

## *Compatibilist Alternatives*<sup>1</sup>

JOSEPH KEIM CAMPBELL  
Washington State University  
Pullman, WA 99164-5130  
USA

### **I Introduction**

This paper is a defense of traditional compatibilism.<sup>2</sup> Traditional compatibilism is, roughly, the view that (a) free will is essential to moral responsibility, (b) free will requires alternative possibilities of action, or alternatives for short, and (c) moral responsibility is compatible with determinism.<sup>3</sup> Traditional compatibilism is a version of the traditional

---

1 Versions of this paper were presented at the Western Canadian Philosophical Association Conference, the Bellingham Summer Philosophy Conference, and the UI/WSU Colloquia Series. I thank Bruce Glymour, Hud Hudson, Peter Murphy, David Shier, Harry Silverstein, David Sosa, and David Zimmerman for helpful comments. I also thank John Martin Fischer and anonymous referees from the *Canadian Journal of Philosophy* for comments on earlier drafts. Michael O'Rourke commented on all previous versions of this paper and to him I am especially indebted.

2 Previously, I have used the name 'strong compatibilism' in place of 'traditional compatibilism' (Campbell, 1997). For criticisms, see Fischer (2002) and McKenna (1998).

3 *Determinism* is the conjunction of the following two theses:

- For every instant of time, there is a proposition that expresses the state of the world at that instant;
- If  $p$  and  $q$  are any propositions that express the state of the world at some instants, then the conjunction of  $p$  with the laws of nature entails  $q$  (van Inwagen, 1983, 65).

For other definitions of the key terms of the free will debate, see van Inwagen (1983) and Campbell, O'Rourke, and Shier (2004a). Following van Inwagen (1983, 8), I use the term 'free will' out of respect for tradition. As I explain below, the term simply

theory of free will. According to the traditional theory, a person *S* performed an action *a* freely only if *S* could have done otherwise, that is, only if *S* had alternatives. The traditional theory is often contrasted with the source theory: *S* performed *a* freely only if *S* was the source of *a* (McKenna 2001; Pereboom 2003). One may adopt a combined view of free will that sanctions both the traditional and source theories (Kane 1996, 72-3; van Inwagen 1983). As I use the terms ‘source theorist’ and ‘traditional theorist,’ the former refers to folks who accept the source theory and reject the traditional theory; the latter refers to folks who accept the traditional theory whether or not they accept the source theory.

Two obstacles face the traditional compatibilist. First, there are a number of persuasive formal arguments for incompatibilism (Fischer 1994, ch. 5; Ginet 1990, ch. 5; van Inwagen 1983, ch. 3). Such arguments reject (c) *because* (b) is true. These arguments are informally summarized in the traditional argument for incompatibilism (Widerker, 2002, 316):

1. If determinism is true, then no one can do or could have done otherwise.
2. If one has free will, then one can do or could have done otherwise.
3. Therefore, if determinism is true, then no one has free will.

More recently, source theorists have criticized (b). These philosophers include semicompatibilists (Fischer, 1994) who accept (c) but reject (b), free will deniers (Pereboom, 1994) who hold that no one has free will, and other source incompatibilists. This line of attack is motivated by well-known examples first offered by Harry Frankfurt (1969), which are supposed to be counterexamples to the principle of alternative possibilities.

PAP: A person was morally responsible for an action (or for the consequence of an action) only if he could have done otherwise.

---

designates the freedom-relevant condition necessary for moral responsibility, so (a) is true by definition.

Often when discussing alternative possibilities of action, I speak in the past tense. It is easier, for instance, to say ‘*S* was responsible for doing *a* only if *S* could have done otherwise’ than ‘*S* is morally responsible of doing *a* only if *S* can do or could have done otherwise.’

PAP is a consequence of the conjunction of (a) and (b). Here is a version of my own Frankfurt-style example (1997), as re-told by Michael McKenna (1998).

Desperate for money, Eleanor and her father Roscoe plan to rob a bank. Roscoe fears that Eleanor might change her mind at an inopportune moment. To insure that Eleanor will proceed with the plans, Roscoe secretly implants a mechanism in Eleanor's brain. Should Eleanor give any indication that she is unwilling to go along with the bank robbery, Roscoe will use the device to render Eleanor unable to do anything other than rob the bank. As it happens, despite a splitting headache, Eleanor willingly robs the bank with her father. The device is never activated. (259)

Eleanor was morally responsible for robbing the bank even though it seems that she could not have done otherwise. Thus it appears that PAP is false.

Keeping our Frankfurt-style example in mind, we have the following argument against PAP:

- 1'. Eleanor could not have done otherwise.
- 2'. Eleanor was morally responsible for her action.
- 3'. According to PAP, if Eleanor was morally responsible for her action, she could have done otherwise.
- 4'. Therefore, PAP is false.

The challenge for the traditional compatibilist is to provide an adequate response to both the traditional argument for incompatibilism and the argument against PAP.

I meet this challenge by offering a version of traditional compatibilism inspired by G.E. Moore (1912) and R. Jay Wallace (1994). My response to the argument against PAP is simple. Eleanor could not have done otherwise in the all-in sense but she could have done otherwise in the general sense. This allows me to agree that alternatives are necessary for moral responsibility, in some sense, even though Eleanor could not have done otherwise, in some other sense. A similar response may be given to the traditional argument for incompatibilism.

I begin by motivating traditional compatibilism in light of the traditional argument for incompatibilism and the argument against PAP (II). I then present a framework for understanding different theories of ability: the relevant facts account (III). Two compatibilist theories are considered: Moore's two-'cans' view and naïve contextualism. These

views are flawed, I argue, for the central compatibilist distinction is not between different kinds of all-in abilities, as these theories suggest, but between all-in abilities and general abilities (IV). I argue that the general reading of PAP is true but Frankfurt-style examples show that the all-in reading is false. My response is then supported by appeal to mitigated cases (V).

