

LIBRARY OF ETHICS AND APPLIED PHILOSOPHY

VOLUME 7

Managing Editor:

Govert A. den Hartogh, *University of Amsterdam, The Netherlands*

MORAL RESPONSIBILITY AND ONTOLOGY

Edited by

TON VAN DEN BELD

Utrecht University, The Netherlands



KLUWER ACADEMIC PUBLISHERS

DORDRECHT / BOSTON / LONDON

The titles published in this series are listed at the end of this volume.

A C.I.P. Catalogue record for this book is available from the Library of Congress.

ISBN 0-7923-6255-1

Published by Kluwer Academic Publishers,
P.O. Box 17, 3300 AA Dordrecht, The Netherlands.

Sold and distributed in North, Central and South America
by Kluwer Academic Publishers,
101 Philip Drive, Norwell, MA 02061, U.S.A.

In all other countries, sold and distributed
by Kluwer Academic Publishers,
P.O. Box 322, 3300 AH Dordrecht, The Netherlands.

Printed on acid-free paper

All Rights Reserved

© 2000 Kluwer Academic Publishers

No part of the material protected by this copyright notice may be reproduced or
utilized in any form or by any means, electronic or mechanical,
including photocopying, recording or by any information storage and
retrieval system, without written permission from the copyright owner.

Printed in the Netherlands.

Contents

Ton van den Beld Introduction	1
Part I. Moral Responsibility and Ontology: Setting the Stage	
Peter van Inwagen Moral Responsibility and Ontology	11
R. Jay Wallace Moral Responsibility and the Practical Point of View	25
Part II. Responsibility and Personal Identity	
Keith Graham Collective Responsibility	49
Marc Slors Personal Identity and Responsibility for Past Actions	63
Eric Wiland Personal Identity and Quasi-Responsibility	77
Part III. Incompatibilist Arguments	
Kasper Lippert-Rasmussen Does Moral Responsibility Presuppose Alternate Possibilities?	89
David Mackie Fischer on Alternative Possibilities and Responsibility	103
Maureen Sie Freedom and Blameworthiness	113
Christopher Mark Grau Moral Responsibility and Wolf's Ability	129
René van Woudenberg Moral Responsibility and Agent Causation	143
Part IV. Compatibilist Positions	
Ish Haji On the Value of Ultimate Responsibility	155
James Lenman Contracting Responsibility	171

between 'suitable' circumstances for well-functioning and 'unsuitable' circumstances for well functioning.

According to this account of the necessity of alternative possibilities, the crucial question is whether the sum total of our abilities together with the sum total of the circumstances produce our actions - just as the sum total of the currents constituting the flood causes the poorly constructed dam to break.²¹ If this is so, all our actions are 'mere effects' in a causal chain that started long before we were born, and people are only superficially responsible for the consequences of their actions - just as the poorly constructed dam is only superficially responsible for failing to avert the flood.

If, on the other hand, the possession of certain RR abilities enables us to originate events, we must conclude that some events can only be understood by referring to an individual agent who did what she did, chose as she chose, decided as she decided, and did so freely - i.e. she could have done, chosen or decided to do otherwise. Since determinism so obviously excludes origination and we - in our daily practices of responsibility - seem to accept the existence of blameworthy actions, the burden of proof on the compatibilist shoulders remains heavy.

As long as we do not understand *how* the existence of causally sufficient conditions for each and every event allows for the idea of origination by a single individual²² or as long as we cannot explain the distinction between a wrongdoer and a blameworthy agent regardless of this lack of origination,²³ our daily practices of responsibility will be in conflict with determinism, if not incompatible with it. Whether the causes of 'well functioning' or 'malfunctioning' are conceptualized at the level of elementary particles, at that of neurological events and brain states, or at that of psychological and mental phenomena does not matter to the conclusion.²⁴

²¹ R. Chisholm, 'Human Freedom and the Self', *The Lindley Lectures* (Department of Philosophy, University of Kansas, 1964), 25.

