

The Cards That Are Dealt You

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THE CARDS THAT ARE DEALT YOU

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ABSTRACT. Various philosophers have argued that in order to be morally responsible, we need to be the “ultimate sources” of our choices and behavior. Although there are different versions of this sort of argument, I identify a “picture” that lies behind them, and I contend that this picture is misleading. Joel Feinberg helpfully suggested that we scale down what might initially be thought to be legitimate demands on “self-creation,” rather than jettison the idea that we are truly and robustly responsible. I follow Feinberg in rejecting various “inflated” demands on “origination,” “initiation,” or ultimate sourcehood.

KEY WORDS: autonomy, causal determinism, Joel Feinberg, Robert Kane, moral responsibility, Derk Pereboom, “self-creation,” Saul Smilansky, Galen Strawson, “ultimate sourcehood”

The presiding judge gave a short cough, and asked me in a very low tone if I had anything to say. I rose, and as I felt in the mood to speak, I said the first thing that crossed my mind: that I’d had no intention of killing the Arab. The Judge replied that this statement would be taken into consideration by the court. Meanwhile he would be glad to hear, before my counsel addressed the court, what were the motives of my crime. So far, he must admit, he hadn’t fully understood the grounds of my defense.

I tried to explain that it was because of the sun, but I spoke too quickly and ran my words into each other. I was only too conscious that it sounded nonsensical, and, in fact, I heard people tittering.

My lawyer shrugged his shoulders...¹

1. INTRODUCTION: RESPONSIBILITY AND SOURCEHOOD

Various philosophers have put forward arguments according to which we must have a certain kind of “ultimate control” in order to be morally responsible for our behavior. On Galen Strawson’s view, the

¹ Albert Camus, *The Stranger*, Stuart Gilbert (trans.) (New York: Random House, 1942), pp. 129–130.

very concept of moral responsibility involves the requirement of a kind of “self-creation” that is, upon reflection, incoherent; the incoherence putatively stems from our ordinary notion of moral responsibility, and not from any “special” assumption, such as causal determinism.² Others, including most notably Saul Smilansky and Robert Kane, have argued that moral responsibility requires that we be the “source” of our behavior in a way that would be ruled out by causal determinism. Smilansky argues for reasons similar to those of Strawson that causal determination would rule out sourcehood in the sense required for anything other than a “shallow” sort of moral responsibility. Kane argues that we must meet an “ultimacy” condition on responsibility – a condition that is incompatible with causal determinism.³

It is uncontentious that we want to be the “initiators” or “ultimate sources” of our behavior, in some suitable sense, and that a morally responsible agent must meet some conditions that capture these ideas appropriately. It is, however, controversial whether the relevant idea of sourcehood entails the strong sort of “self-creation” that seems to be envisaged by Strawson, Smilansky, and even Kane.

In this paper I seek to understand the basic motivation for the views of Strawson and Smilansky, on the one hand, and philosophers such as Kane, on the other. I shall suggest that their views may depend on an inappropriate and unduly demanding picture, according to which the locus of control must be entirely “internal” to the agent, in order for there to be robust, genuine moral responsibility. I do not suppose that I will have offered decisive objections to the views under consideration; rather, my goal is to raise some questions and to propose some challenges for these views.

2. FEINBERG ON SELF-CREATION

Although he was explicitly addressing the notion of “autonomy,” Joel Feinberg’s remarks also apply to the closely-related notions of metaphysical freedom and moral responsibility. Here, as always, Feinberg was notably and admirably sensible:

² Galen Strawson, *Freedom and Belief* (Oxford: Oxford University Press, 1986). There is a recent articulation of the argument in Galen Strawson, “The Bounds of Freedom,” in Robert Kane (ed.), *The Oxford Handbook on Free Will* (New York: Oxford University Press, 2002), pp. 441–460.

³ Robert Kane, *The Significance of Free Will* (Oxford: Oxford University Press, 1996).

The autonomous person is often thought of as a “self-made man.” He cannot, of course, be literally and wholly self-made without contradiction. Even his character as authentic cannot be entirely the product of his own doing. To suppose otherwise is to conceive of authenticity in such an exalted way that its criteria can never be satisfied, or else to promote the ideal of authenticity in a self-defeating way. To reflect rationally, in the manner of the autonomous-authentic person, is to apply some already accepted principles, in accordance with the rules of rational procedure, to the text of more tentative principles or candidates for principles, judgments, or decisions. Rational reflection thus presupposes some relatively settled convictions to reason from and with. If we take authenticity to require that *all* principles (beliefs, preferences, etc.) are together to be examined afresh in the light of reason on each occasion for decision, then nothing resembling rational reflection can ever get started.

The point is a modest one, but commonly overlooked by those whose conception of autonomy is unrealistically inflated. It is simply that a person must already possess at least a rudimentary character before he can hope to *choose* a new one. ... There can be no magical *ex nihilo* creation of the habit of rational reflection. Some principles, and especially the commitment to reasonable self-criticism, must be “implanted” in a child if she is to have a reasonable opportunity of playing a part in the direction of her own growth.⁴

Feinberg goes on to point out that we find talk of “self-made persons” in philosophers as different as Aristotle and J.-P. Sartre.⁵ But he states:

A common-sense account of self-creation (the term “self-determination” has a less grating and paradoxical sound) can be given, provided we avoid the mistake of thinking that there can be no self-determination unless the self that does the determining is already fully formed. ... The extent of the child’s role in his own shaping is ... a process of continuous growth already begun at birth. From the very beginning that process is given its own distinctive slant by the influences of heredity and early environment. At a time so early that the questions of how to socialize and educate the child have not even arisen yet, the twig will be bent in a certain definite direction. From then on, the parents in promoting the child’s eventual autonomy will have to respect that initial bias.⁶

Feinberg goes on to sketch a very sensible and plausible common-sense account of a child’s development into an autonomous agent. He then concludes:

At least that is how growth proceeds when parents and other authorities raise a child with maximum regard for the autonomy of the adult he will one day be. That is the most sense that we can make of the ideal of the “self-made person,” but it is an intelligible idea, I think, with no paradox in it.

⁴ Joel Feinberg, *Harm to Self* (Oxford: Oxford University Press, 1986), pp. 33–34.

⁵ Feinberg, *Harm to Self*, p. 34.

⁶ Feinberg, *Harm to Self*, p. 34.

