

# **Frankfurt-type Examples and the Principle of Alternative Possibilities**

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## Table of Contents

Frankfurt-type Examples and the Principle of Alternative Possibilities.....	i
.....	i
Table of Contents.....	i
Abstract.....	ii
Introduction.....	1
1. Flickers of Freedom.....	3
Four Types of Flickers.....	5
2. New Frankfurt-style Cases.....	13
3. Dispositional Account of the Ability to Do Otherwise.....	22
Lamb's approach.....	24
"Could Have Done Otherwise" as a Disposition.....	29
Conclusion.....	37

## **Abstract**

To be morally responsible a person must be able to perform the action he does not actually perform, that is, a person must have alternative possibilities. This is how philosophers traditionally conceived moral responsibility. But, recently Harry Frankfurt presented an example which persuaded many philosophers that having alternative possibilities is not a necessary condition for moral responsibility. On the other hand, many philosophers argued that Frankfurt's example does not show what it was designed to show. Philosophers persuaded by Frankfurt's original example replied by offering more sophisticated versions of his example. However, I argue that there is at least one way to show that even the new versions of Frankfurt-type examples fail to accomplish their aim. I believe that if the ability to perform an unperformed action is understood as a disposition, it is possible to demonstrate that Frankfurt-type examples do not show the irrelevance of alternative possibilities for moral responsibility. Furthermore, the ability to perform an unperformed action is a disposition.

## Introduction

The claim that someone should not be blamed for something he could not have avoided doing seems almost an axiom of moral reasoning. In everyday life we often exempt someone from responsibility for what he did, if we discover that the person could not have done otherwise. Everyone is familiar with legal cases in which the murderers were exempted from their guilt because doctors determined that they suffer from some heavy mental illness which disabled their capacity to choose whether or not to kill. Likewise, we normally do not blame someone for not coming to the appointed meeting if she could not come due to being hit by the car while coming to meet us.

The basic idea behind our reasoning in these familiar cases is captured by the Principle of Alternative Possibilities. The principle says that we are responsible for our actions only if we could have done otherwise.

However, some philosophers found reasons to doubt that this principle has universal application. They pointed out that if it were an unconditional truth and we are morally responsible, the principle entails the falsity of determinism. But it seems to follow from our everyday experience as well as science that our actions are determined in many respects by social biological and other factors. So, it would seem that if we accept determinism and do not reject the PAP, we must conclude that nobody is responsible for anything he does. This reasoning motivated philosophers to examine the truth of the PAP.

Locke, for instance, argued against PAP with his famous example of “locked doors”<sup>1</sup>. In his example the sleeping person is carried into a room where there is somebody who he wanted very much to see. Unbeknownst to the person the doors of the room were locked

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<sup>1</sup> See in Fischer, John, M. “Frankfurt-style Examples, Responsibility and Semi-compatibilism”, in “Free Will”, edited by Kane Robert. Wiley-Blackwell, 2002 p. 96

and there is no way for him to get out. He wakes up, happy to find himself in such desirable company, and he spends some time talking to his friend without thinking about leaving the room. Is the person responsible for not leaving the room? It seems that he is, because the fact that the doors were locked did not influence his actual decision not to leave the room.

Since we have the intuition that the person is responsible although he could not do otherwise, we seem to be compelled to draw a conclusion that the alternative possibilities are irrelevant for moral responsibility. In addition, the example suggests that some other grounds, independent of the existence of alternative possibilities, may be sufficient for our intuition that the agent is responsible for not leaving the room. However, there are still some alternative possibilities available in Locke's example. It is still true that the person has the possibility to decide to leave the room, walk to the doors, try to open them etc.

But, it is possible to think of cases in which these alternative possibilities are eliminated as well. For instance, we can imagine a possible scenario in which the agent cannot even make a decision to do otherwise. This kind of scenario was first presented by Harry Frankfurt. The example goes like this:

Suppose someone-Black, let us say-wants Jones<sub>4</sub> to perform a certain action. Black is prepared to go to considerable lengths to get his way, but he prefers to avoid showing his hand unnecessarily. So he waits until Jones<sub>4</sub> is about to make up his mind what to do, and he does nothing unless it is clear to him (Black is an excellent judge of such things) that Jones<sub>4</sub> is going to decide to do something other than what he wants him to do. If it does become clear that Jones<sub>4</sub> is going to decide to do something else, Black takes effective steps to ensure that Jones<sub>4</sub> decides to do, and that he does do, what he wants him to do. Whatever Jones<sub>4</sub>'s initial preferences and inclinations, then, Black will have his way.<sup>2</sup>

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<sup>2</sup> H. Frankfurt, 1969. "Alternate Possibilities and Moral Responsibility", *The Journal of Philosophy*, Vol. 66, No. 23, pp. 829-839

This example persuaded many philosophers that the alternative possibilities have no relevancy for moral responsibility. But many disagreed. They found reasons to doubt that Jones has no alternative possibilities or that he is morally responsible. The proponents, though, were not discouraged, so they invented more sophisticated examples to persuade non-believers. This was the beginning of the ongoing debate in which my argument is situated.

In this paper I argue that Frankfurt-type examples even in their most sophisticated versions do not show that PAP is false. I show three different strategies for challenging Frankfurt-style examples. In Chapter One, I discuss the claim that Frankfurt-style examples do not eliminate all kinds of alternative possibilities available. Chapter Two discusses a libertarian reply to Frankfurt. Along the way, I show that these strategies, although they represent a challenge to proponents of the Frankfurt-type examples, do not show that they are essentially wrong. Finally, in Chapter Three I present the dispositional account of the ability to do otherwise, which I argue, clearly shows where Frankfurt and his followers made a mistake.

## 1. Flickers of Freedom

The Frankfurt example (and the subsequent versions of the example) outlined in the introduction has strong intuitive appeal. At first sight, it seems to represent evidence for the claim that alternative possibilities or the “could have done otherwise requirement”, (traditionally regarded as a necessary condition for freedom) has nothing to do with freedom in the sense relevant for the ascription of moral responsibility.

Jones, the agent in Frankfurt’s example, had no alternative possibilities. In other words, he could not have done otherwise. Still, we have the intuition that he is morally responsible for his action, since he performed it of his own will. The fact that he could not have done otherwise did not influence his decision. The mechanism which eliminated

the alternative possibility did not compel him to choose as he did. Therefore, it seems that we must conclude that Jones is morally responsible for his choice. Alternatively, if he is not responsible, we must conclude that his non- responsibility has nothing to do with the lack of alternative possibility.

However, Frankfurt-style examples are not as unproblematic as they seem at first sight. Jones has some alternative possibilities. As John Martin Fischer's points out, "although the counterfactual interveners eliminate most alternative possibilities, arguably they do not eliminate all such possibilities: even in Frankfurt-type cases, there seems to be a "flicker of freedom."<sup>3</sup> Jones could not, for instance, choose to vote for Bush, but he could show inclination to vote for Bush. Although not a full fledge decision to do otherwise, showing inclination to do otherwise is still an alternative to showing no inclination to do otherwise. Thus although only a weak alternative or, as Fischer calls it, a flicker, it is the alternative to what Jones actually did.

But if there are some alternative possibilities, even the weak ones, it is not true that Frankfurt-style examples represent cases in which morally responsible agents have no alternative possibilities. Accordingly, it is not true that Frankfurt-style examples show the compatibility of moral responsibility with determinism since in a causally deterministic world there would be no alternative possibilities of any sort. As Fisher notices, "causal determinism would extinguish not only a prairie fire of freedom, but also a tiniest flicker."<sup>4</sup>

It is common to consider Frankfurt-style examples as a support for compatibilism. This is at least, how J. M. Fischer, one of their prominent defenders, presents them. However, it is important to note that the proper target of the examples is not determinism, but the Principle of Alternative Possibilities (PAP). It is possible thus to hold that the examples effectively show that PAP is false but reject compatibilism. Eleonore Stump, for instance, argues that the examples successfully deny PAP, but denies that determinism is

<sup>3</sup> Fischer, John, M. 1994. "The Metaphysics of Free Will", Oxford: Blackwell Publishers p. 134

<sup>4</sup> Ibid. p. 135

compatible with moral responsibility.<sup>5</sup> On the other hand, some philosophers argue that determinism is compatible with moral responsibility while holding that we are morally responsible for what we do only if we have alternative possibilities<sup>6</sup>.

