

The Problem of Enhanced Control

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A crucial question for libertarians about free will and moral responsibility concerns how their accounts secure more control than compatibilism. This problem is particularly exasperating for event-causal libertarianism, as it seems that the *only* difference between these accounts and compatibilism is that the former requires indeterminism. But how can indeterminism, a mere negative condition, enhance control? This worry has led many to conclude that the only viable form of libertarianism is agent-causal libertarianism. In this paper I show that this conclusion is premature. I explain how event-causal libertarianism secures more control than compatibilism by offering a novel argument for incompatibilism. Part of the reason my solution has gone unnoticed is that it is often mistakenly assumed that an agent's control is wholly exhausted by the agent's powers and abilities. I argue, however, that control is constituted not just by what we have the ability to do, but also by what we have the opportunity to do. And it is by furnishing agents with new opportunities that event-causal libertarianism secures enhanced control. In order to defend this claim, I provide an analysis of opportunities and construct a novel incompatibilist argument to show that the opportunity to do otherwise is incompatible with determinism.

free will—moral responsibility—libertarianism—incompatibilism—ability—opportunity

1. Introduction

Libertarians are unified in arguing that free will and moral responsibility require indeterminism, but beyond this disagree drastically concerning how best to account for the kind of agency that underlies free and morally responsible action—particularly about the role that indeterminism plays in any such theory. The majority of libertarians adopt either agent-causal or event-causal theories of agency.¹

Agent-causal libertarianism [Chisholm 1966; Clarke 2003; O'Connor 2000; Reid 1788/1969] promises to deliver on libertarians' desire for a kind of agency that qualifies us as the ultimate sources of our actions, for according to this theory, when we exercise our free will we substance-cause our actions without being caused to do so. The problem facing agent-causalists concerns

¹ The remaining libertarians are non-causalists: see Ginet [1990]; McCann [1998].

providing a coherent and empirically plausible account of agent-causation: a task that is not straightforwardly achievable.²

Event-causal libertarians [Kane 1996; Wiggins 1973], on the other hand, have a relatively easy task in constructing a coherent and empirically plausible theory of agency since these theories seem to differ from compatibilist theories *only* in requiring that some of our actions are undetermined. These theorists simply appropriate the best compatibilist model of free will and moral responsibility and add the requirement of indeterminism.³ To see how this might go, consider for example reasons-responsive compatibilism, according to which free will (construed as the control condition for moral responsibility) is the capacity to understand and regulate one's life in light of moral reasons.⁴ Event-causal libertarians might well accept this account so far as it goes, but argue that, in addition to being reasons-responsive, some of the ways we exercise this capacity must be undetermined. Clearly then the metaphysics underlying event-causal libertarianism is modest. The problem facing these libertarians is to deliver on what libertarians want, for it is hard to see how such accounts secure any more control than compatibilism. How does the addition of indeterminism transform unfree and non-morally responsible agents into free and morally responsible agents? This is the problem of enhanced control—the problem of explaining how libertarianism secures more control than compatibilism.

It is important to clearly distinguish this problem from the luck argument. According to the luck argument, indeterminism so diminishes control that its presence is incompatible with an agent's

² For coherence objections to agent-causation see Clarke [2003: 185-217]. For empirically based worries see Pereboom [2001: 69-88].

³ I will say more below in defense of this way of envisioning event-causal libertarianism.

⁴ John Martin Fischer (and Mark Ravizza) [1994; 1998; 2006] and R. Jay Wallace [1994] are the best examples of compatibilists who offer this kind of account. Although they themselves do not claim that their theories are analyses of free will, they do think that the kind of control that is relevant to moral responsibility is constituted by reasons-responsiveness and, as free will in the contemporary literature often is understood just as the control condition for moral responsibility, it is thereby reasonable to envision Fischer and Wallace as offering accounts of free will.

acting freely and morally responsible.⁵ Although this argument is often thought to be the main argument against libertarianism, this assessment is mistaken. Even for most compatibilists the luck argument proves too much: if the argument is sound, then free will and moral responsibility *require* determinism. However, many compatibilists pride themselves on constructing theories that neither depend on the falsity, nor the *truth*, of determinism; and, consequently, will be reluctant to concede the soundness of the luck argument [cf. Fischer and Ravizza 1998: 253-254; Watson 2004: 199]. In contrast, the problem of enhanced control concedes, at least for the sake of argument, that indeterminism does not diminish control—hence free will and moral responsibility do not require determinism—but questions whether indeterminism can enhance control. *This* is the main challenge for event-causal libertarians.⁶ For if they cannot show why indeterminism is relevant to securing more control, then it would seem puzzling as to why indeterminism would be required for free will and moral responsibility in the first place.

Many have judged this problem to be insurmountable for event-causal libertarians—thus forcing them to embrace an agent-causal view, a commitment that few have found appetizing. In this paper I will offer a solution to the problem of enhanced control, arguing that event-causal libertarians can indeed secure a more robust form of control than compatibilists. To accomplish this I will construct a novel argument for incompatibilism—the No Opportunity Argument—that purports to show that determinism is a threat, not to our abilities, but rather to our opportunities to exercise these abilities.⁷ I believe this argument, more so than other incompatibilist arguments, isolates exactly why determinism is incompatible with free will and moral responsibility, and thus

⁵ The presentation of the luck argument comes in many different forms. For a sampling see Haji [2001]; Hobart [1934]; Mele [2006]. For a critical discussion of these various forms of the luck argument see Franklin [forthcoming].

⁶ For similar assessments of both the centrality and difficulty of this problem for event-causal libertarians see Clarke [2003: 93-118]; O'Connor [1993]; Pereboom [2001: 38-68]; Strawson [2000]; Watson [2004: 197-215].

⁷ I borrow the name of this argument from Vihvelin [2000], although, as will become clear, my construction of the argument differs in important ways from hers.

serves as a more solid basis for solving the problem of enhanced control. But before turning to these issues, let us lay out the problem of enhanced control in more detail.

