do as Black secretly wants him to of his own accord, or be wholly causally determined to do so by Black's device. This is to say that he can do one of two things. Frankfurt's contention is that the alternate possibilities play no role in determining Jones' responsibility... but none the less, they appear to be a necessary, but not sufficient condition for us to find Jones morally responsible.

¹¹ G. Strawson, p. 11.

claims that to be *truly morally responsible* for something is for it to 'make sense' for one to be rewarded in heaven or punished in hell for that something; he goes on to say

The stress on the words 'makes sense' is important, for one certainly does not have to believe in any version of the story of heaven and hell in order to understand the notion of true moral responsibility that it is being used to illustrate.¹²

That so many people do believe in this story, or at least find it compelling, does, however, count as evidence that Strawson's account of *true moral responsibility* is an accurate theory of the concept of moral responsibility.

The reason why it makes sense to hold us morally responsible for our actions, if our experiences are correct, is because we believe that we are non-arbitrary, competent, indeterministic sources of our actions. This is to say that we believe we can act for reasons and that we have a reasonable idea about the consequences of our actions, all else being equal. Thus, all else being equal, the bad consequences of someone's actions are evidence that person intended to bring about those bad consequences. To freely intend to bring about bad consequences when you can easily avoid doing so is inherently blameworthy, and thus it makes sense to hold such a person morally blameworthy for her actions. Similarly, anyone who freely intends to bring about good consequences is *prima facie* praiseworthy.

This brings us to what Strawson calls 'The basic argument'; Strawson believes this argument precludes the possibility that anyone could ever be truly morally responsible for their actions. The argument goes like this:

- (1) Nothing can be a *causa sui* – nothing can be a cause of itself.
- (2) In order to be truly morally responsible for one's actions one would have to be *causa sui*, at least in certain crucial mental respects.
- (3) Therefore nothing can be truly morally responsible.¹³

The problem with the basic argument is that our experience of liberty is not one of being a *causa sui*; we do not believe that we cause ourselves.¹⁴ Rather we believe that we are the authors and causes of our choices. The objection here is that nothing can cause itself to act; but true moral responsibility doesn't require this either. Our choices are often explicitly prompted by external circumstances, but we believe other experiences might just as well constitute inexplicit prompts. In Strawson's case, our (mechanistic) perception of the shaking of the Oxfam tin prompts us to act; however if our experience is to be believed, this prompt in no way determines what our choice will be.

The *prompt thesis* maintains that although moral agents are the enduring, non-arbitrary causes of their actions, every choice they make needs to be prompted by some experiential stimulus, internal or external. Stimuli may range from brain events to

¹² G. Strawson, pp. 9-10.

¹³ *Ibid.*, p. 5.

¹⁴ My criticism here of the basic argument is not meant to be a defense of libertarianism - such a defense is outside the scope of this paper; rather it is a clarification of the kind of causation required for our experiences of apparent liberty to be true. Free will doesn't require us to be our own grandparents, it requires us to be free to respond to moral challenges.

thoughts to sensory experiences to even our experience of time passing. Stimuli can be deterministic or indeterministic in nature.

One objection to the prompt thesis is that it is *prima facie* inconsistent with some of our experiences that we describe as spontaneous. However, upon reflection, this doesn't seem to be the case. For example, upon hearing the shaking of the Oxfam tin, we are presented by our understanding of the situation with certain obvious options – we can (a) buy a cake, or (b) give our money to the Oxfam tin shaker. However, all else being equal, we are equally free to (c) buy cake for the less fortunate, (d) go home, and so on. These options are less obvious, less attentive to the scenario, but no less within our power – or at least so we believe. Our choices are, at least in part, limited by our imagination in the same way they are limited by other circumstances. We cannot freely choose to do things that we don't think of, or that we don't think are possible. A prisoner cannot freely choose to turn into a bird and fly out the window, although he may be free to try.