I will first present four kinds of flickers to which philosophers have pointed so far. Second, I will present J. M. Fischer's argument against the relevance of flickers for moral responsibility. Finally, I will show that although the flickers in themselves are insufficient to ground the ascriptions of moral responsibility, they could still be relevant if something else that grounds moral responsibility entails their existence.

### Four Types of Flickers

One may reason in this way: although Jones cannot make a different decision, he can at least begin to make different decision. So, one may say that Jones can demonstrate the power to initiate the choice to do otherwise which could serve as a basis on which we ascribe him moral responsibility.

However, it is possible to imagine the versions of Frankfurt-type examples in which the possibility to begin an alternative deliberation process is eliminated as well. We can imagine the case in which Black, the counterfactual intervener, has the ability to predict if Jones will decide to vote for Clinton or begin to vote for Bush. The case presupposes that, before starting to make a decision, Jones unconsciously emits a sign on the basis of which Black knows what is Jones going to decide. Jones could, for instance, blush red, raise eyebrow or show some other sign readable by Black that he is about to vote for Clinton and show some other sign or no sign at all that he is about to decide to vote for Bush. Thus, Black who is able to read those signs would stop him before he even starts to make the alternative decision.<sup>7</sup>

<sup>5</sup> See Timpe, Kevin 2006. "A Critique of Frankfurt-Libertarianism", p. 192 *Philosophia* 34

<sup>6</sup> Ferenc Huoranszki for instance, argues for this view in his forthcoming book "Fate and Freedom".

<sup>7</sup> These examples were given by J. M. Fischer, in "Frankfurt-style Examples, Responsibility and Semi-compatibilism", in R. Kane: "Free Will", p. 98.



But the sign Jones could emit could also be regarded as flicker. So, one could say that in the alternative sequence Jones demonstrates the power to show the relevant sign, the power to blush red, raise eyebrow or manifest a complex neurological pattern. In fact, as long as the states of Jones trigger Black's intervention, the appearance of flickers is inevitable. For, the states which function as triggers could also function as "flickers" (But we will see later that it may be possible to construct Frankfurt-style cases without the triggering events).

The second kind of flicker appears if we assume that two identical events must have identical causal histories. In other words, it relies on the following principle of event individuation: if there is a cause in the causal chain which leads to one event which does not exist in the chain that leads to another event, those events cannot be the same although they may seem identical<sup>8</sup>. In fact, although these events would be of the same type and have all the same general characteristics (voting for Clinton), due to the difference in their causal history they would be numerically different, that is, different particular events.

Now, if we take a look at the alternative causal chain which would lead Jones to decide do what he actually does and compare it with the one which leads to his actual decision, we will notice a difference consisting in the presence of Black in the alternative chain and his absence in the actual one. In other words, we will notice a difference in the causal histories of his actual and hypothetical action. Thus, although in the alternative case, Jones causes the event (performs the action) of the same general type as in the actual case, according to the above mentioned principle of event individuation, in the alternative case he causes a particular event different from the one in he actually caused. So, Jones after all has an alternative possibility. The reason why some believe that he is morally responsible although he has no alternative possibilities is the mistake made because of the failure to distinguish between "bringing about the particular event and bringing about the event of a certain general sort".<sup>9</sup>

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<sup>8</sup> Van Inwagen, Peter,: "An Essay on Free Will". p. 167-170

<sup>9</sup> John Martin Fischer, "The Metaphysics of Free Will", p. 138.

Another type of flicker is illuminated through the “libertarian” idea of agency. According to this idea, the action of an agent must be distinguished from the mere event in order to be free. Events cause other events and are themselves caused by other events. But agents do not act freely if there are events which cause them to perform their actions. So we need the special concept of causation applicable only to the free activity of agents. That is, the concept of “agent-causation”. According to this concept, an action is distinguished from the mere event by being preceded by volition. On the other hand, volition is caused by the agent via the agent causation, that is, by the agent himself not caused to cause the volition<sup>10</sup>.

Suppose that by deliberating in the normal way Jones agent causes his volition to vote for Clinton. In the alternative sequence, however, that would not be the case. After he would show an inclination to vote for Bush, Black would intervene to make him decide to vote for Clinton. So Jones would not agent cause “his volition” to vote for Clinton, since “his volition” would be caused by an external entity. But some philosophers go even further in applying the concept of the agent’s causation to the Frankfurt’s example. They draw a conclusion that according to this concept Jones possesses the power to refrain from agent causing his volition to vote for Clinton. Thus, Jones possesses the flicker of freedom: he actually agent-causes a volition to vote for Clinton, but has an alternative to refrain from agent-causing his volition to vote for Clinton. This version of the “flicker of freedom strategy” does not presuppose that the agent is morally responsible only if he could have acted otherwise or has the power to form a different volition, but also if he has a power not to form the volition that he actually formed.

Finally, a flicker appears when we consider for what Jones is actually responsible. In the case Jones acts on his own: nobody compels him to vote for Clinton. In the counterfactual case, he is compelled to vote for Clinton. We hold him responsible for voting for Clinton in the actual case, but not in the counterfactual one. The question is: what exactly do we hold Jones responsible for? A possible answer is that we hold him responsible for acting

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<sup>10</sup> Ibid, p. 138.

on his own. So, Jones has the alternative possibility. The alternative possibility is *not acting on his own*.<sup>11</sup>

To summarize, there are at least four types of alternative actions that Jones can perform. The first is the sign that Jones emits which would trigger Black's intervention. The second is a different causal chain that would lead to a different particular action. The third is refraining from agent causing the action or not agent causing the action. Finally, Jones has the alternative which consists in not voting for Clinton on his own.

Flickers show that even in the Frankfurt-style scenarios agents have some alternative possibilities. However, it is not obvious that they represent a danger for the Frankfurt's argument. J. M. Fischer argues that they are completely insignificant for the issue of moral responsibility.

### **Fischer's Argument Against the Flickers**

According to Fisher, flicker strategy has "undeniable appeal", but ultimately fails because the flickers are insufficiently "robust" to ground the attributions of moral responsibility<sup>12</sup>. For instance, Fisher agrees that the event at the end of the alternative causal sequence is a different particular event, and that consequently Jones has an alternative possibility. However, he maintains that it is "highly implausible to suppose that it is in virtue of the existence of such an alternative possibility that Jones is morally responsible for what he does".<sup>13</sup> For it is not just enough that alternative possibilities exist to defend PAP from Frankfurt-type examples. It is equally important that they "ground our attributions of moral responsibility."<sup>14</sup>

The Principle of Alternative Possibilities presupposes "the garden of the forking paths" conception of future. According to that idea, we can choose which one of the "genuinely

<sup>11</sup> See Margory Bedford Naylor, 1984. "Frankfurt on the Principle of Alternative Possibilities", *Philosophical Studies* 46: 249-258.

<sup>12</sup> J. M. Fischer, "The Metaphysics of Free Will", p. 140

<sup>13</sup> Ibid.

<sup>14</sup> Ibid

open paths will become the actual path of our future”<sup>15</sup>. Those paths are alternative possibilities necessary for the type of control required for the ascription of moral responsibility (regulative control). But Fisher asks: why is the existence of alternative pathways along which the agent does not act freely relevant for the control necessary for the ascriptions of moral responsibility?<sup>16</sup> How can, for instance, Jones’s act of voting in the counterfactual case, even though it is a different particular event, be relevant if in that case Jones does not vote freely?

According to Fisher, flicker strategy is in fact based on the misunderstanding of the Principle of Alternative Possibilities (traditional condition for moral responsibility). PAP requires the possibility of the scenario in which the agent makes a different choice from the one he actually makes and then realizes his intention. But, according to Fischer, in Frankfurt-style cases this condition is not satisfied. In the alternative scenario Jones does not even succeed to form an intention to vote for Clinton. Thus, according to Fisher, the alternative possibility available to Jones is not “robust enough to ground moral responsibility ascriptions.”<sup>17</sup>

The same objection can be applied to the libertarian version of the flicker strategy. As Fisher points out, the libertarian version of the strategy fails because in the alternative sequence “Jones does not form an intention to refrain from causing the volition in question (the volition to vote for Clinton) and then proceed to carry out this intention in an appropriate way.”<sup>18</sup>In Fischer’s words, the libertarian alternative possibility is not robust enough to ground moral responsibility ascriptions, because it is not an instance of a free choice. Jones has the power not to cause volition to vote for Clinton, but because of the intervention of Black, he cannot *choose freely* not to cause that volition.