Throughout the paper, I make several assumptions. Many philosophers endorse these assumptions and none of them is particularly relevant to the truth or falsity of compatibilism. If one provides a version of the traditional theory that is compatible with both determinism and the following assumptions, then one has provided an account of free will that is compatible with determinism. The assumptions do not beg any substantive questions but they allow my presentation to run more smoothly.

First, our primary influence in the world is through our actions and the consequences of our actions. Some consequences take the form of other events: *S* does *a* and *a* causes event *e*. We may extend our influence to propositions as well as actions and other events. For some propositions are made true or false by the occurrence of certain events (Lewis 1981; Perry 2004; van Inwagen 1983). Thus, by doing *a*, *S* makes it the case that *S* does *a*, and by bringing about *e*, *S* makes it the case that *S* brings about *e*. At least this is true if the occurrence of *a* and *e* is genuinely up to *S*. For the most part, I limit my comments to actions but they may be extended to cover the consequences of actions, as well.

Second, the expression 'free will' is intended to designate the freedom-relevant condition necessary for moral responsibility, whatever that condition may be (McKenna, 2003). In this paper, I assume that there is a freedom-relevant condition that is necessary for moral responsibility (Fischer and Ravizza, 1993 and 1998). In saying this, I am not presupposing that persons have free will, for it might turn out that this condition is never satisfied. But if *S* was morally responsible for doing *a*, then *S* did *a* freely.

Third, I endorse a modified-Strawsonian view of moral responsibility: *S* is morally responsible for doing *a* if and only if *S* is open to moral appraisal for doing *a*. Sentences of either form are called 'attributions of moral responsibility.' Contrary to some interpretations of P.F. Strawson (1962), that *S* is praised or blamed is not enough to ground his moral responsibility, even if *S* is praised or blamed by all of the members of his community. In addition, *S* must be *worthy* of moral appraisal (Fischer and Ravizza, 1993, 16-18, and 1998, 6).<sup>4</sup>

---

4 I thank an anonymous referee from the *Canadian Journal of Philosophy* for helping me to articulate this requirement. For interpretations of Strawson, see Russell (1995),

Traditional compatibilism may be restated as the conjunction of the following three theses.

- A. A person is morally responsible for an action (or for some consequence of an action) only if he performs the action freely.
- B. A person performs an action freely only if he can do or could have done otherwise.
- C. That someone is morally responsible for an action is consistent with the thesis of determinism.

(A)-(C) correspond, roughly and respectively, to items (a)-(c) in the provisional definition of 'traditional compatibilism' above.

## II The Arguments Against Traditional Compatibilism: Some Strategies

Given the force of the arguments against traditional compatibilism, one may wonder why a compatibilist would endorse the traditional theory in the first place. Why not just reject the requirement of alternatives and adopt another form of compatibilism, like the semicompatibilism of John Martin Fischer (1994) or the new compatibilism of Wallace (1994)? Both philosophers claim that the argument against PAP is sound and reject premise (2) of the traditional argument.<sup>5</sup>

First, I think that PAP is intuitive. Any theory of free will that captures this intuition is better — all other things being equal — than one that does not. Second, the above criticism presumes that, since the traditional compatibilist accepts (2), (2'), and (3'), the only response available to him is to deny (1) of the traditional argument and (1') of the argument against PAP.

- 1. If determinism is true, then no one can do or could have done otherwise.
- 1'. Eleanor could not have done otherwise.

---

Watson (1987), and Wallace (1994). The Russell and Wallace interpretations of Strawson are consistent with the modified-Strawsonian view of moral responsibility but Watson's is not.

5 The anonymous referee noted above mentioned this objection, too.

But, in response to any argument, one may accept the premises and deny the conclusion, so long as the argument is invalid. Similarly, my response to the argument against traditional compatibilism is as follows:

The word ‘can’ is ambiguous between the general sense and the all-in sense. (1) and (1’) are true in the all-in sense of ‘can’ but false in the general sense. (2) and (3’) are true in the general sense of ‘can’ but false in the all-in sense.

Of course, the devil is in the details and this response needs to be developed. Note, however, that the response allows me to accept the premises of the arguments against traditional compatibilism — each premise is true in at least one sense of ‘can’ — while rejecting the conclusions. Both arguments are invalid and suffer from the fallacy of equivocation.

My rejoinder to the argument against PAP draws attention to other responses, as well. Perhaps ‘can’ is equivocal. Or perhaps it is sensitive to the ‘attention, interests, and stakes’ of knowledge attributors or of knowing subjects (cf. Hawthorne, 2004). Or perhaps pragmatic factors play a role in determining the truth-conditions for sentences like (1), (2), (1’), and (3’) (cf. Stainton, forthcoming). In each of these cases, the traditional compatibilist may concede that some formal versions of the traditional argument for incompatibilism are sound. In a number of cases, the traditional compatibilist may concede that the Frankfurt-style examples rule out some readings of PAP yet leave others intact.

In what follows, I offer an account of the two-‘cans’ view because I happen to believe it and because it is relatively easy to present. But a rejection of the two-‘cans’ view would not refute the more general point that I make, e.g., that there are a variety of linguistic maladies with which the arguments against traditional compatibilism may suffer. In turn, there are a variety of linguistic solutions to those arguments, each of which allows one, in principle, to accept the premises while rejecting the conclusions.

### III The Relevant Facts Account and The Traditional Argument for Incompatibilism<sup>6</sup>

In this section, I consider three theories of alternatives that offer three distinct responses to the traditional argument for incompatibilism: the

---

<sup>6</sup> The structure of this section is borrowed from discussions of related issues in epistemology in DeRose (1999). Thanks to O’Rourke for suggestions here, too.

libertarian theory, Moore's two-cans view, and naïve contextualism. Each of these theories is best understood in terms of the relevant facts account. According to this account, *S* can do *a* only if *S*'s doing *a* is compossible with the relevant facts (Hawthorne 2001; Lewis 1976 and 1979; Unger 1984; Sider 1997). Versions of the relevant facts account differ, depending on the facts that are deemed relevant as well as the reasons why they are regarded as such. It is debatable whether the relevant facts account works for all theories of alternatives. Nonetheless, the relevant facts account provides a helpful framework for discussing the theories noted in this section.

