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The Luck Objection

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The Luck Objection

by

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A THESIS

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Abstract

Libertarians propose that if agents are to act freely they must have alternative possibilities open to them and control over which possibility becomes actual. To secure alternative possibilities, libertarians must accept that our free actions are undetermined events. Proponents of the “luck objection” to libertarianism argue that undetermined events are not the sorts of things over which agents can have control. In what follows, I defend the luck objection against three of the more promising libertarian rejoinders.

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Chapter One: Introduction and Background

1.1 Brief Introduction

Luck objections to libertarianism have been more adroitly expressed in the last few decades than ever before, with Ishtiyaque Haji, Neil Levy, Derk Pereboom, Peter van Inwagen, and Alfred Mele, all providing clear and to the point variations. Libertarians, convinced that the luck objection is misconceived, have responded with a number of equally adroit rejoinders. Given the standard length of an MA thesis, surveying all of the luck objection's variants and associated libertarian responses is out of the question. Instead, in what follows I hope to contribute to the persistence of the luck objection by defending it against two of the more interesting contemporary libertarian counter-arguments and one, also interesting, attempt to reconcile luck with freedom.

1.2 Divisions Over Determinism

Philosophers concerned with free will divide into different camps on the basis of their beliefs about the relationship between free will and causal determinism (or simply, “determinism”), the thesis that “there is at any instant exactly one physically possible future”.¹ Underlying determinism is the idea that all events, except the first (if there was a first event), are *deterministically caused* by prior events. Event *A* *deterministically causes* event *B* if and only if *A* causes *B* and *A*'s occurrence and the laws of nature make *B*'s occurrence 100% probable. If determinism is true, all events, including our choices and actions, are foregone conclusions, mere outcomes of the laws of nature and states of the universe in the distant past when no humans existed.

¹ van Inwagen, 1983, p. 3.

The first division of interest among philosophers writing on free will is between compatibilists and incompatibilists. Compatibilists argue that even if determinism is true, free will is not ruled out. Incompatibilists deny that determinism and free will are compatible. Incompatibilists divide into two major subcamps. Hard determinists take the incompatibility of free will and determinism to entail the non-existence of free will, given the truth of determinism. Libertarians, on the other hand, take the incompatibility of free will and determinism to entail the falsity of determinism, given the existence of free will. Compare the two arguments below:

Hard Determinism:

- 1a. Free will is incompatible with causal determinism.
- 2a. Causal determinism is true.
- 3a. If 1a and 2a, then free will does not exist.
- 4a. Therefore, free will does not exist.

Libertarianism:

- 1b. Free will is incompatible with causal determinism.
- 2b. Free will exists.
- 3b. If 1b and 2b, then causal determinism is false.
- 4b. Therefore, causal determinism is false.

1b and 2b give us the libertarian thesis: “Libertarianism is the view that free choice, free action, and moral responsibility are incompatible with determinism and that some human beings choose and act freely and are morally responsible for some of what they do”.² If free choice and free action are incompatible with determinism and agents sometimes choose and act freely, then determinism is false. Libertarians, then, are committed to *indeterminism*. As the denial of determinism, *indeterminism* is the thesis that, “it is not the case that there is at every instant

² Haji 2005, p. 321.

exactly one physically possible future”. In a universe where indeterminism is true, deterministic causation remains possible; however, in such a universe causal relations are not exclusively deterministic. Some events will be *indeterministically caused*. Event *A* *indeterministically causes* or *probabilistically causes* event *B* if and only if *A* causes *B* and *A*’s occurrence and the laws of nature do not entail *B*. In other words, if *A* indeterministically causes *B*, it was possible and in accord with the laws of nature that *A* but not *B* occur. All indeterministically caused events are *undetermined events*. To be precise, event *E* is an *undetermined event* if, given the past up to time *t* and the laws, *E* may or may not occur at *t*.

Action-centered libertarians take the position that free actions (mental or otherwise) are undetermined events.³

1.3 Libertarianism and Some of Its Virtues

Libertarians propose that an agent performs a *directly free action* at time *t* only if at *t* (1) the agent can both perform and refrain from performing that action, and (2) the agent controls whether or not she performs that action.⁴ (1), the “alternative possibilities condition,” captures the idea that an agent who has only one course of action available to her cannot freely perform that action since she has no choice but to perform it. (2), the “control condition,” underscores the fact that if the agent’s act is free, the agent, as opposed to factors beyond her control, must be responsible for her choice from among her options.