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<sup>15</sup> Ibid. p.141

<sup>16</sup> According to Fischer, morally responsible agents have certain control over their actions (regulative control), which is based on their ability to choose between possible actions. Ibid

<sup>17</sup> Ibid.

<sup>18</sup>Ibid. 143

Finally, Fisher considers the version of flicker of freedom strategy according to which Jones has the alternative possibility which consists in not acting on his own.<sup>19</sup> The strategy relies on a distinction between the agent's responsibility for acting on his own and his responsibility for simply acting. But again, Fisher objects that the alternative possibility lacks the required robustness: "In the alternative sequence Jones does not freely refrain from "voting for Clinton on his own"".<sup>20</sup>

So the lack of robustness appears to be the general weakness of flickers. But, according to Fischer, there is one kind of flicker to which this conclusion does not apply. That is the flicker which consists in beginning to make a choice. Indeed, this kind of alternative is relevant because beginning to make a choice seems to be a conscious action. So, even if Jones's decision making process was interrupted before Jones succeeded to make a decision, his beginning to make a decision can be a ground for the ascription of moral responsibility.

However, it is possible to construct Frankfurt's examples in which even this alternative is eliminated. That is the version of the Frankfurt- examples in which the prior sign informs Black that Jones will begin the process of making a decision the alternative decision. Therefore, the only flicker which would be sufficiently robust to ground the ascription of moral responsibility does not appear Frankfurt-type cases.

### **Della Rocca's Argument for the Flickers**

Still, Fisher admits that flicker theorists could defend their theory by conceptual means. While flicker theorists may concede that the flickers are insufficiently robust to ground

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<sup>19</sup> Margory Bedford

<sup>20</sup> J. M. Fischer, "The Metaphysics of Free Will", p. 143

our responsibility ascriptions, they could argue that the flickers *must be present* whenever the agent is responsible for his action. The flicker theorist could argue that although moral responsibility does not depend on the existence of flickers, flickers matter, because whatever actually grounds the ascriptions of moral responsibility entails the existence of some alternative possibilities, however weak they may be.

According to Fischer, such responsibility grounding factor which entails the existence of at least the tiniest sort of alternative possibility could be the falsity of causal determinism or the non-existence of God (especially if we assume that causal determinism and the existence of God eliminate moral responsibility). But Fischer replies that we have no reason to suppose that such factor exists only on the basis of the consideration of “the relationship between moral responsibility and the alternative possibilities in a wide range of actual and hypothetical cases.”<sup>21</sup> On the other hand, Fischer agrees that one could “invoke falsity of causal determinism or the non-existence of God as the crucial factor because one is *independently* (and prior to a neutral consideration of a range of cases pertaining to the relationship between responsibility) committed to the view that causal determinism (or God’s existence) rules out moral responsibility.”<sup>22</sup>

However, incompatibilists do believe that determinism is inconsistent with moral responsibility beside for the fact that determinism eliminates alternative possibilities. They believe that in order to be morally responsible, agent must be the ultimate source of his action. But if determinism is true nobody could be the ultimate source of his own action. So, determinism must be false if we are to be morally responsible for our actions.

Furthermore, some philosophers point out that if the flickers do not exist, determinism surely obtains<sup>23</sup>. So if Black eliminates even the possibility of flickers, the action performed by Jones is the result of a deterministic causal chain. But then, one could say that Frankfurt begs the question against incompatibilist by claiming about Jones that he is

<sup>21</sup> Fischer, John M. “The Metaphysics of Free Will”, p. 146

<sup>22</sup> Ibid.

<sup>23</sup> See Fischer, John, M. “Frankfurt-style Examples, Responsibility and Semi-compatibilism”, in: “Free Will”, p. 106

“obviously morally responsible for his actual choice and action, in a context in which the relationship between causal determinism and moral responsibility are at issue.”<sup>24</sup> Therefore, flickers must exist for the argument behind Frankfurt-type examples not to be question-begging.

An argument formulated by Michael Della Rocca demonstrates the significance of flickers from the incompatibilist perspective. The argument expresses the idea that without flickers (at least) the agent could not be the ultimate source of his action. His argument can formally be presented in the following way:<sup>25</sup>

- Feature F is the weak flicker of freedom, the feature of Jones which would if possessed almost result in his decision not to do A.
- Jones’s being F would have caused Jones to decide not to do A
- Thus, Jones being not F is at least one of the factors causing Jones’ decision in the actual situation to do A
- Jones’ decision to do A results in his doing A in the actual situation,
- Thus, Jones’ not being F is at least one of the factors causing Jones’ action in the actual situation.
- If Jones were determined by factors external to himself to be not F, then one could plausibly say that Jones could not have been F.
- Thus, if Jones could have been F then he is not determined by factors external to himself not to be F.
- Therefore, the presence of F, that is, the flicker of freedom, guarantees that Jones’ action was not determined by factors external to him.

Della Rocca’s assumes that the relation between the sign and a decision Jones *would* make is deterministic. From that assumption he derives the assumption that the non-occurrence of the sign is one of the factors which *determine* what Jones *actually* does. Further, Della Rocca assumes that if the flicker is not available to Jones, his action (his decision)

<sup>24</sup> Fischer, John, M. “Frankfurt-style Examples, Responsibility and Semi-compatibilism”, in “Free Will”, edited by Kane, Robert p. 99

<sup>25</sup> Della Rocca, Michael, 1998. “Frankfurt, Fisher and Flickers”, *Noûs*, Vol. 32, No.1 pp. 99-105

depends on something external. This assumption expresses the thought that in the world in which no alternative possibilities exist, the agent cannot be the ultimate source of his action. But in order to be morally responsible, the agent must be the ultimate source of his action.<sup>26</sup> So, the flickers are relevant because they entail the non-existence of external determination which is incompatible with moral responsibility. Therefore, the existence of flickers could be considered as one of the conditions of moral responsibility.

The proponent of Frankfurt-type examples may argue, however, for the strong claim, that it is possible to construct Frankfurt-type examples in which Jones's decision making process is indeterministic, although even the flickers are eliminated. Alternatively, he could argue for the weaker claim, that is, to concede that flickers are necessary for moral responsibility, still deny that they are alternative possibilities in the relevant sense.

However, the critics of the examples argue that both theses are untenable. Moreover, they claim that in the indeterministic world the question of relevancy of flickers does not even arise because in such world Black could not stop Jones from really making a decision. The proponents of the examples reply with new versions of the examples specially designed to work in indeterministic setting. But it rests questionable whether these new examples show that alternative possibilities can be eliminated completely (including the flickers) without turning the actual decision making process into the deterministic process, or whether they are not relevant because they are not sufficiently robust to ground the ascription of moral responsibility.<sup>27</sup>

## 2. New Frankfurt-style Cases

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<sup>26</sup> See McKenna, Michael, 2004. "Compatibilism", section 2.2 "Source Models and Source Worries". Stanford Encyclopedia of Philosophy

<sup>27</sup> Eleonore Stump seems to argue for the weaker thesis, as we shall see in the following chapter.



Some philosophers believe that Frankfurt-type examples do not work under the assumption of causal indeterminism.<sup>28</sup> They believe that in indeterministic setting Black cannot disable Jones to do otherwise. For, in such setting there is no necessary correlation between the manifestation of the sign and the person's decision on the basis of which Black could know when to intervene. Jones could begin his decision making process independently of any sign readable by Black. But beginning to make a decision is a voluntary action. So, in the indeterministic world Jones would have sufficiently robust alternative possibilities even in the presence of Black.

However, the proponents of the Frankfurt-type examples argue that the examples could be modified to resist this objection. They maintain that the objection would lose its force if we succeed to construct Frankfurt-type example in which Black's intervention does not depend on the manifestation of the prior sign.