Perhaps we are all self-made in the way just described, except those who have been severely manipulated, indoctrinated, or coerced throughout childhood. But the self we have created in this way for ourselves will not be an authentic self unless the habit of critical self-revision was implanted in us early by parents, educators, or peers, and strengthened by our own constant exercise of it. Self-creation in the authentic person must be a process of self-*re*-creation, rationally accommodating new experiences and old policies to make greater coherence and flexibility. Self-creation is possible but not *ex nihilo*.⁷

Here Feinberg approvingly cites Gerald Dworkin, who says that, at the dawn of rational self-awareness:

We simply find ourselves motivated in certain ways, and the notion of choosing, from ground zero, makes no sense. Sooner or later we find ourselves, as in Neurath's metaphor of the ship in mid-ocean, being reconstructed while sailing, in mid-history. But [insofar as we are autonomous] we always retain the possibility of stepping back and judging where we are and where we want to be.⁸

I find Feinberg's observations to be right on the money. It seems to me that they apply to the kind of initiation or ultimate sourcehood that is involved in moral responsibility just as well as they apply to the parallel notions in regard to autonomy. It is eminently reasonable to suppose that we should not demand a self-contradictory sort of ultimacy in order to be morally responsible. Some might identify an idea of self-creation or authorship with some intuitive appeal, and, having noted that it is in the end self-contradictory, conclude that we cannot be morally responsible, in the ordinary sense. In contrast, Feinberg correctly concludes that such an idea, although perhaps initially attractive, is way too strong and not really part of common sense. Why, Feinberg might ask, is it more plausible to jettison moral responsibility and cling to a very demanding notion of self-creation ("an inflated conception of autonomy") than to scale down the demands of self-creation to something more reasonable?

3. GALEN STRAWSON ON ULTIMATE SOURCEHOOD

3.1. *Strawson's View*

Strawson has argued that our ordinary conception of moral responsibility requires a kind of ultimate self-creation that is

⁷ Feinberg, *Harm to Self*, pp. 34–35.

⁸ Gerald Dworkin, "Autonomy and Behavior Control," *Hastings Center Report* 16 (1976), p. 25. Feinberg refers to the Dworkin piece in Feinberg, *Harm to Self*, p. 35.

incoherent. Strawson gives various different formulations of the argument, but I find the versions presented in his article, “The Bounds of Freedom,” particularly lucid.⁹

Strawson begins by describing a certain notion of being morally responsible: “ultimately, truly, and without qualification responsible and deserving of praise or blame or punishment or reward.”¹⁰ I find that it is easier, and perhaps avoids confusion, simply to employ the term, “morally responsible,” where we keep in mind that this involves genuine, robust moral responsibility (and not a revised or watered down version of the ordinary concept).¹¹ As I present Strawson’s argument, I will simply employ the term “morally responsible,” construed in this way. I shall follow Strawson in sometimes using “ultimately” to qualify “morally responsible,” but I am not exactly sure what Strawson means in employing “ultimately” in this way.

Here are a couple of versions of Strawson’s argument.¹² The first version is as follows. When you act, you do what you do – in the situation in which you find yourself – because of the way you are. If you do what you do because of the way you are, then in order to be ultimately morally responsible for what you do, you must be ultimately morally responsible for the way you are. But you cannot be ultimately morally responsible for the way you are. Thus, you cannot be ultimately morally responsible for what you do.

The second version is this. One cannot be *causa sui* – one cannot be the cause of oneself. But one would have to be *causa sui*, at least in certain crucial mental respects, in order to be ultimately morally responsible for one’s thoughts and actions. Thus one cannot be ultimately morally responsible for one’s thoughts or actions.

Strawson holds that being morally responsible (in the genuine and robust sense) requires being ultimately morally responsible. Strawson thus concludes that we cannot be morally responsible for any of our thoughts or actions. This argument allegedly goes through, quite apart from whether causal determinism is true; it does not presuppose causal determinism. Strawson states:

⁹ Strawson, “The Bounds of Freedom.”

¹⁰ Strawson, “The Bounds of Freedom,” p. 442.

¹¹ Note that terminology such as “ultimately, truly, and without qualification responsible” can have a rhetorical effect that influences one to insist on more rigorous requirements for moral responsibility than are perhaps warranted.

¹² These follow closely Strawson’s presentation in Strawson, “The Bounds of Freedom,” pp. 443–444.

“No one is accountable for existing at all, or for being constituted as he is, or for living in the circumstances and surroundings in which he lives,” as Nietzsche remarked: The *causa sui* is the best self-contradiction that has been conceived so far; it is a sort of rape and perversion of logic. But the extravagant pride of man has managed to entangle itself profoundly and frightfully with just this nonsense. The desire for “freedom of the will” in the superlative metaphysical sense, which still holds sway, unfortunately, in the minds of the half-educated – the desire to bear the entire and ultimate responsibility for one’s actions oneself, and to absolve God, the world, ancestors, chance, and society – involves nothing less than to be precisely this *causa sui* and, with more than Baron Munchhausen’s audacity, to pull oneself up into existence by the hair, out of the swamps of nothingness.¹³

3.2. Critique of Strawson

Strawson’s argument is elaborated with great intelligence and sophistication, and I cannot possibly do justice to it here.¹⁴ Instead, I shall first simply point out that Feinberg seems to be on the correct side of this debate. That is, if one is presented with an “inflated” notion of self-creation or autonomy, one ought to jettison it in favor of something more reasonable. Why suppose that we must be “ultimately morally responsible” for the way we are? Alternatively, why suppose that we must be “ultimately morally responsible” for the way we are in a way that is impossible? Similarly, why suppose (with Strawson and Nietzsche) that we must be *causa sui*, or *causa sui* in a way in which we cannot possibly be? It seems much more plausible to suppose that we must be the “ultimate sources” of our behavior in some genuine way, but a way that is at least possible to realize in the world (apart from any special assumption, such as that causal determinism obtains).

Rather than seeking to engage Strawson’s subtle argumentation in its detail, I wish to defend Feinberg’s position by raising some *prima*

¹³ Strawson, “The Bounds of Freedom,” p. 444. The quotation from F. Nietzsche is from F. Nietzsche, *Twilight of the Idols, or: How to Philosophize with a Hammer* (Leipzig: Naumann, 1889), Section 8. For a discussion of Nietzsche’s views on these matters, see Brian Leiter, “The Paradox of Fatalism and Self-Creation in Nietzsche,” in C. Janaway (ed.), *Willing and Nothingness: Schopenhauer as Nietzsche’s Educator* (Oxford: Oxford University Press, 1998), pp. 217–257.