³ For examples of action-centered libertarian views, see Kane 1996; Franklin 2013; and Balaguer 2010. Non-centered libertarians place the indeterminacy further back in the causal pathway culminating in action. These philosophers suggest that one or more events occurring during the agent’s deliberative process or character-forming events are undetermined. See Ekstrom 2000; Mele 1995, pp. 211–21; 2006 pp. 9-14 and Ch. 5.

⁴ I will often refer to directly free actions as “free actions”. When I want to discuss free actions that are not directly free, I will notify the reader.

The appeal of this ‘traditional view’ derives in part from its cohesion with our first-person experiences as decision makers.⁵ We are reminded or in the throes of this conception of freedom, for example, when we peruse menus or do a little channel surfing. Having our options, so to speak, right in front of us as we study the menu or hold the TV’s remote in our hand gives us good *prima facie* reason to think the alternative possibilities condition is satisfied. In addition, since our choice of meal or channel is to be based on our own present beliefs and desires we tend to think we have control over these sorts of choices. Decisions of greater significance also incline us toward libertarianism. Whether contemplating proposing marriage or considering changing careers, as the stakes grow so does our sense that what we do is *up to us*. We can pop the question or hold off (we have alternatives), and we are not forced to do either (we have control). Feelings of regret or pride regarding our past actions also seem to presuppose a libertarian view of decision-making.⁶ For if we did not think we could have acted differently than we did, what sense would it make to regret our past actions, or so some have queried? Whether facing a banal or significant decision, or rueing past mistakes, we seem unable to shake the belief that the future is (or was) open and how we navigate among the branching paths is up to us. Because people tend to think and behave as though libertarianism is true, some philosophers, myself included, go as far as to take libertarianism to be the common-sense position.

Conceptualizing free will as the ability of agents to actualize one of multiple possibilities also helps explain (at least partly) the link between human behaviour and moral responsibility.

⁵ Decisions take center stage in much of what follows. Following Alfred Mele, I take a decision to be a “momentary mental action of intention formation [that] resolves uncertainty about what to do.” (Mele 2006, p. 15; Mele, 2003, Ch. 9)

⁶ I am referring here to regret over a choice made between or among two or more actions, not the (perhaps inappropriate) feeling of regret that might accompany one’s having been forced to perform some action.

The idea here is that one is morally responsible for an action—one deserves praise or blame for an action—only if one could have done otherwise. Imagine someone has harmed you intentionally for no apparent reason. You would, on the face of it, be justified in blaming him for your injury. Suppose you later learn that it was, not just figuratively, but *literally impossible* for him to have refrained from performing the harmful act, or he, again *literally*, lacked control over whether he performed the action. That he lacked alternatives or lacked control might temper your urge to blame him. It seems that the assumptions that people have alternatives and control over what they do justifies our blaming (and praising) practices. This moral connection also contributes to the attractiveness of libertarianism.

To be sure, insofar as libertarianism justifies our praising and blaming practices and captures the essence of our decision-making experiences, it is an enticing theory of free action. Nevertheless, ethical and phenomenological comportment cannot speak to whether libertarianism succeeds as a metaphysical view concerning *what actually happens* when an agent acts freely. In fact, as it turns out, despite its intuitive appeal and explanatory power, libertarianism gives rise to a fundamental metaphysical riddle involving luck. What precisely is this riddle? To appreciate its form (and force), we should first say more about the alternative possibilities and control conditions.

To that end, the next two sections elaborate the libertarian's alternative possibilities and control conditions, and the role indeterminism plays in making these conditions distinctly libertarian. The motivation here is to see what libertarians gain (and stand to lose) by being indeterminists. This will pave the way for introducing the luck objection.

1.4 Indeterminism and Alternative Possibilities

The alternative possibilities condition states that an agent's action at time t is free only if the agent can both perform and refrain from performing that action at t . Equivalently, an agent acts freely at t only if she could have done otherwise at t . Determinism seems to preclude anyone's ever being able to do otherwise. For if determinism were true, all events, including our choices and actions, would be foregone conclusions, mere outcomes of the laws of nature and states of the universe in the distant past when no humans existed.

