

Chapter 9

Regretting the Impossible

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Contemporary philosophical discussions of free will are still largely structured around what Peter van Inwagen (1983) has called The Compatibility Question, where what is at issue is whether free will could exist in a deterministic universe. (If the universe is deterministic, then at any given moment there is only one physically possible future—namely, the one prescribed by the past and the laws of nature. And a world with free will, you might think, is a world where what I do next isn't prescribed by anything that isn't me.) A newcomer to the literature on free will could be forgiven for being puzzled by this framework, since standard interpretations of quantum mechanics have it that our universe is *not* deterministic. So why exactly should we care so much about The Compatibility Question?

But compatibility questions like this one aren't quite what they seem. The question of whether we could have knowledge of ordinary truths if all our experiences were instilled by a Cartesian demon, for example, doesn't depend for its force on our believing that such a demon exists. This is because what the question is *really* about, after all, is the nature of knowledge itself, and perhaps we can get knowledge to reveal a bit about itself if we put it into extreme conditions. I think we might say something similar about the question of determinism and free will. Our interest is in the nature of free will itself, and asking The Compatibility Question may be a particularly fruitful means of getting straight to the heart of the matter.

I mention all of this because in what follows I plan to examine a related compatibility question, one that is discussed at length in William James's 1897 essay, "The Dilemma of Determinism." James's avowed aim in that essay is to examine the "implications" of determinism, and to show, in particular, that if determinism is true, then we are caught in an uncomfortable dilemma. The dilemma is a complicated one (in part because one of its horns

has two branches), and I'll spell it out more carefully in the next section. But for now, let me just point to the horn that will be our primary object of concern, which is this: if determinism is true, then no one can ever rationally regret anything that has ever happened. I suppose this view could be called *incompatibilism* about determinism and rational regret, and James's commitment to this view is one of the things that moves him to espouse an indeterministic view of the universe, what he calls "the free-will theory of popular sense based on the judgment of regret" (James 1956: 176). The consequences of determinism, in James's view, are just too extreme; they "violate my sense of moral reality through and through" (James 1956: 177).

But the issue of the truth of determinism is not the only lens through which I want to approach James's essay today. I'm also interested in the nature of *regret*, and I'm hopeful that the question of whether determinism is compatible with rational regret might give us a fruitful context in which to think about what regret involves. James's argument that determinism is incompatible with rational regret depends not only on a particular conception of determinism, but also on a particular conception of regret, one that I think is problematic. So, in what follows I plan to use James's argument as an occasion for thinking carefully about this common but obscure attitude.

Let me begin by giving a bit more of the context. I mentioned above that the eponymous dilemma is a complicated one, and this is because it is actually two nested dilemmas. In the final analysis, James thinks that accepting a deterministic worldview leads either to *pessimism* or *subjectivism*. Since neither is acceptable, James rejects the deterministic worldview. In brief, here is a reconstruction of James's reasoning.

By "pessimism," James has in mind the view that the universe is doomed to contain some things that it ought not to contain. If, on the one hand, we maintain that a deterministic world would still contain moral wrongdoing, then we have to think of moral wrongdoing as an inevitable (because determined) component of the universe. This is a sort of pessimism because it involves viewing the universe "as an organism whose constitution is afflicted with an incurable taint, an irremediable flaw" (James 1956: 162). We might escape this variety of pessimism by maintaining instead that a deterministic world would not contain any moral wrongdoing, and hence that our judgments of regret are always and everywhere unfitting (since they contain as a constituent judgment that their objects ought not to have been, which judgment implies the existence of an alternative way the world could have unfolded, whose existence is precluded by the truth of determinism).¹ But this is also a sort of pessimism, since it involves viewing our unfitting judgments of regret as themselves an inevitable (because determined) component of the universe. So, determinism is supposed to imply pessimism because it implies that we

must view the universe either as containing inevitable instances of wrongdoing, or else as containing inevitable instances of irrationality. As James puts it: "[The deterministic world] must be a place of which either sin or error forms a necessary part" (James 1956: 164).

There is one way to escape the pessimism, and it is to take the view that James calls "subjectivism." On this view, although our judgments of regret are unfitting (i.e., they inaccurately represent the world as a world that could have been different), they are not *flaws* in the world, because

what happens [in the universe] is subsidiary to what we think or feel about it. Crime justifies its criminality by awakening our intelligence of that criminality, and eventually our remorse and regrets; and the error included in remorse and regrets, the error of supposing that the past could have been different, justifies itself by its use. (James 1956: 165)

I confess to not entirely understanding the subjectivist view,² which is why I have opted for that extended quotation from James himself. As far as I can tell, nothing in what follows will depend on it, since we will focus our attention exclusively on the *pessimism* horn of the dilemma. James claims that subjectivism is preferable to pessimism, but since subjectivism is also out of the question—it leads to "the fatalistic mood of mind" and "ethical indifference" (James 1956: 171)—he is forced to reject the assumption of determinism, which led us into the dilemma in the first place.