¹⁴ Despite my disagreement with Strawson about ultimacy, I have considerable admiration for his work on free will and moral responsibility [John Martin Fischer, “Review of Galen Strawson’s *Freedom and Belief*,” *Times Literary Supplement* (1987), p. 852].

facie problems and challenges for Strawson's view.¹⁵ Suppose my parents had beaten me mercilessly when I was very young, so that I had significant physical (neurological) and emotional damage. If the damage had been sufficiently bad, I would never have developed into an agent at all. And yet it is quite clear that I never had any control over whether my parents beat me in this way. Similarly for an infinitely large number of factors. For example, I had no control over whether I was born with a significant brain lesion that would impair or expunge my agency. Had I been born with such a lesion, I would never have developed into an agent at all, or would have developed into an agent with a very different character and set of dispositions. Again: I had no control over the fact that I was not dropped on my head (accidentally or deliberately) by my parents when I was very young. But had I been dropped on my head in a certain way, I would not have developed into an agent at all, or might have developed into a very different sort of agent.¹⁶

When one begins to think about this sort of thing, one quickly realizes that we are incredibly lucky to be as we are. I had no control over the fact that I was not hit by a bolt of lightning when I was young (or, for that matter, yesterday), or that I was not hit by a meteorite, and so forth. But had any of these things occurred, I would not be the way I am today – and I certainly would not be typing this article at my computer! Life is extraordinarily fragile, and (from a certain perspective) we are remarkably lucky to be agents at all, or the particular agents we are (with the particular dispositions, values, and psychological propensities we actually have). Intuitively speaking, I am not “ultimately responsible” for my particular psychological traits or even for my very agency. We are not “ultimately responsible” for “the way we are,” and yet it just seems crazy to suppose that we are thereby relieved of moral responsibility for our behavior. Does it not seem highly

¹⁵ For more careful and detailed engagement, see Randolph Clarke, *Libertarian Accounts of Free Will* (Oxford: Oxford University Press, 2003), pp. 170–176; and Randolph Clarke, “On an Argument for the Impossibility of Moral Responsibility,” in Peter A. French and Howard K. Wettstein (eds.), *Midwest Studies in Philosophy*, 29: *Free Will and Moral Responsibility* (London: Blackwell Publishers, 2005), pp. 13–24; and Alfred Mele, *Autonomous Agents: From Self-Control to Autonomy* (Oxford: Oxford University Press, 1995), pp. 221–230.

¹⁶ Note that I have described the factor in question “negatively:” my not having been dropped on my head. But one could equally describe the relevant causal background condition “positively:” my having been handled carefully and treated well by my parents, and so forth. Nothing in my argument depends on any sort of assumption that “negative” facts can be causal.

counter-intuitive to suppose that I am not a morally responsible agent in virtue of the fact that I had no control over whether the earth was hit by a meteorite or the sun flickered out when I was young (or yesterday, for that matter)? How could my moral responsibility hinge on whether or not I can prevent the sun from rising or flickering out?¹⁷ We do not have “ultimate responsibility,” but it would seem much more plausible to suppose (with Feinberg) that such responsibility is not required for genuine, legitimate moral responsibility than to conclude that we are thereby rendered incapable of being held morally responsible.

Note that all of the considerations above involve the existence of conditions “entirely external” to the relevant individual in some very natural, intuitive sense, over which the relevant individual has absolutely no control, and which are causal contributors to his psychological constitution (to his being the way he is, in the pertinent sense) and to his behavior.¹⁸ Indeed, the conditions are

¹⁷ In Molly Bloom’s soliloquy, she says: “...who was the first person in the universe before there was anybody that made it all who ah that they don’t know neither do I so there you are they might as well try to stop the sun from rising tomorrow the sun shines for you he said...” [James Joyce, *Ulysses* (New York: Random House, 1961), p. 782].

¹⁸ We would typically *select* from among the various causal contributors to an event and thus highlight some factor or factors in making causal attributions and offering causal explanations. Joel Feinberg’s treatment of the considerations that guide such selection is highly illuminating [Joel Feinberg, *Doing and Deserving* (Princeton: Princeton University Press, 1970), pp. 119–151]. Here Feinberg emphasizes the pragmatic dimensions of causal attributions – their purpose-relativity, and so forth. He identifies various features in virtue of which we pick out or select certain of the causal contributors as “the cause,” relative to certain purposes (See, especially, Feinberg, *Doing and Deserving*, pp. 143–147). This is, in my view, a brilliant discussion. I should point out that everything Feinberg argues about our practices of making causal attributions and offering (and accepting) causal explanations is compatible with there being an indefinitely large number of causal background conditions or causal contributors to an event, on which the occurrence of the event depends, and which are “external” to the relevant agent. These are the factors from which the pragmatically-informed selection is made in the context of causal explanation.

When Meursault says that he killed the Arab “because of the sun,” this may have evoked the “tittering” of the jury simply because it was an inappropriate selection of a causal background condition as “the cause.” Feinberg’s discussion can help to explain why, in a typical context, such a selection would be inappropriate. Camus appears to present “the sun” as more than merely a causal background condition in the following famous and beautiful, but puzzling, passage:

I waited. The heat was beginning to scorch my cheeks; beads of sweat were gathering in my eye-brows. It was just the same sort of heat as at my mother’s funeral, and I had the same disagreeable sensations – especially in my forehead, where all the veins seemed to be bursting through the skin. I couldn’t stand it any

causal sustainers in that they contribute to the causally necessary conditions for the individual's being the way he is and behaving as he does. After all, the sun's continuing to shine is a necessary condition of the existence of human beings. The sun's continuing to shine is a causal "background condition" that *enables* me to be the way I am and to act as I do. Similarly, my parents' treating me in certain ways when I was young – feeding and clothing me when I was young, taking care of me gently, and so forth – were causal contributors in exactly the same way to my becoming the sort of agent I became, and, indeed, to my becoming an agent at all.

So there are infinitely many factors over which I had no control, which are such that, if they had occurred, I would not be as I am.

longer, and took another step forward. I knew it was a fool thing to do; I wouldn't get out of the sun by moving on a yard or so. But I took that step, just one step, forward. And then the Arab drew his knife and held it up toward me, athwart the sunlight.

