

13

The Problem of Determinism and Free Will Is Not the Problem of Determinism and Free Will

Carolina Sartorio

1. Introduction

Incompatibilism about determinism and free will is typically formulated as the claim that free will is *impossible* in a deterministic world: every possible world where determinism obtains is a world without free will. Van Inwagen’s “consequence argument” (van Inwagen, 1983, ch. 3) is often taken to support that claim. Recently, however, it has been suggested that the consequence argument does not support incompatibilism, since it rests on at least one *contingent* assumption—such as the assumption that there is a past, or the assumption that there is a past without any human beings (see Warfield, 2000, and Campbell, 2007).¹ If the argument indeed relies on an assumption that is at best contingently true, then it cannot be used to show that free will is absent in every deterministic world. Furthermore, the objection appears to be more far-reaching than previously noticed: a similar objection can be raised against other key arguments for incompatibilism (see Bailey, 2012). In what follows I refer to objections of this kind as “contingency objections.”

Proponents of contingency objections believe that the fact that the relevant incompatibilist arguments are subject to those objections shows that the arguments are flawed in some important way.² I argue that the lesson we should draw from that fact is significantly different. Contingency objections

don't show that there is any deep flaw in those arguments. What they show is that we have been confused about the nature of the *problem* that motivates incompatibilism. The so-called problem of determinism and free will is *not* the problem of determinism and free will. The first thing to do, then, is to clarify the nature of the problem.

The plan for the chapter is this. In section 2, I briefly review the consequence argument for incompatibilism, I explain the contingency objection against it, and I argue that what the objection shows is that the problem of determinism and free will has been misdiagnosed. In section 3, I explain what I take the real nature of the problem to be. In section 4, I draw some implications for different aspects of the free will debate: the role of causation in the formulation of the problem of determinism and free will, the distinction between leeway and source incompatibilism, and the fate of incompatibilist arguments that appeal to an ultimacy condition on freedom.

2. What the Problem Is Not

The consequence argument for incompatibilism attempts to conclude, from the fact that no one has (or ever had) a choice about the past and the laws, that if determinism is true, no one has (or ever had) a choice about any act, including any present act (see van Inwagen, 1983, ch. 3). It captures the thought that if no one ever had a choice about the past and the laws, and they determine how each one of us acts, then all of our acts are unavoidable and thus none of us are free. For the purposes of this chapter, we needn't dwell on the details of the argument. What is important to see is that for the argument to get off the ground, the past referred to in it must be a past time that is clearly outside of our control, such as a remote past where no human beings existed. Otherwise the premise that no one has, or ever had, a choice about the past would be highly controversial.

As Campbell (2007) points out, however, there are some metaphysically possible worlds where no such past exists. As an example, Campbell asks us to consider possible world *W*. *W* is a deterministic world that exists only from *T*-first to *T*-last, and that contains at every instant a single adult rational being, Adam, with all the powers and abilities necessary for moral responsibility. *W* is (arguably) metaphysically possible, and it is deterministic: for any two times, the state of the world at one time and the laws fix the state of the world at the other time. For example, the state of the world at time *T*-first and the laws fix the state of the world at *T*-last, and, vice

versa, the state of the world at T-last and the laws fix the state of the world at T-first. This is so even if there is no time *prior* to T-first that determines the state of the world at T-first. Of course, this is only the case because there is no time prior to T-first. But it is still true of W that the state of the world at T-first is determined by the state of the world at any other existing time; hence W is deterministic in the traditional sense. As Campbell points out, the consequence argument cannot be used to show that Adam lacks free will in W for there is no past time at which Adam doesn't exist, so the argument cannot get off the ground.

Now, should we expect an incompatibilist argument such as the consequence argument to show that Adam doesn't have free will? I submit that we shouldn't. If we had lived in such a world and each of us had been like Adam, then it's likely that the problem of determinism and free will wouldn't even have come up for us. For what could have been the motivation for thinking that determinism is a threat to our free will in that world?

Note, first of all, that if Adam can be free at *T-first*, then the fact that his acts at *later* times are determined by the events at T-first is not a threat to his free will at those later times. For he could have a choice about those later acts by virtue of having had a choice about the relevant events at T-first.³ But why would determinism be a reason for thinking that he isn't free at *T-first*? Given that Adam's world is deterministic, what Adam does at T-first is determined by the state of the world at, for example, T-last. But again, if he can affect what happens at T-last by acting at T-first, then this cannot be a reason for thinking that he's not free at T-first.