Mele and Robb develop one such scenario. In the scenario, a person does something on her own as a result of the indeterministic causal chain in her brain. But there is another deterministic causal chain that would result in her doing the same action if she did not do it on her own. In such circumstances, they claim, the person is morally responsible for what she actually did, although she could not have done otherwise. Here is how they develop their idea:

At T1, Black initiates a certain deterministic process P in Bob's brain with the intention of thereby causing Bob to decide at T2 (an hour later, say) to steal Ann's car. The process, which is screened off from Bob's consciousness, will deterministically culminate in Bob's deciding at T2 to steal Ann's car unless he decides on his own at T2 to steal it or is incapable at T2 of making a decision (because, e. g., he is dead by T2.) (Black is unaware that it is open to Bob to decide on his own at T2 to steal the car; he is confident that P will cause Bob to decide as he wants Bob to decide.) The process is in no way sensitive to any "sign" of what Bob will decide. As it happens, at T2 Bob decides on his own at T2 to steal the car, on the basis of his own indeterministic deliberation about whether to steal it, and his decision has no deterministic cause. But if he had not just then

<sup>28</sup> See Fischer, John, M. "Frankfurt-style Examples, Responsibility and Semi-compatibilism", in "Free Will", edited by Kane, Robert, p. 100

decided on his own to steal it, P would have deterministically issued, at T2, in his deciding to steal it. Rest assured that P in no way influences the indeterministic decision-making process that actually issues in Bob's decision.<sup>29</sup>

Although Bob's decision making process is indeterministic, it looks as if Bob could not have done otherwise because of the deterministic fail safe causal mechanism (which would bring about his stealing Ann's car, if he did not decide to steal her car on his own at T2).

However, it is not absolutely clear whether Bob really could not have done otherwise. Scenario envisages only that if Bob did not decide to steal Ann's car until T2, the causal sequence which started to unfold at T1 would make him decide at T2 to steal her car at T3. But can't Bob decide to steal Ann's car and then suddenly change his mind and refrain from stealing? The only way to counter this claim is to maintain that the relation between Bob's decision to steal Ann's car and his action is deterministic or to say that Bob did not have time to change his mind. However, the first reply goes against the assumption that Bob's decision making process is indeterministic. The second is hard to believe in because people usually have enough time to change their mind before they do what they have decided to do.

Eleonore Stump, however, argues for the possibility of a scenario in which the person can *never* begin to decide to do otherwise (have sufficiently robust alternative possibilities) although the neural process on which her mental act of making a decision supervenes is indeterministic. Her key assumption is that even the simplest mental acts supervene on some complex neurological processes. She illustrates this idea on the example of the mental act of recognition:

When I suddenly recognize my daughter's face across a crowded room, that one mental act of recognition, which feels sudden, even instantaneous, to me, is correlated with many neural firings as information from the retina is sent through the optic nerve, relayed

<sup>29</sup> Mele, Alfred and David Robb. 1998: "Rescuing Frankfurt-style Cases" pp. 101-2, *Philosophical Review* 107: 97-112.

through the lateral geniculate nucleus of the thalamus, processed in various parts of the occipital cortex, which take account of figure, motion, orientation in space, and color, and then processed further in cortical association areas. Only when the whole sequence of neural firings is completed, do I have the mental act of recognizing my daughter.

Whatever neural firings are correlated with an act of will or intellect, I take it that in this case, as in all others, the correlation between the mental act and the firing of the relevant neurons is one –many relation.<sup>30</sup>

From the fact that all mental acts (including the simplest ones) consist of completed sequences of brain events, Stump draws a conclusion that if the sequence of neurological events which corresponds to some mental event is interrupted at some moment, the result of the neurological processes is not some incomplete mental act, but no mental act at all.

If the neural sequence correlated with my recognizing my daughter's face across a crowded room is interrupted at the level of thalamus, say, then I will have no mental act having to do with seeing her. I won't for example think to myself, "For a moment there, I thought I saw my daughter, but now I'm not sure." I won't have a sensation of almost but not quite seeing her. I won't have a premonition that I was about to see her, and then I mysteriously just don't see her. I will simply have no mental act recognition of her at all.<sup>31</sup>

Applying the results of her analysis of the mental act of recognition to mental acts in general, Stump explains the possibility of Frankfurt-type cases in which the counterfactual intervener who monitors the agent's brain activities, has the power to make impossible for the agent to even begin to make a decision. Since the beginning to make a decision is also a mental act, it supervenes on the series of neural firings. The intervener could thus interrupt the sequence of neuron firings which would if completed constitute the agent's mental act of beginning to make a decision to act differently than he actually does. Therefore, according to Stump, it is possible to imagine a scenario in which the intervener has the power to eliminate even the possibility of the weakest kind

<sup>30</sup> Quoted in J. M. Fischer: "Frankfurt-style Examples, Responsibility and Semi-compatibilism", p. 103.

<sup>31</sup> Ibid.

of the sufficiently robust alternative possibility, the possibility to begin to decide differently.

However, one may doubt that Stump's explanation of the nature of mental acts which forms the base for the possibility of the sort of example she argues for is correct. Especially, one may argue that her explanation does not apply to the mental act of making a decision. David Widerker claims, for instance, that the act of making a decision is not a complex act as Stump insists, but rather simple act.<sup>32</sup> Presumably, the correct answer to this problem depends on the truth about the relation between the mental act of choosing and its corresponding brain events.

Nevertheless, even if the account of mental events Stump relies on is correct, it is arguable whether she shows that alternative possibilities are not necessary for moral responsibility. Stump's argument seems to me as a version of the Fischer's argument against the flicker of freedom strategy. She assumes that uncompleted neural sequences are not sufficiently robust to ground moral responsibility ascription or in Fischer words, do not have the sufficient "voluntary oomph". I am not sure if this is enough to show that such neural sequences are not relevant for the ascription of moral responsibility given the fact that their absence seems to entail the truth of causal determinism. In other words, the weaker thesis that Stump defends may be too weak to prove the irrelevance of alternative possibilities for moral responsibility.

David Hunt, however, seems to argue for the strong thesis that Jones can make a decision as a result of indeterministic causal process, although Black deprived him even of the possibility to manifest a tiniest flicker<sup>33</sup>. Hunt's example is the simplest of all so far presented Frankfurt-type examples that are suppose to work in the indeterministic setting. The basic structure of his example is the same as the structure of Locke's "locked doors". In Locke's example the doors of the room are locked no matter whether the person is inclined to leave the room or not. Hunt locates the same scenario in the agent's brain.

<sup>32</sup> Widerker, David, 1995. "Libertarianism and Frankfurt's attack on P.A.P.", *The Philosophical Review*, Vol. 104, No. 2 p. 253

<sup>33</sup> See in J. M. Fischer: "Frankfurt-style Examples, Responsibility and Semi-compatibilism", p. 102

The neural process in the agent's brain which leads to his actual decision is indeterministic. All other neural pathways are blocked, but the actual unfolding of the neural process in the agent's brain does not depend on their being blocked. So, the agent's responsibility for his action does not depend on his lack of alternative possibilities just like the person in Locke's example seems to be responsible for not leaving the room because she did not leave it room for her own reasons regardless of whether or not the doors are closed.

In Locke's example, a person can decide to leave the room, walk to the door and try to open them. So, one can hold her responsible for her actual behavior because of the existence of that (alternative) possibility. But in Hunt's example, there seems to be no room for the agent even to emit the sign. How is that possible? How does the blockage take place? It is natural to suppose that the neural sequence in the agent's brain begins to unfold and then "bumps up against the blockage"<sup>34</sup> In that case, one may try to argue that the bumping events ground the agent's moral responsibility.

But as Fischer remarks, this explanation presupposes that there is "an intermediate set of neural events, different from the actual neural events, that is as it were a "bridge" between the actual neural process and the blockage"<sup>35</sup> (this would correspond to the agent's act of deciding, trying to go out in Locke's example). However, in Hunt's example, even these intermediary neural events are blocked. But it is difficult to imagine how that is possible given that the actual causal sequence is indeterministic, without turning the agent's actual neural sequence into a deterministic one. Fischer illustrates this difficulty with the following example:

Suppose one is driving on a freeway, with some space (as is safe!) between one's car and other vehicles. But imagine also that all of the off-ramps to the freeway are entirely bottled up with traffic, right from the beginnings of the off-ramps. The spaces between the cars represents that one's actual driving on the freeway corresponds to causal

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<sup>34</sup> Ibid. 105

<sup>35</sup> J. M. Fischer, "Frankfurt-style Examples, Responsibility and Semi-compatibilism", in Kane... p. 105

indeterminism, and the off-ramps being blocked corresponds to the lack of alternative possibilities.