2. The Problem of Enhanced Control

In order to appreciate the problem of enhanced control, consider two possible worlds: W and W^* . Let agents in W satisfy compatibilist conditions of free will—for ease I will refer to such agents as ‘compatibilist agents’—and moreover let W be a deterministic world.⁸ Let agents in W^* satisfy event-causal libertarianism—call these agents ‘event-causal libertarian agents’; W^* will therefore be an indeterministic world. Agents in W^* , according to event-causal libertarians, are free, whereas the compatibilist agents in W are not. A fundamental question that these libertarians *must* answer concerns the relevant difference between W and W^* : in virtue of what is freedom absent in W but present in W^* ?

One important difference that libertarians will no doubt point out is that indeterminism obtains in W^* , but not in W . However, indeterminism cannot, it seems, itself enhance control. Gary Watson [2004] has compared the claim that indeterminism enhances control to a kind of alchemy. He argues, ‘What is incredible, I submit, is that the mere addition of indeterminacy to [a world that satisfies all the compatibilist conditions for free will and moral responsibility] could have the significance that [event-causal] libertarians attribute to it’ [2004: 203]. The intuition behind Watson’s worry is that we cannot obtain more control merely by taking something away: how does merely requiring the absence of deterministic causes provide agents with more control?

There are two routes by which libertarians can establish indeterminism’s relevance. The first route argues that indeterminism is relevant because it is itself control enhancing. Watson’s charge of alchemy is directed toward this route. The second route argues that indeterminism is relevant

⁸ The final claim is needed since compatibilism does not entail determinism.

because it is necessary for some other control enhancing feature. It is important to see that on this route indeterminism must be necessary for the control enhancing feature. To see why, imagine a libertarian who argues that her particular account secures more control because she requires condition C that currently formulated compatibilist accounts do not happen to require. If C is compatible with determinism, a compatibilist can grant that, as presently formulated, his own account secures less control, but straightforwardly remedy this deficiency by simply adding C to his theory. But libertarians maintain that, necessarily, not just as a matter of fact, compatibilism secures less control. Consequently, an adequate response along the lines of the second route must point to a condition that (i) explains why libertarianism enhances control with respect to compatibilism, and (ii) is such that compatibilists cannot help themselves to it. The only way to satisfy (ii) is to make the control enhancing feature require indeterminism—for it is only indeterminism and anything indeterminism is necessary for that compatibilists cannot have. However, as argued above, indeterminism does not appear to be a condition that itself *explains* why libertarians secure enhanced control. Thus, libertarians must find a distinct condition that satisfies both (i) and (ii). In this way there is an explanatory constraint on developing an adequate libertarian theory of free will: any such theory must make intelligible why indeterminism is required. According to the problem of enhanced control, event-causal libertarians cannot discharge this explanatory burden.

Agent-causal libertarians [Chisholm 1966; Clarke 2003; O'Connor 2000; Reid 1788/1969] appear capable of satisfying these two conditions. They maintain that the addition of the agent-causal power provides more control than compatibilism and that this causal power requires indeterminism.⁹ The problem of enhanced control is usually thought to be a problem only, or at

⁹ I have doubts about the supposed sufficiency relation between the agent-causal power and the existence of indeterminism. It seems perfectly possible to me that this power exists in a deterministic world. If correct, then this undermines agent-causalists' response to the problem of enhanced control, and places them in the same boat as event-causal libertarians. Nevertheless, I will not insist on this contention in the present paper, but will instead assume that the existence of the agent-causal power does indeed entail indeterminism.

least especially, for event-causal libertarians [cf. Clarke 2003; Pereboom 2001; Watson 2004: 197-215]. This is because it seems that the only thing that event-causal libertarians add, over-and-above the compatibilist conditions, is indeterminism. Event-causal libertarians simply appropriate the best compatibilist conditions for free will and moral responsibility and add the requirement of indeterminism.¹⁰ Assuming that this is indeed the only difference between compatibilism and event-causal libertarianism, it then follows that event-causal libertarians fail to secure enhanced control.¹¹

A central virtue of event-causal libertarianism is its theoretical modesty. Unlike agent-causal libertarianism, the only substantial ontological difference from compatibilist rivals is that it requires indeterminism. However, it is this modesty that gets the theory into trouble: by differing so little from compatibilist accounts, it appears inexplicable how it could secure an enhanced degree of control. There seems to be a trade-off among libertarian accounts between desirability and modesty. On the one hand, agent-causal libertarians satisfy the libertarian's desire to secure more control by furnishing agents with agent-causal powers. However, it is these very powers, this ontological difference, that many have found incredible. On the other hand, the price of event-causal libertarianism's theoretical modesty appears to be the freedom-enhancing control that libertarians so eagerly yearn for. Therefore, libertarians seem faced with a choice between an account that is theoretically modest and an account that gives them what they want.

¹⁰ Ginet [1990: 119] envisions libertarianism along these lines. Kane (1996) may seem to be a glaring exception to this claim, as his account differs radically, and not just in requiring indeterminism, from other compatibilist accounts. Nevertheless, a compatibilist *can* accept everything Kane claims about the importance of self-forming actions for free will and moral responsibility, while simply denying that these actions must be undetermined. Such a compatibilist would differ from Kane *only* in not requiring indeterminism. The point here then is that the only condition that event-causal libertarians require for freedom and responsibility that compatibilists *cannot* have is indeterminism. Consequently, if event-causal libertarianism is to secure enhanced control it must be in virtue of indeterminism. And so we are back to our original problem: how can indeterminism enhance control?

¹¹ Cf. O'Connor [1993; 2000]; Pereboom [2001: 38-68]; Strawson [2000]; Watson [2004: 197-215]. All these authors agree that event-causal libertarianism cannot answer the problem of enhanced control, but they draw very different morals from this verdict. O'Connor tries to use this point to convince us that agent-causal libertarianism is the best account of free will. Pereboom, Strawson and Watson use it as a kind of *reductio* on libertarianism: since libertarianism requires agent-causal libertarianism and since agent-causal libertarianism is either incoherent or empirically implausible, we ought to reject libertarianism. Watson uses this point to move us back toward compatibilism, while Pereboom and Strawson use it to move us toward skepticism about free will and moral responsibility. What should be clear is that the failure of event-causal libertarianism is central for many diverse projects.