Compare: we don't think that the fact that *the future* determines what we do in the present is a reason for thinking that we don't have a choice about our present acts. For we think that we can causally influence the future by acting in the present. So, even if the future determines the present, this by itself isn't a reason to think that we don't have a choice about our present acts. This is why, of course, van Inwagen chose the past instead of the future to build the consequence argument for incompatibilism.⁴

Here, then, is an argument that determinism isn't a threat to Adam's free will at T-first (and, thus, at any other time):

- (1) Determinism could only be a reason to think that Adam is not free at T-first if there were some time T such that the fact that the laws and the state of the world at T determine what Adam does at T-first is a reason to think that Adam is not free at T-first.

- (2) There isn't any such time. (All other times are after T-first, and Adam can affect what happens at those times by acting at T-first.)
- (3) Therefore, determinism isn't a reason to think that Adam lacks free will at T-first.

I believe that this argument is sound. It follows that we shouldn't expect the consequence argument to prove that Adam lacks free will. Of course, there could be *other* reasons (apart from determinism) for thinking that Adam lacks free will at T-first. For example, one could argue that he is not free because what he does at T-first is not the result of an ordinary process of deliberation (see Brueckner, 2008, and also Speak, 2011). But determinism itself isn't a problem for Adam's free will.⁵

Campbell would disagree with my assessment. He urges us to consider a slightly different world that contains, in addition to Adam, an only woman, Eve, who comes into existence some time *after* T-first (Campbell, 2007). Eve's situation is different from Adam's situation in that there is a time before Eve (a time when Eve doesn't exist), and thus the consequence argument could be used to show that none of Eve's actions are free. But, Campbell argues, given that Adam and Eve live in the same world, their acts are equally determined. Hence, if Eve lacks free will, Adam does too, and the consequence argument should reflect that. In other words, the fact that the argument cannot be used to show that Adam lacks free will is a weakness of the argument: it means that it isn't as general as it should be.

However, I don't think that it's a weakness at all. Perhaps both Adam and Eve lack free will in W. But if so, it's for different reasons in each case. In particular, the argument that Adam is not free at the first moment of his existence would have to be a very different kind of argument from the argument that Eve is not free at the first moment of her existence. One could argue that Eve is not free at the first moment of her existence by pointing out that what she does then is determined by the laws and the state of the world at T-first, when she didn't yet exist. But again, if one were to argue that Adam at T-first is not free because what he does at T-first is determined by the laws and the state of the world at, for example, T-last, this would be like arguing that we are not free because the laws and some future state of the world determine our present acts. This is a bad argument.

Our discussion of the contingency objection to the consequence argument suggests that the so-called problem of determinism and free will is not the problem of determinism and free will. The threat to our free will is not just determinism; it is determinism *plus some additional fact*: a contingent fact

about us.⁶ Campbell (2007) complains that this form of “weak incompatibilism,” as he calls this kind of view, is not really incompatibilism at all. But what the objection helps to bring out, as we have seen, is that it is the only incompatibilist thesis that is, on reflection, even *remotely plausible*. We just hadn’t realized this before because we had been confused about the nature of the problem.⁷

Now, if the problem of determinism and free will isn’t the problem of determinism and free will, then what *is* the problem? What is that additional, contingent fact that, coupled with determinism, creates a threat to our free will? I turn to this in the next section.

3. What the Problem Is

Let us start by considering the most obvious answer. Campbell’s case of Adam suggests that the additional fact might be this:

- (a) The existence of a past.

That is to say, according to (a), the threat to our free will is not just determinism but the fact that, for every time at which we exist, there is a past time such that the state of the world at that time determines what we do. This condition isn’t met for Adam in *W*, since Adam doesn’t have a past at *T*-first. Hence (a) could be used to explain why, while determinism may contribute to undermine our free will, it doesn’t contribute to undermine Adam’s free will.

However, (a) won’t do. Consider another possible scenario: Eternal Adam (discussed, e.g., in Finch, 2013). Eternal Adam lives in an eternal deterministic world and he himself is eternal: he has existed forever, and will exist forever, as an adult rational being with all the powers and abilities necessary for responsibility. Eternal Adam meets condition (a): for every time at which he exists, there is a past time. But if determinism is not a threat to Adam’s free will in *W*, it is also not a threat to Eternal Adam’s free will. For take any act by Eternal Adam at a time *T*. Could the fact that his act is determined by *later* events and the laws be a reason to think that he is not free when he acts at *T*? No (for the same reason as before: he can affect the later events by acting at *T*). Could the fact that his act is determined by *earlier* events and the laws be a reason to think that he is not free when he acts at *T*? No, for given that he exists before *T* as a fully rational being, he could have a choice about what he does at *T* by virtue of having had a choice about the earlier events.