But as I've already emphasized, I'm less concerned with the dilemma itself and more concerned with its ingredients. In particular: I think there is more to be said in favor of *compatibilism* about determinism and rational regret than James acknowledges. And so I'll try to say it, which will require me to look closely at the thesis of determinism and at the nature of regret. I hope that the result will be not only an avenue of escaping James's dilemma, but also clarity about the metaphysical and ethical issues at stake.

To focus ideas, it will help to regiment James's reasoning in the form of an argument. Doing so will allow us to see precisely where the compatibilist³ might try to resist. Here's how I think it goes (James 1956: 161–162):

1. To regret something is, at least in part, to judge that it ought not to have occurred—that is, that something else ought to have occurred instead.
2. But it's true of an occurrence that it ought not to have occurred only if it was possible for something else to have occurred instead.
3. If determinism is true, then no occurrence is such that it's possible for something else to have occurred instead.
4. So, if determinism is true, then no occurrence is such that it ought not to have occurred.

5. So, if determinism is true, then any token of regret incorporates a false judgment.
6. An attitude is rationally held (or "fitting") only if it does not rest on a false judgment.
7. So, if determinism is true, then every token of regret is irrational (or "unfitting").

As I see it, the first three premises are the ones to focus on.⁴ (4) follows validly from (2) and (3); (5) follows validly from (1) and (4); (7) follows validly from (5) and (6); and (6) is intended to be an uncontroversial (partial) spelling out of what it means for an attitude to be rationally held. (Compare: to the extent that fear represents a nondangerous reality as dangerous, and hence is unfitting, the fear is irrational.) So, what can be said on behalf of the first three premises?

Each premise is appealing, and you can see their appeal by imagining that you are the narrator in Robert Frost's well-known poem, "The Road Not Taken."⁵ There you are, standing in the middle of the woods, having come to a halt at the divergence point of the two footpaths on whose shared segment you have just recently been walking. You know (because you know how "way leads onto way") that whichever path you choose; you won't be able to come back to try the other. So, you choose (for whatever or no reason—the narrator in fact doesn't seem to have one), and that choice shapes your life (as choices tend to do). Now, go beyond the poem and imagine that the path you chose led to something that you regret. Perhaps while on that path you met a professional philosopher and the two of you had such a compelling conversation that you decided to go get your doctorate, but now, ten years later, you are frustrated and fed up with how difficult it is to land a tenure-track job, and you find yourself regretting that you ever walked down that fateful path. Had you taken the other path instead, you think, you would have gone on to be a professional brewer, which was your original plan.

Now, with something like this scenario in mind, think back to the first three premises in the argument. Premise (1) says that part of what constitutes your regret is the judgment that you ought to have walked down the other path instead. That seems right. Perhaps regret is an emotion that involves more than just that judgment, but something like that judgment at least seems to be involved.⁶ Regret is often expressed, after all, with phrases like, "You know, I really shouldn't have done that." Premise (2) is a bit abstract, but in this particular context, we can motivate it by imagining a slight alteration in your wooded walk. Rather than having hit a fork in the road, imagine instead that the path never diverged, so that there was in fact nowhere you could have turned off to avoid having that conversation with the philosopher. Imagining that altered situation, doesn't the judgment that you ought to have taken a

different path dissolve? After all, there *was* no other path. Finally, premise (3) says that if determinism is true, then in the entire history of the universe (including the future relative to where we are now), there has been (and will be) only one unified path, utterly without forks.

If there are no forks in the path, and regret involves a judgment that implies the existence of forks, then regret is irrational. And that, I take it, is James's case for incompatibilism about determinism and rational regret. What should we make of the case?

Let me start by making a few remarks about premises (2) and (3) and their interaction. I said above that if determinism is true, then the universe contains no forks. But that was sloppy, because there are at least three things that would count as a universe containing no forks, and although James doesn't clearly distinguish between them, only one is a consequence of the thesis of determinism.

One way the universe would contain no forks is if, properly speaking, the phrase "the universe" denotes a four-dimensional spatiotemporal "block" that contains not just what is happening right now, but also everything that ever has or ever will happen. Imagine it, if you like, as a loaf of bread sliced up into continuum-many slices (one for every moment of time), where the heel on the left is the moment of the Big Bang and the heel on the right is the moment (if such a moment there will be) of the Big Crunch. If the universe *just is* the four-dimensional object that has among its parts everything and everyone that ever has, does, or will exist, then the universe contains no forks. From the God's-eye perspective, so to speak, it's not as if reality has a branching structure, where the branches are ways things *could go but won't*. And that's because from the God's-eye perspective, every event is (tenselessly) happening. This view of the universe is often called *eternalism*.⁷

And James does seem, at points, to have the eternalist block universe in mind as he writes. For example, toward the end of the essay (James 1956: 181) we read the following in a footnote:

And is not the notion of eternity being given at a stroke to omniscience only just another way of whacking upon us the block-universe, and of denying that possibilities exist?—just the point to be proved. To say that time is an illusory appearance is only a roundabout manner of saying there is no real plurality, and that the frame of things is an absolute unit. Admit plurality, and time may be its form.

