Frankfurt’s Argument against Alternative Possibilities: Looking Beyond the Examples

MICHAEL MCKENNA
Florida State University

Abstract

Harry Frankfurt dramatically shaped the debates over freedom and responsibility by arguing that the sort of freedom germane to responsibility does not involve the freedom to do otherwise. His argument turns upon an example meant to disprove the Principle of Alternative Possibilities:

A person is morally responsible for what she has done only if she could have done otherwise.

Debate over Frankfurt’s argument has turned almost exclusively on the success of the example meant to defeat it. But there is more to Frankfurt’s argument than the example in question, and this is not widely recognized. Inattention to these other aspects of Frankfurt’s argument has distorted the force of it. In this paper I shall explore avenues for both refuting and advancing Frankfurt’s argument that look beyond the examples. These further considerations invite us to think in broader terms about moral responsibility’s nature and the sort of freedom required for it.

It is widely recognized that Harry Frankfurt dramatically shaped the debates over free will and moral responsibility by arguing that the sort of freedom germane to moral responsibility does not involve the freedom to do otherwise. His argument turns upon the use of an example meant to disprove the Principle of Alternative Possibilities (PAP):

A person is morally responsible for what she has done only if she could have done otherwise.²
Debate over Frankfurt’s argument against PAP has turned almost exclusively on the success of the type of example meant to defeat it. But there is more to Frankfurt’s argument than the sort of example in question, and this is not widely recognized. Inattention to these other aspects of Frankfurt’s argument has distorted the force of his case against the freedom at issue. In this paper I shall explore avenues for both refuting and advancing Frankfurt’s argument that look beyond the examples. My contention is that these further considerations invite us to think in broader terms about moral responsibility’s nature and the freedom required for it.

To begin, I shall briefly sketch Frankfurt’s argument against PAP, taking care to identify aspects of it beyond the attempted counterexample to a principle. Also, with very little attention to detail, I will explain how the controversy over the examples has unfolded. It is not my intention to adjudicate whether any Frankfurt-example succeeds. I leave that matter unsettled. I will instead turn to further dialectical considerations. First, what prospects are left open to a defender of alternative possibilities supposing that some Frankfurt-type example formally satisfies the conditions of the debate? Must the defender of alternative possibilities just concede defeat at this point? Second, what prospects are left open to a Frankfurt defender supposing that no Frankfurt-type example formally satisfies the conditions of the debate? Must the Frankfurt Defender concede defeat at this point? I shall show that both opponents and advocates of Frankfurt’s argument against PAP have resources left in their arsenals even if they lose the battle over the examples themselves. This is no small matter, since it forces us to attend to the underlying metaphysical and moral assumptions tacitly imported into this controversy.

1. Frankfurt’s Argument against PAP

Consider the following very anemic sketch of Frankfurt’s argument. PAP can be refuted by producing an example in which an agent is morally responsible but cannot do otherwise. The formula for producing the example requires that circumstances are arranged that make it so that a person cannot do other than what she does. But these “ensuring” circumstances, which are shielded from the agent’s awareness, play no role in the agent’s actual conduct or in the reasons that the agent does what she does. Call such scenarios IRR scenarios (short for “ensuring conditions are irrelevant to production of action”). When in an IRR scenario an agent acts “on her own” and uninfluenced by the ensuring circumstances, it seems that she is morally responsible for her conduct despite the fact that she cannot avoid doing what she does. Hence, PAP is refuted. Here is a close approximation to Frankfurt’s own example (149–50).

Black wants Jones to shoot Smith by a certain time. Black would much prefer that Jones do the shooting on his own. But wishing to ensure the outcome that
Jones shoots Smith by the time in question, Black covertly arranges conditions that allow him to manipulate Jones into shooting Smith should Jones show any indication that he will not shoot Smith by the time in question. As it happens, Jones shoots Smith on his own by the crucial moment. Black never intervenes. PAP is refuted by a counterexample to it; Jones is morally responsible for shooting Smith, though, due to Black’s arrangements, Jones cannot do other than shoot Smith.

Call this case Shoot Smith. Consider the very basic structure of Shoot Smith as a counterexample to a principle. A simplistic interpretation of Frankfurt’s argument is that it begins and ends with just that, the production of an example thought to have an intuitively compelling result and in conflict with a principle of moral reasoning. But if this were all there were to Frankfurt’s argument, why would it be so clear that Shoot Smith should trump the principle? Why not instead react to the example by saying that, as jarring as it seems, and despite our strong inclination to hold Jones blameworthy, the proper judgment is that he is not. For, as the objection might go, it turns out Jones could not do otherwise in acting as he did, and since PAP is such a powerful principle within the arsenal of our moral reasoning, in adhering to PAP, we must resist our intuition regarding the example. Frankfurt himself offered further considerations as to why the example trumps the principle and not the other way around.

What more is there to Frankfurt’s argument than the conflict between PAP and an intuitive reaction to an example? Frankfurt offers two distinct insights as to why the example defeats the principle. Take Shoot Smith. First, if one were to subtract Black’s presence from the scenario so that Jones had alternative possibilities, the addition of the alternatives would have no bearing on Jones’s conduct (150–1). The presence or the absence of the alternatives played no role in accounting for why Jones acted as he did. This shows that the availability of the alternatives is irrelevant to judgments of moral responsibility. From this insight, one might construct an argument, let us call it the Irrelevance Argument, that turns crucially on this premise:

Facts irrelevant to an account of why an agent acts have no bearing on her moral responsibility.

Since the absence of alternatives sometimes is irrelevant to why an agent acts as she does, then sometimes the absence of alternative possibilities has no bearing on moral responsibility. Ergo, PAP is refuted.

Second, Jones could not point to the absence of alternatives as a basis for his exoneration since he was unaware of their absence. He could not appeal to the excuse “I could not have done otherwise” to show that he did not act from a morally objectionable motive (150). Furthermore, one might add to Frankfurt’s point another consistent with his positive account of freely willed action (1971), namely, that Jones’s lack of alternatives could not be
used to show that his action arose in a causally deviant fashion. For example, Jones could not maintain that, due to his lack of alternatives, his action was the upshot of an irresistible addictive desire in conflict with the desire that Jones himself wanted to act upon. In short, the mere absence of alternative possibilities does not help cast light either on the moral quality of the will with which he acted, or on the manner in which his action was produced. Hence, Jones had no good excuse for what he did. From this insight, one might construct an argument, let us call it the *No Good Excuse Argument*, that turns crucially on this premise:

An agent can cite a fact as a basis for exoneration only if that fact reveals either that she does not act from a culpable motive, or that her action issued in a causally deviant fashion.\(^4\)

Since the absence of alternatives sometimes is not a fact an agent can cite to show that she did not act from a culpable motive or from a causally deviant one, then sometimes the absence of alternative possibilities does not exonerate a person from moral responsibility for what she has done. Again, PAP is refuted.