The Eternal Adam scenario suggests a different answer to our question:

- (b) The existence of a past when no rational beings exist.⁸

Note that (b) is stronger than (a). Eternal Adam doesn't meet this condition (he himself exists at all past times), and neither does Adam. Hence, (b) could be used to explain why, whereas determinism may contribute to undermine our free will, it doesn't contribute to undermine Adam's free will or Eternal Adam's free will.

However, (b) still won't do. Consider a third scenario: Time-Traveler Adam. Time-Traveler Adam lives in a world where time-travel is physically possible and he is in fact in possession of a working time machine that could take him to any time, including any past time. Time-Traveler Adam has a past when no rational beings exist. Although he could have traveled to those past times, he didn't in fact travel to those times. (It is important that he didn't, in fact, travel to any of those times. Otherwise they wouldn't be times when no rational beings existed!) If determinism isn't a threat to Adam's free will or Eternal Adam's free will, it also isn't a threat to Time-Traveler Adam's free will. For even if there are many times at which he doesn't exist and that, together with the laws, determine what he does, he can still have a choice about what happens at those times thanks to his time-traveling abilities, which allow him to travel back to those times and affect the events that take place then.

This suggests that what contributes to the problem of determinism and free will is not the existence of a time without any rational beings but, instead

- (c) The existence of a time that is outside our control.

That is to say, for each one of us, there is a time that is outside our control, and this is why determinism is a problem for our free will. Claim (c) draws attention to an important difference between Time-Traveler Adam (and Eternal Adam, and Adam) and us: the remote past is clearly outside our control, but no time is clearly outside Time-Traveler Adam's control (and the same goes for Eternal Adam and Adam).

In what sense does Time-Traveler Adam have control over the past, if he didn't travel to the past? The answer is: in at least the sense that the past is *within his causal reach*. The most natural way to support this claim is to say that, although he didn't causally influence the past (since he didn't travel to the past), he *could* have causally influenced it (because he could have traveled to the past) and this is enough for the past to be "within his causal reach." But

there is another possibility. It is to say that time-travelers can causally influence the past, even without traveling to the past. They can causally influence the past *by omission*. Imagine that a plant died in the past because it didn't get any water. Time-Traveler Adam could have stepped into the time machine, traveled to the past, and watered it. According to some views of causation (such as the traditional counterfactual view of causation presented in Lewis, 1986), the fact that, if he had used the time machine to water the plant, the plant wouldn't have died is enough to conclude that he caused the plant's death by failing to use the time machine to water the plant.

The difference between Time-Traveler Adam and us, then, is that whereas Time-Traveler Adam has causal access to all times, there are many times to which we don't have any causal access whatsoever. (Even if, as some people believe, time-travel is physically possible in our world. Unfortunately, we don't have a time machine!) It is in this sense that he has control over the past and we don't. And that is why determinism is a threat to our free will and not to his.

What, then, if it turns out that some future generations of human beings will have access to a time machine, which will give them causal access to the past? Does it follow that determinism is not a threat to *their* free will, although it is a threat to ours? Indeed, I believe that is exactly right. The consequence argument only has force in our case because we *don't* have causal access to the past. Being able to travel back in time wouldn't just be a cool power to have; it would also protect our free will from the threat of determinism.

I have argued that (c) is the right answer to our question about the "missing ingredient" in the formulation of the problem of determinism and free will. The problem doesn't arise, as we had thought, only because determinism allegedly *results in* the absence of an important form of control. Instead, it arises insofar as determinism *is conjoined with* the absence of control (as it happens in our case). In other words, the lack of control is not only an alleged implication of determinism, but it is also part of what gives rise to the problem. It is an important *source* of the problem.

But, one may want to ask, how could we have missed this? How could we have been so apparently blind to the real nature of such a central problem in the free will and moral responsibility debates?

Consider the fact that at least a significant part of the scientific community these days believes that our world is *not* deterministic. Why, then, do we still care so much about the threat that determinism might pose to our freedom? Presumably, the reason we still care about this is that we regard determinism as a useful but rough approximation to a more complex picture of the world.

This more complex picture of the world is a certain kind of naturalistic picture that conceives our acts as natural processes and thus, like any natural process or mechanism, as having an explanation in terms of other natural processes at other times. Even if the relations between those processes are not always fully deterministic, in the case of macroscopic events such as the acts of human agents, they are “for all practical purposes” deterministic (the microscopic indeterminacies, most seem to believe, don’t result in significant macroscopic indeterminacies).