The account is useful, for example, in understanding the libertarian theory of alternatives. What does it mean to say that William James — or anyone — has a genuine choice about which way to walk home after one of his lectures? Here is James's response:

It means that both Divinity Avenue and Oxford Street are called; but only one, and that one *either* one, shall be chosen. Now I ask you to seriously suppose that this ambiguity of my choice is real; and then to make the impossible hypothesis that the choice is made twice over, and each time falls on a different street. In other words, imagine that I first walk through Divinity Avenue, and then imagine that the powers that be annihilate ten minutes of time with all that it contained, and set me back at the door of this hall just as I was before the choice was made. Imagine then that, everything else being the same, I now make a different choice and traverse Oxford Street. (James, 1948, 44)

The broad past is 'the past together with the laws of nature' (Finch and Warfield, 1998, 523). On one reading of this passage, James suggests that having a choice entails having the ability to do otherwise given the broad past. Let *t* be some time prior to *S*'s choice — for instance, some moment prior to the annihilation of time noted above — and let  $\Psi_t$  be the set of propositions about the broad past relative to *t*. According to a Jamesian account of alternatives, *S* can (at *t*) do *a* only if *S*'s doing *a* is consistent with  $\Psi_t$ . Call this the 'incompatibilist criterion.'

Note that the incompatibilist criterion is not an *analysis* of 'can,' since it only specifies a necessary condition for having alternatives. Nonetheless, it does identify something central to the libertarian theory of alternatives. As Peter van Inwagen writes: 'it *seems* that our freedom can only be the freedom to add to the actual past; it *seems* that our freedom can only be the freedom to act in accordance with the laws of nature' (2000, 167; cf. Ginet 1990, 102-3). The incompatibilist claims that any account of ability that is applicable to attributions of free will must satisfy the incompatibilist criterion.

Examples of compatibilist approaches to all-in abilities include some versions of the two-'cans' view and contextualism. Contextualism is the view that the truth-conditions of ability-ascribing sentences vary accord-

ing to the context in which those sentences are uttered (DeRose 1992, 492, and 1999a, 187; Unger 1984). An ability-ascribing sentence is a sentence of one of these forms (or suitable variants): 'S can do *a*,' 'S is able to do *a*,' and 'It is within S's power to do *a*' (Unger 1984, 55, and van Inwagen 1983, 8). Contextualist theories are currently in vogue in epistemology, particularly in the analysis of 'knows' as it occurs in sentences like 'Joe knows that he has a head.' But contextual analyses of 'can,' 'free action,' and other terms relevant to the free will debate have also been put forth.<sup>7</sup>

David Lewis offers a contextualist analysis of 'can' in response to the grandfather paradox, a puzzle about time travel.<sup>8</sup> In Lewis's example, Tim travels back in time in an attempt to kill his grandfather prior to the birth of Tim's parents. Tim will fail to kill him, since doing so would lead to contradictions, but *can* Tim kill his grandfather? Lewis writes:

We have this seeming contradiction: "*Tim doesn't, but can, because he has what it takes*" versus "*Tim doesn't, and can't, because it's logically impossible to change the past.*" I reply that there is no contradiction. Both conclusions are true, and for the reasons given. They are compatible because 'can' is equivocal. (1976, 77)

Here is a helpful quotation from Ted Sider:

Lewis's idea is that a statement attributing ability, like "Tim can kill Grandfather," is ambiguous. The statement means "Tim's killing Grandfather is compossible with a certain set of facts," but the relevant set of facts may vary from one context of utterance to another. When we say that Tim can kill Grandfather because he has what it takes, we mean that his killing Grandfather is compossible with a certain set of facts that includes only relatively "local" facts about the killing situation; when we say that Tim can't kill Grandfather because Grandfather is Tim's grandfather, we mean that Tim's killing Grandfather isn't compossible with a more inclusive set of facts that includes the fact that Grandfather survived his youth and helped produce Tim. (1997, 143)

According to both Lewis and Sider, the truth-conditions of ability-ascribing sentences vary according to the context in which those sentences are uttered. Thus, an utterance of the sentence "Tim can kill Grandfather" may be true in one context yet false in another.

Lewis and Sider suggest that the variance in the truth-conditions of ability-ascribing sentences is due to a change in *meaning*. Lewis says that

---

7 Lewis (1976 and 1979) and Sider (1997) develop contextualist theories of ability terms. Hawthorne (2001) presents a contextualist theory of 'free action.' Unger (1984, 54-8) discusses both kinds of theories. Feldman (2004) offers several compelling criticisms of contextualism.

8 For a general introduction to this and other paradoxes, see Campbell (forthcoming).

“‘can’ is equivocal’ (1976, 77) and Sider says that ‘a statement attributing ability ... is ambiguous’ (1997, 143). However, it is best for the contextualist to say that ‘can’ always *means* the same thing. What varies from context to context — if contextualism is true — is the set of facts that is counted as relevant, not the meaning of ‘can.’ Contextualism is committed to a variation in the *content* of assertions of ability-ascribing sentences — to the ‘proposition that embodies [their] truth conditions’ — but not to a variation in the *meaning* of such assertions — to ‘what is fixed by the conventions for the use of expressions that we learn when we learn a language’ (Perry 1997; cf. Perry 2001, 17-18).

