The deterministic horn of the dilemma defence: a reply to Widerker and Goetz

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1. Introduction

Following in a tradition that goes at least back to John Locke (and arguably to the Stoics), Harry Frankfurt (1969) has presented what he takes to be counterexamples to the ‘Principle of Alternative Possibilities’ PAP:

(PAP–HF) An agent is morally responsible for what he has done only if he could have done otherwise.

In various places, I have defended Frankfurt’s contention that there are indeed counterexamples to PAP against a powerful challenge dubbed ‘The Dilemma Defence’ (Fischer 1999, 2002 [reprinted in 2006], and 2010). According to the Dilemma Defence, in the purported counterexamples either we assume causal determinism or we assume causal indeterminism. On the deterministic horn, it would be question-begging simply to judge that the relevant agent is morally responsible – after all, the relationship between causal determinism and moral responsibility is precisely what is at issue in debates to which PAP is pertinent. And on the indeterministic horn, the proponent of the Dilemma Defence contends that, although the relevant agent can be judged to be morally responsible, there are residual and ineliminable alternative possibilities. So either there are no alternative possibilities but it is contentious whether there is moral responsibility, or there is moral responsibility but there are alternative possibilities. Either way we do not have uncontroversial cases in which there is moral responsibility and yet the relevant agent lacks alternative possibilities (Kane 1985; Widerker 1995; Ginet 2003).

Recently, David Widerker and Stewart Goetz have presented an interesting, insightful, and challenging critique of my 2010 defence of Frankfurt’s attack on PAP (Widerker and Goetz 2013). That is, they have offered a critique of my rejection of the deterministic horn of the Dilemma Defence. Here I shall set out their criticism and offer a rebuttal. Although they raise some legitimate and helpful questions, I also contend that they have misunderstood and mischaracterized my argument in certain ways. When my argument is properly understood, it will become clear that their reflections miss the mark and that my refutation of the deterministic horn of the Dilemma Defence remains unscathed.
2. The Widerker-Goetz summary of my critique of the deterministic horn

I will follow Widerker and Goetz in interpreting the Principle of Alternative Possibilities as applying to choices:

PAP An agent is morally responsible for choosing at time t to perform action A only if he or she could have chosen otherwise at t.

In Fischer (2010), I presented the following updated (but now outdated!) version of Harry Frankfurt’s purported counterexamples to PAP:

Because Black dares to hope that the Democrats finally have a good chance of winning the White House, the benevolent but elderly neurosurgeon, Black, has come out of retirement to participate in yet another philosophical example. . . . He has secretly inserted a chip in Jones’s brain which enables Black to monitor and control Jones’s activities. Black can exercise this control through a sophisticated computer that he has programmed so that, among other things, it monitors Jones’s voting behaviour. If Jones were to show any inclination to vote for McCain (or, let us say, anyone other than Obama), then the computer through the chip in Jones’s brain, would intervene to assure that he actually decides to vote for Obama and does so vote. But if Jones decides on his own to vote for Obama (as Black, the old progressive, would prefer), the computer does nothing but continue to monitor – without affecting – the goings-on in Jones’s head.

Now suppose that Jones decides to vote for Obama on his own, just as he would have if Black had not inserted the chip in his head. It seems, upon first thinking about this case, that Jones can be held morally responsible for this choice and act of voting for Obama, although he could not have chosen otherwise and he could not have done otherwise.

(34)

How exactly do I think that this example (suitably interpreted) can help to provide an answer to the deterministic horn of the Dilemma Defence? Widerker and Goetz quote the following passage, claiming that my answer is contained in it; note that the emphasis (in italics) is added by Widerker and Goetz:

So we assume causal determinism obtains and . . . we make no assumption about the relationship between causal determinism and access to alternative possibilities. Black checks and sees the ‘prior sign’ at t1 that is associated with a subsequent vote for the Democrat—say, the furrowed left brow. Given that Black knows that causal determinism obtains, he can now relax, as it were; under these circumstances, Black knows that Jones in fact will subsequently choose to vote for Obama and carry out
that choice. It is also true, given Black’s device and dispositions, that if Jones were to show the sign at t1 associated with voting for a Republican at t2 (appropriately enough, the furrowed right brow), Black’s device would swing into action and stimulate Jones’s brain so as to ensure that he chooses at t2 to vote for Obama and does so vote at t3. I claim that this additional fact, when added to the assumption of causal determinism and the fact that Black can thus be sure that Jones’s showing the prior sign at t1 will in fact be followed by his choosing accordingly at t2, renders it true that Jones cannot at t2 choose to vote for McCain (or subsequently vote for McCain). These two facts together make it the case that Jones cannot at t2 choose to vote for McCain or carry out such a choice. (Widerker and Goetz 2013: 287; Fischer 2010: 42–43)

Widerker and Goetz go on to point out that (at least initially) I explicitly adopt an agnostic attitude with respect to the relationship between causal determinism and freedom to do otherwise. As they point out, I later relax the assumption of agnosticism (in favour of an incompatibilist position here), and they write:

Fischer contends now that what his new Frankfurt-inspired example shows is that there can be deterministic scenarios in which an agent’s act is unavoidable, and in which there exist two independent explanations of its unavoidability - an explanation based upon the incompatibilist assumption that causal determinism eliminates alternative possibilities, and an alternative explanation (based upon Black’s dispositions and device, as well as certain other facts) that does not make use of that assumption. (Widerker and Goetz 2013: 288)

In a section of their paper entitled, ‘The Refutation of Fischer’s Response to the Deterministic Horn,’ Widerker and Goetz write:

Has Fischer succeeded in disarming the Dilemma Defence, in particular its deterministic horn? We do not think so. Suppose that Jones furrows his left eyebrow at t1. Now consider

(3) The possible act of Jones’s beginning (at \( t_1 + \Delta \)) to choose to vote for McCain, which Fischer regards as a robust alternative possibility (\( t_1 < t_1 + \Delta < t_2 \)). [Footnote removed] Note that in Fischer’s example, Black and his device (and his dispositions) do not rule out this possibility. This alternative is supposed to be ruled out by the fact described in (2) [the (epistemic) fact that, Black, since he knows that determinism obtains (at the appropriate place), can be sure that Jones’s showing at t1 the relevant prior sign (the furrowed left brow) will be followed by his
choosing at t2 to vote for Obama], without invoking the assumption that determinism eliminates alternative possibilities. More specifically, it is supposed to be ruled out in that way by the facts:

(2a) There obtains a causally deterministic link between Jones’s furrowing his left eyebrow at t1 and Jones’s choice at t2 to vote for Obama,

(2b) Jones has furrowed his left eyebrow at t1, together with the fact of

(2c) Black’s being sure that Jones will choose at t2 to vote for Obama based on his knowledge of (2a) and (2b).

We shall now argue that (2a)–(2c) do not satisfy this requirement.
(Widerker and Goetz 2013: 289–90)

3. Widerker and Goetz’s ‘refutation’ and my reply

I have no doubt that (2a)–(2c) do not satisfy the requirement; that is, I agree that (2a)–(2c) do not rule out (3). But I am puzzled as to how Widerker and Goetz could have interpreted me as supposing that (2a)-(2c) rule out (3). Note that in the passage quoted above, Widerker observed that I had emphasized the role of Black, his devise and dispositions, in addition to the assumption of causal determination in the case. And they wrote (as quoted above), adding the emphasis, ‘These two facts together make it the case that Jones cannot at t2 choose to vote for McCain or carry out such a choice.’

Further, recall again, as above, that Widerker and Goetz had attributed to me the contention (having assumed the incompatibility of causal determinism and freedom to do otherwise) that there are two independent reasons for supposing that (3) is ruled out, the second of which is ‘based upon Black’s dispositions and device, as well as certain other facts’.

How then could Widerker and Goetz possibly have concluded that I did not contend that Black’s device and dispositions are part of the explanation of the fact that (3) is ruled out? Clearly, I explicitly argue – and they quote me to this effect, adding emphasis – that Black’s device and dispositions are indeed part of the explanation of the fact that (3) is ruled out! Given this, it should be obvious that the argumentation offered by Widerker and Goetz to show that (2a)-(2c) do not rule out (3) is quite beside the point; it doesn’t touch my argument. And there is no straightforward way that it could be extended to apply to my argument, since my argument explicitly employs the conjunction of the presence of Black’s device and dispositions and causal determinism.

It is not Black’s mere certainty that Jones’s showing a certain prior sign will be followed by the paired voting-choice subsequently – an epistemic certainty that could come from Black’s knowledge that causal determinism obtains, given the assumption of incompatibilism – that is part of my argument. Rather, what is relevant is the way in which the certainty is generated. More
specifically, the way my argument works crucially involves the existence of Blacks’ device and his dispositions, in a causally deterministic scenario.

Allow me here to reiterate my explanation of how the argument is supposed to work. Black checks and sees the prior sign at t1 (the raised left eyebrow) that is associated with a subsequent vote for Obama. Thus Black knows that Jones in fact will subsequently choose to vote for Obama; but this of course in itself does not imply that Jones cannot just prior to or at t2 choose otherwise. Given the assumption of causal determinism, we know that the following counterfactual is true: ‘Had Jones chosen at t2 to vote for McCain, then his right brow would have been raised at t1.’ The role of the assumption of causal determinism is to ensure the truth of this counterfactual; Black thus doesn’t have to concern himself with the possibility that, although Jones furrowed his left brow at t1, he would nevertheless (begin to) choose to vote for McCain at t2. And it is also true, given the set-up of the situation, that if Jones were to show the sign at t1 associated with choosing to vote for McCain at t1, Black’s device would swing into action and stimulate Jones’s brain so as to ensure that he chooses at t2 to vote for Obama. These facts together make it the case that Jones cannot at t2 choose to vote for McCain (or subsequently vote for McCain).