So an important part of the picture of the world that threatens our freedom is the quasi-determinism that, according to this view, applies to all human acts. But arguably, the naturalistic conception of human agency goes beyond this. Human acts don’t just (quasi-deterministically) result from other natural processes or mechanisms; importantly, those other natural processes or mechanisms are for the most part (and barring the possibility of human-operated time-machines!) beyond our control. They are so extended in space-time that we have no access to them, given the limited scope of our causal powers. Our finite existence and powers are, as they say, just a “tiny speck” in a vast universe that is mostly beyond our reach, in both the spatial and temporal dimensions. This is as much part of a humble, unpretentious conception of human agency as the claim that our acts can be quasi-deterministically explained in terms of other natural events.

So my tentative suggestion is this. The reason we tended to overlook the fact that the problem of determinism and free will is not the problem of determinism and free will is that *determinism* wasn’t our real focus to start with. Our real focus was a more complex naturalistic picture of the world that includes, in addition to a quasi-deterministic element (one according to which all acts have a quasi-deterministic explanation in terms of other events at other times), an equally important element of *lack of control* that characterizes human beings as in some important way disconnected from the causal mechanisms that result in their acts. Our acts are the (for all practical purposes, inevitable) result of mechanisms or processes that are completely beyond our reach. *That* is how the problem for our freedom arises.

4. Implications for the Free Will Debate

In the preceding sections I have argued for a new way of conceiving the problem of determinism and free will. One of the implications of conceiving the problem in this new way is, of course, that the consequence argument is

no longer prey to the contingency objection. More generally, all contingency objections to incompatibilist arguments miss their mark. Are there any other important implications for the free will debate? In this final section I discuss three main other implications that I see. The first concerns the role of causation in the formulation of the problem of determinism and free will, the second concerns a common distinction between two kinds of incompatibilist arguments, and the third concerns the fate of some incompatibilist arguments that fall under one of those kinds. I'll take them up in turn.

4.1. *The Role of Causation in the Formulation of the Problem*

It is common to formulate the problem of determinism and free will in terms of the types of *causes* that our acts would have if determinism were true. But does causation itself really play a role in the problem? Is the problem, at bottom, supposed to be that, if determinism is true, then our acts are *caused* in a certain way?

Van Inwagen, at least, thinks that causation is a red herring. According to van Inwagen, the problem arises simply because, if determinism is true, propositions concerning the state of the world at past times entail, given the laws of nature, propositions concerning the present state of the world (or future states of the world). He writes:

I am uncertain what to say about the question whether determinism entails universal causation. Could there be, e.g., an explosion that was not caused by any earlier events but which was none the less inevitable, given the past and the laws of nature? I think that anyone who answers immediately "Of course not!" reveals that a certain picture, or definition, or theory of causation has a firm grip on him (which is not to say that he is wrong). But any real discussion of this question would lead us needlessly, for we need not answer it, into a discussion of causation, something I shall avoid whenever it is possible. (Van Inwagen, 1983, 5)

This passage suggests that, according to van Inwagen, the real source of the problem is not *causal* determination but determination *tout court*. The fact that the problem can be formulated without making reference to causation, but simply in terms of certain propositions entailing other propositions, strongly suggests this.

Now, I have argued that determination itself is not enough to give rise to the problem, and that, in particular, an assumption of *causal impotence* (toward the past events that determine our acts) is also needed. This means that, even if van Inwagen were right that pure determination, and not causal determination, is what contributes to the problem, the concept of causation would still play a central role in its formulation. What plays the relevant role, in this case, is not the *existence* of a certain type of cause, but the *absence* of a certain type of cause, or of a certain type of causal access. It's a "negative" role instead of a "positive" role (in that sense), but it's an important role nevertheless. This means that one probably *shouldn't* try to avoid all questions about causation when thinking about the problem of determinism and free will, as van Inwagen recommends we should do.

4.2. *The Distinction between Leeway and Source Incompatibilism*

It is common to distinguish between two separate routes to incompatibilism (see, e.g., Pereboom, 2001, ch. 1, and 2014, Introduction; McKenna, 2010; and Shabo, 2010). The first route is the "leeway" intuition: the thought that if one couldn't have avoided performing an act, or if one had no choice about it, then the act cannot be free. This is the intuition that the consequence argument draws on. The leeway incompatibilist argues that determinism rules out the ability to do otherwise, and this is incompatible with our free will. The second route to incompatibilism is the "source" intuition: the thought that, if one is not the genuine source of an act, then the act cannot be free. According to the source incompatibilist, determinism rules out the capacity to be genuine source of our acts because, if determinism is true, the causal history of our acts traces back to factors that are external to our agency and beyond our control but that determine what we do, and this is incompatible with our free will. This is the route taken by, for example, Pereboom (2001, and 2014).⁹

Philosophers tend to see the leeway and source intuitions as quite different incompatibilist intuitions. The key difference is supposed to be that whereas the leeway intuition concerns *counterfactual* possibilities, the source intuition concerns *actual* causal histories. Thus, according to source incompatibilists, determinism is a problem for our free will, not because of the alternative possibilities that we *lack* if our acts are determined, but because of the kind of causal history that our acts actually *have* if they are so determined. According to Pereboom, in particular, the relevant aspect of those histories that creates a threat to our freedom is the fact that they can be traced back to factors that

are beyond our control (events that occurred before we were born) but that determine how we act (Pereboom, 2001, 3).