In the context of the essay, what James means when he exhorts us to "admit plurality" is that we have reason to believe that determinism is false, and that instead there are the sort of "real possibilities" that are required for the

rationality of regret. So, it seems clear here in this passage that he thinks a “block universe” is a deterministic universe.

But this is false. It is possible to be an eternalist about time—to think that everything that ever did, does, or will exist, does (tenselessly) exist some-when—and yet reject the thesis of determinism. How? By recognizing that eternalism is merely the thesis that all the slices of the block *exist* whereas determinism (as applied to a block universe) is a thesis about the *connections between* the slices. In particular, determinism is the thesis that all the information about what’s happening in one slice *can be derived from* the information about what’s happening in any other slice, a derivation that would proceed (roughly) by plugging the information about one slice into the antecedents of the conditionals that express the laws of nature, and then simply applying *modus ponens*.⁸

James himself recognizes this extra feature of determinism, but perhaps doesn’t see how it can be separated from eternalist block universe. James says (James 1956: 150),

What does determinism profess? It professes that those parts of the universe already laid down absolutely appoint and decree what the other parts shall be. The future has no ambiguous possibilities hidden in its womb: the part we call the present is compatible with only one totality. Any other future complement than the one fixed from eternity is impossible.

Note the talk of “decreeing” and “fixing.” It is true that determinism is a thesis about how certain slices of the universe “decree,” with the help of the laws of nature, what happens at other slices. But endorsing the mere existence of these other slices does not commit one to thinking that they stand in the “decreeing” or “having been decreed” relations.⁹ Moreover, merely endorsing the existence of those other slices does not commit one to thinking that *no other slices could have existed*—that is, that there are no real possibilities. The block universe is how the universe did, does, and will unfold; that it’s a block doesn’t entail that it couldn’t have been constituted by different slices (or that “the universe” couldn’t have referred to a different block). To think otherwise would be to conflate “will” with “must.”¹⁰

So, the universe might be forkless because the future—the one future—might be a part of reality. (One is tempted to say that the future is *already* a part of reality, which would be fine so long as one keeps in mind that this means only that it’s now true that the future exists, even though it’s not true that the future exists now.) But that sort of forklessness is consistent with claims about possibilities.

These reflections reveal another route to a forkless universe, though, which is to adopt *necessitarianism*, the view (often thought to be championed by

Spinoza) that every truth is necessarily true. According to this view, there is no other way our universe could have unfolded other than the way it in fact unfolded (or will unfold). Again, if we use the block universe as a heuristic, then the necessitarian will say that the block couldn’t have contained any other slices. You think you could have had toast rather than cereal for breakfast this morning, but you’re wrong. You think you could have refrained from making that snide remark about your colleague last week, but you’re wrong. According to the necessitarian, no fact could have been otherwise.

James sometimes talks as if he thinks the determinist is committed to necessitarianism, as when he says (James 1956: 151–152),

Determinism . . . says that [possibilities] exist *nowhere*, and that necessity on the one hand and impossibility on the other are the sole categories of the real. Possibilities that fail to get realized are, for determinism, pure illusions: they never were possibilities at all . . . Both sides admit that a volition, for instance, has occurred. The indeterminists say another volition might have occurred in its place: the determinists swear that nothing could possibly have occurred in its place.

But determinism is a more restricted (and less implausible) thesis than necessitarianism. Again, the thesis of determinism tells us that there is only one future that is consistent with the way things have gone, holding fixed the laws of nature. But that doesn’t mean that there are no other possible futures consistent with the way things have gone; it’s just that those other futures will be futures in possible worlds that have different laws. And determinism doesn’t mean that there are no possible futures consistent with our laws of nature; it’s just that those other futures will be futures in possible worlds that have a different past. In general, the determinist can grant that the world could have been different in many ways. The only thing they insist on is that all of those possibilities either have different laws of nature, or else a different past.

Which brings us, finally, to the third way in which the universe could be forkless, the determinist way. According to the determinist, if you plant your feet firmly here in the present and look futureward, holding fixed everything that has already happened and the laws of nature, then “the future has no ambiguous possibilities hidden in its womb” (James 1956: 150). That’s because, according to the determinist, the present state of things contains sufficient information to allow us to deduce all future states of things, using the laws of nature as our major premise. The thesis of determinism is, in fact, usually stated with a box out front, as a matter of *entailment* between past and laws, on the one hand, and future states of the world, on the other. And so, there is a real sense in which if determinism is true, the actual future is

the only possible future—that is, the only way the universe could unfold that is consistent with the conjunction of the laws and the past.