Somewhat more formally, the Consequence Argument seemingly shows that determinism rules out our having alternatives. In Peter van Inwagen's words, "If determinism is true, then our acts are the consequences of the laws of nature and events in the remote past. But it's not up to us what went on before we were born, and neither is it up to us what the laws of nature are. Therefore, the consequences of these things (including our present acts) are not up to us."⁷ The consequence argument relies on the following sort of "transfer principle": if no one has ever had a choice about p , and p entails q (and no one has ever had a choice about this entailment relation), then no one has ever had a choice about q . If this principle (or an apt variation of it) is true, and determinism is assumed, then it seems that no one could ever have done otherwise. Roughly, this is because no one has ever had a choice about the facts of the past or the laws of nature. Yet, if determinism is true, then the past and the laws of nature entail our actions. But no one has ever had a choice about what the past and the laws entail. Therefore, no one has ever had a choice about one's actions.⁸

⁷ van Inwagen 1983, p. 56.

⁸ van Inwagen's consequence argument has its share of detractors. Since my interest in the argument is only to explicate the work indeterminism does for libertarians, I set aside debates sparked by the consequence argument.

It is worth introducing a view of alternative possibilities that is compatible with determinism, if for no other reason than to bring out more precisely what the libertarian conception amounts to. Against the Consequence Argument, some compatibilists have argued that even if determinism is true one could have done otherwise if the past (or the laws) had been different. To illustrate, Frank, who inhabits a world where determinism is true, has a strong craving for beer. Frank's craving deterministically causes Frank to fetch a beer from the fridge. Even though past facts, including the fact that Frank craves a beer, and the laws, entail that Frank fetches a beer, had Frank's craving been for water, he would have headed toward the faucet instead. Had Frank not been craving anything, he might have not moved at all. According to this "conditional analysis" of "could have done otherwise," roughly, one could have done otherwise had one tried, or wanted, or intended to do otherwise. In contrast, libertarians insist that, given exactly the same past right up to the time of action and the laws, one could have refrained from doing what one did. This latter conception of alternative possibilities, but not the compatibilist conditional one, presupposes indeterminism. While it is open to compatibilists to argue for a compatibilist friendly reading of "could have done otherwise," no such reading will satisfy the libertarian's alternative possibilities condition. This is simply because libertarians require that one have "genuine" alternatives if one is to act freely. To have a genuine alternative, given exactly the same past and the laws, one could have done otherwise. For example, one could have refrained from doing what one did.

All said, if we are to have genuine alternatives, our free actions cannot be causally determined; they should be undetermined in that holding "fixed" the past and the natural laws, we can do, and we can refrain from doing, the action. Free choice requires indeterminism, among other things, because our having genuine alternative possibilities requires indeterminism.

1.5 Indeterminism, Ultimate Origination, and Control

To act freely one must, in addition to having genuine alternatives, have control over which alternative is actualized. Derk Pereboom fashions an “origination condition” of this sort in the following way:

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

Determinism seems to render (O) unsatisfiable. Suppose determinism is true. Then all the facts of the world at a time when no human beings existed and the laws of nature entail all truths, including truths about human choices and actions. But if this is true, then there is a sense in which our actions originate in the distant past and the laws; so *we* are not the ultimate originators of any of our decisions or actions.

There is a family of Manipulation Arguments in the free will literature that aims to convince us of the threat determinism poses to the possibility that any agent is the ultimate source of her decisions or actions. The argument begins with a tale of an agent who, without her consent or awareness, is manipulated by another agent, usually via brain surgery, radio waves, or good old fashioned brain-washing. The manipulators carry out their unauthorized tinkering in order to ensure that the “victim” performs a certain action at a certain time or is more likely to perform a certain action under certain circumstances. The victim, unaware of the manipulation, performs according to the implanted directives.

The story stirs up our intuition that the manipulated agent is not responsible for the actions stemming from the unavoidable mental tinkering that took place. It is then proposed that there is no relevant difference between cases of manipulation by other agents and “manipulation”

by the past and the laws (or causal determination). Both are external to the agent, beyond her control, and the “sources” of unalterable causal sequences leading to the agent’s actions.