In what follows I seek to resolve this tension. Part of what has made the problem of enhanced control seem so exasperating is the mistaken assumption that an agent's control is wholly exhausted by the agent's capacities and abilities. It is this mistaken assumption that has led many to conclude that the only difference between compatibilism and event-causal libertarianism is indeterminism. But once we realize that an agent's control concerns not just what she has the ability to do, but also what she has the opportunity to do, room is made for event-causal libertarians to address the problem of enhanced control. As we will see, indeterminism is relevant to enhancing control because it furnishes agents with the opportunity to exercise their abilities in more than one way. It is the opportunity to do otherwise, not indeterminism *per se*, that enhances control—thus I will adopt the second route to solving the problem of enhanced control. Consequently, libertarians do not have to choose between desirability and modesty. On the event-causal libertarian model I develop, they can have both.

3. Freedom as Opportunity

Free will is often analyzed solely in terms of capacities, abilities, and powers of an agent [Kane 1996; O'Connor 2005; van Inwagen 1983]. An agent's control over an action in the sense relevant to free will and moral responsibility, then, is identified with agential abilities. Traditionally libertarians have claimed that free will—and hence moral responsibility—requires not just the ability to do what one does, but also the ability to do otherwise [Brahmall 1655/1999; Reid 1788/1969]. Libertarians have then argued that free will and moral responsibility are incompatible with determinism because determinism is incompatible with the ability to do otherwise. Consequently, if indeterminism is to be relevant to control under this analysis of free will, it must be relevant to our abilities.

But the usual analysis of free will is only half correct. The *will* indeed is, or is constituted by, abilities. What exactly these abilities are is difficult to say, but it will involve the ability to make

choices, the ability to translate these choices into actions, the ability to comply with and resist one's desires, and the ability to deliberate. *Freedom*, in contrast to will, has less to do with the intrinsic features of an agent and more to do with the situation in which she is embedded. Freedom of the will requires not just that an agent have a will, but also the openness for the agent to exercise her will in more than one way. We can think of freedom in terms of opportunities. To have freedom of the will over some action φ , one must not only have the ability to do other than φ , but also the opportunity to do otherwise.

Under this analysis of free will, our control is not exhausted by what we have the ability to do, but instead our control is also constituted by what we have the opportunity to do. This opens up possibilities for how indeterminism can be relevant to enhancing control: indeterminism might increase our abilities (because it is necessary for the ability to do otherwise) or it might increase our opportunities (because it is necessary for the opportunity to do otherwise). That is, now that we have clearly distinguished abilities from opportunities, it is open to libertarians to concede that the ability to do otherwise, while necessary for free will and moral responsibility, is compatible with determinism. They can concede this while insisting that the opportunity to do otherwise is not compatible with determinism and that it is for this reason that free will and moral responsibility are incompatible with determinism. Below I will defend the latter option by providing the No Opportunity Argument to show that agents in deterministic worlds only have the opportunity to do what they actually do. I will simply assume that the ability to do otherwise is compatible with determinism.¹² Consequently, if indeterminism is located at the moment of action, it becomes possible for agents to have, in addition to the ability (will) to do otherwise, also the opportunity

¹² If this assumption turns out to be false, then all the better for event-causal libertarians. In such a case, their accounts, arguably, enhance control for two reasons: they furnish agents with both the ability and opportunity to do otherwise and all compatibilist agents, necessarily, lack such control-enhancing features. My reason for assuming that the ability to do otherwise is compatible with determinism is that it helps to highlight the importance of the notion of opportunity, a notion that has been relatively neglected.

(freedom) to do otherwise. Event-causal libertarian agents therefore have enhanced control relative to compatibilist agents since they have the opportunity to exercise their will in more than one way.

The traditional claim that the ability to do otherwise is necessary for free will and moral responsibility has been subject to serious attack. Harry Frankfurt [1969], and subsequently and more forcefully, Fischer (and Ravizza) [1994; 1998; 2006] have sought to construct counterexamples to the claim that the ability to do otherwise is necessary for moral responsibility. In a different vein, Wallace [1994] has extended P.F. Strawson's [1962] famous attack on libertarians' 'panicky metaphysics' by arguing that the ability to do otherwise is not part of our ordinary practices of excuses and exemptions. These powerful attacks cannot be easily answered and would seem to apply no less to the claim that the opportunity to do otherwise is necessary for free will and moral responsibility. However, I can side-step them for the present time. My aim in this paper is to resolve the tension between desirability and modesty in libertarianism, and this can be done without entering into the thorny debate concerning the minimal level of control that is required for moral responsibility—for one can show that libertarians secure enhanced control without showing that this enhanced control is strictly necessary for moral responsibility. But this concession should not be taken to minimize my solution to the problem of enhanced control. Although libertarians must do more than solve this problem in order to furnish a full defense of their theory, they must not do less. Indeed, until libertarians explain why indeterminism is relevant to enhancing control, Frankfurt-style cases and Strawson-style arguments will appear unanswerable. In this way the problem of enhanced control is more fundamental than these other important challenges. So let us return our attention to the former problem.

4. Abilities and Opportunities

In order to construct the No Opportunity Argument we first need to understand the nature of abilities and opportunities. Let us begin by considering two cases:

Beach: Jones, a professional life guard, is a strong swimmer. One day as he patrols the beach, he notices a boy in distress a hundred yards offshore. Jones heads down the beach intending to rescue the boy. Just as he is about to enter the water, a malevolent bystander, Smith, tackles Jones and holds him down. Unfortunately Smith is much stronger than Jones, and although Jones does everything he can to escape, he cannot overpower Smith and so the boy drowns.

Piano: Ann is a world renowned pianist. She is currently on a plane flying home after a concert. Although she loves her grand piano, it is hardly the type of instrument that she can take with her when she travels. She is flying smoothly at 35,000 feet and despite her present desire to practice for her upcoming concert, she has no access to a piano.