But now someone will ask why, if there is indeed space between the vehicles, the driver cannot at least begin to guide his car toward an off-ramp. And if there are such possibilities of changing direction, then these would seem to be the alternative possibilities of the relevant sort, *i.e.* with sufficient voluntary oomph. So the example needs to be changed so that one is driving along on the free way absolutely “up against the bumpers of the cars in front and back, but not being pushed or pulled in any way by those cars. Of course, if one were being pushed or pulled along, then this would correspond to actual-sequence causal determination. The idea is that it at least seems possible to be driving in such a manner that one is not being pushed or pulled by the contiguous cars and yet (because of the positions of the cars) one does not have the power to change the direction of the car at all. But, here again there seems to be the alternative possibility that involves pressure’s being exerted on the contiguous cars. That is, the “bumping events” seem to be ineradicable features of the analogy, and thus it is hard to see how completely to eradicate the “bumping events” from the brain.<sup>36</sup>

So, it seems impossible to construct the Frankfurt-type scenario without bumping events in which the agent’s actual neural sequence is indeterministic. However, Hunt presents the following argument for the possibility of such scenario. If God exists He knows all future actions of a person. But God’s foreknowledge is consistent with the person’s decision making process being indeterministic. For, God could know the person’s future actions without determining them.<sup>37</sup> So, the person has no alternative possibilities; nevertheless, even according to libertarian standards, she could be morally responsible for what she does.

Therefore, it seems that if we introduce God into Frankfurt-type scenario we can prove the irrelevance of alternative possibilities for moral responsibility. This example seems to be immune to all so far presented objections.<sup>38</sup> But, as Fischer remarks, the problem with

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<sup>36</sup>Ibid.. 105-106

<sup>37</sup>Ibid. 106

<sup>38</sup> In the third chapter I will show that this example is not immune to the objection which comes from the proponents of the “dispositional account” of the ability to do otherwise.

this example is that it presupposes the set of contentious assumptions, the assumption of God's existence being one of them.

However, there still some other “more earthly” versions of the Frankfurt-type example which are designed to work in the indeterministic setting. Derk Pereboom, thus suggested an interesting but rather complicated story, in which the agent obviously has alternative possibility, chooses indeterministically, but surprisingly, he could not have done otherwise.<sup>39</sup>

I will try to simplify Pereboom's example as much as possible. Pereboom tells us about the libertarian free agent Joe who decides whether to pay or not to pay a tax for the house he bought. Joe knows that evading to pay the tax is illegal, but he also knows how evade paying the tax without being punished. Joe's psychology is such that he is inclined to advance his self-interest whenever he has the opportunity for that, but as a libertarian free agent he can refrain from acting for selfish reasons. In addition, it is characteristic of Joe that he is ready to decide against his personal interest when and only when the sufficiently strong moral reason occurs to him. Moral reason could appear to him as the result of his own efforts to consider the situation from the moral point of view or simply appear to him involuntarily. But even if the moral reason occur to him with a certain force he can exercise his free will and still refuse act according to his consciousness.

However, there is a neuroscientist who wants to sure that Joe will evade paying the tax. He implants a device in Joe's brain which, “were it to sense a moral reason occurring with the specified the force, would electronically stimulate his brain so that he would choose to evade taxes. In actual fact, no moral reason occurs to him with such force, and he chooses to evade taxes while the device remains idle.”<sup>40</sup>

According to Pereboom, Joe has the alternative possibility which satisfies the libertarian condition for moral responsibility. He is blameworthy for what he did because he had the

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<sup>39</sup> Pereboom, Derk: “The Explanatory Irrelevance of Alternative Possibilities”, in “Free Will” edited by Kane, Robert pp. 118-119

<sup>40</sup> Ibid.

opportunity to choose between the alternatives. He could have realized that not paying the tax is a wrong choice by voluntary consideration of moral reasons, if they did not just appeared to him. Furthermore, non-occurring of the sufficiently strong moral reason did not deterministically cause his actual choice. So, in the libertarian sense of freedom, his choice was free although he actually could not have done otherwise because the neuroscientist would make him choose to evade paying it anyway.

The moral of this story, in my opinion, is that Joe is supposed to be blameworthy because it was in his power *to know* that what he eventually did is wrong or because he actually knew that but did not adequately respond, regardless of the fact that he ultimately could not *do* anything else. Pereboom seems to introduce a difference between two senses of alternative possibilities. The first corresponds to Joe's power to know what is good and what is wrong. The second corresponds to his power to perform an actually unperformed action.

The availability of the epistemic alternatives (the possibility of making a difference between wrong and right) is definitely a necessary condition of free action. A person is not responsible for what she did if she did not see, and could not see that what she did was wrong. For, instance, a compulsive person is not responsible because she cannot see the alternative to what she does. On the other hand, a normal person is not guilty for not saving someone's life if she did not even know that the other person was in danger.

But although we must agree with Pereboom the availability of alternative possibilities is the necessary condition for moral responsibility, we do not have to agree with him that it is sufficient condition for moral responsibility (if that is the idea behind his example). This is clear on the case of the drug addict who is aware that taking a drug is wrong but cannot resist his desire to take drug and who is normally not considered to be morally responsible.<sup>41</sup>

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<sup>41</sup> The example from Ferenc Huoranszki's unpublished book "Fate and Freedom", p. 66



A difference that Pereboom makes between two kinds of alternative possibilities gives a hint though for a new way of understanding Frankfurt-style examples. He points to the importance of the correct understanding of the meaning of the “could have done otherwise” condition. Both proponents and critics of Frankfurt-type examples in this and the previous chapter, in my opinion, presupposed the same sort of understanding of the meaning of the possibility to do otherwise. They agreed about the claim that what the agent can do in the alternative case determines what he can do actually. They understood the ability to do otherwise in terms of a simple conditional: “if the agent had chosen to do otherwise he would do otherwise” or the following one: “if the agent was about to choose to act differently he would act differently”.<sup>42</sup> This is why it was possible to construct the examples in which sufficiently powerful intervener could seriously undermine the agent’s ability to do otherwise. The case of God’s foreknowledge seemed to be the most effective because it completely eliminated the counterfactual situation. In other words, it eliminated any situation in which the above mentioned conditionals could be true. In the following chapter, however, I will present a different understanding of the meaning of the ability to do otherwise. According to that understanding, the agent can possess the ability to do otherwise even if he never manifests it and even if he is always blocked when he is about to make a different decision.

### 3. Dispositional Account of the Ability to Do Otherwise

A new way of arguing against Frankfurt-type examples was inspired by James Lamb’s reply to Frankfurt’s original example, which Lamb presented in his paper “Evaluative Compatibilism and Principle of Alternative Possibilities” in 1993. Lamb emphasized the difference between the agent’s ability to do otherwise in the counterfactual case (the case

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<sup>42</sup> This conditional captures better the idea that the agent could not even decide to do otherwise due to the presence of the intervener.

in which the agent's action is blocked by the intervener) and the agent's actual ability to do otherwise. He noticed that the first ability does not entail the second and vice versa. He also pointed out that the mere inactive presence of the counterfactual intervener cannot deprive agents of their ability to do otherwise.

These observations constitute the basis of the new "dispositional account" of the ability to do otherwise. The account suggests a new understanding of the meaning of the ability to do otherwise as a disposition. According to that understanding, simple conditionals which indicate what would happen in the counterfactual case if the agent had chosen to do or was about to choose to do something different from what he actually did, do not exhaust the meaning of dispositional predicates. Namely, the fact that the agent was not able to do otherwise in the counterfactual case does not imply that the agent could not have done otherwise.

Interestingly, Lamb seemed to point out to the same phenomenon. But he only apparently talks about the same thing about which the proponents of dispositional account talk. Lamb understands the ability to do otherwise basically in the same way as Frankfurt. It is an implicit assumption of the Frankfurt's argument against PAP that ability to do otherwise can be understood only in terms of what would happen in some counterfactual situation. A dispositional account of the ability to do otherwise denies that we must derive the meaning of the dispositional predicates from the corresponding counterfactual conditionals. Even if Jones was about to choose otherwise and did not succeed to do otherwise because of Black, that would not mean, according to proponents of the dispositional account that he did not have the ability to do otherwise before he was about to choose.

Lamb notices that in the circumstances described by Frankfurt's original example Jones could have done otherwise. Lamb believes that, because he thinks that from the fact that the relationship between the sign and the agent's decision must not be deterministic, follows that Jones could "trick" Black and decide to do otherwise in the absence of the

sign. So Lamb expresses the meaning of Jones's ability to do otherwise in terms of the conditional: "if Jones chosen to do otherwise he would do otherwise".