Contextualism is contrasted with Moore’s two-‘cans’ view. Moore (1912) distinguishes between the hypothetical sense and the categorical sense of ‘can.’ The latter is picked out by the libertarian theory noted above; the former is usually identified with the standard hypothetical analysis of ‘could have done otherwise’: if *S* had wanted (or tried, etc.) to do otherwise, then *S* would have done otherwise.<sup>9</sup> Moore holds that ‘can’ has two distinct meanings and in doing so he distinguishes his position from the one held by the contextualist.<sup>10</sup>

Context plays an important role in determining the content of ability-ascribing sentences for both the two-‘cans’ view and contextualism. If someone says that three is an odd number of legs for a horse, we might understand him to mean that three is a *peculiar* number of legs for a horse, or to mean that three is a *non-even* number of legs for a horse. Moreover, there may be features of the context of utterance — whether one is in a stable, or in a math class, or in front of a three-legged horse — that help us to determine which of these propositions was meant given what was said. But this, to use John Perry’s words, is a ‘presemantic’ use of context, one where ‘context helps us to figure out meaning’ (2001, 39). In contex-

---

9 Moore’s own analysis of the hypothetical sense of ‘could have done otherwise’ is more complex. According to Moore, we could have done otherwise in the hypothetical sense iff:

... (1) that we ... *should* have acted differently, if we had chosen to; (2) that similarly we ... should have *chosen* differently, if we had chosen so to choose; and (3) that it was ... *possible* that we should have chosen differently, in the sense that no man could know for certain that we should *not* so choose (1912, 94).

10 Unger (1984) suggests that the distinction between contextualism and invariantism maps on neatly, and respectively, to the distinction between compatibilism and incompatibilism. This is essential to his argument for philosophical relativism. But the two-‘cans’ view shows that it is not so. The two-‘cans’ view is a kind of invariantism, for invariantism is just the denial of contextualism and the two-‘cans’ view is not a kind of contextualism (DeRose, 1992, 492).

tualism, 'we still need context *after* we determine which words, syntactic structures and meanings are being used' (42).

There are many different ways in which a contextualist might explain how context is important to the truth-conditions of ability-ascribing sentences. According to one way — call it 'naïve contextualism' — the variations in the truth-values of such sentences are due to differences in the sphere of attention of those attributing freedom to an agent. John Hawthorne writes:

When ordinary speakers utter English claims of the form "S did *x* freely" (and their synonyms), they frequently speak the truth. But when our sphere of attention is widened by philosophical inquiry, we are rarely in a position to truly utter the English words "S did *x* freely". Accordingly, the English words "S did *x* freely" (and "It is up to S whether or not he does *x*" and "S did *x* of his own free will" etc.) must have a meaning that somehow allows its truth-conditions to vary according to the sphere of attention. (2001, 68)

Naïve contextualism is a kind of compatibilism, for it claims that in ordinary contexts our standards for determining what facts are relevant are less restrictive since we attend to only 'relatively "local" facts.' In such contexts, particular utterances of the form '*S* can do *a*' come out true even if determinism is true and *S* does not do *a*. Yet in philosophical contexts our attention is drawn elsewhere — to facts about 'the neurological springs' of our actions or to the fact that they are the inevitable result of things over which we have no control — and we subsequently deny that our actions are free (2001, 67).

Naïve contextualism is a compatibilist theory even though it endorses a variant of the incompatibilist criterion. Suppose that *S* did *a*. Could *S* have done otherwise? According to the naïve contextualist, in ordinary contexts the answer is 'Yes,' since in those contexts we are only attentive to the local facts. If *S*'s doing otherwise is compossible with that set of facts, *S* could have done otherwise. This is so even if determinism is true and *S*'s doing otherwise is not compossible with all of the facts about the broad past. It concedes that the same act may be both free and determined, so naïve contextualism is a compatibilist theory. That his actions are determined is not enough to render an agent unfree but if our attention shifts to a wider set of facts — e.g., if we suddenly reflect upon facts about the broad past and the truth of determinism — the context changes, as well, and in this new context an utterance of the very same ability-ascribing sentence comes out false. Hence, the naïve contextualist accepts a version of the incompatibilist criterion: If *S*'s doing *a* is not compossible with the facts about the broad past *and these facts are not properly ignored*, then *S* cannot do *a* (Hawthorne, 2001, 74).

According to the libertarian theory of alternatives, 'can' has a single meaning subject to the following constraint: *S* can do *a* only if *S*'s doing

*a* is compossible with all of the facts about the broad past. This allows for an easy response to the traditional argument for incompatibilism: the argument is sound! According to Moore's two-'cans' view, 'can' has two meanings and the traditional argument is guilty of the fallacy of equivocation. Naïve contextualism lies somewhere in between. The naïve contextualist shares with the libertarian theorist the view that 'can' has just one meaning. Nonetheless, he holds that our standards for what counts as a relevant fact may shift from one context to the next. This allows the naïve contextualist to achieve the same result as Moore. According to naïve contextualism, an utterance of each premise in the traditional argument is true in some context yet it is still the case that in some ordinary contexts utterances of 'S can do otherwise' are true even if determinism is also true.<sup>11</sup>

Whatever merits these compatibilist theories have as responses to the traditional argument for incompatibilism, neither theory offers a satisfactory response to the argument against PAP. According to naïve contextualism, *S* can do *a* provided that *S*'s doing *a* is compossible with the relevant facts. The relevant facts might shift depending on features of the attributor's context. Specifically, when we attend to a fact, it becomes relevant. But some facts are relevant, according to naïve contextualism, even if we do not attend to them, e.g., the local facts. The local facts of an action are the facts that are spatially and temporally local to the action. In Sider's example, they are the facts surrounding the circumstances in which Tim attempts to kill Grandfather. Contextualists may reject the traditional argument but they should accept the argument

---

11 A more sophisticated form of contextualism is salience contextualism, where salience is intended to cover something more than mere attention (cf. Hawthorne, 2004, 160). Naïve contextualism adopts the relevant facts account but some contextualist theories may reject this account. Moreover, in many debates about free will and moral responsibility, closure principles play a role (Fischer 1986 and 1994; van Inwagen 1983; Widerker 2002). Naïve contextualists regard such principles as valid but other contextualists may reject these principles. Naïve contextualism is just one of a variety of contextualist solutions (cf. Black, 2003).