Therefore, if manipulation undermines responsibility for our actions, so too does determinism.⁹

Manipulation arguments prompt us to consider how indeterminism supposedly allows it to be the case that we are free from control by the past. If libertarianism is true, the laws and the past do not suffice for the occurrence of at least some (putatively) free choices or actions.

Libertarians may hold that such actions (mental or otherwise) originate in us. How exactly we exert control over our genuine alternatives according to libertarians will be discussed in Chapter Two. The present point is simply that indeterminism but (some think) not determinism leaves open the possibility that our free actions originate in us rather than in the past and the laws.

1.6 The Luck Objection

So far, we’ve seen that if determinism is true, then agents cannot have genuine alternatives nor be the ultimate originators of their actions. Even so, it is precisely due to their reliance on indeterminism that libertarians have long found themselves nagged by what has come to be known as “the luck objection”. Proponents of this objection may concur that while indeterminism is a prerequisite of our having alternative possibilities, indeterminism seems to be at odds with the libertarian’s demand for control, since, roughly, indeterminism entails randomness, and what is random is beyond anyone’s control.

It should be emphasized that the kinds of libertarian at issue see control as primarily causal. (Henceforth, this qualification will be assumed but suppressed.) In particular, according

⁹ For paradigmatic examples of manipulation arguments see Pereboom 2001, pp.112-117; Mele 2006, pp.165-166.

to event-causal libertarians, whose view will be addressed in the next chapter, the control that free action requires consists in the action's being appropriately caused by one's reasons, or reason states, or their neural realizers. For agent-causalists, whose view will also be outlined in the next chapter, control consists in the agent herself (and not agent-involving events) causing her free actions for reasons. By the event-causal libertarian's own lights, if there is no reasons explanation of an agent's choosing as she does in terms of her reason states, then she lacks the control that such libertarians insist one have with respect to her free actions. (This qualification is presumably required.)

To see how it is that by assuming satisfaction of the alternative possibilities condition luck objectors are able to cause trouble for libertarians, let's consider a standard sort of illustration of the problem of luck.¹⁰ Joan is considering raising her hand to get the professor's attention. She is somewhat hesitant on account of having already asked a number of questions today. Her sense is that the professor and her peers are becoming annoyed. Then again, the question Joan has in mind is, in her opinion, deeply interesting. Joan's options are (*A*) decide to raise her hand, and (*B*) decide to refrain from raising her hand. *A* and *B* are supported by the reasons just mentioned. Following brief deliberation, Joan judges it best that she *A*. Given the laws and the past, including Joan's musings, her best judgement, and the various reasons supporting *A* and *B*, there is, just prior to time *t*, an 80% probability that Joan will *A* at *t* and a 20% probability that she will *B* at *t*. Joan, then, satisfies the alternative possibilities condition. Now, suppose that Joan *A*-s at *t*.

To capture the idea that Joan could have done otherwise we can conceive of a possible

¹⁰ Most of the luck objections I advance in this thesis including the present one are based in large part on luck objections found in Haji 1999; 2004; 2005; and in Mele 2006.

world with exactly the same past and natural laws as the actual world at which Joan *B*-s instead of *A*-s at *t*. The past and laws held constant, everything about Joan—her beliefs, desires, deliberative processes, actions, and so on—is exactly the same in both worlds right up to *t*. So far, so good for the libertarian. However, the luck objector now plays her trump card. If the actual and possible world in question are indiscernible right up to *t*, then it looks as though nothing explains why Joan chose as she did in either world, or the cross-world difference, her deciding to *A* in the actual world and her deciding to *B* in the non-actual world, seems to be a matter of luck.

That Joan *A*-ed in accordance with her best judgment might suggest itself as a sound basis for supposing she controlled her *A*-ing. However, in the possible world where Joan *B*-ed, pasts being exactly the same, Joan judged it best that she *A* there, too. This fact seems to undermine the proposal that Joan controls whether she *A*-s or *B*-s by acting in accordance with her best judgment, since the very same judgment and, indeed, Joan’s entire sequence of reasoning, preceded both her *A*-ing and her *B*-ing. The luck objection’s strength is fully appreciated when we realize that the same is true of all events occurring prior to *t* that we might single out as the basis of Joan’s control over her actual action. Therefore, nothing Joan did and nothing about her “powers, capacities, states of mind, moral character, and the like” explains the difference between her *A*-ing and *B*-ing.¹¹ And since nothing about Joan and nothing she did prior to *t* make the difference between her *A*-ing and *B*-ing, Joan’s *A*-ing seems to be beyond her control, and therefore, a matter of luck for her.