However, the link between Lamb's understanding of the ability to do otherwise and the dispositional account of that ability is the most obvious in the way they see what actually happens with the agent in Frankfurt-type examples. Frankfurt says that by eliminating the possibility to do otherwise, nothing changes in the way the agent actually performs his action. The mechanism which robs the agent of the alternative possibility does not influence what he actually does. This is essential for Frankfurt because he holds that a person is not responsible for what she did, if she did it because she could not have done otherwise.<sup>43</sup> So, it is a crucial feature of Frankfurt-type examples that the device which Black implanted in Jones' brain did not influence Jones to act as he actually did. In other words, examples work only if in the actual case, Black plays the role of the passive observer.

If this is true, one may ask, like Lamb, how could Black deprive Jones of his pertinent ability to do otherwise just by passive observing? If Jones had the ability to do otherwise in the absence of Black, what has changed with respect to his ability in Black's presence? All that Frankfurt says about Black's power is related to what would happen in some counterfactual case, not with what he does in the actual case.

These observations serve as the basis on which the proponents of the dispositional account the ability to do otherwise build their objection to Frankfurt. But let us first take a close look at the way Lamb challenges Frankfurt's original example (the prior sign case).

### **Lamb's approach**

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<sup>43</sup>See Frankfurt, Harry, 1969. "Alternate Possibilities and Moral Responsibility." *Journal of Philosophy* 66, p. 839

Before considering Frankfurt's original example, Lamb considers the case of the actual intervener. In that case, a person is compelled (by manipulation, hypnosis or drugs) to do something that she already on his own decided to do. It may seem at first sight that the person is responsible for what she did because she would do the same thing on her own whether or not some external factor interfered. However, Lamb remarks that *we can hold people responsible only for what they actually did "and not for what they would have done had things been different"* <sup>44</sup>). In this case we hold a person responsible for doing what she did because she was compelled (which means that we do not hold her responsible at all) but not for what he would do if he was not compelled.

Lamb's insight concerning the person's moral responsibility seems to be an instance of a general principle which states that in order to know whether or not the agent has some property, we must enquire if he possess that property in the actual circumstances and not in some other circumstances. With this principle at hand Lamb approaches Frankfurt's original example. In that example Black intervenes only if the triggering event occurs, but the triggering event does not occur and Jones does on his own what Black wants him to do. Lamb agrees that if the triggering event were to occur Jones could not have done otherwise. But he disagrees that in the actual case when the triggering event did not occur Jones could not have done otherwise. He argues that Frankfurt's mistake is a consequence of the following fallacious modal argument:

A1. If the triggering event does not occur, Jones acts.

A2. If the triggering event does occur, Jones cannot refrain from acting.

A3. Therefore, Jones cannot refrain from acting.<sup>45</sup>

It is important that Lamb interprets A2 not as saying that if the triggering event were to occur Jones would not refrain, but he says that he could not refrain. His reason for this interpretation is presumably the fact that Jones would be compelled. But from the fact that if the triggering event did occur Jones could not refrain and the fact that in the actual case Jones did not refrain does not follow that he could not refrain. For in the actual case

<sup>44</sup> James W. Lamb: "Evaluative Compatibilism an Alternative Possibilities "p. 520.

<sup>45</sup> Ibid. p.522

Jones was not compelled. The only conclusion we could draw about Jones is that it is not true that he did refrain.

The argument could be made valid, Lamb explains, by adding a third premise A4, according to which Jones could not refrain, if the triggering event does not occur. But that would make Black unnecessary in the example because even without him Jones could not refrain. In addition, as Lamb points out, the connection between the non-existence of the triggering event and Jones's action must not be as strong as to beg the question against incompatibilist.

So, why does Lamb think that Jones could refrain in the presence of Black? Obviously his answer has something to do with the connection between Black's intervention and the occurrence of the triggering event. He assumes like Frankfurt in his original example that the triggering event enables Black to react on time and cut off Jones's decision making process before he makes a different decision. But in the actual case there is no triggering event. Also there is no necessary connection between the non-occurrence of the triggering event and Jones's action. So, it is possible to imagine a scenario in which Jones could refrain from what he actually did and in which Black could not stop him, because in the absence of the triggering event he would not know when to react.

The main strategy in Lamb's critic of Frankfurt is the application of the principle which can be extrapolated from his analysis of the case of the actual intervener. Lamb focuses on the circumstances in which Jones actually performs his action to find out if we can ascribe him the property of being able to do otherwise.

Let us remove Black from the counterexample. We then have Jones "acting on his own" in such a way that he could have refrained (since otherwise Black's presence in the counterexample would not be needed). Moreover, the triggering event does not occur. Now, restore Black to the counterexample. What has changed? I suggest only this: that it is now true that were the triggering event to occur, Jones would be forced to act. But the triggering event by hypothesis does not occur.

How, then, can Black's presence alter the fact that, in the absence of the triggering event, Jones could have done otherwise? If Jones can refrain in the absence of the triggering event when Black is not around, why can he not refrain in the absence of the triggering event when Black is present?<sup>46</sup>

First, Lamb points out that in the absence of Black, Jones could have done otherwise. Second he explains that the Black's presence matters for Jones's ability to do otherwise only if the triggering event occurs. But the triggering event does not occur. So, Lamb concludes that Black's presence is irrelevant with respect to Jones's ability to do otherwise.

In his reply to Lamb, however, Fischer presents the following counter-example to his argument:

But consider now an ordinary electrical circuit without a fuse. And suppose that it never actually is subject to a voltage surge and thus never actually overheats. Nevertheless, it is reasonable to say that the circuit could overheat and start a fire. Now imagine that we add a fuse to the circuit. Again, suppose that the circuit is never actually subject to a voltage surge. What has changed, given the installation of the fuse? It is now true (as it was not before) that, if the triggering event (a voltage surge) were to occur, the circuit would be prevented from overheating. Has anything else changed? Lamb thinks not. Indeed, his analysis of the Frankfurt examples commits him to the view that the circuit can still overheat in the absence of the voltage surge even though the fuse has been installed. But this is surely false. Once the fuse is installed, the circuit cannot overheat (even in the absence of the voltage surge).<sup>5</sup> Therefore, Lamb's parallel claim that in the absence of the triggering event Jones can do otherwise must be false. (John Martin Fischer and Paul Hoffman, "Alternative Possibilities: A Reply to Lamb", p. 323)

Fischer's counter-example fails to show the falsity of Lamb's view for the following reasons. The electric fuse, just like Black in the Frankfurt's original case, plays an active

<sup>46</sup> J. Lamb, "Evaluative Compatibilism and The Principle of Alternate Possibilities", p. 523.

role only when the triggering event occurs. On the other hand, Fischer implicitly assumes that the circuit cannot overheat if the triggering event (i.e. the voltage surge) does not occur. In other words, Fischer assumes that if the triggering event does not occur, electric circuit must function normally. But Lamb assumes that if the triggering event in the case of Jones does not occur, his action does not follow necessarily. That means, however, that Jones could do otherwise in the absence of the triggering event, because there would be nothing which would trigger Black's intervention. So if the electric circuit were in the relevant respects like Jones (indeterministic), circuit could overheat even in the presence of the electric fuse, although this is a bit difficult to imagine.

However, there is a way in which Fischer could modify his example which would really falsify Lamb's argument. For, Lamb basically argues that it is not possible to construct effective prior sign Frankfurt-type examples. But in the previous chapter, we saw that it may be possible to construct Frankfurt-type examples which work without prior signs. Although there were difficulties in constructing such examples it did not appear to be obviously false that such examples are possible. For instance, Fischer could present the case in which the fuse would prevent the circuit from overheating without being dependent on the voltage surge. The fuse could work with the help of some thermometer instead (it would be hard to imagine a case in which such fuse would eliminate any kind of temperature increase, but that is different issue).

Lamb was in fact aware of the possibility of such example. For, he considers the Locke's example of the "locked room", which is a basic version of the Frankfurt-type example without prior sign. However, he does not attempt to show that even in such case the agent has the alternative possibility. He is rather ready to accept the claim that the agent could not do otherwise when locked in the room, but also to decline that the agent was morally responsible for not trying to leave the room. He points to the difference between the moral responsibilities of the successful and unsuccessful assassin to show that the external circumstances sometimes matter for the question of moral responsibility. Finally, he points out that if we are responsible for what we did although we could not have done otherwise, that is true because there was something in the past which brought to the

action in question which we could have avoid doing. But this leads to asking whether we could imagine Frankfurt-type cases which extend through the agents entire life to which frankly, I have no clear intuition.