A shaft of light shot upward from the steel, and I felt as if a long, thin blade transfixed my forehead. At the same moment all the sweat that had accumulated in my eyebrows splashed down on my eye-lids, covering them with a warm film of moisture. Beneath a veil of brine and tears my eyes were blinded; I was conscious only of the cymbals of the sun clashing on my skull, and, less distinctly, of the keen blade of light flashing up from the knife, scarring my eyelashes, and gouging into my eyeballs.

Then everything began to reel before my eyes, a fiery gust came from the sea, while the sky cracked in two, from end to end, and a great sheet of flame poured down through the rift. Every nerve in my body was a steel spring, and my grip closed on the revolver. The trigger gave, and the smooth underbelly of the butt jogged my palm. And so, with that crisp, whipcrack sound, it all began. I shook off my sweat and the clinging veil of light. I knew I'd shattered the balance of the day, the spacious calm of this beach on which I had been happy. But I fired four shots more into the inert body, on which they left no visible trace. And each successive shot was another loud, fateful rap on the door of my undoing (Camus, *The Stranger*, pp. 75–76).

This passage is puzzling for many reasons. Camus appears to be describing Meursault as experiencing the sun as a "triggering cause," and not a mere background enabling causal factor. And yet this is implausible. Why does Meursault not subject his impressions to critical scrutiny? Does he really suppose that the Arab is attacking him? If the light is "transfixing [his] forehead" and "scarring [his] eyelashes, and gouging into [his] eyeballs," why does he not feel the pain, or notice any blood? Why does he not seek to run away from the Arab, rather than attacking him? Does not everyone have the duty to monitor his perceptions and check for illusions? Of course, these are just a few obvious and perhaps flat-footed questions.

Similarly, there are infinitely many factors over which I currently have no control, which are such that, if they were to occur, I would cease being as I am (and behaving as I do). I currently have no control over whether there is a huge earthquake that hits Southern California; if there were such an earthquake, I might well not continue to be the way I currently am (for various reasons). The earth's continuing to sustain me, the air's continuing to be (barely!) breathable, and so forth are causally sustaining conditions for my agency, over which I have absolutely no control. I am thus not "ultimately morally responsible." And yet this does not in itself seem to expunge or etiolate my agency and my moral responsibility. To suppose that we must be ultimately morally responsible, in the way imagined by Strawson, seems to me to be a wild extrapolation from the quite legitimate desire to be the initiator or source of one's behavior, in some genuine and reasonable sense. It seems to be a kind of metaphysical megalomania.

Perhaps the requirement of ultimate responsibility (construed in the "inflated" way) comes from, or is suggested by, a certain "picture." On this picture, the locus of control must be *within* us, if we are to be "genuinely" or "unqualifiedly" morally responsible. But when there is some factor that is external to us, over which we have no control, and upon which our behavior and "the way we are" is counterfactually dependent, the locus of control is not within us (in the relevant way). I have sought to show that this picture misleads us; it suggests that we can plausibly want a kind of control that is in reality unreasonable and, indeed, a mere chimera (tantalizing as it might be). After all, to be ultimately responsible, we would have to be morally responsible for the sun's continuing to shine!

It is as if Strawson thinks of free and morally responsible agents as having "total control." An agent has total control over *X* only if for any factor *f* which is a causal contributor to *X* and which is such that if *f* were not to occur, then *X* would not occur, the agent has control over *f*. But we have seen that total control is a fantasy. To have total control would be to have control over the sun's continuing to shine, the earth's not being hit by a meteorite, and so forth. The desire for total control is a reflection of a kind of metaphysical "over-reaching," if anything is.

When one has total control, the locus of control is entirely within the agent; there is no factor external to the agent (and out of the agent's control) which is a causal contributor to the outcome in question and which is such that if it were not to occur, the outcome would not occur. On this view, it is as if we (*qua* moral agents) have a

protective bubble around us, or perhaps we are in our armored vehicles. Alternatively, we are circumscribed by a fortress, and the Inner Citadel is a protected domain of control.¹⁹ But I have shown that this is an illusory picture of agency and autonomy. We are at every point thoroughly subject to factors entirely outside our control. We are not even in a tiny bubble of control, but we are, in a sense, naked, swimming in a vast ocean of chance and luck.²⁰

Now Strawson might reply that this is precisely his point, and that this is exactly the problem. That is, Strawson might say that our intuitions about agency imply an implausible notion of autonomy, and this notion of autonomy renders moral responsibility indefensible. Simply showing that the autonomy condition is bizarre or inflated does not imply that our intuitions about moral responsibility do not require it; rather, it would mean that our intuitions (and responsibility practices based on those intuitions) are misguided.²¹

In my view, however, it is much more sensible simply to recognize and accept that our lives are thoroughly subject to factors entirely outside our control, and to scale back our demands for the sort of autonomy and “sourcehood” required for moral responsibility (note that this does not involve etiolating or watering down moral responsibility; rather, it encapsulates a recognition that we must be more sensible in articulating our inchoate notion of sourcehood, insofar as it is required for robust responsibility). Of course, a full response to Strawson would need to explain how our intuitions about blame and fairness do not really lead us to such an excessively demanding and “exalted” autonomy condition, and how our

¹⁹ Isaiah Berlin writes:

I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not other[s] acts of will. I wish to be a subject, not an object... I wish to be somebody, not nobody [Isaiah Berlin, *Four Essays on Liberty* (Oxford: Oxford University Press, 1969), p. 131].

It is as if I had performed a strategic retreat into an inner citadel – my reason, my soul, my “noumenal” self – which, do what they may, neither external blind force, nor human malice, can touch. I have withdrawn into myself; there, and there alone, I am secure (Berlin, *Four Essays on Liberty*, p. 135).

Berlin was not endorsing the Inner Citadel model, but it captures nicely a certain picture of autonomy. As regards the wish to “be somebody,” Lily Tomlin says, in her one-person play, *The Search for Intelligent Life in the Universe*, “I always wanted to be somebody when I grew up. I should have been more specific!”

²⁰ We are thus even worse off than in Neurath’s famous ship, which we must rebuild plank by plank while occupying it; in my view, we are, if I may be allowed to put it this way, in a body of water without (even) a paddle!