According to both naïve and salience contextualism, it is the *attributor's* context that plays a role in the truth-conditions of ability-ascribing sentences. Subject-sensitive invariantism — a close cousin of contextualism — allows that these truth-conditions might also be sensitive to the 'attention, interests, and stakes' of the *agent*, not the attributor (cf. Hawthorne, 2004, Ch. 4). Many contemporary philosophers are unwilling to classify such views as contextualist theories (DeRose 1999b and Hawthorne 2004). Other non-contextualist theories allow that pragmatic factors play a role in the truth-conditions for ability-ascribing sentences. Here the relevant difference involves the contents of utterances of ability-ascribing sentences rather than the meanings of those sentences (cf. Stainton, forthcoming).

against PAP. By any reasonable standard the local facts of Eleanor's situation include the fact that she has a bank-robbing device implanted in her head. As McKenna notes, it is a 'misdescription of the situation to eliminate' this fact from considerations about what Eleanor can and cannot do (1998, 261).

Similar comments apply to Moore's two-'cans' view. The reason is that all of the views considered so far are theories of all-in abilities. Certain local facts will be salient on any theory of all-in abilities and these facts will always include facts about counterfactual devices like Eleanor's bank-robbing implant. For this reason, Frankfurt-style examples show that the all-in reading of PAP is false. Unlike Moore's view, my two-'cans' view locates the pertinent ambiguity elsewhere. If contextualism or the two-'cans' view is to provide an adequate response to the argument against PAP, it must move beyond the analysis of all-in abilities.<sup>12</sup>

#### IV General Abilities and All-in Abilities

In another paper (1997), I offer a response to the argument against PAP similar to the one I give here. Fischer classifies my view as a 'nonstandard response' to the Frankfurt-style examples (2002, 303). In reply, Fischer writes:

I believe that the nonstandard theorist is conflating general abilities with the sort of ability that corresponds to J.L. Austin's "all-in sense of 'can'," or "can in the particular circumstances." One may have a general ability without having the later sort of ability. Whereas I would certainly concede that an agent in a Frankfurt-type case has the relevant general ability, I would deny that he can under the particular circumstances choose and do otherwise. It is the particularized notion of ability, and not the general one, that is typically associated with moral responsibility; certainly, the particularized notion plays a role in the Principle of Alternative Possibilities. (304)

In this paper, I am not conflating all-in abilities with general abilities, for my reply is based on the distinction between them. Even though all-in abilities are 'typically associated with moral responsibility,' I argue that general abilities are more fundamental.

---

12 Like Moore's view, naïve contextualism focuses on all-in abilities to the exclusion of general abilities. But a contextualist theory of ability terms that leaves room for both all-in abilities and general abilities might provide a compelling response to the argument against PAP. It is arguable that Lewis (1976 and 1979) and Unger (1984) offer such a view. Thanks to the aforementioned anonymous referee for noticing this.

Fischer's characterization of the distinction between all-in and general abilities is accurate but misleading. It suggests that the difference between them is the difference between the ability to do something at a particular moment in time and the ability to do something in general. This is not quite right. Consider this example from Peter Unger: 'while riding in a train with a pianist friend, a person might ask the musician, "Can you play 'One O'clock Jump'?" The pianist may reply, "Yes, I can."' Unger notes that 'the lack of any piano on the train will not falsify the musician's claims' but that 'in the hotel two months later, matters of truth will be evaluated differently: The absence of a piano might then falsify.' As I interpret this passage, Unger distinguishes between the general ability to play the piano — which one may have whether or not there is a piano available to be played — and the all-in ability to play the piano. One might have the general ability to play an instrument at a particular moment of time and lack it at other times. At an early age, the jazz guitarist Django Reinhardt was a virtuoso. When he was 18 he lost the general ability to play the guitar due to injuries suffered in a fire. Later he relearned to play the guitar using only eight fingers, for two of his fingers were paralyzed in the accident. Hence, the difference between all-in abilities and general abilities is not the difference between the ability to do something at a particular moment in time and the ability to do it in general.

Often when we say 'S can do otherwise' we mean that S's doing otherwise is compossible with the facts as they stand. We allow for some flexibility here, which is why naïve contextualism is so intuitive. It is our all-in ability that withers upon reflection, for in this sense any fact brought to our attention appears relevant. As we discover and contemplate more information about our world, our all-in ability to do otherwise correspondingly diminishes. The libertarian theory of alternatives lies near the extreme by holding all facts up to the present moment relevant. Fatalism is the extreme: all facts — past, present, and future — are relevant.

Ability-ascribing sentences may also express a more general sense. Consider, for instance, the following joke, related to Unger's pianist example (1984, 55). (It is a *philosophical joke*, so it's not very funny.) A man has a bird in a cage. A friend asks him, 'Can your bird fly?' The man looks at the bird in the cage and responds, 'No. Not at the moment.' Whereupon the friend retorts, 'If it can't fly, then why is it in a cage?'

Given the bird joke and the pianist example, it is plausible to maintain that ability-ascribing sentences are ambiguous. A bird is in a cage and someone asks, 'Can the bird fly?' The answer is 'Yes' if we are talking about the bird's general abilities. The bird would not be in a cage unless it had the general ability to fly. But the bird does not have the all-in ability to fly, for there is a sense in which it cannot fly given that it is in a cage.