Does Jones have the ability to swim to the boy? Does Ann have the ability to play the piano? I believe that the answer to both ability-questions is ‘Yes’, but this is contentious. I maintain, however, that the controversy stems from our failure to distinguish having the ability to ϕ from having the opportunity to ϕ . Many incompatibilists may well resist furnishing Jones and Ann with the relevant abilities, but this is because they are mistaking abilities for opportunities.¹³ What Jones and Ann lack are not the relevant abilities, but the opportunity to exercise these abilities. Let me explain.

From the fact that I have the ability to ϕ , it does not follow that I have the opportunity to exercise this ability. *Beach* and *Piano* illustrate this point. Jones has the ability to swim to the boy

¹³ I believe that the debate between Lewis [1981] and van Inwagen [1983; 2004] reveals just this failure. Lewis was arguing that the ability to do otherwise is compatible with determinism, whereas van Inwagen’s real focus was on the opportunity to do otherwise.

and Ann has the ability to play the piano. This much is clear. Jones is an experienced life guard who is currently in excellent shape. He swims a few miles a day, a greater length than would be required of him to rescue the boy, and often swims through rougher waves. It is reasonable to suppose that abilities are an intrinsic matter and that agents possess abilities even when they are not exercising them.¹⁴ I possess the ability to walk even though I am now sitting. I retain this ability even while sleeping. What explains this is that my intrinsic properties that ground my having these abilities do not undergo change when I move from sitting to walking or when I go from waking to sleeping.¹⁵ Abilities are properties of agents that are relatively stable and do not change with the ever-changing environment. All these points highly suggest that Jones retains the ability to swim to the boy even though Smith is preventing him from exercising this ability. Similar considerations apply to Ann.

But clearly Smith's holding Jones down and Ann's being on the airplane affects what they can do. After all, we would not blame Smith for failing to rescue the boy or be angry with Ann for failing to serenade our flight. My suggestion is that we can best account for Smith and the airplane's role in terms of opportunities: Smith's holding Jones down and Ann's being on the airplane function as obstacles to their exercising their respective abilities and hence rob them of opportunities to exercise their abilities. What one has the opportunity to do depends on more than one's intrinsic features; opportunities go beyond abilities to include features of the environment in which we are embedded.

This intuitive characterization of abilities and opportunities suggests that the abilities of an agent are grounded in her intrinsic properties, while her opportunities are grounded in the intrinsic-cum-extrinsic properties. We can capture this grounding relation in terms of supervenience: an

¹⁴ See Harré [1970] and, on a related discussion of dispositions, Lewis [1997]. For more recent discussions arguing that abilities solely concern an agent's intrinsic properties see Vihvelin [2004] and Fara [2008].

¹⁵ It is important to distinguish between the grounding and supervenience base of an ability—the latter typically being much wider. In the sleep example the person does go through an intrinsic change (and thus a change in his supervenience base), but presumably this intrinsic change leaves the grounding base of his abilities unaffected.

agent's abilities nomologically supervene on her intrinsic properties, while her opportunities nomologically supervene on her intrinsic-cum-extrinsic properties. If you place two intrinsically identical agents (in worlds with the same laws) in different environments, then what they have the opportunity to do may differ. This is because opportunities supervene on the intrinsic *and* extrinsic properties. In contrast, no intrinsically identical agents (in worlds with the same laws) will differ with respect to abilities. That opportunities are grounded partly in the extrinsic properties of agents explains why Jones and Ann lack opportunities, while retaining their relevant abilities, since Smith and the airplane only affect their extrinsic properties.

Analyzing abilities and opportunities respectively in terms of agents' intrinsic and intrinsic-cum-extrinsic properties provides a workable basis for understanding this distinction, but it is not completely without problems. There are well known difficulties in providing an analysis of the intrinsic/extrinsic distinction and any account that builds on it will inherit these difficulties. For example, return to Jones's ability to swim to the boy. This ability seems to be grounded in more than Jones's intrinsic properties. Suppose that the boy does not exist. Would Jones still have the ability to swim to the boy? One might understandably be tempted to say 'No'. It appears that the content of the ability makes direct reference to the boy and for this reason is partly grounded in Jones's extrinsic properties.

I do not think there is an obvious reply to this problem, but we can bandage it for now. An analogous problem arises in the metaphysics of dispositions. Many maintain that dispositions are grounded solely in objects' intrinsic properties [Bird 1998; Harré 1970; Mackie 1977; Mellor 1974; Molnar 1999]. However, consider the disposition a key has of opening a particular lock. This disposition appears to depend on extrinsic properties of the key—namely on the existence of the particular lock [cf. Shoemaker 1980]. One way to resist this conclusion is to deny that the key has a disposition to open any *particular* lock, but rather has a disposition to open locks of a certain type.

This is a disposition it has regardless of what locks exist. I am inclined to make a similar move with regard to abilities. Jones's ability does not depend for its existence on this liquid or this boy, but rather on general types of things.¹⁶ It is unsurprising that this *recherché* distinction is not marked in ordinary language as we can get along just fine without it in most situations.

There is clearly more to be said on this issue, but I think we are safe in sweeping it under the rug for now, and I will continue to analyze the ability/opportunity distinction in terms of the intrinsic/extrinsic property distinction. It will be helpful to have a single notion that covers both opportunities and abilities, and so let us introduce a semi-stipulative definition of 'can':

(CFW) An agent *S* can φ at *t* in possible world *W* iff *S* has the ability and opportunity to φ at *t* in *W*.¹⁷

This analysis is only *semi*-stipulative since 'can' has been a central notion in the free will debate.

Moreover, my treatment of 'can' bears important similarities to J.L. Austin's [1961] classic discussion. To have free will, then, over some action φ that one performs requires that one could have done otherwise, and its being true that one could have done otherwise requires that one had the ability and opportunity to do otherwise. Although (CFW) is relatively uninformative, it does make clear that our having free will supervenes on more than the intrinsic properties of an agent.¹⁸

¹⁶ This claim might be thought to be inconsistent with standard content externalist thought experiments. Take my twin on twin earth who has exactly my intrinsic properties: does he have the ability to thinking about water, or only the ability to think about twater? One might worry that he cannot think about water, since he is not related to it in the right sort of way, and one might, moreover, take this to be evidence that he lacks the relevant ability. One might, then, conclude that content externalist thought experiments undermine my claim that abilities nomologically supervene on agents' intrinsic properties. However, my distinction between ability and opportunity is tailor made for this kind of example: my twin has the ability to think about water, but lacks the opportunity to exercise this ability. It is because he lacks the opportunity to think about water that he *cannot* think about water. Thus these thought experiments do not make trouble for my analysis of the ability/opportunity distinction.