Much as we believe we are free to go 'off script' in the Oxfam tin scenario, we may be equally free to act spontaneously towards any number of mundane prompts, such as our experience of the passage of time. Unlike the Oxfam tin scenario, our experience of the passage of time doesn't demand a response of any particular kind, and as such any response to this prompt will feel spontaneous and unplanned despite being prompted.

David Hume famously criticized libertarian free will as being undesirable because it is a liberty of indifference, where our actions are made arbitrarily, by chance.¹⁵ But this is not how we experience our choices; we feel as if we can act for reasons without being casually determined by them. After choosing to donate his last ten pound note to the Oxfam tin shaker, a determinist may be able to look back and convince herself that she was causally determined to do so by her empathy; but had she chosen, instead, to buy the cake, she may just as easily convince herself that she was causally determined to do so by her desire to eat cake. Intuitively, though, we find both reasons *prima facie* compelling and cannot help but believe – at the time – that we could act on either set of reasons, and that to do so wouldn't be arbitrary. This is not an experience of indifference.

Critics of libertarianism, justifiably, argue that such an experience is incoherent. For any choice, either we do so for reasons or we do not. If we do not, they are arbitrary. We claim that we experience the capacity to choose between sets of reasons non-arbitrarily, but to do so would mean that we have a separate reason to justify our choosing one set of reasons over the other. Choosing to act on that reason over competing reasons, too, is either arbitrary, or it is not. Either (a) it's reasons all the way down, such that we get an infinite regress, (b) there is one or more self-justifying reasons somewhere down the line, which suggests determinism, or (c) at some point our choice between reasons is arbitrary. This is a rather convincing argument against the veridicality of our experience of liberty, but all the worse for any compatibilist hoping to save the concepts of free will and moral responsibility from the chopping block.

As a libertarian I feel obliged to offer a quick response to this criticism. Much as we draw a distinction between deterministic events and indeterministic events, we draw a distinction between arbitrary events and non-arbitrary events. Almost everyone believes that deterministic events can be either arbitrary or non-arbitrary, yet the criticism above turns on indeterministic events being solely arbitrary. But almost everyone

¹⁵ Hume, *A Treatise of Human Nature*; Hume, *Enquiry Concerning the Principles of Morals*.

believes this is false; we all seem to accept the possibility of non-arbitrary indeterministic events. For example, if there was indeterminacy in the buckshot pattern from a shotgun, the pattern wouldn't necessarily be arbitrary – if the shotgun was successfully aimed at an intruder, much of the buckshot would find its way to the intruder, and there's a rather specific reason it would do so – because the gun was aimed at him. Thus, the above criticism is less convincing than we might initially think; our experience of apparently non-arbitrary indeterminism is not incoherent.¹⁶

In the same way that we experience apparent liberty, sometimes we also experience apparent determinism, in which our actions are uncontroversially said to be wholly causally determined by instinct or character. In the case of instinct, it doesn't make sense to hold us morally responsible since it is outside of our control. Similarly, when the character that determined us to act is the result of factors outside of our control, we don't think we're responsible for our actions; although we may still lament our having such a bad character, and attempt to change it. Indeed, we believe that we have some control over our character traits, such that we can train ourselves to either gain or lose certain traits. If these beliefs are correct, it makes sense to hold us *derivatively morally responsible* for actions causally determined by freely acquired character traits because we are truly morally responsible for the free actions which brought about those traits and had a good idea what kind of actions those traits would bring about. To be derivatively morally responsible for *x* is to be truly morally responsible for *y*, where *y* plays a relevant causal role in bringing about *x*. According to this framework, we are truly morally responsible for our free actions, and derivatively morally responsible for the consequences that follow.

In this section I've argued that our experience of apparent liberty leads us to believe that we have non-arbitrary, competent, undetermined control over many of our actions such that it makes sense to hold us truly morally responsible for them – to punish us for the harms we freely bring about, and praise us for the good we freely bring about because it's ultimately up to us what we do when we act freely.