In my estimation, it is Frankfurt’s use of these two crucial insights that gives weight to the power of an example like Shoot Smith as a defeater of PAP. I have developed each insight into a free standing argument, the *Irrelevance Argument* and the *No Good Excuse Argument*.\(^5\)

Before proceeding, a word of caution is in order about the import of Frankfurt’s overall assault on PAP. It is often assumed that Frankfurt’s conclusion is exclusively a compatibilist one and that all those who defend PAP are incompatibilists. But this is a mistake. A compatibilist can resist Frankfurt in defense of a compatibilist construal of “could have done otherwise” and PAP (e.g., Berofsky 2003; Campbell 1997; and Smith 2003). More to the point, both compatibilists and incompatibilists can endorse Frankfurt’s conclusion that freedom and moral responsibility do not require the freedom to do otherwise. All that can be concluded from Frankfurt’s overall argument is that if determinism is incompatible with moral responsibility or the freedom that it requires, it is not because it rules out the freedom to do otherwise; the freedom to do otherwise is simply not what is pertinent to the debate between compatibilists and incompatibilists. Indeed, several incompatibilists in recent times have argued in defense of Frankfurt’s assault on PAP (e.g., Hunt 2000; Pereboom 2001; Stump 1996; and Zagzebski 2000). These incompatibilist, who can be characterized as Source Incompatibilists, hold that determinism undermines freedom and moral responsibility not because it precludes the freedom to do otherwise, but because a deterministic causal history corrupts the actual sources of agency.

The fact that Frankfurt’s position is available to incompatibilists bears upon an evaluation of the two arguments identified in this section, the
Irrelevance Argument and the No Good Excuse Argument. It might be thought that these arguments are unavailable to the incompatibilist, but the crucial premises are simply open to Source Incompatibilist interpretations. So they are neutral between the competing camps. To explain, consider the former argument. It is open to an incompatibilist to argue that one of the facts that bears on why an agent acts concerns the causal ancestry of her action, especially the causal ancestry of the reasons that are the proximal causes of her action. Similarly for the latter argument, it is open to the incompatibilist to hold that, so far as free and morally responsible agency is concerned, actions that arise solely from causally deterministic processes are deviant insofar as they involve some freedom or responsibility undermining factor. Therefore, according to an incompatibilist, an agent could cite the fact that her action is causally determined as a basis for her exoneration. In short, the Irrelevance Argument and the No Good Excuse Argument are neutral between compatibilists and incompatibilists. What each argument does, however, is give both camps added resources, beyond Frankfurt’s contested counterexample, to reject the traditional association of the free will problem with the freedom to do otherwise.

Soon the Irrelevance Argument and the No Good Excuse Argument will figure into the broader debate over Frankfurt’s case against alternative possibilities, the debate that, I shall show, looks past the details of the examples. But before moving on, I shall consider the controversy that has emerged over the examples, and of what should count as an example that formally satisfies the conditions of the debate.

2. The Controversy over the Examples

Notice that the description of the example Shoot Smith is patently incomplete. Black, the intervener, is to make Jones shoot Smith “should Jones show any indication that he will not shoot Smith by the time in question.” What, a critic might ask, would count as evidence for Black that Jones would do other than shoot Smith? If what would indicate this is some overt bodily movement by Jones, like putting down the gun and leaving the scene, or reporting aloud to a friend, “You know, I was thinking I would shoot Smith, but I have decided not to,” then certainly the sign Black would be keyed to would be enough for a defender of alternative possibilities to point to it and say that when Jones shoots Smith on his own, even with Black present, he had available a legitimate alternative. He could have decided, chosen, or formed an intention not to shoot Smith. He could have walked away, etc. Naturally, the objector will grant that, due to Black’s presence, Jones cannot avoid shooting Smith by the time in question. But still, in the case in which Jones shoots Smith on his own, there is a meaningful alternative Jones could have opted for. So Frankfurt’s example is no counterexample to PAP.
Frankfurt's Argument against Alternative Possibilities

To produce an example that will answer this concern, Frankfurt must imagine a case in which the ensuring conditions arranged by Black make it so that there is no significant alternative course of action that an agent like Jones could execute of his own free will. That is, Frankfurt must guarantee that at the first moment of Jones's (allegedly) freely willed act of shooting Smith, there was no alternative decision (choice, or intention formation) that was open to Jones. Therefore, what Frankfurt needs is a case in which Black can predict the very beginnings of Jones's crucial act. Frankfurt anticipates this concern, and so in a footnote suggests that some sort of prior evidence such as a twitch could be used as a reliable indicator of subsequent freely willed action (149, n3). So let us construct a more precise example that accounts for these details. Here is a Frankfurt example, Wet Revenge:

Daphne has grown tired of her co-worker Pat's meddlesome ways. Daphne knows that another co-worker, Leslie, has also had enough of Pat's invasive activities. Daphne is elated to discover that Leslie has designs to seek revenge. Leslie's revenge involves humiliating Pat just as an important ceremony begins at high noon on a certain day, a ceremony in which Pat is to be publicly awarded a major prize for her professional achievements. Leslie crafts a plan to shoot Pat with a squirt gun just as the ceremony begins. Let us label this time at high noon time \( t_3 \). Now Daphne very much wants to ensure that Leslie shoot Pat with a squirt gun by high noon. But Daphne would much prefer that Leslie do so by way of deciding on her own just prior to high noon, at, say, \( t_2 \), to shoot Pat. So Daphne covertly installs a tiny monitoring device in Leslie's brain that allows Daphne to manipulate Leslie's conduct should Leslie not decide to shoot Pat at \( t_2 \). As it turns out, by way of her monitoring device, Daphne has discovered a remarkable correlation: Just prior to Leslie's decision to shoot a squirt gun, Leslie's brain reliably exhibits a certain neurological pattern, \( NP \). But in cases in which Leslie does not decide to shoot a squirt gun, her brain exhibits a different neurological pattern, \( NP^* \). Should Leslie exhibit \( NP \) at some moment just prior to \( t_2 \), call this \( t_1 \), Daphne will be able to reliably predict that at \( t_2 \) Leslie will decide to shoot Pat with a squirt gun. If Daphne were to see that Leslie exhibited \( NP^* \) at \( t_1 \), this would indicate to her that at \( t_2 \) Leslie will not decide to shoot Pat. In this event, prior to \( t_2 \), Daphne would make use of her gizmo, thereby causing Leslie at \( t_2 \) to decide to shoot Pat. In Wet Revenge, at \( t_2 \), Leslie cannot but decide to shoot Pat. As things actually transpire, at \( t_1 \) Leslie does exhibit \( NP \), and at \( t_2 \) she decides on her own to shoot Pat. Come high noon, \( t_3 \), Leslie shoots. Shortly thereafter Pat is drenched and humiliated. Daphne never intervenes.