¹⁷ '(CFW)' stands for "'can'" in the free will sense'.

¹⁸ The best discussion of 'can' that makes paramount the relevance of agents' extrinsic features that I know of is found in Vihvelin [2000]. Although others have been sensitive to the notion of opportunity, Vihvelin is one of the few to offer an analysis of opportunities. I have learned much from this (unfortunately) neglected paper, but in the end we come down on very different analyses of the nature of 'can'.

But what is it to have an ability or opportunity? And more to the point, is the ability or opportunity to do otherwise compatible with determinism? In order to judge whether agents can do otherwise in deterministic worlds we must go beyond mere intuition and offer analyses of these notions. In so doing, I will argue that determinism is indeed incompatible with its being true that we could have done otherwise because it is incompatible with the opportunity to do otherwise. And once we understand why determinism is incompatible with the opportunity to do otherwise, we will be in a better position to understand how event-causal libertarianism secures enhanced control.

One advantage of clearly separating abilities from opportunities is that libertarians can concede the compatibilist claim that the ability to do otherwise is compatible with determinism [Fara 2008; Lewis 1981; Vihvelin 2004]. If abilities are a matter of intrinsic properties and I can possess an ability that I never exercise, it may be plausible to think that I can possess the ability to do otherwise even in deterministic worlds. Usually libertarians resist this suggestion, but once abilities are distinguished from opportunities, libertarians can concede the compatibility claim with respect to the ability to do otherwise and yet still have room to argue for incompatibilism. In this way we can shift the debate from the ability to do otherwise to the opportunity to do otherwise.

Since I will be arguing that determinism limits our opportunities, I will leave the nature of abilities unanalyzed. What is important for our purposes is to have an analysis of opportunities. Let us begin with the following schematic possible worlds analysis:

(O) An agent S in possible world W has an opportunity to ϕ at t iff there is a possible world W^* that is accessible to W and in which S ϕ -s at t .

(O) is simply a placeholder for a more substantive analysis. Analyses of opportunities will differ with regard to the proposed truth conditions for the accessibility relation.

So what degree of similarity should be required for accessibility? The accessibility relation in (O), clearly should not be one of identity. If we required identity for accessibility no one in any

possible world would have the opportunity to do otherwise and this regardless of the truth of determinism. For there is no world W^* that is identical to W , in which S does other than she does in W . Accessibility ought to allow for some difference between the worlds in question. But how much difference is a delicate issue. I suggest that we should at least allow for a difference in what the agent does and the causal consequences of what she does.

To see why we should allow for this much difference, suppose that last night I went to the movies and now am curious about whether I had the opportunity to go to a concert instead. I consider some world W in which I go to the concert. Suppose I then dismiss this world as irrelevant since it differs from the actual world. After all, it includes my doing something different.

This bit of reasoning is muddled. I lack an opportunity to φ only if there is some *obstacle* that prevents me from φ -ing, and my simply failing to φ does not itself constitute such an obstacle. Moreover, the fact of my failing to bring about certain consequences does not itself constitute an obstacle to my having brought about those consequences. In order to accommodate these points, the accessibility relation should at least allow for a difference in what I do and the causal consequences of what I do.¹⁹ If accessibility does not allow for this difference, it will follow from the logic of opportunity that no one has the opportunity to do otherwise. But we should not build into our analysis a condition that precludes the very possibility of having the opportunity to do otherwise. We can capture these preliminary points as follows:

(O*) S has the opportunity to φ at t in W iff there is a possible world W^* in which S φ -s at t and, at the very least, everything except S 's φ -ing, and the causal consequences of her φ -ing, is the same as in W .

¹⁹ The relationship between basic actions and complex actions can be other than causal. My basic actions of striking keys on the keyboard *constitute* (they do not cause) the complex action of writing a word. I will ignore the important differences between ways basic actions generate complex actions, focusing only on causal generation. None of my arguments will turn on these issues.

From (O*) it follows that we have the opportunity to do what we actually do. Suppose S φ -s in W. S has the opportunity to φ in W since there is a possible world W* (namely W itself) in which S φ -s and, at the very least, everything except S's φ -ing and the causal consequences of her φ -ing are the same as in W. The 'at the very least' clause is intended to make it clear that (O*) allows, but does not require that S's φ -ing and its causal consequences are the same. This is as it should be.

(O*) also makes it clear that agents can lack an opportunity as a result of either their environment or their intrinsic make-up. Suppose I lack the ability to swim and that the only worlds in which I swim include a substantial difference in my intrinsic make-up, a difference that is neither identical to nor a result of what I do. In such a case I lack both the ability and opportunity to swim. But having the ability to φ is not necessary, at least in general, for having the opportunity to φ . Suppose I lack the ability to sink a 50 foot putt. It may nevertheless be the case that there is a world in which I sink this putt and everything except my making the putt and the consequences of this action are identical. In such a world I simply get lucky. In this case I have the ability to swing the putter, but lack the ability to hole the putt, even though I do in fact make it. The having of an ability requires a certain level of skill and reliability. Holing a putt once in a million tries is not enough to establish that I have the ability; all it shows is that I got lucky.²⁰ So ability is not always necessary for opportunity. However, often lacking the ability will be sufficient for lacking the opportunity.