²¹ I am indebted to Matt Talbert for this point.

practices are justifiable in the face of the failure to fulfill this condition. I do not attempt such a response here. Rather, I am highlighting a dialectical move evidently not considered (or not given sufficient attention) by Strawson: that the sort of autonomy we might initially find attractive does not survive critical scrutiny—it is unduly demanding. In light of the implications of Strawson’s picture of autonomy, one could go in either of two directions. One could say that such a picture is endorsed by common sense but utterly impossible to fulfill. Or one could say that such a picture, being obviously and straightforwardly impossible to fulfill, cannot be the picture endorsed, upon reflection, by common sense. The latter possibility seems to be the approach suggested by Feinberg, and it seems to me to be the path recommended by a certain sort of philosophical maturity and wisdom. Be that as it may, my more minimal point (to which I would retreat if pressed) is simply that the latter approach is no less plausible than the former, given the considerations adduced by Strawson. His argument is, at best, incomplete at this critical juncture.

Immanuel Kant famously argued that we are at least in control of our will, even if we cannot legitimately be held morally responsible for certain unforeseeable consequences of our exercise of free will, and our actions. On this view, a certain sort of moral luck is ruled out: luck in consequences. So two individuals who will the same things in similar circumstances are to be evaluated as equally praiseworthy or blameworthy, apart from differences in consequences (that could not reasonably be foreseen). I am inclined to find this view attractive. But it is entirely compatible with the point I would insist upon: that our exercising our free will, in any given circumstance, or even our being free agents at all, depends on factors entirely out of our control. If the sun were to flicker out, I would no longer be a free agent at all, and I would certainly not be able to exercise my free will; and, obviously, I have no control over whether the sun flickers out (or whether the earth is hit by a meteorite, or whether I am struck by an unexpected bolt of lightning, and so forth).

4. SOURCE INCOMPATIBILISM: THE SUN SHINES FOR YOU

4.1. *Smilansky’s View*

Strawson’s argument does not depend on any “special” assumption, such as that causal determinism obtains. I now turn to a similar but

importantly different view, according to which causal determinism would entail that we cannot be the “source” of our behavior, in the sense required for (robust and genuine) moral responsibility. This sort of view is defended by such philosophers as Smilansky, Kane, and Derk Pereboom (among others).²²

I shall begin by discussing Smilansky’s argument for the contention that causal determination would rule out the relevant sort of “sourcehood.”²³ Smilansky argues that whereas a “compatibilist” notion of control is coherent and can be invoked to make important distinctions among agents who are ordinarily thought to differ in their moral accountability (and “desert”), it is nevertheless problematic. The compatibilist argues that causal determinism is compatible with the sort of control that grounds ascriptions of moral responsibility. Smilansky contends that the sort of control that we could have in a casually deterministic world is insufficient to ground moral responsibility in an ultimate or deep sense; he says that compatibilist responsibility is “shallow” and “superficial.”

In simple form, Smilansky’s argument here is as follows. If causal determinism is true, then all our deliberations, choices, and behavior are the result of casually deterministic sequences that began well before we were even born (or had any sense of the relevant options and the values that might be brought to bear on them, and so forth). Since we are not responsible for initiating these sequences, and since our decisions and behavior are the necessary results of them, we are not “ultimately” in control of our deliberations and actions in the sense relevant to robust moral responsibility and ethical desert. If causal determinism is true, then it can be seen from a more objective or expansive perspective that what we choose to do, and in fact do, are purely a matter of “luck:” what we choose may be “up to us” in a superficial sense, but what we choose is causally determined by our values and background dispositions, which are causally determined by our previous experiences, and so forth.

²² Saul Smilansky, *Free Will and Illusion* (Oxford: Clarendon Press, 2000); Kane, *The Significance of Free Will*; and Derk Pereboom. *Living Without Free Will* (Cambridge: Cambridge University Press, 2001).

²³ For a preliminary development of some of the ideas presented here, see John Martin Fischer, “Review of Saul Smilansky’s *Free Will and Illusion*,” *Times Literary Supplement* (2001), p. 28. As with Strawson, despite my disagreement about the sourcehood condition, I admire Smilansky’s book.

Smilansky refers to the responsibility-undermining characteristic of causal determination as the “unfolding of the given.”²⁴ He argues that causal determinism would entail that “people cannot ultimately create themselves, and their choices, including their choices to change themselves, and anything they do, can only follow from factors ultimately beyond their control.”²⁵ He goes on to conclude, “We cannot shirk the perspective from which all that happens is ultimately a matter of *luck*, and hence in one way morally arbitrary and an unfit basis for fair differentiation among people. ... Compatibilism is, in itself, *morally shallow*...”²⁶

I wish to focus my critical remarks on Smilansky’s provocative claim that compatibilism is morally shallow. The crucial contention here is that the fact that our choices and behavior would merely reflect (on the assumption of causal determinism) the “unfolding of the given” renders it true that such choices and behavior are morally arbitrary – a matter of mere luck. After all, we have no control over the beginnings of the causal sequences that causally necessitate our choices and behavior; from the perspective of our control, there might just as easily have been *different* beginnings of those sequences, and thus different choices and actions.

In my view, Smilansky’s argument is open to exactly the same sort of objections to which Strawson’s view is vulnerable. As I argued above, it cannot be the *mere existence* of some causally contributing factor entirely outside the agent (and over which the agent has no control) which is such that if it were not to occur, the outcome in question would not occur, that makes it the case that the agent is not morally responsible. After all, the sun’s continuing to shine is precisely such a factor, and, quite apart from a special assumption (such as that causal determinism obtains), there are an indefinitely large number of such factors. And, intuitively, many (if not all) of these factors are *irrelevant* to one’s moral responsibility. It is a wild fantasy to suppose that one could have control over *all* of the factors which affect an outcome (in the relevant way); total control is, in Feinberg’s term, an “inflated” idea of autonomy (one must guard against inflation in autonomy, as well as the economy!).

²⁴ Smilansky, *Free Will and Illusion*, p. 284.

²⁵ Smilansky, *Free Will and Illusion*, p. 284.

²⁶ Smilansky, *Free Will and Illusion*, pp. 284–285.