According to a Frankfurt Defender, Leslie is morally responsible for deciding to shoot and for shooting Pat by high noon. But given Daphne’s presence, Leslie could not do otherwise by high noon than decide to shoot Pat. Therefore, PAP falls to the example Wet Revenge.

Examples like Wet Revenge have come to be known as prior-sign examples since they appeal to signs prior to the loci of freely willed actions. The
signs allow for future prediction of what an agent will do of her own free will. But is the Frankfurt Defender entitled to these examples? There is a powerful objection meant to show that she is not. Prior-sign Frankfurt examples, so the objection goes, make an illicit assumption, an assumption that begs the question against the incompatibilist. In order for the examples to show both that an agent is morally responsible for what she has done and that she had no alternative within the scope of her control (up until the moment of her freely willed action), the examples must presuppose a deterministic relation between an agent's freely willed action and states of the agent prior to such actions. Otherwise, the prior sign cannot be used as a reliable indicator of subsequent action. The objection can be cast as a dilemma: If the crucial relation is not deterministic, then the agent retains the ability to do otherwise during the interval of time between the prior sign and the later freely willed action. In this case an alternative possibilities condition is preserved. If the crucial sign is deterministic, then it is in dispute, according to the incompatibilist, whether the agent is morally responsible irrespective of the presence of any counterfactual ensuring device (Ginet 1996; Kane 1996; and Widerker 1995). This defense of alternative possibilities protects the moment in freely willed action at the locus of free will. Call this incompatibilist defense of alternative possibilities the Dilemma Defense and those who advance it Dilemma Defenders.

Most Frankfurt Defenders resisting the Dilemma Defense concede that a prior sign presupposing a deterministic relation is illicit; any convincing Frankfurt Example must avoid this assumption. Elsewhere I have joined the company of various Frankfurt Defenders bent on developing an example that closes off all (robust or morally significant) alternative possibilities at the locus of a freely willed action without the deterministic assumption (Haji 1998; Hunt 2000; McKenna 2003; Mele and Robb 1998; Pereboom 2000; and Stump 1996). I will not pause here to present even one attempt at an example meant to turn the trick. I wish only to report that any example offered has been vigorously contested. It seems that there is no received opinion as to whether any of them will succeed. Furthermore, opponents might object that each of the examples has a dialectical flaw undermining its intuitive appeal; each involves intricacies that import further philosophically disputed theses. Hence, for one of these examples to work, one must grant a further contested matter (for instance, about the nature of causation or deliberation) to see the example as commanding authority over PAP.

It is my contention that at least one type of Frankfurt-example does succeed in satisfying the demands of the Dilemma Defender. But I will not pursue that matter here. What I wish to consider in the following pages is what implications would follow if it could be clearly demonstrated that some example does succeed, and what implications would follow if it could be shown that no example can succeed?
Before proceeding, I pause to make explicit what I mean by “succeed in satisfying the demands of the Dilemma Defender” and by examples that “formally satisfy the conditions of the debate.” Really, there are two distinct issues that are involved in executing a successful Frankfurt example. One is a purely metaphysical question that is captured by the specification of an IRR situation; another is a moral question linking responsibility to certain metaphysical assumptions. To see this, consider an action preformed by an amoral being, one for whom moral questions are misplaced.10 Now imagine that the sort of freedom that this being exercises is the same that is available to a character like Jones in Frankfurt’s famous example. One could construct an IRR analog to a Frankfurt example in which an agent acts freely (in a non-moral context) but in which conditions that have no bearing on bringing about what she does make it so that she cannot do otherwise. Whether or not these examples are possible is a purely metaphysical question. It is yet a further question whether, if such examples are metaphysically possible, they would give us good reason to revise a principle like PAP, one that links a certain action-theoretic conception of agency to the conditions for moral responsibility. For the most part, it is simply assumed in discussions of Frankfurt’s argument that if the metaphysical question can be answered in Frankfurt’s favor, the moral question is settled in Frankfurt’s favor as well.

When I write of an example that would satisfy the demands of the Dilemma Defender, or of an example that would formally satisfy the conditions of the debate, I mean an example that clearly sets forth an IRR scenario, one that demonstrates that the metaphysical question can be answered in the affirmative: an agent acts freely and yet there are conditions playing no role in bringing about her action but nevertheless ensure that she could not have done otherwise.

3. Widerker’s Question: What if Some Example Succeeds?

One recent argument that looks past the details of Frankfurt examples is advanced by the Dilemma Defender, David Widerker (2000, 2003). Just for argument’s sake, Widerker considers the possibility that one might be able to construct a Frankfurt example that accurately describes an IRR scenario. Even granting Frankfurt such a case, Widerker challenges the moral assumption that the agent is blameworthy. This is an impressive move. It is so precisely because it moves beyond the details of Frankfurt’s example and questions the broader assumptions that have been at play in thinking about Frankfurt’s overall case against PAP. Widerker wishes to argue that without alternative possibilities freedom, we cannot make the sorts of moral responsibility judgments that we do make. Thinking about the metaphysical results Frankfurt intends helps to make clear the moral point at issue.

Widerker’s objection to Frankfurt goes as follows. Suppose we get a free agent in a Frankfurt example who does not have any significant alternatives
and who acts on her own uninfluenced by the counterfactual ensuring conditions. Widerker challenges Frankfurt Defenders by asking, “What would you have the agent do?” If the ensuring conditions are properly arranged, it is impossible for the agent to do otherwise. Therefore, any answer to Widerker’s challenge with a content involving some alternative course of action would be tantamount to replying that one would have had the agent do the impossible. And that is morally unreasonable. Widerker dubs this defense of alternative possibilities the What-would-you-have-the-agent-do Defense, for short, the W-Defense.

Note that Widerker’s argument is an instance of the type considered above. One way a defender of PAP might proceed is by arguing that, despite the intuitive appeal of the example as a basis for resisting PAP, the principle itself has a powerful standing. It commands rejection of our intuitions regarding the example. Widerker is offering an argument in support of PAP that advises that we plump for the principle over intuitive reaction to the example and not vice versa. Now, as I made clear, if Frankfurt’s argument were exhausted in the example, then Frankfurt would have no leverage against someone who marshaled decent arguments for the principle over intuitive reaction to the example. To put this another way, if Frankfurt’s argument against PAP were exhausted in the example, he would have no basis for answering the moral question identified above, even if the metaphysical question were clearly answered to his satisfaction. It is therefore especially important that Frankfurt offered two considerations in support of our moral intuitions regarding the example and against the principle. These two considerations I formulated as distinct arguments, the Irrelevance Argument and the No Good Excuse Argument. In evaluating Widerker’s argument, we need to weigh these arguments on behalf of the example’s intuitive appeal against Widerker’s argument on behalf of the principle. Widerker is aware of this, and so before introducing his W-Defense, he turns a critical eye on Frankfurt’s criticisms. In the remainder of this section, I shall resist Widerker’s criticisms. In the next I will consider Widerker’s W-Defense.