Similarly, one might have the general ability to play 'One O'clock Jump' even if there is no piano available to play. This is why it is appropriate to call one a 'pianist' or a 'musician' whether or not there is an instrument on hand. A man's general ability to play 'One O'clock Jump' has to do with his training and 'his knowledge of the jazz repertoire' (Unger, 1984, 55). When there is no piano available it is not the general ability to play the piano that is lost, though another ability may be absent. For there is certainly a sense in which one cannot play a song on a piano if there is no piano available to play.

The distinction between all-in and general abilities is relatively well known but my use of the distinction in response to the arguments against traditional compatibilism is unique. My response is influenced by the work of Moore (1912) and Wallace (1994), but neither of their distinctions is the same as mine. Moore contrasts the categorical and hypothetical sense of 'can' but this is a distinction between different kinds of all-in abilities. Wallace notes a distinction between all-in abilities and general abilities but for him the all-in ability to do otherwise 'involves, roughly speaking, the availability of a range of alternative possibilities, holding fixed the laws of nature and the facts about the past' and is 'plausibly' incompatible with determinism (1994, 3). Thus Wallace just identifies all-in abilities with the kind of abilities associated with the libertarian theory of alternatives.

My view on the general abilities that are essential to moral responsibility comes directly from Wallace. According to Wallace, *S* is morally responsible for *a* only if *S* has 'powers of reflective self-control' (1994, 2). Reflective self-control is a collection of powers that includes 'the power to grasp and apply moral reasons, and the power to control one's behavior by the light of such reasons' (7) as well as 'the further powers to step back from one's desires, to reflect on the ends that they incline one to pursue in light of moral principles, and to adjust or revise one's ends as a result of such reflection' (14). These powers are 'forms of broadly psychological competence or capacity, like the general ability to speak a language, or to read musical notation and reproduce the music read on an instrument' (186). The powers of reflective self-control are general abilities but, as Wallace notes, they are essential to attributions of moral responsibility, so some general abilities are essential to attributions of moral responsibility.

In order for Wallace's concept of *general ability* to be of use to the traditional compatibilist it must be amended and combined with the insights of Moore: 'can' is ambiguous and so are ability-ascribing sentences. Moore, however, was wrong about the details of this ambiguity. The new proposal is a combination of Moore and Wallace: ability-ascribing sentences are ambiguous between the all-in sense and the general sense of 'can.'

## V Mitigating Cases of Moral Responsibility and the Generalization Strategy

As Fischer notes (2002, 304), there is a presumption that all-in abilities are the kinds of abilities that are relevant to attributions of moral responsibility and that general abilities are irrelevant to such attributions. Wallace spends a lot of time trying to rebut this presumption. His approach hinges on his belief that the traditional argument for incompatibilism is based on a 'generalization strategy' (16-17 and 114-16). Wallace writes:

... the incompatibilist might argue, we think it unfair to hold those responsible who are physically constrained, or insane, or under the influence of a drug or hypnotic treatment that has been forcibly administered, and these judgments rely at least implicitly on moral principles that specify what it is about these kinds of conditions that makes it unfair to hold people responsible when they obtain.... Incompatibilists have traditionally supposed that the excuses and exemptions we acknowledge in practice commit us to principles ... to the effect that we should not hold people morally responsible unless they have the ability to do otherwise. (115)

According to Wallace, the incompatibilist first surveys a variety of mitigating cases — examples in which it is intuitively wrong to hold an individual morally responsible for an action due to extenuating circumstances. The incompatibilist then generalizes over such cases to the truth of PAP. Finally, he uses PAP as the basis for the traditional argument for incompatibilism. In reply to this argument, Wallace shows that careful attention to mitigating cases reveals that they are supportive of other principles instead of PAP and that general abilities are essential to moral responsibility (chs. 5-6).

In an effort to prove his points, Wallace adopts Strawson's taxonomy of mitigating cases, which first divides these cases into excuses and exemptions and then subdivides exemptions between what I call 'transitory exemptions' and 'enduring exemptions' (1962; Wallace 1994, chs. 5-6; Watson 1987). Strawson's examples of enduring exemptions are: "He's only a child", "He's a hopeless schizophrenic", "His mind has been systematically perverted", "That's purely compulsive behaviour on his part" (1962, 126). His examples of transitory exemptions are: "He wasn't himself", "He has been under very great strain recently", "He was acting under post-hypnotic suggestion" (126).

When assessing cases of moral responsibility, we often discriminate between the actions of the child and those of the adult, or the actions of the insane and those of the sane. The basis for these distinctions is the presence or absence of the powers of reflective self-control: adults and the sane generally have them; children and the insane generally do not. It is the absence or hindrance of those powers that matters, so we accept

situations in which one acts *as if* he were insane for some brief period of time, as well. All exemptions suggest an absence, loss, or hindrance of one of the powers of reflective self-control. The difference between enduring and transitory exemptions is one of duration.<sup>13</sup>

Excuses are different and it is here where all-in abilities play an important role in the assessment of moral responsibility. We may distinguish between epistemological and freedom-relevant excuses corresponding to the two different kinds of necessary conditions for moral responsibility (Aristotle 1985; Fischer and Ravizza 1993, 7-8). The epistemological condition 'captures the intuition that an agent is responsible only if she both knows (or can reasonably be expected to know) the particular facts surrounding her action, and also acts with the proper sort of beliefs and intentions' (8). The details here get rather complicated. Aristotle lists six distinct kinds of ignorance, each of which is relevant to attributions of moral responsibility (1985, 3-4). Though epistemological excuses are important in an overall theory of moral responsibility they have little to do with free will: the freedom-relevant condition for moral responsibility. Strawson's examples of epistemological excuses are: "He didn't mean to", "He hadn't realized", "He didn't know" (1962, 125). More important for our purposes are freedom-relevant excuses, ones that 'give occasion for the use of the phrase "He couldn't help it", when this is supported by such phrases as "He pushed me", "He had to do it", "It was the only way", "They left him no alternative", etc.' (125).