In the following section, however, I will present a more promising way to argue against Frankfurt-type examples inspired by Lamb's insight that to determine whether the agent has the ability in certain situation we must focus on the features of that situation and not on whether he is able to manifest it in some other situation. But this approach differs from Lamb's because it does not concede to Fischer that the agent does not have the ability to do otherwise in the presence of the intervener powerful enough to prevent its manifestation.

### **“Could Have Done Otherwise” as a Disposition**

In this section, I will defend the claim that we can explain adequately Jones's ability to do otherwise if we prove the following claims: 1. Jones's ability to choose and perform an unperformed action is a disposition. 2. Frankfurt-type examples are finkish cases. First, I will explain that we have no good reasons for doubt that the agent ability to do otherwise is a disposition. Second, I will explain what finkish cases are and show that Frankfurt-type examples are such cases. Eventually, I will show that Frankfurt-type example can be regarded as a counter-example to his own view.

The reason why some philosophers doubt in the analogy between dispositions and ability to act differently is that they doubt in the analogy between the agent's abilities in general and the ordinary dispositions of things such as fragility solubility etc. The main reason



for their doubt is that dispositions are bound to be manifested in definite circumstances in definite ways contrary to agent's (active) abilities. van Inwagen, for instance, points to the difference between one's active ability to speak French and his passive ability (disposition) to understand French. When that person who speaks French hears French, he has no choice about whether or not he will understand it, but there are no circumstances in which the person has to speak no matter what.

But, although there are significant differences between (active) abilities and dispositions, they also have some important common features. In fact, it could be said even that they are the same in a broad sense.<sup>47</sup> For, like disposition, abilities have the feature that they may exist without being manifested. In addition, like dispositions, they could be lost and acquired in certain circumstances. Finally, like dispositions they are potentials to behave in certain ways in certain circumstances. For these reasons it seems plausible to apply some general conclusions about dispositions to our ability to choose otherwise even if they are not (strictly speaking) the same.

But some philosophers are still reluctant to identify abilities and dispositions because of the compatibility of the latter with determinism. Those philosophers think that ability to do otherwise is incompatible with determinism. As we already saw, some philosophers argue that if the causal sequence that leads to the agent's actual decision is deterministic, Frankfurt's argument begs the question against incompatibilist who believes that the falsity of determinism is necessary for freedom.

Although I think that this objection is relevant if we take Frankfurt as arguing for determinism, it is not relevant if we take his argument simply as the argument against PAP. For an argument against PAP would beg the question only if it would rest on assumption about the falsity of PAP. So, whether or not we interpret the agent's actual behavior as determined or undetermined is irrelevant as long as we are able to provide a coherent account of his actions, according which, in the absence of the intervener, agent could have done otherwise than he actually did.

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<sup>47</sup> Huoranszki Ferenc: "Fate and Freedom", forthcoming. p. 44

The incompatibilists disbelieve in deterministic account of “could have done otherwise” They hold that deterministic laws of nature and past events entail the agent’s future actions. So, they see determinism as a scenario in which the agent could not act differently from the way he actually acted. else from instead of what she actually does. Still, incompatibilist could argue in a similar way against Frankfurt in which argues a defender of the dispositional account of free will. He could hold that the freedom of will is ability, although a special kind of ability. After all, Lamb who first pointed out that the even in the Frankfurt-style situations agent’s could have the ability, that is, an unactualized possibility to act otherwise than they actually act, was an incompatibilist.

However, the incompatibilist who argues against Frankfurt in this way cannot make use of the analogy between the agent’s ability to perform an unperformed action and the ordinary well known dispositions (fragility, solubility etc.). Incompatibilist is thus deprived of a suitable mean for explaining his view in a plastic and intuitively appealing way. But, even worse consequence for incompatibilist who rejects the view that the agent ability is a sort of disposition consistent with the deterministic picture of the world is that he is bound to explain the agent’s ability to perform an unperformed action as some kind of a special power, which only agents possess.

On the other hand, compatibilist who defends the dispositional account of freedom is not bound to ascribe some supernatural abilities to the agent because even the ordinary physical things have the potential to behave differently. For instance, compatibilist may claim that the sugar cube which is not put into water does not dissolve, and does not dissolve necessarily due to its structure and the laws of nature. But, for compatibilist this claim is consistent with the claim that the cube is disposed or has the ability to dissolve., Compatibilist traditionally express he idea behind this view with the conditional which says that if the certain circumstances were to obtain (i.e. if the cube was immersed into water), a thing would manifest its disposition (i. e. the cube would dissolve). In the case of the agent’s ability to perform the unperformed action the conditional would be: “if the agent were to choose to perform a different action, he would perform a different action”.

Why is it important to understand our ability to do otherwise as a disposition? The answer the proponents of dispositional account of the ability to do otherwise suggest is related to their view about the correct understanding of dispositions. I will try to show that according to their understanding of dispositions, it is possible that something has a disposition but fail to manifest it every time the circumstances for its manifestation, obtain. So, if our free will is such a disposition, it would be possible that we possess it even when we do not manifest it, and fail to manifest it when the circumstances for its manifestation obtain.

According to the traditional understanding of dispositions, the meaning of dispositions can be expressed with a simple conditional: if the circumstances obtain the thing will manifest its disposition. On this understanding of dispositions Jones does not have the ability to do otherwise in the presence of Black, because the simple conditional which is supposed to express his disposition: if Jones was about to do otherwise he would do otherwise, is not true of Jones.

However, it was proved that the Simple Conditional Analysis of dispositions is mistaken. The analysis was mistaken because it did not take into account the fact that an object can have a disposition without manifesting it. The glass would never break if it never drops, but in spite of that the glass is fragile. In addition, Simple Conditional Analysis did not take into account the fact that dispositions can be lost and acquired. More precisely, it did not consider the possibility of losing a disposition at the moment when the circumstances for its manifestation obtain.

The understanding of dispositions started to change when the examples were presented in which mentioned features of dispositions play a prominent role. Those were examples of so called finkish dispositions. In the example presented by C. B. Martin<sup>48</sup>, a wire which is live which means that it has a dispositional property of conducting the electricity when touched by a conductor, becomes does not conduct electricity when touched by

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<sup>48</sup> See Michael Fara: "Dispositions", section 2.2, Stanford Encyclopedia of Philosophy

conductor. This happens because there is a device called electro fink which is attached to the wire which reliably senses when the wire will be touched with the conductor and instantly turns a live wire into dead one. The reverse process is also possible to imagine. The wire which is dead, behaves like a live wire when touched with the conductor, due to the role of electro fink.

This is a counterexample for the Simple Conditional Analysis because according to this analysis, a wire is live if the following conditional is true: if the wire was touched by the conductor, it would conduct electricity. But this could be true also of an obviously dead wire, for instance of a wire made of rubber. So, instead of holding such claims true as the claim that the rubber wire has a disposition to conduct electricity when touched by conductor, philosophers decided to modify the conditional expressing the possession of a disposition.

As a solution David Lewis suggested a following conditional: “An object is disposed to *M* when *C* iff it has an intrinsic property *B* such that, if it were that *C*, and if the object were to retain *B*, then the object would *M* because *C* and because it has *B*”<sup>49</sup>

Lewis’s analysis correctly predicts the behavior of the wire. For, if the wire were live and touched by a conductor and retained a relevant intrinsic property (the property of having free electrons) it would conduct electricity. But due to the fink, wire loses its relevant intrinsic property, (actually becomes dead) so it does not conduct electricity when touched with the conductor because the conditions for manifesting its disposition are not satisfied. The reverse process happens in case of a dead wire which behaves like a live wire when touched with the conductor. The fink changes intrinsic property of the wire and turns it into the live one.

However, some philosophers point out that it is not necessary to include intrinsicness in the conditional analysis to get a correct account of dispositions and to explain finkish cases. They hold that an object does not possess its disposition in virtue of some intrinsic

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<sup>49</sup> Ibid.

property. But they accept basically the same (revised) conditional. They only stipulate that the object must retain the disposition if it were to manifest it in the circumstances instead of stipulating that it must retain certain intrinsic feature.<sup>50</sup>

This analysis explains how it is possible (if we understand Jones's ability to do otherwise as a disposition) that Jones possess the ability to decide otherwise in the passive presence of Black, although if he would choose to manifest it he would not manifest it due to Black's intervention. According to the Simple Conditional Analysis, we would have to conclude that Jones does not have the ability to do otherwise. But as we saw, this analysis is not correct. It gives bizarre results when applied to finkish cases. Moreover, Frankfurt-type examples can be regarded as finkish cases. The conclusion that Jones has no ability to do otherwise in the passive presence of Black, thus also must be incorrect.