3.1. Challenging the Irrelevance Argument

Take the Irrelevance Argument, which maintains that Black’s presence is irrelevant to an account of Jones’s conduct. Hence, the absence of Jones’s alternatives should have no bearing on his responsibility. Widerker saddles Frankfurt with the following premise: “If a fact is irrelevant to the explanation of why the agent performed a certain act, then such a fact has no bearing on the agent’s moral responsibility for the act” (2003, p. 60). Let us call this principle IE (for irrelevant to explanation of action). Widerker attempts to give three counterexamples to IE. One involves a person, Smith, who falsely believes that by reciting an incantation, he can cause a hurricane to avoid destroying a city (2003, p. 61). Smith elects not to do so and the hurricane destroys the city. The example is meant to counter IE in that Smith’s
inability to alter the hurricane’s path is irrelevant to the reasons that Smith elected not to cite the incantation. But it looks like it is relevant to why he is not blameworthy for preventing the disaster. In another example, Green is disinclined to go to work, and this reason is causally sufficient for him not to go to work, although the reason is not morally sufficient. But it turns out that he discovers that he is sick, which is morally sufficient for him not to go to work. Although his being sick in no way figures in his reasons for not going to work, it is sufficient for the fact that he is not blameworthy for not going to work (2003, p. 61). In another case, Widerker considers a person, Green, acting for a selfish reason and fully aware that what he is doing is morally wrong. Yet its wrongness is not among the reasons that Green so acts. But, Widerker reasons, the moral wrongness of the act is pertinent to Green’s blameworthiness. Hence, again, IE is refuted by a counterexample to it.

Frankfurt himself responds to the hurricane example by pointing out that Smith’s conduct cannot be described as failing to prevent a hurricane (2003, pp. 341–2). His failure to recite an incantation played no role in the bringing about of the hurricane. Therefore he did not fail to prevent the hurricane any more than he failed to cause the sun to explode. There is no behavior that is even a candidate for Smith’s status as blameworthy. Hence, there is no example that refutes IE. Frankfurt also responds to the example of Green acting from selfish reasons but not because the act is morally wrong. In this case, Frankfurt agrees that Green is blameworthy and that his knowingly doing moral wrong is relevant to that fact. But then Frankfurt argues that the fact that Green knowingly did wrong is relevant to an explanation of what he did, and so this case is no counterexample to IE (2003, 342–3).

What I find puzzling is that Frankfurt does not respond to Widerker’s case of Green who does not go to work, but not because he is sick. This, it seems to me, is the best of Widerker’s attempts at counterexamples to IE. In Frankfurt’s defense, I think that the proper way of treating this example is to deny Widerker’s claim that Green is not blameworthy. The fact that it is because he does not want to go to work that he does not do so does have a bearing on his moral responsibility. The fact of his illness does not tarnish the judgment of blameworthiness that is established by virtue of the link between his motive of laziness and his acting upon that motive.

It is easy to side with Widerker on this point until a few distinctions are brought to bear on the case. I suspect that the reason that Widerker’s example commands some intuitive appeal against IE is because of a failure to ask the distinct question as to whether it is proper for Green’s employer to hold Green morally responsible for not coming to work. The considerations bearing on the propriety of holding morally responsible, as I see it, are not exhausted with the considerations bearing on a person’s being blameworthy or praiseworthy. A person might be blameworthy, and yet there might be reasons why it is not appropriate to hold her to blame for her blameworthy
conduct. Employers who would be prepared to enter the personal lives of employees so as to determine their real motives for missing work would have to have quite invasive practices, and it is jarring to imagine the propriety of their holding a person like Green to the fire when Green can report that he is sick. But does that mean that Green is not worthy of moral blame despite the fact that his employer would be wrong to hold him to blame and to engage in overt practices of blaming?

Imagine that the case is embellished a bit. Suppose that Green is a surgeon, Dr. Green, whose special skills are unique and that some patient’s life depends upon Dr. Green’s use of those skills on the very day he misses work. Now imagine that Dr. Green’s longtime colleague and fellow surgeon Dr. Blue learns that Dr. Green missed work and failed to perform a surgery. Dr. Blue discovers that the reason Dr. Green elected not to come to work was because he did not want to. He wanted to play golf instead. Then Dr. Blue learns that Dr. Green lucked out and was sick. Perhaps it would be wrong for Dr. Green’s employer (a hospital maybe) to crawl through the details of his life to determine if his sickness was the actual reason that he did not come to work. But would it be inappropriate for Dr. Blue to hold Dr. Green to blame for failing to attend work? I can’t see how.

A proper Frankfurt Defender’s response to Widerker is telling. In each case the tools exploited turn on thinking about the actual sequence of events and what the agent does (or does not) bring about. In one case, the case of Smith and the hurricane, there is no thing Smith brings about by his failure. In the case of Green and the moral wrongness of his act, what Green brings about is something which he is aware is morally wrong. In the case of Green and his failure to go to work, his motive of laziness is the source of his conduct. True to Frankfurt’s approach, this reply fixes upon the freedom found in what the agent does do, not what else she might have done.

3.2. Challenging the No Good Excuse Argument

Now consider the second argument, the No Good Excuse Argument. Recall that Frankfurt argued that Jones could not cite his inability to do otherwise as a reason for his doing what he did since he was not aware of Black’s presence; nor did his inability to do otherwise have any bearing on the actual causes of his action. Therefore, Jones could not use the fact of his lack of alternatives to show either that he did not act from a culpable motive, or that his action was produced in a causally deviant fashion. Hence, Jones had no good excuse. Widerker maintains that the following principle is what underwrites Frankfurt’s appeal to this argument: “Something counts as an (explanatory) excuse for what an agent did, only if its absence would make a difference to the way the agent behaved, that is, only if, were it not to obtain, the agent would have acted differently” (2003, p. 62). Call this principle AD (for “absence would make a difference”). In support of attributing to Frankfurt AD, Widerker quotes this passage from Frankfurt:
It would surely be no good for the person [Jones] to refer to the circumstances of this sort [Black] in an effort to absolve himself of responsibility for performing the act in question. For those circumstances, by hypothesis, actually had nothing to do with his having done what he did. He would have done precisely the same thing, and he would have been led or made in precisely the same way to do it, even if they had not been present. (Frankfurt 1969, p. 837; as cited in Widerker 2003, p. 62)

The last sentence in this passage provides some textual evidence for attributing AD to Frankfurt. So, for the moment, let us assume that Widerker is correct to make this attribution. Widerker argues that two of the examples he employed to undermine IE also undermine AD. The case of Smith and the Hurricane, Widerker maintains, involves an excuse the absence of which would not have altered the agent’s conduct. As Widerker sees it, the relevant excuse in the case of Smith is that Smith’s incantation is powerless over the Hurricane. But if it were not, that would not make a difference to Smith’s failure to recite the incantation. Also, Widerker explains, the case of Green not attending work while ill is also a counterexample to AD. Smith’s excuse consists in his illness, but because his illness was not the reason that he did not attend work, were he not ill, it would have had no bearing on his conduct.