This sense of forklessness is somewhere in between eternalism and necessitarianism. For the eternalist, the universe has no forks because what *will be* already *is*. But other things *could have been*; and moreover, there may be no “decreeing” relation between today and tomorrow. For the necessitarian, the universe has no forks because nothing else *could be*, full stop. The one way the universe will unfold is the only way any universe could have unfolded, since ours is the only one possible. For the determinist, the universe has no forks because nothing else *could follow what has already happened without a miracle*. The one way the universe will unfold is the only way *a universe with our laws and past* could unfold.

I’ve belabored these distinctions because I think making them calls James’s argument into question. Recall again premises (2) and (3):

2. But it’s true of an occurrence that it ought not to have occurred only if it was possible for something else to have occurred instead.
3. If determinism is true, then no occurrence is such that it’s possible for something else to have occurred instead.

Premise (2) is the claim that “ought not” implies “possibly not,” and premise (3) is the claim that determinism is incompatible with “possibly not.” But these two premises will only work together to generate a valid argument if the sense of “possibly not” is held fixed. What that means is that to have any hope of making premise (3) true, and of using premise (3) together with premise (2) to generate a valid argument, both premises have to be made precise as follows:

2. But it’s true of an occurrence that it ought not to have occurred only if it was possible for something else to have occurred instead, *holding fixed the actual past and laws of nature*.
3. If determinism is true, then no occurrence is such that it’s possible for something else to have occurred instead, *holding fixed the actual past and the laws of nature*.

As we’ve seen from above, the qualification “holding fixed the actual past and the laws of nature” is needed to get premise (3) to express a truth, but then that qualification must also be added in premise (2) to preserve the validity of the argument. But the problem is that the revised version of premise (2) no longer enjoys the intuitive support that the original version did.

Recall that the original premise was supported by the thought that when we judge of some occurrence that it ought not to have happened, we seem to be

saying (in part) that *something else* ought to have happened instead. So, we seem to be committed to there being a *something else* that *could* have happened instead. And if it were to turn out that what happened *had to happen*, then plausibly we would rescind our judgment that it should have happened differently. Because in that case, there would be *nothing at all* that we could point to and say that we wished *that thing* had happened instead. By hypothesis, there is no such thing.

But now this revised premise is compatible with there being *something else* that could have happened instead; it’s just that the something else in question couldn’t be seamlessly woven into the fabric of the universe as it is currently constituted. In order for it to have happened, the past would have to have been different, or the laws would have to have been different. But nevertheless, this alternative course of events is “out there,” in logical space, staring back at us as we wish that it were actual. Given its presence in logical space, it’s no longer clear why it can’t serve as the witness for our claim that something else (namely, *it*) ought to have happened instead.¹¹

So, to put it succinctly: the worry is that premise (2) is plausible only if we take the relevant lack of possibility as lack of possibility *tout court* (thinking like a necessitarian), and premise (3) is plausible only if we take the lack of possibility as lack of possibility *given the past and laws*. The slide between these two perspectives is what lures us into the argument, but it’s a trick.

Let me move now to premise (1), the claim that regret involves a judgment that the thing regretted ought not to have occurred. In his essay, James often uses morally wrong actions as examples of events that ought not to have occurred, and then he uses a premise he thinks he has established—namely, that if determinism is true, then no event is such that it ought not to have occurred—to argue that if determinism is true, then it is irrational to regret actions that appear to be morally wrong, since they would not in fact be morally wrong. This chain of reasoning would only be valid, of course, if rational regret required a belief that the regretted event ought not to have occurred. And James relies explicitly on that presupposition (James 1956: 163–164):

Our determinism leads us to call our judgments of regret wrong, because they . . . [imply] that what is impossible yet ought to be When murders and treacheries cease to be sins, regrets are theoretic absurdities and errors. The theoretic and the active life thus play a kind of see-saw with each other on the ground of evil. The rise of either sends the other down. Murder and treachery cannot be good without regret being bad: regret cannot be good without treachery and murder being bad.

In other places, though, he makes clear that determinism would render regret irrational not just with respect to (seeming) moral wrongs, but also with

respect to any events that—in some broader sense, presumably—ought not to have occurred. For example, (James 1956: 159–160):

Hardly an hour passes in which we do not wish that something might be otherwise . . . Now, it is undeniable that most of these regrets are foolish . . . Even from the point of view of our own ends, we should probably make a botch of remodeling the universe. How much more then from the point of view of ends we cannot see! Wise men therefore regret as little as they can.

Here it seems clear that James's target is not just regret of (apparent) moral wrongdoing, but also regret of any action that we think the universe (or we) would be better off without, and so "ought not to have happened" in a sense that is broader than morality. So, the judgment that James thinks is involved in regret is something like this: *it (my life, the universe?) would be better had this event not occurred.*

This more general interpretation of the judgment involved in regret still allows James to run his argument. After all, if the judgment is true, then it seems to follow that something else could have happened instead (namely, the state of affairs that "would be better"), and it is just this possibility claim that James thinks is ruled out by the truth of determinism. But is James right to think that regret involves a judgment that it would have been better had the event regretted not occurred?¹²

A reason to think no such judgment is involved: often our mistakes have consequences we wouldn't wish away, and often these consequences wouldn't have existed but for the mistake.¹³ And yet we can still regret the mistake. For concreteness, let me give a case from my own life.