Once one notes that the source intuition concerns *actual* causal histories it becomes quite evident that any source incompatibilist argument will have to rely on what appears to be a contingent assumption: the assumption that our acts *in fact* have such a history (in particular, one that can be traced back to remote times when no human beings existed and that are outside of our control).¹⁰ It is perhaps less obvious in the case of the consequence argument (or any argument that draws on the leeway intuition instead of the source intuition) that the argument relies on a contingent assumption about actual histories. But, as we have seen, ultimately both kinds of arguments do. So the belief that the difference between the two incompatibilist ideas is simply the focus on counterfactual versus actual facts turns out to be misguided. *Both* incompatibilist ideas rely on a contingent fact about actual histories. And in both cases, the fact on which each relies is a very similar fact, if not the same one: it's the fact that the causal history is one that traces back to factors beyond our control, or some closely related fact.

To be sure, there is still a difference between the two incompatibilist routes. According to the leeway-incompatibilist intuition, the reason the actual causal history of our acts is a problem for our free will is that given that it obtains, we couldn't have acted otherwise (since we don't have a choice about that history). On the other hand, according to the source-incompatibilist intuition, the reason the actual causal history of our acts is a problem for our free will is not that it rules out alternative possibilities; it's, rather, some other thought about sourcehood, ultimacy, or origination. But still, in both cases part of the source of the problem is a certain kind of actual history: a causal history that includes factors that are beyond our control. As a result, leeway and source incompatibilism end up being much closer than they are usually taken to be. All roads to incompatibilism share a common starting point.

We have seen that rethinking the nature of the problem of determinism and free will has important implications for the distinction between leeway and source incompatibilism. A related implication concerns the nature of leeway and source incompatibilism themselves. Leeway incompatibilism is typically regarded as the claim that determinism rules out freedom and responsibility because it rules out the ability to do otherwise. But we can see now that this isn't what we should take leeway incompatibilism to be. Rather, we should take it to be the claim that *determination by factors beyond our control* rules out freedom and responsibility, because it rules out the ability to do otherwise. Similarly for source incompatibilism: we shouldn't take source

incompatibilism to be the thesis that determinism rules out freedom and responsibility given the type of causes our acts would have if determinism were true. Rather, we should take it to be the thesis that *determination by factors beyond our control* rules out freedom and responsibility, given the types of causes our acts would have if they were determined by factors beyond our control.

Pereboom, one of the main proponents of source incompatibilism, characterizes what he calls “the core incompatibilist claim” (which he takes to be the source-incompatibilist idea) as follows:

Moral responsibility requires actions to have indeterministic actual causal histories, or more fundamentally, to have causal histories that make agents ultimate sources of their actions. (Pereboom, 2001, xv)

Here Pereboom is implying that being the ultimate sources of our actions *requires* a certain kind of indeterministic causal history. He then goes on to examine the kind of indeterministic actual causal history that would be required for our acts to be free and argues that an agent-causal version of libertarianism would do the trick (unfortunately, he thinks, this is a version of libertarianism that we have good reason to believe is false). But, as we have seen, being agent-causes of our actions is not the only way in which we could have control of the sources of our actions. Agent-causation is not in fact needed, and neither is any form of indeterminism; being able to travel back in time (or some other way of causally influencing the past) would be enough.¹¹

It follows that it’s misguided to characterize the main source-incompatibilist condition as one that *requires* indeterminism. Again, in this respect leeway and source incompatibilism seem to be in the same boat. For, at least in principle, it seems that time-travelers would be able to meet all the main leeway *and* source incompatibilist conditions, even if they lived in a deterministic world.

4.3. *The Fate of Ultimacy Arguments for Incompatibilism*

One of the main source-incompatibilist arguments is a type of argument that appeals to an “ultimacy” condition on freedom. Ultimacy arguments attempt to show that determinism precludes freedom and responsibility on the basis that if determinism is true, we are not the ultimate sources of our acts. They have the following general schematic form:

- (U₁) Determinism rules out ultimacy.
- (U₂) Freedom requires ultimacy.
- (U₃) Therefore, determinism rules out freedom.¹²

Clearly, the fate of this type of argument will depend on what is meant by “ultimacy.” In what follows I argue that given the way that source incompatibilists tend to understand this concept, the earlier results of this chapter show that ultimacy arguments are simply question-begging.