Let’s draw this out a bit further. Let *A*, *B*, and *C* be the reasons supporting Joan’s *A*-ing,

¹¹ Mele 2006, p. 9.

and let X, Y, and Z be the reasons supporting her *B*-ing. In the actual world, A, B, and C indeterministically cause Joan's *A*-ing at *t*, while in the "contrast" possible world, X, Y, and Z indeterministically cause Joan's *B*-ing at *t*. Things get a bit tricky at this point. If A, B, and C, account for Joan's *A*-ing, why in a possible world with exactly the same history and laws of nature as the actual world, and where A, B, and C also occurred, did Joan *B*? The libertarian will surely want to refer to X, Y, and Z as part of her answer. However, if X, Y, and Z explain Joan's *B*-ing in the contrast world, why didn't they lead to Joan's *B*-ing in the actual world? It seems that in the actual world A, B, and C "prevail" and in the contrast world, X, Y, and Z "prevail". The pertinent question that proponents of the luck objection raise is, what accounts for the prevailing of one set of reasons over the other? Any factor singled out as the "difference maker" will be present in both worlds, and the problem will simply re-emerge: "why," luck objectors will be sure to ask, "with the past and laws held constant, did this factor, whatever it may be, cause different results in the two worlds being compared?"

What are libertarians to say at this point? It seems they have at least three broad options. They can either find fault with the luck argument's premises or inferences, clarify how it is that agents exert control over undetermined events, or admit luck is an issue and find a way to work around or with it. In the following chapters, we shall see each of these strategies in action.

1.7 Looking Ahead

So far, I addressed two conditions libertarians typically place on free actions: alternative possibilities and control. I then showed why these conditions cannot be satisfied if determinism is true. The luck objection was then introduced. The issue the luck objection raises for libertarianism is that if an event is undetermined, then whether or not it occurs, given the past

and the laws of nature, seems to be a matter of chance. That chance and control are fundamentally opposed concepts should worry the libertarian who wants it to be the case that agents have control over their actions if these are to be free. The onus is on the libertarian to reject the luck objection, specify how agential control over undetermined events is possible, or downplay luck's detrimental effects on freedom.

In the next chapter, I differentiate agent-causal and event-causal libertarianism. Robert Kane's event-causal view is singled out for explication. I argue that Kane's view succumbs to the luck objection and it lacks resources to overcome it as do event-causal libertarian views in general. Agent-causal libertarianism, with its additional resource of agent causation, is presented as an improvement over event-causal libertarianism in this regard. A further luck objection, one specifically focused on agent-causal libertarianism is raised. This objection sets the stage for the next two chapters.

In the third chapter, agent-causalist Meghan Griffith's response to worries about luck is examined. Griffith's general strategy is to deny that there is a strong conceptual link between action explanation and agential control. Griffith begins with a counter example: a case where an agent's action lacks explanation but seems, intuitively, to be under the agent's control. She then bolsters her position by suggesting that worries about explanation are extraneous to worries about control, the thought here being that there is nothing mysterious or untoward about an unexplained, agent-controlled action. Building on this thought, Griffith argues that the luck objection relies on a false presupposition. I reveal a flaw in Griffith's counterexample, deny that explanation and control are fundamentally separate issues, and argue that luck objectors need not rely on the false presupposition Griffith takes to underpin and ultimately invalidate the luck objection.

In the fourth chapter I critically discuss Helen Steward's handling of the luck objection. Steward has developed an original, highly interesting theory of action she calls "Agency Incompatibilism". This theory entails that all actions, and not just free ones, are undetermined events. Agency Incompatibilism has the jarring consequence that if determinism is true, we lack not only lack freedom but agency *simpliciter*. As for the luck objection, Steward thinks the oft-overlooked (and according to her, ever-present) option of not deciding, which is different than deciding to refrain, can be put to use to quell worries about luck.