In 2009, my wife and I bought a house in Williamsburg, Virginia. This was right after the 2008 financial crisis, and we thought that it would be a good time to take advantage of the drop in housing prices (not to mention a rebate for first-time home buyers that President Obama was offering). A bigger part of the reason for buying a house, though, was simply that we were tired of renting a small apartment. In retrospect, we realize the beliefs on which we based our decision to buy a house were unjustified, and after we settled into our house the market took another downturn and we ended up in a situation from which we were able to extricate ourselves only by paying a rather large sum of money. So, we regret deciding to purchase our house in 2009.

On the other hand: it's almost certain that our 6-year-old daughter would not exist had we not purchased our house in 2009. After we settled into our new house, we decided to try to start a family, but that project had to be put on hold for a few months after my wife fell down the stairs to the laundry room and broke her foot. (She would need X-rays as it healed; hence wouldn't want to be pregnant.) So, our daughter—that very individual—would not have

existed had my wife not broken her foot, which she wouldn't have done had we not purchased that house in 2009.¹⁴

Given the counterfactual dependencies here (and these sorts of connections are all around us), am I now under any rational pressure to withdraw my regret about purchasing that house in 2009? I can't see why I would be. At least, I can't see why I should be tempted to withdraw my regret unless I had some theory about regret working in the background that I was attempting to accommodate. And I think there is a "folk theory" of regret that is often working in the background when people reflect on their past, and that attracts them to the cliché that we shouldn't regret anything that has happened because everything that has happened has made us into the person we are today. (Just do a Google image search on the phrase "no regrets" to see what I mean.) I guess the thought is supposed to be that affirming your life as it is today requires affirming the road that led you to where you are, which requires affirming every step you took along that road, which precludes wishing any step were different, which precludes regretting any of the steps.¹⁵

I think each link in this chain of inferences is questionable, but I just want to focus on the last. In some legitimate sense, I don't wish that we hadn't bought our house in 2009, since my daughter's very existence seems to depend on that particular lapse of judgment. But I do regret buying the house. In what, then, does my regret consist, if not something like a judgment that things would have been better had they gone differently?

Here I think there are several possible directions we could go, all of which stay true the phenomenology of an episode of regret. For example: perhaps the judgment underlying my regret in this case is simply the judgment that I made a mistake, that I came to a particular conclusion without sufficient justification. Some mistakes enrich our lives; others don't. But a mistake's outcomes don't seem to affect its status as a mistake, and so don't seem to preclude the mistake-maker from regarding that mistake in the aversive way that is characteristic of the emotion of regret.

Or again: perhaps the judgment underlying my regret in this case is the thought that I wouldn't recommend that course of action to anyone else who was confronted with the same choice. I have in fact had many subsequent conversations with people who are considering purchasing a first home, and have reported my regret at the poor decision as a cautionary tale. Of course, no one has responded by asking whether I therefore regret having my daughter (nor should they, since that would seem to be a clear *non sequitur*).

Or again: perhaps the judgment underlying my regret in this case is the more complicated counterfactual judgment that I wouldn't make that same choice again if I were in that same situation again. *But surely you would*, the critic responds, *since your daughter's existence depended on it!* I reply: I think we're equivocating on the phrase "same situation." If I could time

travel back to 2009 and try to talk my younger self out of making that decision, would I? Of course not; besides being futile, I'm not interested in trying to secure for myself a life without my daughter. But surely *that's* not what I have in mind when I judge that I wouldn't make the same decision again in the same situation. I'm not holding *everything* about my present life fixed when I make relevant judgment. Let's try again: if God hit "rewind" on the universe, and then let the events of 2009 play out again, would I make the same decision? Well probably I would; after all, I did. But again, surely *that's* not what I have in mind when I judge that I wouldn't make the same decision again in the same situation. I'm not holding *nothing* about my present life fixed when I make the relevant judgment. Rather: when I make the judgment, I hold certain things about my past situation fixed, and I hold certain things about my present situation fixed.¹⁶ I don't hold fixed that my daughter was an indirect result of that decision; I do hold fixed that I am more knowledgeable today about purchasing a home than I was in 2009. So: knowing what I know now *about being a first-time home-buyer*, I wouldn't make the same decision again. That's a painful thought; I regret the past decision.¹⁷

But perhaps this just shows that I have saddled James with a view of regret that is stronger than he needs. His view, as we have reconstructed it, is that regret involves the judgment that it would have been better had the regretted event not occurred. But a more modest view would say that regret simply involves the judgment that the regretted event *might have gone differently*.¹⁸ This more modest view could still serve as an engine for James's argument: if James is right that determinism precludes possibility, then any judgments about how things *might have gone* will turn out false, regardless of how good things would have been in that alternative scenario. And, plausibly, the alternative judgments I have proposed above would all come out false if things couldn't have gone differently. After all: *would* seems to imply *could*, and *would recommend that you don't* seems to imply *you can refrain*, and *was a mistake* seems to imply *a correct answer was possible*.