²² Primarily directed at Wolf, op. cit., who accepts the necessity of alternate possibilities with regard to the category of blameworthy actions but argues that it is perfectly reasonable to treat it as compatible with determinism until 'otherwise is proven,' because psychological freedom is not necessarily incompatible with physiological determinism, and psychological determinism is not very likely to be true. Cf. criticism of C. Grau, 'Moral Responsibility and S. Wolf's Ability', this volume; M. Ravizza, J. M. Fischer, 'Responsibility, Freedom, and Reason', *Ethics* 102 (Jan. 1992), 385-88.

²³ Primarily directed against R. J. Wallace, op. cit.

²⁴ I thank Jan Bransen, Bert van den Brink, Christopher Grau, Marc Slors and Susan Wolf for commenting on and discussing earlier versions of this contribution. I also thank Ton van den Beld for his helpful corrections and comments.

Moral Responsibility and Wolf's Ability

Christopher Mark Grau

Free will matters in large part because it seems to be a requirement of responsibility. If the 'ability to do otherwise' was not thought to bring with it the capacity for an agent to be responsible, it is hard to see what would make such an ability particularly desirable. Because we do see ourselves as responsible, however, and we wish to understand how our attributions of responsibility can be legitimate, questions surrounding the nature of our abilities as free agents arise. Susan Wolf begins chapter five of *Freedom Within Reason*, entitled 'Ability and Possibility', with just such a question: 'what, if any, metaphysical conditions must be satisfied in order for attributions of psychological abilities to agents ever to be justified.'¹ Wolf goes on to sketch an account of ability, and its metaphysical implications, which she believes is sufficient to meet the demands of our ordinary conception of moral responsibility. I will be critically examining Wolf's view, and considering the extent to which her proposed analysis succeeds in offering an account of ability that can avoid the problems that have plagued traditional approaches.

I

Wolf's view of freedom is original in part because of its asymmetry. She takes seriously the kind of example where it appears an agent has no choice but to do a morally good action, and yet is still worthy of praise. Accordingly, she holds that some responsible actions, namely those that are done for the right reasons (i.e. those that are in accord with Reason), can nonetheless be fully determined. However, what is relevant for our discussion is that she, unlike compatibilists such as Daniel Dennett, acknowledges that for an agent to be morally responsible for bad actions, it appears as though that agent's actions cannot be determined. She feels the force of the incompatibilist intuition that compatibilists traditionally

¹ Susan Wolf, *Freedom Within Reason*, (New York: Oxford Univ. Press, 1990), 95. Future citations will be to page number only. I am indebted to Susan Wolf for her many helpful suggestions and criticisms of earlier drafts of this contribution. Comments from Peter Achinstein, Stuart Gluck, and Jacob Ossar have also been valuable. Finally, I would like to thank the participants of the Utrecht conference on 'Moral Responsibility and Ontology' for their insightful questions and comments.

dismiss. What makes her view particularly interesting is that she, unlike traditional incompatibilists, does not believe that *physical determinism* poses a direct threat to responsibility. Rather, she claims that it is *psychological determinism* that matters for freedom. She gives a summary of her position on p.79:

'The Reason View is thus committed to the curious claim that being psychologically determined to perform good actions is compatible with deserving praise for them, but that being psychologically determined to perform bad actions is not compatible with deserving blame.'

While one might object to her claim that there is an asymmetry in our intuitions on moral responsibility, for the purposes of our discussion this (albeit important) aspect of her view will be put aside. Regardless of whether she is correct in her asymmetrical approach, she offers a diagnosis of our concern with determinism that is worth consideration, for her characterization of ability is not one that is crucially dependent on an asymmetry. She prefaces her discussion with the disclaimer that her comments in this chapter are 'sketchy', 'incomplete', and somewhat 'tentative', however I find them to be among the most important claims in her book, and of relevance not just to her own brand of asymmetrical freedom, but to the freedom desired by incompatibilists generally.