In allowing accessible worlds to differ from the actual world, we must be careful not to allow a difference that eliminates an obstacle in the actual world to the agent's performing the action in question, otherwise we will end up attributing to agents opportunities they lack. Jones and Ann will serve as test cases. So far (O*) allows W* to differ from W by including S's performing an action in W* that he does not perform in W, as well as the consequences of this action. In allowing for these

²⁰ To drive this point home, we can imagine that I hole the putt in an incredible way. Perhaps I hit the ball much too far, but to my great advantage it bounces off a tree, ricochets off a rock, and lands happily in the hole. Would such a scenario be evidence that I have the ability to hole the 50 foot putt? Clearly not, even though I did in fact hole the putt.

differences we can still account for why Jones and Ann lack the relevant opportunities. Any world in which Jones swims to the boy will be a world in which Smith is absent or Jones is much stronger than he actually is (or some other similar difference). Therefore, such a world will include a difference besides Jones's swimming to the boy and the consequences of this action, and will for this reason be inaccessible. Similar considerations apply to Ann. Any world in which she plays the piano will be a world that includes a difference in addition to this action and its consequences—namely the presence of a piano (or some similar difference). This difference, the presence of a piano, is what explains why such a world is inaccessible.

(O*) then is an initially attractive answer. It is weak enough to allow for the logical possibility that agents have the opportunity to do otherwise, but it is not so weak as to entail that agents have opportunities they clearly do not have. But should we allow for even more differences between worlds? There is good reason to answer negatively. From an intuitive standpoint, S has an opportunity to φ only if nothing prevents her from φ -ing. An agent's failure to φ does not itself constitute an obstacle to her φ -ing and it was for this reason that we allowed worlds to differ by including the agent performing the action and its consequences. But it would seem that if her performing the action *required* any more difference than this, then she would lack the opportunity. If, in addition to her φ -ing, something in her environment must be different, a difference that would not be identical to or a result of her φ -ing, then it seems that this required difference is an obstacle: it prevents her from doing otherwise. It prevents her from doing otherwise since the only worlds in which she φ -s differs from the actual world and these differences are neither an exercise of nor a result of an exercise of her agency. We, therefore, have *prima facie* reason not to further weaken the accessibility relation.

In light of (O*) we arrive at the follow partial analysis of 'can':

(CFW*) An agent S can φ at t in possible world W iff (i) S has the ability to φ at t in W and (ii) there is a possible world W^* in which S φ -s at t and, at the very least, everything except S 's φ -ing and the causal consequences of her φ -ing, is the same as in W .

Although (CFW*) is a necessary and sufficient condition for the truth of 'can' claims, it is an incomplete condition since we do not yet have an analysis of ability. But (CFW*) is precise enough to allow us to understand why determinism eliminates all opportunities to do otherwise and thus why no agent in a deterministic world can do otherwise.

5. The No Opportunity Argument

On the basis of (CFW*), we can construct the No Opportunity Argument to show that no one in a deterministic world can do otherwise.

- (1) An agent S in a deterministic possible world W can do otherwise at t iff (i) S has the ability in W to do otherwise at t and (ii) there is a possible world W^* in which S does otherwise at t and, at the very least, everything except S 's doing otherwise at t and the causal consequences of her doing otherwise is the same as in W .
- (2) Given that W is deterministic, any world W^* in which S does otherwise at t than she does in W will differ with respect to the laws or the past.
- (3) If the past differs in W^* this difference will not consist in or be a causal consequence of S 's doing otherwise.
- (4) If the laws differ in W^* this difference will not consist in or be a causal consequence of S 's doing otherwise.

Therefore,

(5) There is no world W^* in which S does otherwise at t and, at the very least, everything except S 's doing otherwise and the causal consequences of S 's doing otherwise is the same.

Therefore,

(6) S cannot do otherwise at t in W .

The validity of this argument is clear—one advantage it has over many versions of the consequence argument.²¹ Moreover, the conclusion generalizes to all agents at all times in all deterministic worlds. Premise (1) has been motivated above and is plausible. (2) follows from the definition of determinism: a world W is deterministic if and only if for every world W^* that has the same laws, either W^* is exactly like W at every time or not exactly like W at any time [Lewis 1979: 460]. Since W is deterministic, a world that accommodates S 's doing otherwise is either exactly like W at some time and hence its laws are different, or its laws are the same and it is not exactly like W at any time and thus its past is different. Either way such a world must differ with respect to the laws or the past. (5) follows from (2)-(4), and (6) from (1) and (5).

It might seem, then, that compatibilists must deny (3) or (4). But perhaps the main virtue of the No Opportunity Argument is that (3) and (4) are weaker than the usual principles about the past and laws that incompatibilists invoke—in fact they are so weak that they cannot plausibly be denied. Unlike the consequence argument, the No Opportunity Argument does not turn on the truth of the principles of the fixity of the past or the fixity of the laws.²² Let me explain.

The principle of the fixity of the past (FP) states, roughly, that an agent cannot do otherwise if her doing otherwise requires that the past had been different. Similarly, the principle of the fixity

²¹ The original modal principle behind the consequence argument, BETA, is recognized to be invalid. See McKay and Johnson [1996]. Fischer [1994] offers a version of the consequence argument that does not turn on any transfer principle and thus seems to escape general worries about these principles.

²² For a sample of incompatibilist arguments that invoke these stronger principles see Fischer [1994: 67-86]; Ginet [1990: 90-123]; van Inwagen [1983: 55-105].

of the laws (FL) states, roughly, that an agent cannot do otherwise if her doing otherwise requires that the laws had been different. Incompatibilists usually defend (FP) and (FL) by offering a range of cases in which, intuitively, agents cannot do otherwise and this seems best explained by either (FP) or (FL). Consider the following ‘can’ claim: a physicist can construct a particle accelerator that would cause photons to travel faster than the speed of light [Fischer 1994: 74]. What explains the falsity of this ‘can’ claim, so argue incompatibilists, is the truth of (FL): namely, that if the physicist constructed such a particle accelerator, then a law of nature would be different. Similar kinds of cases are offered in defense of (FP). On this line of argument, rather than providing an analysis of ‘can’ that makes clear why agents in deterministic worlds cannot do otherwise, incompatibilists have settled for arguing that (FP) and (FL) are general *constraints* on any such adequate analysis.