But I'm skeptical even of this more modest view. One source of my skepticism is a conviction whose defense would take us too far afield, namely that some *per impossible* counterfactuals are true—or, if they can't be true, then they can have some other property that makes them potentially useful in practical reasoning.¹⁹ On this line of resistance, we could say that even if things *couldn't* have gone differently, we might nevertheless be able to assert a true counterfactual whose antecedent is "If things *had* gone differently . . ." If that's right, then we might be able to understand the judgment involved in regret as a counterfactual, one that would or could be true even if its antecedent is impossible. Perhaps we could even represent the judgment with a counterfactual that makes explicit its *per impossible* nature, something like: if only it had been possible for me to do otherwise, I would have.²⁰

But another way to go at this point is to complicate our picture of the attitude of regret. Up until now, we've been talking about the attitude as though it is a standard *emotion*, some combination of representational content that interacts with a value or desire to produce a negative affect. And we have been thinking of that representational content as something roughly belief-like; at least, as something that can be called "fitting" or "unfitting" based on whether it accurately represents the world. But perhaps the right way to think of regret is not as an emotion but rather as an attitude more like an *intention*. It wouldn't *be* an intention, of course, since intentions are directed futureward and regret is directed pastward, but regret might nevertheless involve the same sort of *commitment* that we often take to be involved in forming an intention to act.

This suggestion is pursued at length by R. Jay Wallace (though Wallace would disagree with my contention that I can rationally regret an event even when the existence of something to which I attach great importance (e.g., my daughter) counterfactually depends on the occurrence of that event). He says (Wallace 2013: 55–56),

My suggestion is that we should understand the element of preference that is involved in all-in regret in analogy with intentions to action To prefer on balance that things should have been otherwise in some respect is to have an intention-like attitude toward that prospect; one takes a definite stand on the question as to whether things should have been otherwise, and is committed to the answer that one thus affirms, in a way that resolves for oneself the question of whether things should or shouldn't have been otherwise in the relevant respect.²¹

Wallace goes on to point out that just as we can form conditional intentions to perform actions that we aren't yet sure we'll have an opportunity to perform, so we can regret past actions that we aren't sure could have been otherwise. What if we're wrong, and the action regretted was the only action that could have been performed? Well, if regret is more like an intention than it is like a belief, then the truth of the proposition that makes its way into the content of the attitude is neither here nor there. On this view, not only is determinism compatible with rational regret; so is *necessitarianism*.²²

I'm not confident that Wallace has correctly identified the practical question to which regret is supposed to be the answer—"the question of whether things should or shouldn't have been otherwise" strikes me as an odd question, and in any case not exactly a *practical* question. More plausible to my ear is to conceive of the practical question along the lines of a thought experiment: you're in this context; here's what you know; what do you do? The attitude of regret would then be the intention-like commitment you make when you answer that hypothetical question with: *not what I did*. But regardless of

the details, the point remains: if regret is something like a conditional intention, then the fact that you could never be in the condition doesn't render the attitude irrational.

But why, then, is there such a strong association between regret and possibility? I agree that there is something compelling about the Jamesian view, so perhaps the burden is on me to explain that attraction away. Here's a suggestion: although the judgment that things would have been better had they gone differently is not any part of what *constitutes* regret, it is very often the *occasion* for regret. And I don't say that the judgment in question could never be true—very often, I suspect, it will be, and any temptation to think that every little detail about how my life is now depends in some important way on every mistake I've made in the past strikes me as pure sophistry. In any case, when we do make such a judgment, it may generate regret at how things actually went. But the counterfactual judgment, rather than being part of the regret, seems more likely to be an indicator that what actually happened contained something regrettable.

There is a parallel here with the debate over the Principle of Alternative Possibilities, which is the principle that someone is morally responsible for what they have done only if they were able to do otherwise (Frankfurt 1969). This principle plays a key role in an argument for the conclusion that determinism is incompatible with moral responsibility, and whether the principle is true is a matter of considerable dispute. But those who reject the principle might be found saying things like this: the inability to do otherwise does not in itself rule out moral responsibility, but it can certainly be an indicator (perhaps it is a reliable indicator) of something else which *does* rule out moral responsibility. When we offer the excuse, "I couldn't help it," it's an effective excuse only in those cases where it provides information about the actual reasons why we behaved how we did. In those contexts, "I couldn't help it" tells our audience that *I did what I did only because I had no other options*.²³ But so long as your lack of options isn't *why* you did what you did, that you lacked options is neither here nor there when it comes to your blameworthiness.

Another fruitful comparison might be with the attempt to give counterfactual analyses of causation (such as Lewis 1973).²⁴ Someone trying to explain away the attraction of such analyses might say that we are inclined toward counterfactual analyses of causation not because they specify what it is in virtue of which one event causes another, but rather because, when the relevant counterfactual dependencies hold, that is often a very good *indication* that the one event causes the other. That is: the counterfactuals, when they are true, give us information about what *actually* happened. But sometimes the counterfactuals are false even when causation is present (as in cases of over determination).