II

That said, let's examine her analysis of ability. She begins by considering some of the more influential analyses of the 'ability to do otherwise'. Finding Austin's rejection of conditional analyses of 'can' persuasive, Wolf acknowledges that it does seem that when one claims that she could have done otherwise, at least occasionally what this means is that she could have done otherwise given conditions precisely as they were. As she puts it:

'It is hard to resist the thought that in order for this assertion to be true, it must at the very least have been *possible* for A to do otherwise - and not just logically possible or epistemologically possible either, but physically, psychologically, *substantively* possible that A do otherwise given conditions precisely as they were.' (p.100)

Wolf acknowledges that this thought seems to lead to incompatibilism - it is quite hard to see how determinism could be compatible with the kind of substantive possibility necessary for this ability to do otherwise. However, she cautions that this conclusion, though tempting, is premature. As she

puts it: 'different kinds of determinism seem to me to have different implications for the attribution of abilities.' (p.101) Earlier, we saw briefly that she believes that it is *psychological* determinism which poses the threat to freedom, rather than the physical determinism on which incompatibilists traditionally focus. What is psychological determinism? She characterizes it as 'the thesis that all psychological events are uniquely and wholly determined by a conjunction of laws and states of affairs that are capable of description at the psychological level of explanation.' (p.101) The relevance of this shift from physical to psychological determinism is plain: while physical determinism may or may not be true, psychological determinism 'has virtually nothing to support it.' (p.101) Despite the misplaced worries of libertarians and other incompatibilists, the freedom necessary for responsibility may be within our grasp after all.

Wolf fleshes out what she takes us to require in a psychological ability. Her characterization has two parts: one negative, one positive. First, someone to whom an ability is attributed must possess the relevant capacities, skills or talents necessary for exercising that ability. Secondly, nothing 'interferes with or prevents' the exercise of these relevant capacities. (p.101) She goes on to argue that while the first requirement may be compatible with physical and psychological determinism, it is unlikely that the second requirement could hold if we are psychologically determined. Why wouldn't physical (or physiological) determinism also conflict with the second requirement? She claims that the capacities and skills necessary for the psychological ability in question would not be interfered with or prevented by physiological determinism alone. As she puts it:

'Being determined not to X implies that something prevents one from X-ing only if one is determined *by* something that blocks the exercise of one's relevant capacities and skills. But not every kind of determinism operates this way, and it is doubtful in particular that physiological determinism does.' (p.102)

Of course, this response is unlikely by itself to convince the incompatibilist. Accordingly, she goes on to present a 'story' that she believes will help lessen resistance to this idea.

Time limitations restrict me from doing justice to Wolf's story here, but I will try to convey what I take to be the essential features. She asks us to imagine that God created a world, and in that world he put a certain kind of agent. These agents are able to deliberate and reason, and are by their nature not psychologically determined.

In Wolf's words:

'it was important to God that often, when these agents chose what to do, it would have been equally compatible with their psychological histories in conjunction with all the psychological laws applying to them that they had chosen something else.' (p.103)

Since God wanted to create the best possible world, he 'chose to create the world in which the best set of people do the best set of things.' (p.104) We are to imagine that within this world God creates a professor named Rose, who on a given night faces a decision whether to finish grading papers or to watch TV. Since this world is psychologically indeterministic, it is compatible with Rose's psychological history and all psychological laws that she choose either option. Say God created the world in which Rose turns on the TV rather than grade papers; the question Wolf asks is 'Could she have graded her papers instead?' (p.104) In one sense it seems she couldn't, as God preordained all her actions, and thus it is impossible that she do anything else. However, Wolf's point is that in another sense - the 'sense relevant to an assessment of Rose's freedom and responsibility', we have no good reason to suppose she couldn't have chosen otherwise (p.104.) God's choice to create this particular world doesn't force or compel Rose - we have already seen that psychologically she remains undetermined. Wolf puts it as follows: 'Rose just does choose TV, then, and God, knowing that Rose will do this, chooses to create, or actualize, the world in which Rose exists.' (p.105) While it may be difficult to understand how God could know what would happen without also *making* it happen in a way which would preclude Rose's freedom, we need to remember that 'Omnipotence is not fully comprehensible.' (p.106) God just knows it will happen, in a way that doesn't determine her psychologically to choose one option or the other.