As set out above, I do not agree with Widerker’s diagnosis of the examples, and just as a different treatment of them revealed that they did not undermine IE, the same point applies to AD. Regarding the case of Smith and his decision not to recite the incantation, as Frankfurt explained, the reason that he is not excused from preventing the Hurricane’s destruction of the city is because he did not “allow” the Hurricane’s destruction of the city by way of his omission. There is no thing that he did, nor consequence that he caused by a failure to act, for which an excuse is appropriate. (His failure to try to prevent the Hurricane is another matter, but that has no bearing on the case in question or a challenge to IE or AD.) In the case of Green’s failure to go to work due to his laziness, I have argued that in this case, Green did do something for which he is blameworthy, but that his illness is not an excuse for that. So, again, this case is no counterexample to AD any more than it is a counterexample to IE.

The above reply is, however, misleading. Battling with Widerker over the details of these cases misses a deeper point. It is common in characterizing Frankfurt’s argument to point out that if Black had not been present, Jones would have acted just as he did. The point is meant to establish both the irrelevance of Jones’s lack of alternatives (figuring in the Irrelevance Argument) and also the fact that Jones acted from a culpable motive (figuring in the No Good Excuse Argument). But it is not clear that from a passage like the one Widerker cites, one can extrapolate AD. Certainly Frankfurt can say that, as the case of Jones is arranged, the relevant counterfactual is true. But does the general point Frankfurt wishes to make turn upon some
similar counterfactual always applying? Put differently, must we take from Frankfurt’s remark (that Jones would have acted the same in Black’s absence) the thesis that it is a necessary condition of any good excuse that its absence would make a difference to what the agent did? If Frankfurt did mean to commit to this (and I am doubtful that he did), he was wrong to do so. Suppose that Thelma is unable to help Daphne because Shaggy has placed her in a trance. Thelma is not blameworthy for not helping Daphne for this reason. In any other case, were Thelma not in a trance, she would help Daphne. But in this very special case, there is a counterfactual intervener present, Scooby, who would render Thelma paralyzed were Shaggy not to have placed Thelma in a trance. Hence, we have a counterexample to AD. Thelma is excused for not helping Daphne due to her trance, but the absence of her trance would not make a difference to how she behaved (or failed to behave).

I strongly suspect that Frankfurt’s use of the counterfactual from which Widerker extrapolates a general principle, AD, was never intended to be generalized. It was, I suspect, focusing just on the case of Black, Jones, and Smith, merely one way to make the point that the absence of alternatives could not help us understand the culpable or non- culpable motive with which Jones acted. Therefore, I do not think that Frankfurt’s No Good Excuse Argument needs AD, and it is illuminating to note that it is focusing almost exclusively on the last full sentence in Widerker’s quotation from Frankfurt (see above) that gives one reason to hold that it is AD that is at work in the No Good Excuse Argument. Fix instead on the sentence just prior to the last one quoted: “For those circumstances, by hypothesis, actually had nothing to do with his having done what he did.” From this sentence, one can extrapolate a different principle at the core of the argument: Something counts as an excuse for what an agent did only if its presence reveals either that the agent did not act from a culpable motive, or that the agent’s action arose from a causally deviant source. This principle might be labeled PM (for presence of excusing factor must morally or causally matter).

My contention is that it is PM and not AD that drives the No Good Excuse Argument. Recall, to undermine AD, Widerker appealed to two examples of the three he used to challenge IE. Note that if we consider all three of those cases in relation to PM, there is no threat to the principle. Take first the example of Smith, the incantation and the hurricane. The same point is relevant here as above; there is no thing the agent did (or failed to do) that pertains to the path of the hurricane. So the fact of Smith’s inability to alter the hurricane’s path, despite revealing nothing about his motives, is not a counterexample to PM. Now take the example involving Green’s knowingly doing moral wrong without that being part of the reason for his action (the reason consisting only in his self-interest). As Frankfurt clearly points out, Green’s knowingly doing moral wrong does bear on his blameworthiness and
on an explanation of his action, and consistent with PM, its presence does reveal something objectionable about the moral quality of Smith’s motive. Moving on to the case of Green and his failure to attend work because he does not want to (not because he is sick), I have argued that Green is blameworthy for his failure to attend work, and consistent with PM, the fact of his illness does not show that he does not act from a culpable motive.

Widerker’s assault on the two Frankfurt-inspired arguments fails. In the case of the Irrelevance Argument, Widerker is correct to attribute to Frankfurt the principle IE. But each of the cases Widerker presents can be accommodated without rejecting IE. In the case of the No Good Excuse Argument, Widerker is wrong to attribute to Frankfurt the principle AD as the one central to the argument. Once it is made clear that it is PM and not AD that underwrites the No Good Excuse argument, Widerker’s challenge to the argument is shown to miss the mark.

4. The W-Defense

Against Widerker’s attack, I have just defended two Frankfurt-inspired arguments meant to support our intuitive reaction to a Frankfurt example in opposition to PAP. I turn now to Widerker’s positive argument in favor of PAP in opposition to our intuitive reaction to Frankfurt examples. Before I proceed, it is important to point out that, with Frankfurt’s arguments still standing, even if Widerker’s W-Defense is not subject to clear refutation, it will have to be weighed against the force of Frankfurt’s arguments. I say this because, as I see it, the W-Defense is not subject to clear refutation. At best, resisting it simply brings into relief differing intuitive conceptions of freedom and responsibility. This puts me at odds with other Frankfurt Defenders, including Frankfurt himself (2003). But I believe that a fair hearing of Widerker’s W-Defense makes clear that there is some undeniable force to it.

Widerker’s challenge to Frankfurt is to grant the possibility that the metaphysical question is satisfied to Frankfurt’s satisfaction: the agent in a relevant example acts freely but conditions that do contribute to what he does do make it so that he could not have done otherwise. In short, Widerker grants the metaphysical possibility of IRR situations. In the face of this possibility, Widerker asks, “What would you have the agent do?” Of course, when we blame a person for a moral wrong, a clear implication is that our moral charge includes the demand that the person not have done that, that the person have acted as morality requires.12 It is only proper that the Frankfurt Defender recognize this. Indeed, Frankfurt himself does not shy away from stating this point. He writes:

What should Jones have done instead? He should have behaved virtuously. In deciding of his own free will to break his promise, he violated the requirements of morality. Instead of doing that, he should have refrained from violating those requirements. (2003, p. 343)
Focus on the first and third sentences in this passage. These play directly to Widerker’s hand. Admitting that the content of what the agent should have done involves something other than what the agent did naturally invites the question, “could the agent have done this?” Now of course, some philosophers, and especially many Frankfurt Defenders, will argue that ‘ought’ (or ‘should’) does not imply ‘can’. Hence, they would argue that there is nothing problematic about Frankfurt replying in this way. But this seems to me an unsatisfactory defense of Frankfurt’s position. For one thing, on at least one defense of the crucial move, denying that ‘ought’ implies ‘can’ is shown to be compelling under the assumption that Frankfurt’s argument is sound. Widerker’s objection is meant to dispute this. So at best, the reply quickly degenerates into a stalemate. For another, it appears to me to near self-deception to resist the intuitive force of Widerker’s key insight. In a context regarding judgments of blame, in stating what a person should have done but did not do, there is some presumption that she could have done that thing.