At this point, we may begin to understand the complexity of the relationship between ability-ascribing sentences and attributions of moral responsibility. In an effort to mitigate *S*'s moral responsibility for an action, one may utter '*S* could not have done otherwise' and in doing so be offering a freedom-relevant excuse: *S* could not have done otherwise *because they left him no alternative*. Or one may use the phrase to signal a transitory exemption: *S* could not have done otherwise *because he was acting under post-hypnotic suggestion*. Or one may convey an enduring exemption: *S* could not have done otherwise *because he was a hopeless schizophrenic*.

How general abilities and all-in abilities fit into all of this depends in part on whether one is offering an excuse or an exemption, and whether it is a transitory or enduring exemption. In the case of enduring exemptions, for instance, *S* could not have otherwise because he lacked some general ability. Here we recognize the absence or loss of one of the

---

13 These comments fit well with my previous claim that free will is a collection of active powers and cognitive capacities essential to moral responsibility (Campbell, 1997 and 1999).

powers of reflective self-control. Similar comments apply to many transitory exemptions. In post-hypnotic suggestion, for instance, we imagine a momentary loss of some of the powers of reflective self-control. Acting under a great strain is different, however. Here it is not that a power is absent but rather that it is hindered in some way. These kinds of transitory exemptions are more like freedom-relevant excuses. In both cases, the claim is that there is some level of *coercion* or *constraint* involved but no genuine *compulsion*. Even here, though, general abilities are significant, for in cases of coercion and constraint one's powers of reflective self-control are impeded in some way.

Reflections on the above examples support the following claim: All mitigating cases involve the absence, loss, or hindrance of one of the powers of reflective self-control. The question remains as to which principle best captures our generalization of mitigating cases: the all-in reading of PAP, the general reading of PAP, or something else. It is clear that the general reading of PAP is true: If a person lacks one of the powers of reflective self-control — and thus cannot do otherwise in the general sense — then he is not morally responsible for his actions. Unfortunately, this principle does not cover all mitigating cases, for no freedom-relevant excuses and only some transitory exemptions involve the absence or loss of a general ability. This leaves it open that both the general and the all-in readings of PAP are true.

Two considerations speak against the all-in reading of PAP. First, the principle is too narrow. Suppose that we slightly alter our Frankfurt-style example, for instance. Eleanor decides not to rob the bank and Roscoe flips a switch causing her to do so anyway. Suppose also that the device is flawed and only works 5% of the time. It just so happens that on this occasion, the device is effective. In this new example, we would say that Eleanor was not morally blameworthy for robbing the bank because she could not have done otherwise. Yet Eleanor did not lack the all-in ability to do otherwise. If we subjected Eleanor, under these constraints, to the James thought experiment and replayed the same scenario over and over again, Eleanor would have done otherwise 95% of the time.

Second, and more importantly, the all-in reading of PAP fails to identify the role that general abilities play in examples of freedom-relevant excuses and related examples of transitory exemptions. Such cases involve coercion or constraint and these involve the hindrance of some of the powers of reflective self-control. Admittedly in such instances the agent's all-in inability to do otherwise is relevant to our judgment that the agent is not morally responsible for the action. Yet the agent's all-in inability is important only because it plays a role in the explanation of the action. As Frankfurt notes, in such cases 'We understand the person who offers the excuse to mean that he did what he did *only because* he

was unable to do otherwise, or *only because* he had to do it' (1969, 165). This leads to Frankfurt's own replacement for PAP, PAP': 'a person is not responsible for what he has done if he did it only because he could not have done otherwise' (165). The upshot is that the generalization strategy does not support the all-in reading of PAP. The strategy is more supportive of the general reading of PAP together with PAP'.

## VI Summary

Traditional compatibilism claims that alternatives are essential to moral responsibility and that moral responsibility is compatible with determinism. In light of the traditional argument for incompatibilism and the argument against PAP, these claims are contentious. According to my two-'cans' view both arguments suffer from the fallacy of equivocation: the general reading of PAP is true but the all-in reading is false. This claim is supported by appeal to mitigating cases. These cases are of two kinds: exemptions and excuses. All of these cases involve situations in which one of the powers of reflective self-control is absent, lost, or hindered. Most examples of exemptions support the general reading of PAP. All examples of freedom-relevant excuses as well as the remaining cases of exemptions support PAP'. Certainly the Frankfurt-style examples prove something but what they prove is that the all-in reading of PAP is false.

*Received: March 2001*

*Revised: April 2004*

## References

- Aristotle. 1985. *The Nicomachean Ethics*, T. Irwin, trans. Indianapolis: Hackett. Reprinted in Pereboom, 1997, ch. 1. (Page references are to the latter version.)
- Black, T. 2003. 'Contextualism in Epistemology.' *The Internet Encyclopedia of Philosophy*: <http://www.iep.utm.edu/c/contextu.htm>
- Campbell, J.K. 1997. 'A Compatibilist Theory of Alternative Possibilities.' *Philosophical Studies* 88 319-30.
- \_\_\_\_\_. 1999. 'Descartes on Spontaneity, Indifference, and Alternatives.' In *New Essays on the Rationalists*, eds. R.J. Gennaro and C. Huenemann, eds. New York: Oxford University Press.
- \_\_\_\_\_. forthcoming. 'On the Impossibility of Time Travel.' In *Paradoxes of Time Travel: A Philosophical Reader*, J.K. Campbell, ed. Calgary: Broadview.