Incompatibilists have offered different renderings of the ultimacy requirement. Smilansky formulates it in the following way:

Any feature F due to which a person deserves something S in the libertarian free-will dependent sense must, in the normatively relevant respects, be *solely attributable* to the person or to the pertinent aspect A of the person. (Smilansky, 2000; my emphasis)

McKenna helpfully offers the following interpretation (or perhaps it’s more like a friendly variation) of Smilansky’s principle:

An agent, A, is the ultimate source of her action D only if she contributes some necessary condition, C, to D such that there are no sufficient conditions for C that obtain *independently of A*. (McKenna, 2008; my emphasis)

Pereboom understands the ultimacy requirement in the following way:

If an agent is morally responsible for her deciding to perform an action, then the production of this decision must be something *over which the agent has control*, and an agent is not morally responsible for the decision if it is produced by a source over which she has no control. (Pereboom, 2001, 4; my emphasis)¹³

Finally, Kane’s ultimacy condition is this (I am simplifying a bit):

For every X and Y, if an agent is responsible for X, and if Y is a sufficient cause of X, then the agent is also *responsible for Y*. (Kane, 1996, 35)

Note that all these different accounts of the notion of ultimacy seem to entail the following “minimal” condition:

Ultimacy (Causal Access): Freedom and responsibility require having *causal access* of some kind to all of the actual sufficient sources of our choices.

For any violation of Ultimacy (Causal Access) seems to be a violation of any of the aforementioned conditions. Imagine that an agent fails to have causal access to all of the actual sufficient sources of her choice. Presumably, then, it follows that at least some of those sources obtain *independently of* her and thus are not *solely attributable to* her in the sense required by Smilansky, that she has no *control over* them in the sense required by Pereboom, and that she is not *responsible for* them in the sense required by Kane.

Note, in particular, that Ultimacy (Causal Access) is a very weak interpretation of the ultimacy requirement. For one thing, much more than mere causal access to the actual sufficient sources of our choices is presumably required for the intended kind of ultimacy to obtain; a specific *kind* of causal access to them is arguably required, one in virtue of which the agent can be in control of those sources. Also, note that Ultimacy (Causal Access) only requires that we have causal access to all of the *actual* sufficient sources of our choices. A stronger kind of ultimacy condition would require causal access to *every* nomologically sufficient set of conditions, including conditions that may have been causally preempted by other sufficient conditions.

However, if one understands the ultimacy condition in a way that entails Ultimacy (Causal Access), then it is easy to see, in light of the earlier results, that the ultimacy argument simply begs the question against the compatibilist. For consider how the argument would have to be revised to accommodate the new formulation of the problem of determinism and free will. Arguably, it would have to look something like this:

- (U₁*) Determination *by causes outside of our causal reach* precludes ultimacy.
- (U₂*) Freedom requires ultimacy.
- (U₃*) Therefore, determination *by causes outside of our causal reach* precludes freedom.

To see that this argument blatantly begs the question against the compatibilist, insert what I have argued is a minimal interpretation of the ultimacy requirement, Ultimacy (Causal Access), in the two premises. This results in the following argument:

- (U₁***) If our choices are determined by causes outside of our causal reach, we don't ever have causal access to all of the actual sufficient sources of our choices.

- (U₂***) We cannot be free unless we have causal access to all of the actual sufficient sources of our choices.
- (U₃***) Therefore, if our choices are determined by causes outside of our causal reach, we cannot be free.

Notice that the first premise has now turned trivial (claiming that the causes that determine our choices are outside our causal reach *is* just claiming that we don't have causal access to those actual sufficient sources of our choices). All the weight rests on the second premise, which is basically a mere restatement of incompatibilism, or, more precisely, of the thesis that I have argued we should take incompatibilism to be: the claim that the lack of causal access to (some of) the deterministic causes of our choices is sufficient to undermine our freedom.

Ultimacy arguments, then, are blatantly question-begging. If we couldn't see this clearly, it is because we were confused about the nature of the problem of determinism and free will.¹⁴ In conclusion, getting clear on the nature of the problem has mixed results for incompatibilism. On the one hand, as explained, it helps incompatibilist arguments avoid the contingency objection. But on the other hand, as we have just seen, it turns some incompatibilist arguments into obvious non-starters.

Acknowledgments

I presented earlier versions of sections 2 and 3 of this chapter at a workshop on Joe Campbell's work on free will at the University of Arizona in March of 2012. I am grateful to the participants at the workshop, and especially Joe Campbell, Michael McKenna, and Brandon Warmke, for their helpful comments. I am also grateful to Juan Comesaña, Carl Hoefer, Michael McKenna, and Derk Pereboom for comments on early drafts. Part of the research resulting in this paper was made possible through the support of a grant from the John Templeton Foundation. The opinions expressed in this publication are those of the author and do not necessarily reflect the views of the John Templeton Foundation. I am particularly grateful to Al Mele, director of the Big Questions in Free Will project, for the support.