Compatibilists, however, have responded by arguing that we can explain why the agent cannot do otherwise in the proffered examples by appealing to weaker principles [Lewis 1981; Saunders 1968]. Take our particle accelerator example. According to compatibilists, this example only shows that agents cannot do otherwise if the laws had been different *and* this difference would be identical to or a result of the agent’s doing otherwise. The reason no physicist can construct such an accelerator is that if he did, then a law of nature would have been different *and* this difference would have been a result of the physicist’s constructing the accelerator. Similar remarks apply to the cases incompatibilists offer to support (FP): these cases only show that an agent cannot do otherwise if this requires a difference in the past *and* this difference would be identical to or a result of the agent’s doing otherwise. Following Fischer [1994: 67-86], let us refer to these weaker principles as ‘(wFP)’ and ‘(wFL)’.

The No Opportunity Argument allows us to side-step this debate: it shows that even (wFP) and (wFL) raise trouble for compatibilism since they entail (3) and (4). Incompatibilists have traditionally tried to establish the incompatibility of determinism with it ever being the case that an

agent can do otherwise without providing an analysis of ‘can’; yet this is too abstract a level to contend with compatibilists. Without an analysis of ‘can’, it might seem that compatibilists can take refuge in (wFP) and (wFL). But once we move from the abstract to the concrete and learn what is required for the truth of ‘can’ claims, we see that even the weaker principles threaten compatibilism. The No Opportunity Argument helpfully shifts the debate from constraints, such as (FP) and (FL), on an adequate analysis of ‘can’ to the actual analysis; and at this level incompatibilists find firmer ground.

Consequently, compatibilists must reject (1) and argue that the accessibility relation at play in (O*) allows for either differences in the past or laws, differences that are not identical to nor a result of the agent’s actions.²³ Before returning to our original problem of enhanced control, I want to strengthen the No Opportunity Argument by considering an important compatibilist response. One way of trying to weaken (CFW*) would be to return to traditional conditional analyses of ‘can.’ But such analyses are subject to well-known counterexamples [cf. Chisholm 1976; Lehrer 1976]. Let us instead consider Keith Lehrer’s possible worlds analysis of ‘can’ which is, I believe, the best compatibilist attempt to weaken (CFW*). But as we will see, it suffers from being unmotivated.

²³ Vihvelin [2000] in fact denies (4) and argues that it is possible that an agent S in W has the opportunity to make a law-breaking choice—that is, that there is some possible world W* accessible to W in which S makes a choice and this choice constitutes a violation of the laws of nature that obtain in W. Vihvelin makes some rather ingenious moves to soften the stark implausibility of this claim, but for all her ingenuity, in the end she is committed to its being possible that agents can perform choices such that those choices are correctly described as law-breaking events. But this is highly implausible, as even a staunch compatibilist like Lewis [1981: 115] admitted.

Stone [1998] also argues that agents can perform miracles. Specifically, he argues that with divine assistance it is possible for agents to have the power to perform miracles. I do not have the space to address this interesting strategy, but I believe that a source of difficulty for Stone is his limiting determinism to the natural world. He shows, at most, that physical determinism is compatible with its being true that an agent could have done otherwise. That is, he exempts God from the grips of determinism. But one might reasonably argue that such worlds are not deterministic worlds, but merely indeterministic worlds with large pockets of determinism.

6. Lehrer's Analysis of Opportunities

Lehrer [1976] offers a sophisticated compatibilist strategy for showing that it is possible that agents in deterministic worlds can do otherwise. Although Lehrer does not divide his analysis of 'can' into analyses of abilities and opportunities, he is clearly aware of these importantly different components [Lehrer 1976: 242] and tries to capture my notion of opportunity with the notion of an inadmissible advantage. His account can be understood as an attempt to weaken (CFW*), and specifically (O*), so that in addition to allowing an agent's action and its consequences to be different, we also allow worlds to be minimally different with respect to the past. On his analysis, a world W^* is accessible to W only if it 'has the same laws, [is] minimally changed to accommodate my action, *and* these changes [do] not bestow on me any advantage for performing the action that I lack in $[W]$ ' [Lehrer 1976: 254]. Minimal changes in the past are allowed so long as such changes do not confer an advantage on the agent. For example, if John is deathly afraid of snakes, any world in which the past is so different that it erases John's fear of snakes is inaccessible. In addition to psychological advantages, changes in agents' circumstances can confer advantages. If a world differs from the actual world in that Lehrer is no longer chained tightly to the wall, then this 'change...confers upon [him] an advantage that [he] manifestly [lacks]' [Lehrer 1976: 255]. To translate this back into opportunity talk, we can say that if the only worlds in which an agent does otherwise are worlds in which the agent has an advantage, then the agent lacks the opportunity to do otherwise.

According to Lehrer, it is not changes in the past *per se* that we find objectionable, but rather changes in the past that confer advantages on the agent. Let us return to *Beach* and *Piano*. The reason that Jones lacks the opportunity to swim to the boy is not merely because the only worlds in which he does this differ with respect to the past, but because any world in which he swims to the boy requires a difference in the past that confers an advantage on him, namely Smith's being absent. The same applies to Ann: any world that is minimally different to accommodate her playing a piano

confers an advantage on her, namely her being back at home. As Lehrer sees it, (O*) requires more similarity than is warranted by these cases.

What then counts as an advantage? Although Lehrer never precisely defines this notion, it is closely related to the notion of a necessary condition for performing an action. Consider an agent S who does not φ in world W. S has an advantage in world W* for φ -ing only if there is some necessary condition for S's φ -ing that is absent in W but present in W*. A necessary condition for John's touching the snake is that he does not possess the phobia he actually has. Any world, then, that erases this phobia confers an advantage on John. But not all advantages undermine 'can' claims: for sometimes it is within the agent's power to bring about the advantage. Rather trivially, a necessary condition for my doing otherwise is that I do otherwise. As we saw above, in determining whether I have the opportunity to φ , worlds that differ with respect to my φ -ing and its consequences remain accessible. Thus, we need only require sameness of *inadmissible* advantages—those advantages the agent does not bring about.

We can now modify Lehrer's original analysis as follows: a world W* is accessible to W only if it has the same laws, is minimally changed to accommodate the action, and these changes do not bestow any inadmissible advantage on the agent. From here Lehrer goes on to craft a very intricate and insightful analysis of 'can'—the precise details of which need not concern us. Lehrer's core claim is that even in deterministic worlds agents can do otherwise since there are accessible possible worlds in which the agent does otherwise—worlds that have the same laws, are minimally different, and confer no inadmissible advantages on the agent in question.