Admitting that stories which appeal to God, and in particular to God's incomprehensibility, may not find favorable reception among contemporary readers, Wolf goes on to elaborate on her story in a way that removes some of these more mysterious features. First, she asks us to consider the possibility that the 'best possible world' created by God could have various physical realizations. She sees no reason to suppose that worlds which are 'evaluatively equivalent' and 'exactly similar' at the psychological level of explanation might not still differ at the level of physics. (p.106-107) Given that this may be true, let us imagine that the world which God created turns out to be a physically determined world, and Rose's decision to watch TV is thus also physically determined. Does this physical determination give one a reason to think of Rose as no longer having a choice whether to grade papers or watch TV? While in one sense it seems that Rose couldn't do otherwise than she did, is this a relevant sense to the

assessment of Rose's responsibility? Wolf argues that in the relevant sense it is 'up to Rose'. Rose is not coerced, forced, or otherwise compelled. While we might be tempted to think she is in fact forced by the physics of the world she lives in, this way of thinking is not compulsory. Why not imagine the physics following out her decision, as the physical realization of her free choice? Wolf challenges us to examine why we believe, without argument, that the physical level of explanation should be viewed as more basic than the psychological level. She discusses the relevance of her challenge on p.111:

'If one holds firmly to the belief that the psychological level of explanation is as basic as or more basic than any other level of explanation with respect to Rose's action, then, the ability to do otherwise relevant to an assessment of Rose's freedom and responsibility seems to be discernible at the psychological level of explanation alone.... it seems to me that she *can* (is able to) grade papers in any sense that might be relevant to an assessment of her freedom and responsibility.' (p.111-112)

It is for these reasons that Wolf holds that psychological, rather than physical, determinism is what poses a threat to freedom. Once we come to see that the psychological level of explanation doesn't have to be considered less basic than the physical, we can apply this insight to our own world, which may not be the best possible one, and which may not be created by an omnipotent God. The 'moral' of her story is that 'the psychological ability to do otherwise is all the ability it makes sense for someone to care about'. (p.112) If psychological determinism is false, as it appears to be, then we as agents seem capable of possessing the relevant psychological abilities for freedom, regardless of the truth of physical determinism.

Compatibilists, such as Dennett, also believe freedom to be compatible with physical determinism, but for importantly different reasons. Dennett argues that the ability required for freedom is the same ability required by any object in the natural world: a purely epistemic ability that is not at odds with any form of determinism.² Wolf, feeling the force of the incompatibilist intuition we considered earlier, argues explicitly that she is requiring more than mere epistemic ability. She presents the example of a son of a Mafia don who decides to follow his father in a life of crime. This son, Tony, believes that he has made a free choice to remain 'in the life', but unbeknownst to him his choice was actually psychologically determined by an unconscious fear of his father's wrath. Though Tony could be said

² Daniel Dennett, *Elbow Room* (Cambridge: The MIT Press, 1984). 147. A larger version of this contribution includes an in depth comparison of Dennett's and Wolf's positions.

to be epistemically free, this freedom does not seem substantial enough to regard Tony as fully responsible for his choice:

'...he wasn't *really* able to choose anything else, in a sense that is relevant to assessments of freedom and responsibility... Although Tony is, if you like, epistemologically free to choose otherwise, he is not psychologically free to choose otherwise, and therefore is not fully responsible.' (p.113)

Wolf sides with Austin instead of Dennett in agreeing that, in the context of attributions of moral responsibility, we require a different ability than one sufficient for describing atoms or computers. The ability necessary for agency is one that presupposes a substantive notion of possibility. We have seen that it is not mere epistemic possibility, but neither is it the physical possibility required by some incompatibilists. Instead, Wolf has argued that what we require is psychological possibility, and with it the psychological ability to do otherwise. Upon reflection, we should realize that this is what we actually desire: 'I believe that psychological freedom is what incompatibilist intuitions, sympathetically understood, are about.' (p.113) She has further claimed that we have no good reason to think the ability necessary for this freedom is inaccessible - psychological determinism appears to be false, and the psychological level of explanation can reasonably be viewed to be as basic as the physical level.