NOTES

1. A similar objection is pressed by Stone (1998). Campbell responds to reactions by Brueckner (2008) and Loss (2009) in Campbell (2008) and Campbell (2010).

2. Even Bailey, who thinks that the cost involved in retreating to a weaker form of incompatibilism (of the kind discussed later in the text) might not be too large, is committed to the idea that there *is* a cost involved. As a result, he proposes a new incompatibilist argument that attempts to escape the objection (and so do other philosophers like Warfield, 2000, and Finch, 2013).
3. Bailey (2012) makes a similar point.
4. Note that van Inwagen himself employs a definition of determinism according to which the future determines the present and the past just as much as the present and the past determine the future (see van Inwagen, 1983, ch. 7). Hoefer (2002) has pointed out that if determinism is a purely “logical” thesis in this sense, then our actions place some constraints on the past. Whereas Hoefer saw this as the basis for a potential *solution* to the problem of determinism and free will, I see it as a reason to think that the problem itself has not been adequately formulated.
5. Finch (2013) has recently claimed that determinism alone is a threat to Adam’s free will in *W*. She argues for a view of free will according to which doing *A* freely at *T* requires the existence of an earlier time *T'* at which it was possible for the agent to do *A* at *T* and also to refrain from *A*-ing at *T*. If this view of freedom were correct, it would follow that Adam doesn’t act freely at *T*-first. But again, the reason he wouldn’t be free is not that determinism obtains in *W*, but that in *W* there is no time prior to *T*-first. So determinism alone *isn’t* a threat to Adam’s free will, despite what Finch suggests.
6. Note that “a contingent fact about us” could be ambiguous between two readings. On the first reading, it implies that *we* (humans) could have been like Adam and could have lived in his world, *W*. But there is a second, weaker reading, which only implies that *some rational being with similar capacities for free will* (although not necessarily human) could have lived in *W*. According to this weaker reading, what’s contingent is only that the type of rational being that we are dealing with when we formulate the consequence argument for human beings is unlike Adam’s type. Importantly, the weaker reading is all that’s required to make the case that determinism *per se* does not threaten free will.
7. Shabo (2011) argues for a similar claim. In response to a critic, van Inwagen explains that he never intended the premises of the consequence argument to be necessary truths (see van Inwagen, 1983, 70–71). But this is only because he formulated the argument in terms of a specific human being, *J*, who (he was assuming) in fact performed a certain act at *T*, and then argued that, *given the actual past*, *J* couldn’t have failed to perform that act at *T*. Van Inwagen notes that, of course, there are possible worlds where the past is different (there are even possible worlds where *J* doesn’t exist at all). So, he argues, some of the premises of the argument are only contingently true. Now, our discussion of the contingency objection shows that some premises in the argument are only contingently true in a stronger (and more interesting) sense. If, as we have seen, there are some possible rational beings whose free will is not at all threatened by determinism, then the

The Problem of Determinism and Free Will 271

consequence argument can only work for us to the extent that we are not *beings of that kind*.

8. This view is suggested by Bailey (2012). It is also suggested by van Inwagen's formulation of the consequence argument (he formulates it in terms of T_0 , a time before the birth of the relevant human being—the arbitrary one the argument is about; see van Inwagen, 1983, 69–70).
9. Pereboom uses the label “causal-history incompatibilism” instead of “source incompatibilism.” Similar sourcehood conditions are formulated in Kane (1996, section I.5), Mele (1995, 211), McKenna (2010, 437), and Shabo (2010, 369).
10. Bailey (2012) draws attention to the fact that a main kind of source-incompatibilist argument (an argument that appeals to the notion of ultimacy, discussed later in the text) relies on such a contingent assumption. Interestingly, whereas he sees this as a reason to think that this argument, too, falls prey to the contingency objection, I argue that it is, instead, a reason to think that ultimacy arguments simply beg the question against the compatibilist.
11. As explained earlier, an eternal life as fully rational beings would do the trick too. As for Campbell's Adam, the inhabitant of world W , Pereboom's view seems to entail that since there is no time before T -first, this means that Adam is not free at T -first. For when he acts at that time, he is not in control of the sources of his act, since his act doesn't have *any* sources (it is not caused by anything). (On this point, see Pereboom, 2001, 5.) Again, however, note that the reason Adam is not free has nothing to do with determinism.
12. Kane (1996), Stump (1996), Smilansky (2000), Zagzebski (2000), and Shabo (2010) seem to endorse arguments of this kind. The first explicit formulation of the ultimacy argument in a way that resembles my formulation appears in McKenna (2001). See also Strawson (1994) for a stronger version of an ultimacy argument that attempts to show that freedom and responsibility are impossible, regardless of whether determinism is true. Pereboom (2001) endorses the ultimacy condition on freedom, but makes a case for it on the basis of a different argument, an argument from manipulation.
13. Shabo seems to understand ultimacy in a similar way (see Shabo, 2010, 369).
14. In Sartorio (manuscript), I argue that similar considerations threaten to undermine yet another type of source-incompatibilist argument, “direct arguments” (or, as they are sometimes called, “transfer of non-responsibility arguments”), at least under the assumption that Frankfurt cases show that responsibility is not grounded in alternative possibilities (an assumption that source incompatibilists typically grant).