Note that the concept of true moral responsibility discussed here is distinct from many other common concepts that may play a similar role in our lives; concepts like legal responsibility, causal responsibility, and what I call *practical responsibility*, the feature of it being practical to treat something in a similar way to how one might treat something that is morally responsible. Consider the following case:

Mary has contracted a highly contagious and dangerous disease through no fault of her own. Fortunately for her, she is merely a carrier and shows no symptoms, although she can still spread it to others.

I think most of us would agree that Mary has a strong moral obligation not to infect others, and to quarantine herself if possible. However, it is practical to not give her the option – after all, she might choose otherwise. Suppose the Center for Disease Control were to swoop in, abduct Mary, and quarantine her until a cure could be discovered. It is practical to treat Mary in this way, but it is uncontroversially true that she doesn't deserve it. This practicality, or practical responsibility, bears little similarity to the other

¹⁶ It's not clear that this kind of non-arbitrary indeterminism would be sufficient for the purposes of true moral responsibility; but this question is outside the scope of this work.

concepts because it's responsibility in name only – Mary is, by stipulation, neither morally or legally responsible for her coming down with the disease, and she may not even be causally responsible in any relevant sense either. Yet it makes sense to treat Mary in a similar way to how we would treat Mary if she was a morally or legally responsible for her being a threat to others - doing so saves lives.

If our concepts of free will and moral responsibility are inexorably tied to instances where we experience apparent liberty, and compatibilists reject the veridicality of these experiences, then our employment of the concepts in actual and hypothetical situations cannot be used as evidence towards the truth of compatibilist theories of the concepts. Indeed, it's not at all clear what could count as support for a compatibilist theory of these concepts. Fortunately, determinists are already willing to reject the veridicality of a large number of our experience and the beliefs founded on them, so abandoning the concepts of free will and moral responsibility as equally illusory probably wouldn't force them to embrace a far more radical skepticism - but it would cause them to abandon compatibilism.

Compatibilist Avenues of Response

Thus far, I've argued that the concepts of free will and moral responsibility are inexorably tied to experiences that determinists believe fail to accurately reflect the world, and that to abandon the veridicality of our experiences undermines the only reason we have to assume the veridicality of our application of these concepts. I contend this leaves the compatibilist with no means to justify a compatibilist theory of either free will or moral responsibility, and thus compatibilism is incoherent.

In this section I discuss four potential responses to my argument: (1) the other methods approach, (2) an appeal to those lacking experiences of apparent liberty, (3) the alternate foundation approach, and (4) an appeal to counterexamples.

(1) Other Methods

Although the primary way analytic philosophers investigate concepts is to analyze the employment of the concepts, it is not the only way. For example, they might look to a theory's consistency with other beliefs, or its ontological simplicity as evidence of its accuracy. A diligent compatibilist, then, might deny the veridicality of our application of the concepts of free will and moral responsibility, and yet still have a means to construct a robust theory about those concepts.

Of the four responses I look at, I believe this is the most compelling. Unfortunately, it is uncontroversially true that most of the leading compatibilists simply fail to pursue this method, and instead argue from the position that their account of the concepts is consistent with our commonsense application of the concepts.¹⁷ It's also not

¹⁷ See Fischer, 'Responsibility and Control'; Fischer, 'As Go the Frankfurt Examples, so Goes Deontic Morality'; Fischer, 'The Importance of Frankfurt-Style Argument'; Fischer, 'The Frankfurt Cases'; Frankfurt, 'Alternate Possibilities and Moral Responsibility'; Frankfurt, 'Freedom of the Will and the Concept of a Person'; Frankfurt, 'Some Thoughts Concerning PAP'; Hunt, 'Moral Responsibility and Unavoidable Action'; Hunt, 'Moral Responsibility and Buffered Alternatives'; P. F. Strawson.

clear that the remaining methods open to the compatibilist are sufficient to produce a robust theory of these concepts. Even assuming a robust theory of either free will or moral responsibility could be constructed in this way, these compatibilists still have to argue that their theory is preferable to that of libertarian free will and true moral responsibility.