There is another way in which the Widerker/Goetz argumentation to the effect that (2a)–(2c) do not rule out (3) is puzzling. Their argument essentially rests on the point that causal determination in itself cannot uncontroversially be assumed to rule out freedom to do otherwise; they write that this is ‘...one lesson we have learned from arguments employed by incompatibilists for the incompatibility of determinism and one’s freedom to avoid acting as one did...’ (Widerker and Goetz, ms. 7). Of course, if the lesson is associated with such arguments, it is learned from the compatibilist responses to them. And I completely and obviously embrace the point that causal determinism cannot simply be assumed to rule out freedom to do otherwise; this is, of course, my ‘agnostic assumption’. So Widerker and Goetz appear to employ a point I explicitly insist on, not mentioning that I embrace the point, as if it presents a problem for my argument; and, of course, we have seen above that, if there is a problem, it is not for my argument.

4. The general form of my argument: a further reply

We have seen in the previous section that Widerker and Goetz’s ‘refutation’, although perhaps admirable, is not addressed to the specific argument I offered. We will now see that their further critique of the general structure of my argument – as they interpret my argument – suffers from a similar flaw.

Widerker and Goetz point out that I argue for a ‘main thesis’:

(FCT) If causal determinism rules out moral responsibility, it is not just in virtue of eliminating alternative possibilities.
They then go on attribute a certain form of argument to me:

In this argument, Fischer moves from

2F. Black’s device (and dispositions) together with the deterministic link that obtains between Jones’s furrowing his left eyebrow at t1 and his choosing at t2 to vote for Obama, rule out Jones’s access to alternative possibilities, i.e., these two factors together entail Jones’s lack of robust alternative possibilities (with respect to Jones’s act of choosing to vote for Obama), without invoking the assumption that causal determinism rules out alternative possibilities, [and]

3F. Black’s device (and dispositions) together with the said deterministic link are irrelevant to moral responsibility,

to

4F. Lack of alternative possibilities is in itself irrelevant to moral responsibility [which means that PAP is false]. (Widerker and Goetz 2013: 288)

(Again, one cannot help but to pause to note that 2F is explicitly at odds with the interpretation Widerker and Goetz gave of my argument, as discussed in the previous section! Again: if I really do accept 2F, then the fact that [2a-2c] do not entail the falsity of [3] is neither here nor there.)

Widerker and Goetz go on to write that, prima facie, my argument is of the form:

\[ p \text{ entails } q. \]
\[ p \text{ is (explanatorily) irrelevant to } r. \]

Therefore,

\[ q \text{ is (explanatorily) irrelevant to } r. \] (Widerker and Goetz, ms. 10)

They further contend that this inference-form is invalid, offering the following two examples (and the accompanying challenge):

**Example 1**

(True) That Richard Nixon had to resign in 1974 \( p \) entails that \( 2 \neq 1 \) \( q \)

(True) That Richard Nixon had to resign in 1974 \( p \) is (explanatorily) irrelevant to \( 2 > 1 \) \( r \),

Therefore,

(False) That \( 2 \neq 1 \) \( q \) is (explanatorily) irrelevant to \( 2 > 1 \) \( r \).

**Example 2**

(True) Z’s knowing that X has an elderly mother \( p \) entails that X has an elderly mother \( q \);
Z’s knowing that X has an elderly mother (p) is (explanatorily) irrelevant to X’s having a prima facie obligation to care for her (r).

Therefore,

X’s having an elderly mother (q) is irrelevant to X’s having a (prima facie) obligation to care for his elderly mother (r).

Since Fischer takes the inference from 2F and 3F to 4F to be valid, he owes us an explanation how that inference differs from the invalid inferences mentioned above, which seem to have the same logical form. Absent that explanation, we have no good reason to regard the inference as valid. (Widerker and Goetz 2013: 294)

These cases appear to be counterexamples to the form of reasoning identified by Widerker and Goetz. The point I wish to make is that my argument need not be regimented as an instance of that form. I appreciate the opportunity afforded by their interesting and probing critique to suggest another way of interpreting the general form of my argument.

Think of it this way. Suppose that there are various ways of making it the case that q, and that p is one of these ways. Imagine, further, that p is (explanatorily) irrelevant to r. It would seem to follow that the mere fact that q, that is, the fact that q has been made true in some way, is (explanatorily) irrelevant to r. This is the more general form of my argument, and the two examples presented by Widerker and Goetz do not provide any reason to suppose that it is not a legitimate form of argumentation.

It should be obvious that the two examples do not provide any trouble for the form of argumentation I have sketched. But let’s see why it is indeed the more general form of my argument. I start with the claim that Black’s dispositions and device, together with causal determinism, make it the case that Jones cannot choose otherwise. I further claim that Black’s dispositions and device, in a causally deterministic context, are explanatorily irrelevant to Jones’s moral responsibility for his actual choice. The conclusion, then, is that the mere fact that Jones cannot choose otherwise is (explanatorily) irrelevant to his moral responsibility for his actual choice. That is, the fact that Black’s set-up together with causal determinism makes it the case that Jones cannot choose otherwise is (explanatorily) irrelevant to Jones’s moral responsibility for his actual choice; so the fact that something or other makes it the case that Jones cannot choose otherwise does not in itself show that Jones is not morally responsible for his actual choice. So the mere fact that Jones cannot choose otherwise is (explanatorily) irrelevant to his moral responsibility for his actual choice.

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References