Let us take a closer look at the relevant features of the Frankfurt-type examples which make them "finkish". Martin assumes that the wire is live when the fink is attached and it is not touched with the conductor. The fink reacts (by sensing when the wire will be touched) by turning a live wire into a dead one. Similarly, Black senses when Jones will decide, or simply notices that Jones decides to do otherwise and blocks the manifestation of his decision. But, this does not mean that Jones did not have the ability to do otherwise before he decided to do otherwise, because just like the fink, Black had no influence on Jones before he made a decision, which is stipulated by the example.

However, one may object correctly that the Martin's case of wire and the Frankfurt-type examples have one very significant difference. It is true about Martin's wire that it would manifest its disposition if the circumstances obtained and it retained its disposition to conduct electricity. But in Frankfurt-type examples Black eliminates even the possibility of circumstances in which Jones should (according to the Revised Conditional Analysis) manifest its ability to do otherwise. In other words, it is strange to say that Jones could do otherwise if his ability to choose otherwise depends on his ability to choose otherwise,

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<sup>50</sup> Huoranszki, Ferenc, "Fate and Freedom" forthcoming. (1.6 The Revised Conditional Analysis)

which is not available to Jones. The problem is captured well in the following example presented by Keith Lehrer.

Suppose that I am offered a bowl of candy and in the bowl are small round red sugar balls. I do not choose to take one of the red sugar balls because I have a pathological aversion to such candy. (Perhaps they remind me of drops of blood and...) It is logically consistent to suppose that if I had chosen to take the red sugar ball, I would have taken one, but not so choosing, I am utterly unable to touch one. I can take a red candy ball only if I so choose, but my pathological aversion being what it is, I could not possibly bring myself so to choose. I could do it only if I chose to, and I do not.<sup>51</sup> (Lehrer 1967: 44)

The example shows that even the analysis of our disposition to do otherwise in terms of the “revised conditional” which stipulates that one must preserve its ability to perform the unperformed action is not sufficient to account for our ability to do otherwise. The correct analysis of our ability to do otherwise must include our ability to choose otherwise. It is possible to analyze the ability to do otherwise like this:

A has the ability to do otherwise at *t* if and only if he would have done otherwise if (1) A had chosen so and (2) had not changed with respect to his ability to do otherwise at *t* and (3) had retained the ability to make a choice about whether or not to do otherwise at *t*.

The new analysis can explain how Jones can do otherwise in the presence of Black, even if Black has the power to block his action of beginning to make a decision. The crucial feature of the Frankfurt-type cases is the inactivity of Black while Jones performs the action (which Black approves) on his own. Black indeed has the power to deprive Jones of his ability to choose and consequently to do otherwise, but he exercises that power only if he notices that Jones is about to decide otherwise. So, if Jones had the ability to do otherwise in the absence of Black, he also has it when he performs the action which

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<sup>51</sup> Quote given by Ferenc Huoranszki in “Fate and Freedom”, forthcoming. p. 50

Black approves, on his own, because in that case Black does not influence Jones's ability to do otherwise.

The proponents of Frankfurt-type examples, however, could argue for the possibility of such Frankfurt-type examples in which the mere presence Black would deprive Jones from the ability to do otherwise. They could also argue against the dispositional account of ability to decide differently by pointing that this account presupposes determinism and insist that having the ability to choose otherwise is impossible if determinism obtains.

Concerning the first strategy, I could say that I do not know any Frankfurt-type example in which the pure presence of the intervener deprives the agent of the ability to do otherwise. Besides, it is questionable whether it is possible to construct such examples in which the agent would still be responsible for what he did.

Concerning the second strategy one can challenge the idea underlying that strategy, the idea that we must be able to choose to choose (which leads to an infinite regress). This idea seems to follow from the idea that the ability to choose requires the freedom of choice (in the sense of having alternative possibilities). But, some compatibilist argue that the idea of free choice makes no sense<sup>52</sup>. They challenge their incompatibilist critics to show an instance of an un-free choice. If we were not free to choose, but compelled to make decision, it is not the case that we had choice in the first place.

But, although the last concern may be relevant for the issue of compatibilism, in my opinion, we can separate it from the issue of alternative possibilities. Why couldn't we apply the conclusions about other dispositions (deterministically understood) to our incompatibilist ability to act otherwise? After all, even our incompatibilist ability to do otherwise, would have (at least in Frankfurt-type examples) the relevant features of dispositions in a broad sense. So, however we understood the setting in which the Frankfurt-type example, it remains true that Jones could have done otherwise if and only

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<sup>52</sup> Ferenc Huoranszki, for instance in his unpublished book "Fate and Freedom". (1.7 Objections and Replies)

if he would do otherwise if he would choose otherwise, and if he would retain his abilities to choose and perform the alternative action.

## Conclusion

In this paper I presented Frankfurt's powerful challenge to the traditional belief in alternative possibilities as a necessary condition for moral responsibility. The challenge is based on the assumption that it is possible to think of the non-question begging examples (Frankfurt-type examples) of the cases in which the agents deserve moral praise or blame for their actions although they were not able to do anything else. The examples typically involved the agent who decides as he normally does without any inner or outer constraints that would undermine his responsibility, and the neuroscientist of whose presence the agent was not aware, but who would compel the agent to do what he actually did if he tried to do something else. It seemed clear, at first sight, that the agent responsible for his action, for he was responsible in the absence of the neuroscientist whose presence did not influence at all the agent's actual decision. In addition, it seemed that the agent had no alternative possibilities because if he tried to do something else he would not succeed due to the presence of the scientist.

It was not important, by the way, that another person Black prevented Jones from performing the alternative action. The examples would express the same idea if her alternative action was prevented by some mechanism or natural process external to her, as long as they would create impression that the agent did not do what he did only because of the presence of that external factor.

Also, although the examples were first conceived as the support for compatibilism, because it was traditionally believed that it is impossible to have alternative possibilities if determinism is true, and although the most passionate critics of the examples were incompatibilists, it became clear that the only target of Frankfurt-type examples is only



the principle of alternative possibilities. For, it turned out that the most promising attack on the examples came from the compatibilists who think that the disposition to do otherwise is a necessary condition for moral responsibility.

In the first chapter, I presented a strategy for defending the Principle of Alternative Possibilities based on the assumption that however powerful the neuroscientist (or the analogous mechanism) may be, there is always some sort of alternative possibility is available to the agent. The proponents of this objection indeed showed that some sort of alternative possibility is ineradicable even in the presence of the most powerful intervener. But their victory over Frankfurt-type examples had a short breath because the alternatives they have pointed to, “the flickers” were not robust enough to base the ascriptions of moral responsibility.

In the second chapter, I presented the libertarian challenge to proponents of Frankfurt-type examples, according to which, Frankfurt-type examples do not work in the indeterministic setting. Libertarians successfully showed that Frankfurt-type examples which involve prior signs do not work if the causal process which leads to the agent’s choice is indeterministic. However, defenders of the examples managed to construct new Frankfurt-type cases which seem to work even in the indeterministic setting. Although it was not clear whether these examples really work, it was not obvious either that they do not work.

In the third chapter, I presented a strategy of challenging Frankfurt-type examples which turned out to be the most promising because it showed that in all so far suggested Frankfurt-type examples Jones simply can do otherwise. The strategy threw a light on the fact that in the presence of Black, Jones lost only the opportunity to manifest his ability to do otherwise, but not the ability itself. Black appeared to be a “super fink” which was ready to block Jones’s alternative action whenever he was about to exercise it. Thus, it turned out that Frankfurt-type examples actually support the analysis of the ability to do

otherwise, according to which Jones could have done otherwise in the inactive presence of Black.<sup>53</sup>

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<sup>53</sup> The claims that Black deprives Jones of his opportunity and not his ability to do otherwise and that Frankfurt-type examples support the account of dispositions according to which Jones could have done otherwise are some of the conclusions from the Ferenc Huoranszki's unpublished book "Fate and Freedom"

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