I think that Widerker’s W-Defense cannot be directly refuted; there is something right about it. Widerker has tapped into an important moral intuition favoring a conception of free agency and moral responsibility in terms of alternative possibilities. Some arguing for Frankfurt’s thesis are reluctant to admit that there could remain residual intuitions of our moral thought that cannot be fully accommodated. But Widerker’s W-Defense has simply hit one of those intuitions spot on. It is only philosophically honest to acknowledge that. In a thoughtful reflection on the free will debate, crediting Rogers Albritton for the idea, Gary Watson recently wrote:

One reality that compatibilists seldom acknowledge is the disparity between what they offer and what we naturally believe in our daily lives about our agency (a disparity upon which incompatibilists insist). For this reason, they are often vulnerable to the charge of “revisionism.” On the other hand, if compatibilists tend to proceed as though what they proposed were common sense, libertarians tend to regard the phenomena identified in compatibilist conceptions as worthless—about as valuable, in Kant’s contemptuous phrase, as “the freedom of the turnspit.” Both of these tendencies are, at this stage of the game, dialectically unhelpful.

The history of this problem dictates that these controversies are reflections of irresolvable tensions in our ordinary thought about agency. Any constructive philosophical account of our practices will have to emphasize certain of its conflicting features at the expense of others. So any consistent, non-skeptical philosophical account will strike some as revisionist to one degree or another. Although we can sometimes agree that they in effect change the subject... the persistently attractive options in this area all seem to have too much going for them to be dismissed in this way. (2003, p. 24)

My assessment of the W-Defense is that it is such an impressive argument because it hits upon a raw nerve for the Frankfurt Defender. By way of
the W-Defense, certain features of ordinary thought are brought into relief; Frankfurt’s conclusions do lead to an “irresolvable tension” in our thinking about blame and its implications (regarding what an agent should have done instead). This is why I think it is only intellectually honest for Frankfurt to say what he does, in effect, to play to Widerker’s hand.

Despite the fact that Frankfurt does play to Widerker’s hand, there is also a clear indication of how Frankfurt wishes to resist Widerker. This comes in the second sentence quoted above, “In deciding of his own free will to break his promise, he violated the requirements of morality.” Here one can find a clear instance of Watson’s point. There is an emphasis by Frankfurt upon certain features that conflict with the ones Widerker fixes upon. Frankfurt focuses not upon what he would have had Jones do, but upon what Jones did do. Recently, I have proposed that we develop this remark of Frankfurt’s into a direct reply to Widerker. To the challenge, “What would you have had the agent do?” a Frankfurt Defender can reply, “Look at what the agent has done.” Thus, to Widerker’s W-Defense, I have proposed the L-Reply (2005). The force of the L-Reply is to invite one to fix upon the moral quality of the agent’s conduct, to consider what sort of estimation we ought to attach to it.16

The careful reader will notice that this reply, the L-Reply, focusing as it does on the actual sequence of events in which the agent acts, complements Frankfurt’s No Good Excuse Argument and his Irrelevance Argument. Both arguments as well as the L-Reply are organized around a single driving intuition:

A person’s moral responsibility concerns what she does do and her basis for doing it, not what else she could have done.17

Naturally, those not predisposed to this intuition will not be swayed by Frankfurt’s case as one that clearly trumps the W-Defense. But I think that is more than one should expect from contestants in this debate. What does seem like a reasonable conclusion is that the W-Defense has a clear competitor in the L-Reply and in the organizing intuitions at the heart of Frankfurt’s entire case against PAP, including the intuitive force of the Frankfurt example, the No Good Excuse Argument, and the Irrelevance Argument. Here, the sort of tension Watson alluded to invites broader philosophical considerations. What else can be brought to bear on behalf of Frankfurt’s thesis over a conception of responsibility (and especially blame) highlighted by Widerker’s compelling W-Defense? As I shall set it out in the following section, a recent remark of Frankfurt’s points the way.

5. Frankfurt’s Question: What if no Example Succeeds?

In facing the W-Defense, I considered the case of a thoughtful critic of Frankfurt, David Widerker, prepared to go beyond the battle over the details
of Frankfurt examples. These details have to do with the metaphysical question regarding the possibility of IRR situations. Instead, Widerker raises the distinct moral question regarding the connection between the metaphysical possibility Frankfurt imagines and our assumptions about blame and moral responsibility. Widerker’s is an admirable effort to think past certain controversies and reflect upon deeper philosophical matters. As a defender of alternative possibilities, Widerker explored what avenues might be open granting that some Frankfurt example succeeds in closing down all significant alternatives. In a startling turn of events, Frankfurt himself mirrored this very move. Frankfurt considered the prospect that perhaps it is not possible to construct an example that appropriately closes down all alternatives—that is, to construct an IRR situation. Just as Widerker argued in favor of a PAP-like principle even if some Frankfurt example formally succeeds in satisfying the conditions of the debate, so Frankfurt countered by arguing against any PAP-like principle even if no example succeeds. Frankfurt writes:

... the usefulness of the examples that Widerker finds unsatisfactory does not really depend upon supposing that they describe circumstances that actually make an action altogether unavoidable while playing no role in bringing the action about. The examples effectively undermine the appeal of PAP even if it is true that the circumstances that do bring an action about invariably leave open the possibility that the action might not be performed.

What the examples are essentially intended to accomplish is to call attention to an important conceptual distinction. They are designed to show that making an action unavoidable is not the same thing as bringing it about that the action is performed. Their most pertinent import is that there is a difference between asserting that a set of circumstances possesses one of these features and asserting that it possesses the other. (2003, pp. 339–40)

So, as Frankfurt sees it, even examples that remain contestable by the standards of the current battle over them still have an important argumentative role to play in clarifying our thinking about control, freedom, and moral responsibility.18 The examples, even if not decisive, help to make clear a distinctive sort of freedom, one that focuses on what an agent actually does and her motive for doing it.