In recent work, Smilansky has sought to defend his approach against the sorts of criticisms I have sketched above.²⁷ He approvingly quotes Thomas Nagel, who argues: “We can always undermine the sense of our own autonomy by reflecting that the chain of explanation or absence of explanation... can be pursued till it leads outside our lives.”²⁸ Smilansky states:

While compatibilists like Dennett have tried to convince us that luck is not meaningfully present in pertinent cases, Fischer takes the opposite approach, in the attempt to neutralize the sting of luck. Matters could easily have been different in our lives, he points out, and the fact that they are not different is, in the end, a matter of luck. Since skeptics must agree, then their own luck-based argument is put in jeopardy. If we do not mind the necessary presence of luck in our lives, then why should we be worried about the threat of ‘ultimate luck’?²⁹

Smilansky goes on to offer a “direct” reply and also an analogy to bolster his point. His reply is that it is not the “presence of luck in itself” that is the problem. He states:

After all, we are also all fortunate that the earth was not hit yesterday by a huge meteorite, but that seems scarcely relevant to the free will issue. Luck is undoubtedly present in our lives, but the central question is how its presence is manifested. ...[T]he difficulty is that compatibilist control is set by the way we are constituted so that every choice we make and every action we undertake is an unfolding of the arbitrarily given—the luck is not located in some corner but, when we look deeply, we see that it *goes all the way through*.³⁰

He then presents his analogy:

Assume that you begin to suspect that your love of some years does not in fact love you, but merely lives with you out of economic calculation. Indeed, you begin to suspect that she is not capable of deep personal love at all, that all the apparent manifestations of caring for other people are, ultimately, no more than sophisticated expressions of basic egoism. Now, you always knew that she viewed her boring but lucrative job as no more than a way of earning money; you believed, however that in close personal relationships, and particularly in her life with you, things are different. When you begin to suspect that perhaps all there is there with this person is all-encompassing egoism, you would hardly be comforted by a Fischer-like argument to the effect

²⁷ Saul Smilansky, “Compatibilism: The Argument from Shallowness,” *Philosophical Studies* 115 (2003), pp. 257–282; “Fischer on Free Will and Luck,” presented at the American Philosophical Association Central Division Meetings, April 2004.

²⁸ Smilansky, “Fischer on Free Will and Luck,” p. 1; the quote is from Thomas Nagel, *The View From Nowhere* (Oxford: Oxford University Press, 1986), p. 136.

²⁹ Smilansky, “Fischer on Free Will and Luck,” p. 2.

³⁰ Smilansky, “Fischer on Free Will and Luck,” p. 3; this passage is also found in Smilansky, “Compatibilism: The Argument from Shallowness,” p. 275.

that egoism as such should not bother you, for, after all, her work-place egoism has never disturbed you.³¹

4.2. *Response to Smilansky*

I certainly did not think my argument should incline one to conclude that “luck is located in some corner.” In fact, the argument is that luck is thoroughly pervasive. And it manifests itself, not just in a range of alternative scenarios or non-actual possible worlds, but in the actual world. So, as I emphasized above, I am not in control of whether the sun continues to shine; clearly, the sun’s continuing to shine is a contributing, and, indeed, a sustaining cause of my continuing to be agent (and continuing to exist!). This is a causal factor entirely outside of my control, on which the outcome in question (my agency and its consequences) depends (in the relevant way), and it manifests itself in the actual sequence issuing in my behavior. Of course, this is just one example of an indefinitely large number of such factors – all of which play an *actual causal role*, even in a casually indeterministic world. So I would hardly say that luck is in a corner. Rather, it is everywhere.

But what exactly does Smilansky mean by “luck ... *goes all the way through*,” if causal determinism is true? One thing he could mean is that the external factors in question (together with relevant background conditions) are not just causal contributors or even sustainers of the outcome: they are causally *sufficient* conditions. As I pointed out above, Smilansky’s argument is that causal determinism poses a *special* challenge for our sourcehood and moral responsibility; in this way his argument differs from that of Strawson.

In the case of causal determination of a choice (and subsequent behavior), the relevant agent lacks control of a *sufficient* condition that flows through the actual sequence to the choice and behavior. In contrast, in the cases I presented above, the agent lacks control over a *necessary* condition of the behavior; this necessary condition posits the *failure to occur* of some event which, if it did occur, would prevent the possibility of the behavior in question (the sun’s not flickering out, the earth’s not being hit by a meteorite, one’s not having been beaten by one’s parents as child, and so forth). Whereas I grant this distinction, I contend that it is unclear why exactly this distinction should make a difference. That is, Smilansky appears to argue that

³¹ Smilansky, “Fischer on Free Will and Luck,” p. 4.

the reason compatibilism is ultimately shallow is that it is unavoidably committed to a certain sort of moral arbitrariness and luck. But I have shown that this sort of luck is present in a wide array of cases—cases which do not presuppose determinism – in which we would *not* think that robust evaluations (of the relevant sorts) are challenged in any way. So it cannot be this distinctive sort of luck or arbitrariness *per se* that renders compatibilism problematic, if it is indeed problematic.

Smilansky might then say that compatibilism is unattractive insofar as it entails that we can be morally responsible, even though our choices and behavior are (under the assumption of causal determinism) the *mere unfolding of the given*. (Above I interpreted Smilansky as arguing that the *reason* why choices that are the mere unfolding of the given are problematic is that they embody objectionable arbitrariness and luck; here it is supposed that Smilansky is simply claiming that when choices result from the mere unfolding of the given, then it follows that the agents who make those choices cannot be held deeply or robustly morally responsible.) This is the claim that what is problematic is that, given causal determinism, I lack control of a *sufficient* causal condition of my behavior.

But now the dialectic becomes delicate. If one is a compatibilist, one contends that causal determination of choice is compatible with robust moral responsibility for that choice. In a context in which we are seeking to evaluate this compatibilist thesis, it does not seem to advance the debate to contend that choices which are the unfolding of the given cannot be choices of a responsible agent; for this does not appear to amount to more than simply denying the compatibilist view (and thus begging the question against the compatibilist).

In a typical case in which an agent lacks control of a necessary condition of the relevant behavior and yet is subject to robust assessments based on the behavior, it is tempting to say that the condition in question – the non-occurrence of some “prevention-event” – does not get in the way of or “crowd out” the features of the agent in virtue of which he is morally responsible for his behavior. I am inclined to say that the presence of causally sufficient conditions in the actual sequence similarly need not get in the way of or crowd out the features in virtue of which an agent can be (robustly) morally responsible for his behavior. I believe, then, that there is a symmetry in the way these two sorts of conditions – necessary and sufficient – function in this context. To establish this would require more argumentation than I can give here. Here I would simply point out

that Smilansky has not established the superficiality of compatibilism by invocation of luck, moral arbitrariness, or the unfolding of the given. If causal determinism is in fact compatible with the sort of control that grounds ascriptions of robust moral responsibility, then the unfolding of the given need not be the “mere” unfolding of the given.