- Campbell, J.K., M. O'Rourke, and D. Shier, D., eds. 2004a. 'Freedom and Determinism: A Framework.' In Campbell, O'Rourke, and Shier, 2004b.
- \_\_\_\_\_. 2004b. *Freedom and Determinism*. Cambridge, MA: The MIT Press.
- DeRose, K. 1992. 'Contextualism and Knowledge Attributions.' *Philosophy and Phenomenological Research* 52 913-29.
- \_\_\_\_\_. 1999a. 'Introduction: Responding to Skepticism.' In *Skepticism: A Contemporary Reader*, K. DeRose and T.A. Warfield, eds. Oxford: Oxford University Press.
- \_\_\_\_\_. 1999b. 'Contextualism: An Explanation and Defense.' In *The Blackwell Guide to Epistemology*, J. Greco and E. Sosa, eds. Oxford: Blackwell.
- Feldman, R. 2004. 'Freedom and Contextualism.' In Campbell, O'Rourke, and Shier, 2004b.
- Finch, A., and T. Warfield. 1998. 'The *Mind* Argument and Libertarianism.' *Mind* 107 515-28.
- Fischer, J.M. 1994. *The Metaphysics of Free Will: An Essay on Control*. Oxford: Blackwell.
- \_\_\_\_\_. 2002. 'Frankfurt-type Examples and Semi-Compatibilism.' In *The Oxford Handbook of Free Will*, R. Kane, ed. New York: Oxford University Press.
- \_\_\_\_\_, ed. 1986. *Moral Responsibility*. Ithaca: Cornell University Press.
- Fischer, J.M., and M. Ravizza. 1993. 'Introduction.' In *Perspectives on Moral Responsibility*, J.M. Fischer and M. Ravizza, eds. Ithaca: Cornell University Press.
- \_\_\_\_\_. 1998. *Responsibility and Control: A Theory of Moral Responsibility*. Cambridge, UK: Cambridge University Press.
- Frankfurt, H.G. 1969. 'Alternate Possibilities and Moral Responsibility.' *Journal of Philosophy* 45 829-39. Reprinted in Pereboom, 1997. (Page references are to the latter version.)
- Ginet, C. 1990. *On Action*. Cambridge, UK: Cambridge University Press.
- Hawthorne, J. 2001. 'Freedom in Context.' *Philosophical Studies* 104 63-79.
- \_\_\_\_\_. 2004. *Knowledge and Lotteries*. Oxford: Oxford University Press.
- James, W. 1948. 'The Dilemma of Determinism.' *Essays in Pragmatism*. New York: Hafner Publishing Company.
- Kane, R. 1996. *The Significance of Free Will*. Oxford: Oxford University Press.
- Lewis, D. 1976. 'The Paradoxes of Time Travel.' *American Philosophical Quarterly* 13 145-52. Reprinted in Lewis, 1986. (Page references are to the latter version.)
- \_\_\_\_\_. 1979. 'Score Keeping in a Language Game.' *Journal of Philosophical Logic* 8 339-59.
- \_\_\_\_\_. 1981. 'Are We Free to Break the Laws?' *Theoria* 47 113-21. Reprinted in Lewis, 1986.
- \_\_\_\_\_. 1986. *Philosophical Papers, Volume II*. Oxford: Oxford University Press.
- McKenna, M.S. 1998. 'Does Strong Compatibilism Survive Frankfurt Counter-Examples?' *Philosophical Studies* 91 259-64.
- \_\_\_\_\_. 2001. 'Source Incompatibilism, Ultimacy, and the Transfer of Non-Responsibility.' *American Philosophical Quarterly* 38 37-51.
- \_\_\_\_\_. 2003. 'Neo's Freedom ... Whoa!' *Matrix Reloaded Website*: <http://whatisthematrix.warnerbros.com/>

- Moore, G.E. 1912. *Ethics*. New York: Oxford University Press.
- Pereboom, D. 1994. 'Determinism *al Dente*.' *Nous* 29 21-45. Reprinted in Pereboom, 1997.
- \_\_\_\_\_. 2003. 'Source Incompatibilism and Alternative Possibilities.' In *Freedom, Responsibility, and Agency: Essays on the Importance of Alternative Possibilities*, M. McKenna and D. Widerker, eds. Aldershot, UK: Ashgate Publishing.
- \_\_\_\_\_, ed. 1997. *Free Will*. Indianapolis: Hackett.
- Perry, J. 1997. 'Indexicals and Demonstratives.' In *A Companion to the Philosophy of Language*, B. Hale and C. Wright, eds. Oxford: Blackwell.
- \_\_\_\_\_. 2001. *Reference and Reflexivity*. Stanford: CSLI Publications.
- \_\_\_\_\_. 2004. 'Compatibilist Options.' In Campbell, O'Rourke, and Shier 2004b.
- Russell, P. 1995. *Freedom and Moral Sentiment: Hume's Way of Naturalizing Responsibility*. Oxford: Oxford University Press.
- Sider, T. 1997. 'A New Grandfather Paradox?' *Philosophy and Phenomenological Research* 57 139-44.
- Stanton, R.J. forthcoming. 'Contextualism in Epistemology and the Context Sensitivity of "Knows".' In *Knowledge and Skepticism*, J.K. Campbell, M. O'Rourke, and H. Silverstein, eds. Cambridge, MA: The MIT Press.
- Strawson, P.F. 1962. 'Freedom and Resentment.' *Proceedings of the British Academy* 48 1-25. Reprinted in Pereboom, 1997. (Page references are to the latter version.)
- Unger, P. 1984. *Philosophical Relativity*. Minneapolis: University of Minnesota Press.
- van Inwagen, P. 1983. *An Essay on Free Will*. Oxford: Clarendon Press.
- \_\_\_\_\_. 2000. 'Free Will Remains a Mystery.' *Philosophical Perspectives* 14 1-19.
- Wallace, R.J. 1994. *Responsibility and the Moral Sentiments*. Cambridge, MA: Harvard University Press.
- Watson, G., 1987. 'Responsibility and the Limits of Evil: Variations on a Strawsonian Theme.' In *Responsibility, Character, and the Emotions: New Essays in Moral Psychology*, F. Schoeman, ed. Cambridge, UK: Cambridge University Press.
- Widerker, D. 2002. 'Farewell to the Direct Argument.' *The Journal of Philosophy* 99 316-24.