My proposal for why the Jamesian account of regret is so tempting has a similar structure. The thought is that when we say, "It would have been better had I done something else," this occasions regret because it gives us some information about how poorly things actually went. But just as truths about moral responsibility aren't true in virtue of facts about the ability to do otherwise, and just as truths about causation aren't true in virtue of facts about what would have happened had the cause not occurred, so truths about how poorly things went aren't true in virtue of facts about how well they might have gone instead.

In closing, let's retreat from the weeds we've just been exploring. We've been considering James's argument for the conclusion that determinism is incompatible with rational regret, and I've suggested that that argument relies on three controversial premises:

1. To regret something is, at least in part, to judge that it ought not to have occurred—that is, that something else ought to have occurred instead.
2. But it's true of an occurrence that it ought not to have occurred only if it was possible for something else to have occurred instead.
3. If determinism is true, then no occurrence is such that it's possible for something else to have occurred instead.

I'm inclined to think all three of these premises are false, at least on their most natural interpretations.²⁵ Against what James seems to suggest, determinism is not the thesis that events that won't occur can't occur. Rather, it is the thesis that events that won't occur can't occur *in a world that shares our past and our laws*. That point seems to show either that premise (3) is false, or that, if we reinterpret the consequent of premise (3) so that it includes the restriction to events consistent with our past and our laws, then premise (2) ends up false (once we revise it to save the validity of the argument). But even if I'm wrong, and there is a single sense of 'possibility' according to which premises (2) and (3) both come out true, there are still problems with premise (1).

Premise (1) offers an initially plausible partial characterization of the attitude of regret, but I've suggested that we have reason to be suspicious of it. In particular, there are other judgments that would seem to be equally plausible candidates for being constituents of the attitude of regret, and the rationality of those other judgments isn't held hostage by the truth of determinism or any other thesis about how the world might have gone. Moreover, there is a way of understanding regret according to which it isn't an attitude that attempts to represent the world accurately, but rather an attitude that serves to shape our will (an intention-like commitment). In that case, it's not clear why facts about what possibilities there are would be relevant to the rationality of regret.

Finally, I have tried to explain why the Jamesian view of regret is attractive despite being false, namely that thoughts about what could have been often occasion regret without being in any way constitutive of it. With that explanation in mind, let's revisit one of the most powerful passages from James's article. Toward the end of his essay, James says (James 1956: 175–176),

I cannot understand regret without the admission of real, genuine possibilities in the world. Only *then* is it other than a mockery to feel, after we have failed to do our best, that an irreparable opportunity is gone from the universe, the loss of which it must forever after mourn.

I confess to being moved by this reflection, but on second thought there are two ways of understanding the claim that “an opportunity is gone from the universe.” On the first, it's a way of saying that what was once within our grasp is now permanently inaccessible to us. This, I suspect, is the intended reading. But there's a second reading, too, according to which an opportunity is “gone from the universe” by never having been there in the first place. And there doesn't seem to be any reason why those lost opportunities—those that were never there—can't be mourned, too.²⁶

NOTES

1. On the relevant notion of *fittingness* (as opposed to the broader notion of “appropriateness”), see D'Arms and Jacobson 2000.

2. Though it seems roughly Hegelian, James describes it as “the strictly dramatic point of view,” in which we view the world “as a great unending romance which the spirit of the universe, striving to realize its own content, is eternally thinking out and representing to itself” (p. 170).

3. That is, the compatibilist about determinism and rational regret. From now on I'll leave that qualification implicit.

4. Why have I stated the premises in terms of regretting “occurrences” rather than more straightforwardly in terms of regretting “past choices or actions”? Simply because James himself seems to be working with a conception of regret according to which it is possible to regret more than just one's own past actions. See, for example, page 160.

5. Matthew Talbert (2016: 15) appeals to this poem to illustrate a related idea.

6. See note 14 below on the relationship between emotions and judgments.

7. For an influential contemporary discussion of this view, see Sider 2001.

8. See, for example, the influential formulation of the thesis of determinism in van Inwagen 1983: “Determinism is, intuitively, the thesis that, given the past and the laws of nature, there is only one possible future” (p. 65). Notably, determinism is not the simpler and much more controversial thesis that there is only one possible future.

9. How do the future slices *get there*, then, if not by being decreed by present slices? The same way the present slices got here, presumably. Perhaps causation has something to do with it, but causation need not be deterministic. Or perhaps there's just nothing in virtue of which the slices themselves exist; perhaps they are a fundamental part of reality.

10. Some have thought that the eternalist picture of time itself, irrespective of the truth of determinism, poses problems for free will and moral responsibility. For a response to these worries, see Tognazzini 2010.