Incompatibilists who believe in the truth of universal causal determinism can argue that because our experience of free will is illusory, our application of these concepts is irrelevant; for them our application of these concepts to the actual world is consistent, but founded on a mistake that their compatibilist rivals already accept. Furthermore, if Galen Strawson is right, they're both better off being *hard incompatibilists*, believing that these concepts are incompatible with the truth of either determinism or indeterminism.

(2) Lack of Experiences of Apparent Liberty

Suppose that some people honestly report that they do not experience a sensation of liberty of the kind Galen Strawson discusses. If this is true, these people's concepts of free will and moral responsibility must be derived from something other than their personal experience of liberty. If their actual and hypothetical employment of the concepts is similar to ours, then compatibilists can argue that our concepts of free will and moral responsibility do not rely upon an experience of liberty, and thus that the primary method is sufficient for testing compatibilist theories of these concepts.

There are a number of problems with this response. First, it's not clear that such people exist. Second, if these people regularly interact with those of us who do have experiences of apparent liberty, it's possible that they get their concepts from us, and thus their concepts can still be based on experiences of apparent liberty. If we find a secluded group of human beings who report not to have the same experience of liberty as we do, and yet still employ concepts that had the same actual and hypothetical application as our concepts of free will and moral responsibility, then we will succeed in showing that these concepts can be grounded in something other than our experience of apparent liberty. However, I strongly suspect that if we found such a group, they would lack any concept of free will and moral responsibility; although they might get along just as well by employing adjacent concepts like freedom from coercion and legal responsibility.

(3) Alternate Foundation

Alternatively, compatibilists might get just as far if they can offer an alternate foundation for our beliefs about free will and moral responsibility that is as consistent with our application of the concepts. Such an approach could only be a success if it could ground moral responsibility and free will in something other than our experience of liberty while still keeping these concepts distinct from adjacent concepts.

One of the reasons that our experiences serve as an adequate foundation for our concepts of free will and moral responsibility is that they are nearly inescapable; we almost constantly feel as though we have the authorial control Galen Strawson describes, and we cannot help but feel responsible for our choices in such situations. If compatibilists can find an alternate foundation, ideally it will be as common and inescapable as these experiences are. This is one of the virtues of P. F. Strawson's theory of moral responsibility. P. F. Strawson claimed that rather than people being genuinely

morally responsible for their actions, the practice of holding people moral responsible played a central role in their personal relationships.¹⁸ Because personal relationships play a fairly large role in our lives, they are a good potential foundation for the concept of moral responsibility. On his view, our concept of holding people moral responsibility plays a regulatory role in such relationships, and can be derived from truths about such relationships. Setting aside the view's *prima facie* inconsistencies with our linguistic practices, it's not at all clear P. F. Strawson's account of moral responsibility is anything but a kind of practical responsibility concerned with relationship maintenance. This is inherently inconsistent with our intuitions and hypothetical employment of the concept, such as the ones consistent with the story of heaven and hell and our intuitions about Mary. This inconsistency shouldn't be surprising - practical responsibility is nothing like moral responsibility. While holding people morally responsible is often practical, it is not necessarily so, and *vice versa*.

The central problem with this approach is that a satisfactory foundation should be both immediately apparent and capture those aspects of our actual and hypothetical practices concerning free will and moral responsibility that distinguish them from adjacent concepts. Thus far compatibilist attempts to offer an alternate foundation have met with much the same problem as P. F. Strawson's attempt, they fail to accurately explain our application of the concepts without appealing to what they believe is a false experience of liberty that would undermine the value of the compatibilist's theory's consistency with the application of the concepts.

(4) Appeal to Counterexamples

The compatibilist has one final option, I think, to defend her appeal to our application of the concepts of free will and moral responsibility. Unable to construct a theory of these concepts by way of other means, unable to find examples of people who apply the concepts in the same way as we do despite not having any contact with an experience of apparent liberty, and unable to offer an alternative foundation for our application of the concepts, the compatibilist might be able to construct a counterexample to my claim that our concepts are founded on our experience of apparent liberty.¹⁹ If the compatibilist can do so, they can argue that our experience of apparent liberty is no better a foundation for our concepts than alternative compatibilist foundations, and thus the concepts are, once again, up for grabs.