Whether Wolf's interpretation of incompatibilist intuitions, and her shift of emphasis from physical to psychological ability, is correct seems to depend upon whether she is justified in her claim that the psychological level of explanation can be viewed to be as basic or more basic than the physical level. More than freedom seems to hinge on this possibility, as she acknowledges at the end of her chapter:

'It is worth pointing out that if, nonetheless, there turn out to be reasons to take physical facts and explanations more seriously than psychological ones, if the physical level of explanation turns out to be more basic, more deep, more real than the psychological one, this would call into question a good deal more than an agent's ability to act according to Reason (especially at a time when she in fact fails to do so). It would call into question the status of the very language of ability, choice, and human agency. It would call into question not only the possibility of a *free* will, but the very meaningfulness of describing events in terms of wills, or even persons, at all.' (p.116)

Considering the importance, then, of securing the independence of the psychological, it is somewhat surprising that Wolf doesn't present more of an argument. Her story, with its reliance on God and his omnipotence, seems only to show that a scenario where the psychological level is more basic is *conceivable* - it does little to convince the reader that *our world* is

of this kind. It is an important feature of her story that we are to picture God deciding on Rose's psychological freedom first, and the physical realization second. As with most stories, we are willing to employ some suspension of disbelief: we accept that God can coherently conceive of Rose as having a form of purely psychological freedom floating free from a physical base. It is then a short step to agreeing that it seems unimportant that Rose's psychology has a particular physical realization, or that that realization is deterministic in nature.³ After all, since God decided on Rose's freedom beforehand, the physical realization can't be all that important, can it? We are lead into a conception of the psychological as strongly independent of the physical, in the sense that the physical is almost an afterthought, based on a contingent decision by God on how to realize the psychological agency that he thinks should be a part of the best of all possible worlds.

III

While this story may incline one to think that the psychological can be conceived as more basic than the physical, when one examines *our* world skepticism can arise. Many people, particularly those with incompatibilist intuitions, naturally tend to assume (or at least suspect) that in this world the physical level is significantly more basic than the psychological. Without faith in an omnipotent God who has the power to secure our freedom, our naturalistic conception of the world would seem to offer little assurance that the psychological level of explanation is as 'real' as the physical. Even the thought of a psychological level of explanation that is separate from the physical level seems open to question. If one does accept the distinction between levels, the issue of their relationship seems acute. Given the influence of science on our conception of the world, the physical level is commonly viewed as the ultimate level of reality, with a firmer ontological status than the psychological. In short: we need an argument

³ One might object that the crucial aspect of Wolf's story is the divine foreknowledge, which corresponds to the physical determinism later employed. I do not believe the divine foreknowledge present in her story to be particularly problematic. (For a convincing argument that foreknowledge alone doesn't interfere with freedom, see Alvin I. Goldman, *A Theory of Human Action*, (Englewood Cliffs: Prentice-Hall, 1970) 186-196. Stronger arguments offered by Goldman regarding determinism are not as convincing.) If one has independent reasons for believing he/she is free, then foreknowledge alone doesn't block freedom. The problem with the secularization of Wolf's story is that we lose an important reason for thinking we are free: namely, God setting up the world with our freedom in mind. What we have instead is a mechanistic conception of the world which itself, regardless of whether it is completely deterministic, poses a threat to our belief that we are free and responsible.

why *in this world* we shouldn't view the psychological as arising out of the physical in such a way as to comprise its reality and thus its independence.