An initial objection to Lehrer's construal of the accessibility relation is that any difference in the past that is required in order for the agent to perform the action in question constitutes an inadmissible advantage. Consider S who refrains from φ -ing in deterministic world W. If it is true that S could have φ -ed in W, then, according to Lehrer's analysis, it follows that there is a possible

world W^* with the same laws as W , is minimally different, and confers no inadmissible advantages on S . However, since Lehrer requires sameness of laws, W^* will differ with respect to the past. In fact, *every* world with the same laws as W and in which S φ -s will differ with respect to the past. Therefore, a necessary condition for S 's φ -ing is that some feature of the past be different. This might cause us to wonder whether S has an inadmissible advantage in every such world.

Lehrer responds by recalling his earlier distinction between admissible and inadmissible advantages. For if the agent can bring about that necessary condition, then the advantage is admissible and thus there is no obstacle to the truth of the 'can' claim. Lehrer gives the following example:

Again suppose that I do not clench my fingers into a fist at a specific moment. That *flexor digitorum profundis* was unflexed just prior to that moment determines the fingers not being clenched. Yet it hardly follows from the antecedent condition of that muscle being unflexed that I could not have clenched the fingers. On the contrary, I could have clenched the fingers, and had I chosen to do so, *flexor digitorum profundis* would have been in the flexed state at the required time. [Lehrer 1976: 264]

I concede Lehrer's point; however, it is irrelevant. This example only establishes that absent necessary conditions *that agents can bring about* do not falsify the claim that the agent could have done otherwise. But Lehrer needs something much stronger than this. Returning to S who refrains from φ -ing in deterministic world W , any world W^* with the same laws as W and in which S φ -s, will differ from W with respect to every moment prior to S 's φ -ing (this follows from the definition of determinism). These differences are not such that S could have brought them all about. It therefore follows, by Lehrer's own analysis, that these changes confer inadmissible advantages on S . What Lehrer needs to show is that a world can be accessible even when it confers advantages on S that are not a result of an exercise of S 's agency. But his fist-clenching example gives us no reason to think

that this is true, and thus he leaves his crucial premise undefended. Lehrer, therefore, fails to substantiate his distinction between a mere change in the past and a change in the past that counts as an inadmissible advantage.

The difficulty with defending Lehrer's distinction is that it does not seem that it can be motivated apart from the fact that it saves compatibilism. Clearly there are some necessary conditions for an agent's performing an action such that if they are absent the agent cannot perform the action. Jones cannot swim to the boy because a necessary condition for his doing this is absent, namely his not being held down by someone much stronger than him. Compatibilists must *motivate* a *principled* way to distinguish between the absence of necessary conditions that agents cannot bring about that do rob them of opportunities, and the absence of necessary conditions that agents cannot bring about that do not rob them of opportunities. And, frankly, this seems very hard to do.

7. The Opportunity to Do Otherwise as Control Enhancing Freedom

It is a mistake to think that the only way one can enhance control is by increasing the kind or amount of abilities an agent has. Freedom of the will concerns more than our abilities: it also concerns our opportunities. Compatibilist agents have some degree of control since they possess the opportunity to exercise their abilities in the way they actually exercise them, but libertarian agents have more control since they have the opportunity to exercise their rational and deliberative abilities in more than one way. Event-causal libertarianism increases control by increasing opportunities.

This is not a crudely additive account of control. The opportunity to do otherwise is not simply another opportunity on top of the many opportunities that compatibilist agents already possess. Rather, it is a significant addition. It affords agents with the opportunity to direct their lives in more than one way, to author how their lives unfold, and to choose from among several causally open options, thereby taking a stand on the kind of person they will become. This is no

trivial addition. Indeterminism, therefore, is relevant to enhancing control because its existence is necessary for agents to possess the freedom to do otherwise.

An implication of this response to the problem of enhanced control is that libertarians must locate indeterminism at the moment of action. Event-causal libertarians secure enhanced control by securing, in addition to the already possessed ability, the opportunity to do otherwise. However, in order for libertarians to secure both the ability and opportunity to do otherwise—and thus for it to be true that agents can do otherwise—some of the actions agents actually perform must be undetermined—for only if the action is undetermined will it be true that there is a possible world in which the agent does otherwise and, at the very least, everything except her doing otherwise and its consequences will be identical. Some have worried that if indeterminism is so located, then far from our control being enhanced, it is diminished, since undetermined action is essentially lucky action.²⁴ Although this is an important objection, I do not think that libertarians can skirt around it by locating indeterminism at some prior time.²⁵ Indeed, my above arguments are indirect evidence for this claim, insofar as it seems that the *only* way indeterminism can be relevant to enhancing control is by locating it at the moment of action.

8. Conclusion

In this paper I have offered a solution to the problem of enhanced control. In addressing this problem we considered why determinism is thought to be a threat to freedom in the first place, and the No Opportunity Argument gave us the answer: determinism is a threat to freedom because it rules out the opportunity to do otherwise. By carefully distinguishing the relevance of an agent's

²⁴ See n. 5 above.

²⁵ Dennett [1978], Fischer [1995], and Mele [1999] all offer versions of libertarianism in which indeterminism is located prior to the moment of action. These accounts, I believe, are shown to be inadequate by the problem of enhanced control: they cannot explain how libertarianism secures more control than compatibilism (cf. Franklin [forthcoming]). It is also revealing that none of these authors actually accept libertarianism.

intrinsic features from her extrinsic features, we came to realize that her control can be enhanced in one of two very different ways: by furnishing her with more abilities, or by furnishing her with more opportunities. The problem of enhanced control has seemed so exasperating because we have mistakenly assumed that only abilities are relevant to control. Once we jettison this mistaken assumption, room is made to solve the problem of enhanced control: indeterminism is relevant to enhancing control because it furnishes agents with the opportunity to do otherwise—an opportunity that they necessarily lack in deterministic worlds.²⁶

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