Return to Smilansky’s interesting analogy. He says that one would not be comforted by a “Fischer-type” argument upon discovering that the woman you have loved for many years is just as selfish at home as at the office. I grant this point, but deny the relevance of the story to my views about the pervasiveness of a certain sort of luck in the context of human agency. One natural way of understanding the story is to suppose that we accept as justified the egoism manifested at work. We now discover that a person we have loved for many years is *inappropriately* manifesting egoism in a context in which it does not belong. To say that this discovery should not disturb us because egoism in an *appropriate context* does not bother us is patently fallacious – and not analogous to my argument. Here one is invited to say that it somehow follows from a certain sort of behavior’s being acceptable in a certain context that it should be considered acceptable in a *different* context. In contrast, in my argument I seek to call attention to the fact that luck (of the relevant sort) is pervasive and, upon reflection, not problematic (in *any* context). I do not suppose that something that is clearly and indisputably problematic becomes less so in virtue of its ubiquity; rather, my point is that we should recognize that our initial view that a certain sort of luck is problematic should be reevaluated in light of a broader understanding of the pertinent phenomena.

Exhibiting his allegiance to the Inner Citadel model of control, Smilansky states:

... compatibilism is attractive as establishing an ‘Island of Control’ countering random arbitrariness; a space where, as it were, arbitrariness has no entry. The sense of compatibilist control is not without some basis, but nevertheless it becomes incorporated in the deeper picture, where all is arbitrary³²

The mistake is to suppose that compatibilism seeks to identify an “Island of Control” – an Inner Citadel. It is better to think of compatibilism as conceding from the beginning that we are

³² Smilansky, “Compatibilism: The Argument from Shallowness,” p. 275.

thoroughly subject to factors entirely outside our control. Nevertheless, according to the compatibilist, we can still exhibit a meaningful and robust sort of control. It is not as if the compatibilist seeks to carve out a sphere of pure “internality” and immunity to arbitrariness, and then must be embarrassed to discover that the inner sanctum is not secure. She never thought that we needed such a place.

4.3. *Other Versions of Source Incompatibilism*

Philosophers such as Kane and Pereboom have also argued for Source Incompatibilism.³³ Whereas Smilansky’s argument for some sort of incompatibilistic ultimacy requirement follows Strawson in emphasizing considerations pertaining to luck, the other philosophers do not explicitly base their acceptance of Source Incompatibilism on such considerations. Elsewhere, I have sought to address some of the arguments for Source Incompatibilism.³⁴ I certainly do not suppose that I have adequately addressed all of the arguments. I would simply add the following reflections; I admit that these are merely suggestive (at best), and that they are hardly decisive.

According to my argument addressed to Strawson and Smilansky above, one cannot motivate an incompatibilistic Ultimate Source requirement by reference to luck, at least as Strawson and Smilansky seek to defend the requirement (or related ways). I suggested that an insistence on an incompatibilistic Ultimate Source requirement might come from holding an inflated picture of autonomy or human agency, according to which we must be the sole locus of control of our behavior and we must have what I called Total Control (in order to be morally responsible). If we have Total Control, the locus of control is entirely in us insofar we have control over all factors that can affect the relevant outcome. But I have argued that the desire for Total Control is out of proportion with what can reasonably be

³³ Kane, *The Significance of Free Will*; and Pereboom, *Living Without Free Will*.

³⁴ John Martin Fischer, *The Metaphysics of Free Will: An Essay on Control* (London: Blackwell Publishers, 1994), pp.147–154; John Martin Fischer, “Frankfurt-Style Compatibilism,” in S. Buss and L. Overton (eds.), *Contours of Agency: Essays on Themes from Harry Frankfurt* (Cambridge: The MIT Press, 2002), pp. 1–26, reprinted in G. Watson (ed.), *Free Will: Oxford Readings in Philosophy*, Second Edition (Oxford: Oxford University Press, 2003), pp. 190–211; and “Introduction: A Framework for Moral Responsibility,” in John Martin Fischer, *My Way: Essays on Moral Responsibility* (Oxford: Oxford University Press, 2005), pp. 1–37.

expected, when one reflects on the pervasiveness of luck (as it relates to human agency).

Now of course the specific Ultimate Source requirements of Strawson and Smilansky are different, and their common motivating idea is quite different from those of such philosophers as Kane and Pereboom. But my suggestion is that, once one sees that the picture that favors Total Control is inflated and illusory, one might have less inclination to accept an incompatibilistic ultimate source requirement of *any* sort for *any* reason. That is, once one sees that there is a huge (presumably infinite) number of factors which are entirely out of my control (like the sun's continuing to shine) that are such that, if they were not present, my agency would be very different or not even non-existent, one might be less inclined to object to (or find problematic) the fact that, if causal determinism obtains, there will be a condition entirely "external" to the agent and over which he has no control which is causally sufficient for one's behavior.

As I pointed out above, there is admittedly an important difference between our lack of control of external necessary or enabling conditions, and our lack of control of external causally sufficient conditions. I grant this point. But my suggestion is that, once one scales back one's metaphysical aspirations (as Feinberg encouraged us to do so sensibly), an incompatibilistic source condition becomes less attractive. After all, one must admit that there are causally enabling conditions – conditions that, as it were, "set the stage" for our exercises of agency, and without which our agency would be different in central aspects or would not even exist – which are entirely out of our control. One might then wonder why precisely it is problematic that there are (or might be) causally sufficient conditions for our behavior that are external and entirely out of our control.