While Wolf does not offer much further argument, she does offer a kind of assurance:

'Though the very ideas of different levels of explanation and, more specifically, of a psychological level that is neither in principle reducible to nor eliminable by physical explanations are matters of controversy, these ideas have many able proponents working to clarify and defend them against objections.' (p.109)

Wolf goes on to admit that her conception of one level of explanation being as basic as another is somewhat vague, but she hopes that 'an intuitive grasp of these concepts will suffice' (p.109). In the passage above, she does explicitly mention the irreducibility of the psychological level as being relevant to our viewing that level as basic. She doesn't name any specific 'proponents', but such philosophers as Fodor, Block, and Putnam have all argued along these lines.⁴ Since Brentano, the irreducibility of intentional idioms to the level of physical explanation has been one of the more popular and important positions in contemporary philosophy of mind.

If the irreducibility of the mental is a respected position within philosophy of mind, it might seem unnecessary for Wolf to argue for it within her own book. It is pertinent, however, that this thesis has rarely been argued for in order to secure freedom. Instead, many of its key proponents have adopted it in large part as a consequence of their holding a functionalist account of the mind. With the rise of functionalism, psychological explanations came to be considered a sub-class of functional explanations, and thus different in kind from the type of explanations given by physics.⁵ This difference is a result of the nature of functional explanations: One functional state may have several different physical realizations, e.g. several mouse-traps might function identically yet be composed of different materials. Accordingly, functional explanations are held by some to be in principle not reducible to physical explanations. This has lead philoso-

⁴ See, for example, Jerry A. Fodor, 'Special Sciences, or The Disunity of Science as a Working Hypothesis' and Hillary Putnam, 'Philosophy and Our Mental Life', both in Ned Block (ed), *Readings in the Philosophy of Psychology, Volume 1*, (Cambridge: Harvard Univ. Press, 1980).

⁵ Referring to simply 'physical explanation' here would be importantly vague, as many 'physical' explanations, such as those given in biology, are considered functional in nature.

phers such as Putnam to claim that the functional nature of the mental realm allows it to be considered 'autonomous' from the physical.⁶

Is this 'autonomy of the mental' strong enough to allow persons the autonomy necessary for responsibility? Here is the concern: If the irreducibility of the psychological level of explanation is due to the functional nature of such psychological explanation, then this same irreducibility is presumably shared with other types of functional explanation, such as the explanation of the functioning of a mouse trap. (Assume for purposes of argument that a functional explanation of the mouse-trap could also be indeterministic.) Wolf has said: 'Epistemological freedom, we might say, is only apparent freedom. By contrast, psychological freedom is real' (p.113). She acknowledges, however, that for psychological freedom to be real the psychological level of explanation itself must be viewed as real. She has suggested that the irreducibility (along with the indeterminacy) of psychological explanation is necessary in order for us to conceive of the psychological as being as 'real' as the physical. However, if the irreducibility, and thus the 'reality', of the psychological level is ensured by its functional quality, it would appear that other functional levels of explanation could also be considered to be equally 'real'. How then, does this kind of reality allow a non-epistemic freedom?

We don't want to attribute the same kind of ability to mouse-traps that we reserve for moral agents, yet on a functionalist account of the mind it is unclear how we could relevantly distinguish between the two. Wolf might argue that it is the intentional aspect of psychological explanation, the capacity to follow reasons, which the agent has and the mouse-trap does not. The question then becomes: what about the capacity to reason matters here? Wolf wouldn't want to claim that a chess-playing computer ever possesses the non-epistemic ability necessary for moral responsibility, but if the intentional explanation of such a computer was indeterministic and irreducible to physical explanation, the requirements she has specified seem to be met. Wolf's position apparently needs an account of what it is about *psychological* intentional explanation in particular which allows freedom. However, it is questionable whether functionalism could provide this.

Dennett and other compatibilists have been sympathetic to functionalism, and yet they presumably see it as offering only epistemic ability to the mouse-trap, the computer, and the moral agent. Wolf wants the psychological level of explanation to allow more than epistemic ability, but it remains problematic how an irreducibility that is derived from functionalism could allow for a more substantial notion.

⁶ Hillary Putnam, 'Philosophy and Our Mental Life', 139. My thoughts here on Putnam and functionalism were aided and improved by a discussion with Peter Achinstein.