Daniel Dennett cites such an apparent case, the story of Martin Luther who, when pressured to recant his writings, refused and is often quoted as saying that he 'could do no other'.²⁰ Luther is *prima facie* morally responsible for his actions, but if we take his purported description of events literally, he lacked the experience of feeling as though he could do otherwise.

¹⁸ P. F. Strawson.

¹⁹ Many compatibilists already construct cases where someone is said to be *prima facie* morally responsible despite being wholly causally determined or lacking alternate possibilities. For instance, see Frankfurt, 'Alternate Possibilities and Moral Responsibility'; Frankfurt, 'Some Thoughts Concerning PAP'; Fischer, 'Responsibility and Control'; Fischer, 'As Goes the Frankfurt Examples, so Goes Deontic Morality'; Fischer, 'The Frankfurt Cases'; and Hunt, 'Moral Responsibility and Unavoidable Action'; Hunt, 'Moral Responsibility and Buffered Alternatives'.

²⁰ Martin Luther, quoted in Dennett, p. 133.

I cannot purport to know how Luther felt; but I do know that we often make similar statements about our own actions, despite their being accompanied by an experience of apparent liberty. For example, when the right thing to do is obvious, it makes sense to say 'I wouldn't do otherwise' or 'I couldn't do otherwise.' Although the latter might be, strictly speaking, false, both serve to convey my dedication to doing what's right and to reassure my audience that they don't need to worry about me doing the wrong thing.²¹

However, if we take this quote literally, it would be quite odd to say that he was, in fact, praiseworthy for his actions. Even though he did the *prima facie* right thing, it's not at all clear that it would make sense to reward Luther with an eternity in heaven for something that was outside of his control. Of course, independent of questions of Luther's moral responsibility, it is practical to hold him up as an example of how one should behave when confronted with adversity - and this is true whether his actions were his own, or caused by divine intervention.

I discuss this approach last because I believe it is the least attractive option the compatibilist has. I've argued that our concepts of free will and moral responsibility are inexorably tied to our experiences of apparent liberty; but if determinist compatibilists are in doubt about this claim, they cannot deny that these same experiences generate beliefs about our capacities that, *qua* determinists, they believe to be false. The determinist accepts that there can be massive error not only in our experiences, but in our belief sets as well. If our beliefs are so untrustworthy with regard to our capabilities, it would be quite odd if compatibilists were willing to balance the acceptability of pursuing compatibilism on the veridicality of rare experiences like that of Martin Luther's.

Summary

Compatibilists believe that free will and moral responsibility are compatible with our being wholly causally determined to act by circumstances outside of our control. Invariably, compatibilists appeal to their theories' compatibility with our application of these concepts to actual and hypothetical situations. However it seems as though our experience of liberty is inescapable, such that even the most dedicated determinist cannot help but feel as if they are capable of acting other than they actually do, and being truly morally responsible such that it is appropriate to hold them morally responsible for their actions even when there is no practical benefit to doing so. I contend that this experience of apparent liberty is the foundation of our concepts of free will and moral responsibility. Both compatibilist and incompatibilist alike are apt to say that when we experience such apparent liberty, we are likely both acting free and morally responsible for our actions. If this is the case, when compatibilists reject the veridicality of such experiences, they undermine the only reason they have to believe the concepts of free will and moral

²¹ Frankfurt discusses how we sometimes say that we can't do otherwise when we're faced with a coercive threat (Frankfurt, 'Alternate Possibilities and Moral Responsibility'). Frankfurt believes that genuine coercion requires one to lack freedom of the will and be forced to act by the coercive threat, but coerced agents rarely report a genuine lack of the experience of liberty; rather the threat is so coercive that they have *prima facie* strong reasons to act as the coercer intends them to.

responsibility are applicable to the actual world. As a result, determinist compatibilist theories of free will and moral responsibility are incoherent.

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