Why would it aid us in our theorizing about moral responsibility to call attention to the mere fact that Frankfurt Examples help us to distinguish a sort of freedom that concerns what an agent does? Or, reflecting upon the L-Reply to the W-defense, why would it be useful to call attention to what an agent has done as a competitor reply to the W-Defense? Furthermore, what gives credibility to either the Irrelevance Argument or the No Good Excuse Arguments? All of these questions can be answered from a single source: What is relevant to moral responsibility is the moral quality of the
motive with which an agent acts, combined with the manner in which she brings her actions about. Call this Frankfurt’s Quality of Will Thesis. The sort of freedom spotlighted in a Frankfurt example, and the demand that we evaluate a person in terms of what she did (even if we cannot say what else we would have had her do), can be organized around Frankfurt’s Quality of Will Thesis. In my estimation, this is the larger current into which Frankfurt’s argument enters. Accounting for the freedom relevant condition for moral responsibility by the light of the Quality of Will Thesis strongly suggests that we think in terms of a sort of freedom that concerns the actual sequence of events that leads an agent to do what she does.

Just as I conceded on behalf of the Frankfurt Defender that there is no decisive refutation to Widerker’s W-Defense, I think it is only dialectically fair that the advocate of alternative possibilities at least entertain Frankfurt’s Quality of Will Thesis, as well as the development of a positive account of actual-sequence freedom that it inspires. Certainly, absent a knock down example, the advocate of alternative possibilities freedom always has the dialectical option of insisting that her preferred constraint upon free and responsible agency has not been demonstrably refuted. But it is philosophically unconstructive not to acknowledge that Frankfurt’s examples invite us to consider the features of agency reflected in how a person does exercise her freedom or control in what she does. If those opposing Frankfurt are at least willing to be sufficiently open minded just to acknowledge that there is this matter to consider, then it invites various theorists friendly to Frankfurt’s thesis to provide positive accounts of the sort of freedom that Frankfurt wishes to highlight. If a sufficiently rich account of such freedom can be produced, one that reveals the many deep features of agency that we value in morally responsible agents, then perhaps there is a case to be made independently of the force of the examples that freedom without alternatives is freedom enough. Of course, those familiar with Frankfurt’s own work will recognize that Frankfurt elsewhere offers such an account in terms of hierarchical orderings of desires and one’s identification with the springs of her action (1971).

6. Concluding Remarks

In this paper I have argued that there are moves left for both opponents and advocates of Frankfurt’s argument even if either side loses the battle over the examples. Recognizing this has forced us to think about the deeper moral and metaphysical assumptions underwriting the different arguments. In the case of the advocate of alternative possibilities freedom, David Widerker has thoughtfully called attention to an important moral consideration pertaining to blame that cannot be accommodated if persons do not have the freedom to do otherwise. In my estimation, this forces the Frankfurt defender, first, at least to recognize that some dimension of our understanding of moral
responsibility cannot be preserved if the only sort of freedom persons have is the sort that remains in a Frankfurt example. Second, it forces the Frankfurt Defender to highlight what is after all driving the Irrelevance and the No Good Excuse arguments: A person’s moral responsibility concerns what she does do and her basis for doing it, not what else she could have done.

In the case of the Frankfurt Defender, Harry Frankfurt himself has entertained the prospect that no example succeeds in the way his opponent demands. In doing so, Frankfurt has called attention to important moral and metaphysical considerations worth careful evaluation irrespective of the examples. First, what makes morally relevant calling attention to a sort of freedom that does not involve alternative possibilities? I have answered that it is Frankfurt’s Quality of Will Thesis, What is relevant to moral responsibility is the moral quality of the motive with which an agent acts, combined with the manner in which she brings her actions about. This invites metaphysical considerations regarding an adequate account of agency, an actual sequence account. Such an account would stand independently of the success of any Frankfurt example. It would be evaluated in terms of its ability to provide a sufficiently rich explanation of action, one that could support the judgment that freedom without alternatives is freedom enough.

It is clear that I have not been neutral in evaluating each side in the dispute. Transparently, I am campaigning for Frankfurt and company. But I hope that it is also clear that I have acknowledged that those endorsing Frankfurt’s thesis regarding alternative possibilities freedom cannot claim victory across the board. Residual aspects of our thinking about responsibility, and especially blame, will have to be ceded, at least until further inquiry is devoted to what is valuable in responsibility and blame, and what we have good moral reason to preserve. This suggests that the work of others writing on freedom and responsibility can be used to carry us past the controversy over Frankfurt’s argument and especially his examples. I have in mind those theorists who fix upon the moral value that we place upon our moral responsibility practices. Some, such as Robert Kane (1996), and Alfred Mele (1995 and 2006) (when Mele is prepared to take the shape of a libertarian), stake claim to important values lost if we do not have the freedom to do otherwise or if we cannot be ultimate originators of our conduct. Others, such as John Martin Fischer, (1999b), T.M. Scanlon (1988), P.F. Strawson (1962), or Jay Wallace (1994), argue that either the value to human life, or maybe instead moral considerations, justify our responsibility practices, including our blaming practices, even if we are determined agents, and even if we do not have the freedom to do otherwise.

By considering the value of Frankfurt’s argument beyond the example that is at the center of it, I have been able to link his thesis to a range of further philosophical issues in the debates about freedom and responsibility. It is of course the mark of Frankfurt’s outstanding contribution that the lasting influence of his argument against alternative possibilities freedom casts a
light far beyond the success or the failure of the examples that have been the focus of so much debate.

Notes

1 I would like to thank Bernie Berofsky, John Martin Fischer, Ishtiyaque Haji, Alfred Mele, Robert Pasnau, Derk Pereboom, and Michael Zimmerman for their excellent comments on an earlier draft of this paper. I also delivered a draft of this paper to the Department of Philosophy at University of Colorado, Boulder. I am grateful for the helpful comments from members of the audience.


3 The label is due to David Widerker (1995, p. 248).

4 Of course, it is notoriously difficult to explicate just what makes an action's etiology causally deviant in a way that is sufficient for her non-responsibility. Some maintain that all that is relevant is the sort of causal structure involved in an appropriately integrated psychology at the time at which an agent acts (e.g., Frankfurt 2002). Others will argue that causal histories matter, that some ways in which persons come to have the psychic structures they have can be responsibility-undermining, even if the current psychic structures themselves are not (e.g., Haji 1998; Fischer and Ravizza 1998; Mele 1995, or perhaps Wolf 1987). But this controversy should have no bearing on the formulation of the No Good Excuse Argument that I have set out here. Since questions about responsibility-undermining histories can stand independently of questions about alternative possibilities, the PAP Defender can’t exploit this possibility in her defense. (On this last point, see McKenna 2001; and Pereboom 2001).