Such irreducibility certainly gives psychological explanation a kind of independence, i.e. it can't be reduced to a more basic level of explanation. Accordingly, Putnam might be right in arguing that functionalism allows the mental realm 'autonomy'. But we must remember the context Wolf is concerned with - namely, the justification of attributions of moral responsibility. When the irreducibility provided by a functionalist account is viewed in this light, with these concerns in mind, it is not so clear that the autonomy provided is autonomy enough.

IV

These comments on irreducibility and functionalism are obviously brief and do not constitute any kind of refutation of Wolf's view, even if such functional accounts were the only kind available to her. However, there are other accounts of the irreducibility of the mental which are not strictly functional in nature, and it may be that one of them provides the kind of autonomy of the mental sufficient for the psychological ability we require. (This is a point I will return to later.) Nevertheless, our discussion of functionalist accounts should arouse suspicion that conceiving of the mental as autonomous enough for freedom may require a fuller account of the relationship between the psychological and the physical than the kind Wolf gestures at.

John Searle, in *Minds, Brains, and Science*, expresses further doubts that our conception of the relationship between the physical and the psychological can be of the kind which would secure freedom.⁷ While he does not explicitly discuss Wolf's view, Searle's concerns parallel many of the worries I expressed earlier regarding Wolf's story of Rose. Searle acknowledges that psychological determinism appears to be false, and that 'psychologically speaking, there is scope for human freedom' (p.91), but he ultimately thinks that this scope provided by the indeterminism of psychological explanation isn't enough to satisfy our ordinary conception of free will. His reasoning is based on his belief that we rely importantly on 'bottom up' explanations: we explain a surface feature, such as the solidity of a rock, in terms of the relation and behavior of smaller particles, such as molecules. (p.93) Searle thinks this is also the manner in which we view mental features, i.e. as explainable in terms of neurophysiological phenomena.

⁷ John Searle, 'Freedom of the Will', *Minds, Brains, and Science*, (Cambridge: Harvard Univ. Press, 1984) 86-99. Future citations will refer to page number only.

He summarizes his position on p.94:

'The form of determinism that is ultimately worrisome is not psychological determinism. The idea that our states of mind are sufficient to determine everything we do is probably just false. The worrisome form of determinism is more basic and fundamental. Since all the surface features of our world are entirely caused by and realized in systems of micro-elements, the behavior of micro-elements is sufficient to determine everything that happens. Such a 'bottom up' picture of the world allows for top-down causation (our minds, for example, can affect our bodies). But top-down causation only works because the top level is already caused by and realized in the bottom levels.'

Searle concludes that our bottom-up conception of physical reality, which we are in no position to abandon, conflicts with our conception of ourselves as free agents, which we may be psychologically unable to give up. Our conception of the mental as supervenient on the physical is by itself sufficient to create this conflict - the reducibility of the mental to the physical need not also be true. Psychological possibility is not sufficient, on his view, as long as we view the psychological as arising out of a more basic physical level. Given this relationship, we then seem to require a kind of physical possibility that we cannot possibly make sense of within our scientific account of the world.

Because our scientific understanding leads us to conceptualize the psychological in such a way that it is dependent on the physical, the psychological ability to do otherwise appears insubstantial. The suspicion again arises that it is merely another form of epistemic, rather than real, ability. The fear is that the distinction between the merely epistemic freedom available to Tony, who doesn't realize he is psychologically determined, and Rose, who is psychologically free, though not physically free, should be seen as one of degree rather than kind. Unless psychological ability can be viewed as basic, in a way which Searle apparently believes is incompatible with our modern conception of the world, it risks being diminished to only another 'apparent' ability.

So here we have someone who, like Wolf, considers the idea of psychological indeterminism as allowing freedom, but who rejects this, on the grounds that the psychological level, even though irreducible, can still not be viewed, in our world at least, as basic enough to avoid the threat from physical determinism. Perhaps what this debate points to most clearly is the general need for further work to be done. Most writings on the relationship between levels of explanation do not focus on how the relationship is relevant to our conception of ourselves as free and responsible. On the other hand, most writings on free will tend to ignore the more basic issue of the relationship between the physical and the mental. One of the

virtues of Wolf's treatment is that she explicitly considers this rather crucial connection between traditional problems in the philosophy of mind and the problem of freedom and moral responsibility. Whether she is ultimately correct in shifting our focus to the psychological level of explanation will perhaps only be determined by looking further at the status of this level, and looking at it with human freedom specifically in mind.