Imagine, quite fancifully, that our agency is a connected set of dots – a horizontal line-segment from point *b* to point *c*. Now imagine a vertical line coming from below, with an arrow pointing toward the Agency Line. This line represents a causally necessary condition, such as the sun's shining; the sun's shining causally sustains and "sets the stage" for the exercise of agency. Now add a line that is (like the Agency Line) horizontal, starting to the left of point *b* and with an arrow pointing toward *b*. This arrow represents a causally deterministic sequence issuing in *b* (the beginning of the exercise of agency). Suppose that the relevant agent is not in control of this antecedent causal sequence "pointing horizontally toward *b*," just as he is not in control of the sun's shining. My question is this: if one is not troubled

by the existence of the vertical line, why be troubled by the horizontal line? They are both the same in the sense that they represent “external” factors that are entirely outside the relevant agent’s control; in virtue of what is the horizontal line troubling in a way in which the vertical line is not? A *mere* appeal to “externality” will not distinguish the two lines – they are equally “external” to the Agency Line. Similarly, the sun is “external” to the agent in just the same way as the antecedent causal sequence – each equally impugns Total Control, and both introduces just the same sort of luck. Of course, this is not to say that there are no potentially relevant differences between causally sufficient and necessary conditions; but it is to issue a challenge to say what those differences consist in.

Let us imagine that our agency is a rocket ship. Suppose that the rocket cannot take off unless it has a platform of a certain sort – the platform is a causally necessary condition that enables the rocket to take off. The platform’s features causally contribute to the rocket’s taking off, in the same way that the sun’s continuing to shine causally contributes to human agency. It seems to me that the astronauts can be said to control the launching of the rocket ship, even if we stipulate that they had nothing to do with the building of the platform, and cannot in any way affect the platform’s continued existence or features. We can have a robust sort of control of our behavior, without controlling all the necessary features of our exhibiting precisely this control.

Note that *any incompatibilist* who believes that we do in fact exercise the sort of control that can ground moral responsibility *must* admit that there are factors that are entirely “external” to us and “out of our control,” and which make a difference as to how we behave. This simply follows from indeterminism, and it is brought out by the well-known Rollback Argument. For any given (say) choice, if we hold fixed everything about the relevant agent and roll back the universe to a prior time, then (given the truth of indeterminism) on subsequent “replays” there will be some instances in which the agent makes a *different* choice. That is, the difference between replays in which the agent chooses as he actually does and those in which he chooses differently is *not traceable to anything in the agent’s control*. As Kane concedes, it follows from the truth of causal indeterminism that agents lack “antecedent determining control.”³⁵ This is in part to concede (what, no doubt, Kane would admit for the sorts of reasons I adduce in this article), that when we act, the locus of control is not

³⁵ Kane, *The Significance of Free Will*, p. 144.

entirely within us (in the relevant sense) – and that we lack Total Control. To suppose that we have control over every factor that plays a causal role in our behavior can be seen to be problematic, even in a quite ordinary cause of indeterministic event-causation (of the sort Kane believes exhibits a paradigmatic sort of control).

5. CONCLUSION: PLAYING THE CARDS THAT ARE DEALT YOU

Human agency and moral responsibility does indeed require that we be the authors and the sources of our behavior in a suitable sense. Strawson has argued that this sort requirement involves a literally self-contradictory demand of self-creation. I have followed Feinberg in plumping for a more reasonable, less “exalted” conception of the requirement of “initiation” or ultimate sourcehood. Also, I have contended that the sorts of considerations that appear to show that Strawson’s demand is unreasonable also apply to Smilansky’s defense of the contention that compatibilism is “morally shallow.” I have further suggested that these considerations provide at least a plausibility argument against *any* incompatibilistic version of the ultimate source requirement; an incompatibilistic requirement of ultimate sourcehood may issue from an illusory picture according to which it is plausible that we could have Total Control.

Kane has argued that in order to be morally responsible, we have to meet a condition of “ultimacy,” according to which the “causal buck must stop here.”³⁶ Additionally, although Pereboom believes that versions of the Frankfurt-type examples successfully show that (PAP) is false, he nevertheless defends the following principle:

An action is free in the sense required for moral responsibility only if it is not produced by a deterministic process that traces back to causal factors beyond the agent’s control.³⁷

Pereboom states:

... if all our behavior were “in the cards” before we were born – in the sense that things happened before we came to exist that, by way of a deterministic causal process, inevitably result in our behavior – then we cannot legitimately be blamed for our actions. If all of our actions had this type of causal history, then it would seem that we lack the kind of control over our actions that moral responsibility requires.³⁸

³⁶ Kane, *The Significance of Free Will*, pp. 33–37; 60–78.

³⁷ Pereboom, *Living Without Free Will*, p. 3.

³⁸ Pereboom, *Living Without Free Will*, p. 6.

Clearly, the demands that “the buck stop here” and that our behavior not be “‘in the cards’ before we were born” rely on suggestive metaphors. But I would argue that these metaphors can be misleading, and are, at best, of limited significance.³⁹

We can, however, borrow – and transform – Pereboom’s metaphor. Our behavior may well be “in the cards” in the sense that we simply have to play the cards that are dealt us. Further, just as an astronaut may still control the lift-off of the rocket, even though she did not build the platform that makes the launch possible (or ever have any control over the platform), we can be accountable for playing the cards that are dealt us, even if we did not manufacture the cards, write the rules of the game, and so forth. We can exercise precisely that sort of control of our behavior that moral responsibility requires, without having an inflated or exalted power of self-creation. It is a kind of wisdom – a wisdom found in Feinberg – to recognize that, when you play the cards that are dealt you (in a certain distinctive way), you can exercise a robust sort of control, even in the absence of the power to make the cards, to own the factory that makes the cards, to make up the rules of the game, and so forth (to infinity)...^{40,41}

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³⁹ Fischer, “Frankfurt-Style Compatibilism.”

⁴⁰ I am very grateful to thorough, thoughtful and insightful comments by Matt Talbert.

⁴¹ I am honored to have been invited to contribute to this volume in honor of Joel Feinberg. Joel Feinberg was a careful, systematic, and penetrating philosopher. He was also one of the “good guys” of our profession. Molly Bloom says (attributing the remark to Leopold Bloom), “... the sun shines for you...” Joel Feinberg’s sun shone for all of us in philosophy. The light will continue to provide illumination, and the warmth of his personality will not be forgotten. In the words of the Beatles:

Here comes the sun, here comes the sun, And I say it’s all right. Little darling it’s been a long cold lonely winter, Little darling it feels like years since it’s been here. Here comes the sun, here comes the sun, And I say it’s all right. Little darling I feel that ice is slowly melting, Little darling it seems like years since it’s been clear. Here comes the sun, here comes the sun, It’s all right, it’s all right.
(Abbey Road)