5 For a discussion of these arguments, see Widerker (2000).

6 Those familiar with this literature will recognize that the qualification “no significant alternative” is meant to limit the relevant alternatives to ones that are now referred to as robust (following Fischer 1994). Sometimes they are identified as morally significant (in the context of the debate over Frankfurt’s argument). According to one characterization, a robust or morally significant alternative is one that a defender of alternative possibilities could reasonably claim to help make an explanatory difference in understanding why a person is morally responsible for her conduct (Fischer 1994; McKenna 2003; Pereboom 2001; or Widerker and McKenna 2003). A non-robust or morally insignificant alternative lacks this explanatory feature. On another, a robust alternative is one that can be characterized in terms of a normal action or refraining description (such as “not shoot a gun”) rather than in terms of a refined description (such as “not shoot a gun on one’s own”), which import a content into the action description that guarantees that no Frankfurt example could exclude them (Mele 2006, p. 92). Because the central point of this paper is unaffected by a careful account of robustness, I will ignore the development of this point. Here I will simply ask readers to grant that the controversy over Frankfurt’s argument in relation to PAP turns upon whether a certain range of alternatives, the robust or morally significant ones, are required for moral responsibility.

7 I borrow this example and the following paragraph from McKenna (2003).

8 The locus of a freely willed action can be understood as the originating baptismal moment at which an agent initiates an action of her own free will. Such initiating events involve basic mental actions, such as choices, decisions, or the formation of intentions.

9 John Martin Fischer is a notable exception; he argued that the Frankfurt Defender should not be prepared to grant that determined agents in Frankfurt examples are objectionable (1999). (Though I am uncertain as to whether this is currently his considered view.) Recently, in a paper coauthored with Ishtiyaque Haji (2004), I too have challenged the assumption that a Frankfurt Defender must accommodate her incompatibilist opponent by working only with examples that satisfy incompatibilist constraints upon responsible agency.
For those doubtful of such beings, see Mele’s discussion of Aristotle’s hypothetical Gods (Mele 1995, p. 6). According to Mele, one can still raise questions about the autonomy of these beings. I am saying something similar: one can raise questions about the metaphysical nature of the freedom of these beings.

By far, the most penetrating discussion of Widerker’s W-Defense is Michael Zimmerman’s (2003, pp. 308–12). Zimmerman takes great care to unpack what precisely Widerker means by maintaining that holding one culpable requires that we are able to say what the agent should have done. As Zimmerman explains, what Widerker demands is not clear. Is the “should” to be understood in terms of what the agent believed was morally wrong, in terms of what a third party would have reason to regard as morally wrong, or in terms of someone who is aware of all of the morally relevant facts? Furthermore, does Widerker wish to fuse the force of the question, What should the agent have done instead with, What should the agent have done to avoid being blameworthy? While I sympathize with Zimmerman’s insistence that Widerker’s argument is vague on this point, I also think that there is a reasonable construal of it that is clear enough. Eventually, Zimmerman comes to a rendition of it that is the one I have in mind in my discussion. This rendition turns crucially on the following premise: “An agent is culpable for his behavior only if someone who is aware of all the relevant moral facts pertaining to an agent’s situation would expect the agent to have behaved otherwise” (2003, p. 310). In light of this construal, Zimmerman replies that Frankfurt would find this premise question begging; Frankfurt, Zimmerman suggests, would not expect a person who is both culpable and has no alternative possibility to have behaved differently. I can certainly see why Zimmerman thinks that this is the answer Frankfurt should give. But as it turns out, as I shall explain presently, it is not the one Frankfurt does give. Instead, Frankfurt accepts the implication that the agent should have behaved differently. In my estimation, this reveals a deep tension in our thinking about blame (and hence about responsibility).

There is a rich literature about just this matter. For a thorough defense of ‘ought’ implies ‘can’ and of the negative implications it has for Frankfurt’s argument, see Copp (1997 and 2003). For another impressive treatment of these issues, one that is, in qualified ways, friendly to Frankfurt’s argument, see Haji (1998 and 2002). Haji takes issue with Copp in Haji (2006).

Note the qualification, “In a context regarding judgments of blame.” I do not mean to commit to the much stronger thesis that any claim regarding what a person should have done (or ought to have done) entails a commitment to the proposition that they could have done it. For example, in the moral education of my nephew Ryan I once witnessed his father tell Ryan that he should not have snatched a cookie from his younger sister Rachel’s hands. Ryan’s impulse was at that point in his young life far beyond his control. But it was not speaking falsely to tell Ryan what he should not have done even though he was unable to do it. Telling him that it was wrong was truthfully informing him of what the standards of morality (and cookie eating) require.

In correspondence, Al Mele has asked about the following reply on Frankfurt’s behalf: What he (Frankfurt) would have had Jones do is not do what he did freely (but instead, do it as a result of Black’s coercion). Although this reply is open for Frankfurt, it would be an odd reply, and for two reasons. First, those options, freely doing A or doing A as a result of coercion, are not within the scope of the agent’s control in the sense that Jones (or the relevant Jones-like character) does not have access to some voluntary action whereby she controls either of those options, not if the Frankfurt example is set up properly (Fischer 1994). Second, this reply is really a reply that those opposing Frankfurt have exploited to find some small alternative present in a Frankfurt case (van Inwagen 1983; and Naylor 1984). In replying to the W-Defense, were Frankfurt to adopt this reply, he’d be playing into the hands of opponents who have resisted him on other fronts.
Fischer’s reply to the W-Defense is similar to mine in terms of what Fischer takes to be the positive position that the Frankfurt-defender should press. However, Fischer and I disagree as regards whether there should be any concession made to Widerker. Fischer writes:

In reply, I would say that Widerker is employing elements of the “alternative-possibilities” framework; but if one accepts the “actual-sequence” approach to moral responsibility, one will want to resist all elements of that framework. (2006, p. 210)

My only difference with Fischer is that I am unwilling to resist all elements of that framework. That is, I am willing to grant to my adversary here that parts of that framework can not be resisted. Of course, I would then want to agree with Fischer that by focusing upon the actual-sequence, there are enough resources left to show that the “irresistible” parts of the competing framework can be set aside for an overall more compelling picture of agency, freedom, and responsibility.

Several recent theorists share this motivation, but it is most notably introduced by Fischer in offering an actual-sequence theory of moral responsibility (1994).

In a review essay of Fischer and Ravizza’s Responsibility and Control, I also considered the prospect that no Frankfurt Example could succeed in satisfying the formal conditions that I have delineated above (2000). Like Frankfurt, I argued that the force of the thought-experiment still helped to bring into relief an important kind of freedom that does not involve alternative possibilities.

Notice that this places Frankfurt close to P.F. Strawson (1963). Strawson made a quality of will thesis central to an understanding of responsible agency. In fact, I have argued that Strawson is committed to treating the excuse “I could not have done otherwise” just as Frankfurt treats it, namely as not permitting generalization, and as an excuse that works only if it reveals that the agent did not act from a morally culpable motive (2005).

Others, such Fischer (1994), Fischer and Ravizza (1998), Haji (1998), Mele (1995), Wallace (1994) or Watson (1975) offer different accounts that are also friendly to the sort of freedom brought into relief by Frankfurt examples.

References