I would like to end this contribution with a suggestion regarding where one might look for the resources that would allow for a fuller defense of a Wolfian view. Donald Davidson has offered his own non-functional arguments for the irreducibility of the mental to the physical, and unlike most functionalists, he has offered these arguments with a concern for human agency and freedom. While this aspect of his view is often overlooked, he is quite explicit about it in his conclusion to the now classic 'Mental Events', stating that he sees himself as sharing Kant's concerns regarding agency. As he puts it: 'The anomalism of the mental is thus a necessary condition for viewing action as autonomous.'⁸ His defense of the autonomy of the psychological realm centers around the idea that psychological explanation relies on fundamentally different criteria than physical explanation. In interpreting an agent, we impose conditions of coherence, rationality, and consistency that 'have no echo in physical theory'.⁹ The 'disparate commitments' of the two different types of explanation block any reduction of the one to the other, and thus allow the psychological level of explanation an independence from the physical necessary for conceiving of ourselves as responsible agents.¹⁰

Davidson's views are highly controversial, but I think there is potential for progress here. The aspect of his philosophy of mind that is most criticized, his theory of mental causation, can be separated from his arguments for the anomalism of the mental, as Kim, Stoutland, and others have argued.¹¹ Once this is done, his apparently glib endorsement of compatibilism offered in 'Freedom to Act' can also be ignored, as it seems to arise

⁸ Donald Davidson, 'Mental Events', in *Essays on Actions & Events*, (Oxford: Clarendon Press, 1980), 225. Wolf herself might not approve of such a move: she has (in conversation) claimed to be skeptical with regard to the possibility of a successful Davidsonian account.

⁹ Donald Davidson, 'Psychology as Philosophy', also in *Essays on Actions & Events*, 231.

¹⁰ Donald Davidson, 'Mental Events', 222.

¹¹ See in particular Jaegwon Kim's essay 'Psychophysical Laws', in *Supervenience and Mind*, (Cambridge: Cambridge University Press, 1993) 194-216, and Frederick Stoutland's essay 'Davidson on Intentional Behavior', in *Actions and Events*, Le Pore, Ernest, and McLaughlin, B. (Eds.), (Oxford: Blackwell Publishers, 1985), 44-59. I have found Kim's essay particularly helpful for understanding Davidson's view, though Kim also makes clear that more work needs to be done in order to secure a Davidsonian position against criticisms from Quinean eliminativists.

as a consequence of his views on mental causation.¹² What we are left with is still a powerful non-functionalist account of why the psychological must be independent of the physical. Though many problems and controversies remain, it is my belief that a fuller Davidsonian defense of psychological explanation would cohere nicely with Wolf's account of ability and responsibility.¹³ If a substantive account of the autonomy of psychological explanation can be achieved, a convincing argument for the reality of our freedom may follow. I hope this contribution has helped to further pave the way for such an argument.

¹² See p. 63 of 'Freedom to Act', in *Essays on Actions & Events*.

¹³ One obvious question would be whether a Davidsonian position could adequately respond to Searle's worry that supervenience alone is enough to block psychological freedom from seeming real. Here I think much depends upon one's conception of supervenience, as Kim suggests in 'Psychophysical Laws', p.213, footnote 28. Davidson seems to endorse what Kim has called a 'weak' form of supervenience, and it appears as though Searle is working with a significantly stronger variety. Regardless of Davidson's actual view, a weak form of supervenience is, I think, necessary in order to make sense of Wolf's view. See in addition Kim's essay 'Concepts of supervenience', *Supervenience and Mind*, 53-79. Stoutland's essay 'Davidson on Intentional Behavior' is also relevant here.