REFERENCES

- Bailey, A. (2012), “Incompatibilism and the Past,” *Philosophy and Phenomenological Research* 85, 2: 351–76.

- Brueckner, A. (2008), "Retooling the Consequence Argument," *Analysis* 68: 10–12.
- Campbell, J. (2007), "Free Will and the Necessity of the Past," *Analysis* 67: 105–11.
- Campbell, J. (2008), "Reply to Brueckner," *Analysis* 68: 264–69.
- Campbell, J. (2010), "Incompatibilism and Fatalism: A Reply to Loss," *Analysis* 70: 71–76.
- Finch, A. (2013), "On Behalf of the Consequence Argument: Time, Modality, and the Nature of Free Action," *Philosophical Studies* 163: 151–70.
- Hofer, C. (2002) "Freedom from the Inside Out," in C. Callender (ed.), *Time, Reality, and Experience, Royal Society Supplements series* (Cambridge: Cambridge University Press), pp. 201–22.
- Kane, R. (1996), *The Significance of Free Will* (Oxford: Oxford University Press).
- Lewis, D. (1986), "Causation," in *Philosophical Papers II* (New York: Oxford University Press), pp. 159–213.
- Loss, R. (2009), "Free Will and the Necessity of the Present," *Analysis* 69: 63–69.
- McKenna, M. (2001), "Source Incompatibilism, Ultimacy, and the Transfer of Non-Responsibility," *American Philosophical Quarterly* 38, 1: 37–51.
- McKenna, M. (2008), "Ultimacy & Sweet Jane," in N. Trakakis and D. Cohen (eds.), *Essays on Free Will and Moral Responsibility* (Newcastle-upon-Tyne: Cambridge Scholars Publishing), pp. 186–208.
- McKenna, M. (2010), "Whose Argumentative Burden, Which Incompatibilist Arguments? Getting the Dialectic Right," *Australasian Journal of Philosophy* 88, 3: 429–43.
- Mele, A. (1995), *Autonomous Agents* (New York: Oxford University Press).
- Pereboom, D. (2001), *Living without Free Will* (Cambridge: Cambridge University Press).
- Pereboom, D. (2014), *Free Will, Agency, and the Meaning of Life* (Oxford: Oxford University Press).
- Sartorio, C. (manuscript), *Causation and Free Will*.
- Shabo, S. (2010), "Uncompromising Source Incompatibilism," *Philosophy and Phenomenological Research* 80, 2: 349–83.
- Shabo, S. (2011), "What Must a Proof of Incompatibilism Prove?" *Philosophical Studies* 154: 361–71.
- Smilansky, S. (2000), *Free Will and Illusion* (Oxford: Clarendon Press).
- Speak, D. (2011), "The Consequence Argument Revisited," in R. Kane (ed.), *Oxford Handbook of Free Will* (New York: Oxford University Press), pp. 115–30.
- Stone, J. (1998), "Free Will as a Gift from God: A New Compatibilism," *Philosophical Studies* 92: 257–81.
- Strawson, G. (1994) "The Impossibility of Moral Responsibility," *Philosophical Studies* 75, 1–2: 5–24.
- Stump, E. (1996), "Libertarian Freedom and the Principle of Alternate Possibilities," in Jeff Jordan and Daniel Howard-Snyder (eds.), *Faith, Freedom, and Rationality* (Lanham, MD: Rowman and Littlefield), pp. 73–88.

The Problem of Determinism and Free Will 273

- Van Inwagen, P. (1983), *An Essay on Free Will* (Oxford: Oxford University Press).
- Warfield, T. (2000), "A New Argument for Incompatibilism," *Philosophical Perspectives* 14: 167–80.
- Zagzebski, L. (2000), "Does Libertarian Freedom Require Alternate Possibilities?" *Philosophical Perspectives* 14: 231–49.