11. To be fair, this is too quick. If, when we say that an event ought not to have happened, we just mean something like “It would have been better had that event not happened,” then the response I give in the text applies. Determinism does not eliminate the possibility that something else has happened, and so claims about whether a deterministic universe would have been better had something else happened might still make sense. But if, when we say that an event ought not to have happened, we mean something more like “When I performed that action, I did something morally wrong,” then the mere existence of a better possible course of action isn't sufficient to quell the worries embodied in premise (2). This is because someone might accept the claim that “ought implies can” together with the claim that “can implies possible, holding fixed the past and the laws.” And then all of the sudden it does seem like determinism would disallow us from saying, at least of morally wrong actions, that their agents ought not to have performed them. I sidestep this issue in the main text because (a) it has its own voluminous literature I can't adequately engage in this essay, and (b) interpreting James in this way reduces his worry about regret to the more familiar worry about whether determinism is compatible with the ability to do otherwise, whereas I'm interested in seeing whether James has anything distinctive to add to these familiar debates. Moreover, my worries about premise (1), articulated below, would still be pertinent. I'm grateful to Hud Hudson for raising this worry.

12. One reason you might worry about this claim is if you have a view of the emotions according to which they don't even partly consist of judgments. Suppose, for example, that you adopt Roberts's (2003) view of the emotions, according to which they are *concern-based construals*, where a construal is something broadly perceptual rather than judgmental. I mention this possibility in a footnote, however, because so long as you think emotional states have any *representational* component at all (whether or not it's a judgment), then we can run something like James's argument. Again, to take Roberts as an example: if regret doesn't involve a judgment but instead a *construal* of a past event in the terms *might have been otherwise* (Roberts 2003, 241), then regret would still be unfitting in a deterministic world, if we grant the rest of James's premises. So, my use of the term ‘judgment’ in the body of the paper is meant to be interpreted broadly enough to include any cognitive state that has the same “direction of fit” as a belief.

13. The issues that arise here bear an obvious resemblance to those that arise in discussions of the nonidentity problem. See Parfit 1987, chapter 16.

14. Of course, we probably still would have had a different child who would have brought joy to our lives. So, I'm not claiming that our lives would have been worse had we not purchased our house in 2009; only that it's not clear that our lives would have been better. But the crucial point is that this difficult-to-evaluate counterfactual

about what our lives would have looked like seems utterly irrelevant to whether it is rational to regret our decision to purchase the house.

15. See Wallace 2013 for a fascinating discussion (and partial endorsement) of this view of interplay between regret and affirmation. Wallace also considers, in this context, Nietzsche's idea of the eternal return. I regret not having the space or expertise to incorporate a discussion of that idea here.

16. Cf. Wallace 2013: 62.

17. You might also think (as Frances Howard-Snyder suggested to me in conversation) that the way to make sense of regret in these cases is by saying that it arises from *pro tanto* reasons rather than *all-things-considered* reasons. On this understanding, I regret purchasing my house because I have *pro tanto* reason to wish it away, despite the fact that *all-things-considered*, I would not want it to have been otherwise. But the very issue is what ought to be included in the domain of the quantifier "all." What about my life right now is relevant to the assessment of that past choice as one that I wouldn't make again?

18. This is the view Robert Roberts suggests (2003: 241), though as I said in note 14 above, he doesn't think it's accurate to describe the element in virtue of which an emotion can be fitting as a *judgment*.

19. See Nolan 1997 for a detailed exploration of how to make sense of impossible worlds and counter possible conditionals.

20. I suspect that the counterfactuals that are involved in practical thought are often *per impossible* in this way. Consider the advice that begins with "If I were you . . ." It's obviously impertinent to reply to such advice by saying either (a) "But you couldn't be me!" or (b) "But if you were me, you'd have done the same thing that I did." Consider also the phenomenon of constitutive luck, which is often encapsulated by the thought, "Had I been subjected to those influences, I would have ended up the same way." This thought is important (perhaps importantly true), even if the antecedent is impossible because "those influences" include information about, say, genetics.

21. In line with the analogy to intentions, I take the relevant notion of "should" to indicate the "should" of practical reasoning rather than the "should" of morality. Granted that I know what I ought to do, there is still a further question: namely, what to do (what I should do). Compare Frankfurt 2004, chapter 1.

22. The view sketched just above—that regret involves a counterfactual judgment that is *per impossibile*—would make rational regret compatible with necessitarianism, as well. That strikes me as just the right result.

23. At the end of Harry Frankfurt's influential discussion of the Principle of Alternate Possibilities, he proposes an alternative principle to capture the more fundamental intuition: "A person is not morally responsible for what he has done if he did it only because he could not have done otherwise" (Frankfurt 1969: 838).

24. Thanks to Ryan Wasserman for suggesting this parallel.

25. Slightly more carefully: I suspect that any valid argument incorporating these premises will have at least two false premises: premise (1) and either (2) or (3) (depending on how 'possibility' is disambiguated).

26. This paper owes its existence to one of the most impressive students I taught at The College of William & Mary: Allison White. I am grateful to her for all of our

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