Finally, having dispensed with the rejoinders from agent-causalists Griffith and Steward, in Chapter Five I return to event-causal libertarianism. Despite having written off event-causal libertarianism in Chapter Two, I include Alfred Mele's reply on behalf of event-causalists because it concedes rather than denies the problem of luck. Mele works toward building a "luck-compatibilism" of sorts wherein an agent's decisions and actions are matters of indeterministic luck but agents retain responsibility for their choices and actions on account of being able to freely influence the probabilities associated with their alternatives. I argue that Mele's strategy to reconcile luck with free action is unsuccessful.

Chapter Two: Libertarianism and Luck

2.1 Introduction

In this chapter I distinguish agent-causal and event-causal libertarianism. I begin with a discussion of the core elements of action-centered event-causal libertarian views of free action. I then summarize Robert Kane's development of such a view. I argue that this view of free action and, indeed, event-causal libertarianism generally, cannot overcome the luck objection. Agent-causal libertarianism is introduced as a potential improvement in this regard. Toward the end of the chapter I introduce a luck argument that targets this sort of libertarianism as well.

2.2 Event-causal Libertarianism

Event-causal libertarians require that free actions be nondeviantly and indeterministically caused by antecedent agent-involving events such as an agent's desiring something, believing something, forming a best judgment to do something, and so forth. The proposal is that agent-involving events of these sorts give agents reasons to act. An agent who desires a cookie, for example, has a reason to act in such a way as to obtain a cookie. That the act or choice is only made probable by agent-involving events leaves it open that some other act, or an intentional omission, is caused by other pertinent reasons.¹² Furthermore, that the agent's act is causally produced by her own reason-states strongly suggests the agent has some degree of control over her action.

To introduce an illustrative example, the waiter has just asked Leah whether she would like coconut cream or apple pie for dessert. Leah *really* likes coconut cream pie. She also likes

¹² There will, of course, be times when an agent's reasons necessitate a certain action. When this happens, the agent lacks genuine alternatives and the action she performs is not directly free.

apple pie but not nearly as much as coconut cream pie. Leah's preference gives her a strong reason to opt for the coconut variation. That she likes apple pie gives her a weak reason to choose it instead of its competitor. Prior to her decision, then, there are (to simplify) two possible worlds accessible to Leah: one in which she chooses coconut cream pie, and one in which she chooses apple pie. Given the strengths of her reasons, there is a higher probability that she will choose coconut cream pie. However, it is possible, even if unlikely, that she will choose the apple pie instead. Leah decides to get the coconut cream pie. In a possible world with the same past and laws, Leah orders apple pie. In each world, Leah's decision is probabilistically caused by her reason-states (or so event-causal libertarians theorize).

Leah decided as she did *because of* her reasons. That being so, we can *explain* Leah's action in terms of her reasons. In other words, should someone in the actual world ask, "Why did Leah order the coconut cream pie?" we can answer, "Because she prefers it to apple." In the possible world where Leah orders apple pie, she chose as she did "because she likes apple pie."

Leah's decision, it should be noted, if free was *nondeviantly* caused. Donald Davidson's famous example illustrates how *deviant* causal chains can undermine freedom:

A climber might want to rid himself of the weight and danger of holding another man on a rope, and he might know that by loosening his hold on the rope he could rid himself of the weight and danger. This belief and want might so unnerve him as to cause him to loosen his hold, and yet it might be the case that he never *chose* to loosen his hold, nor did he do it intentionally. (Davidson 1973, p. 79)

The climber's belief and desire cause his action, but, intuitively, the climber did not loosen his grip freely. The problem seems to be that a "deviant" causal chain, as opposed to an action-producing chain, causally generated the relevant behavior.

Event-causal accounts of free action often adopt the basic structure of a credible compatibilist account of free action.¹³ Compatibilists defend certain sufficient conditions (or perhaps necessary and sufficient conditions) for free action or free will, and then argue that the satisfaction of these conditions either depends on or is not undermined by determinism. The argumentation strategy looks like this:

1. Agents who satisfy conditions A, B, and C act freely.
2. Agents can satisfy A, B, and C even if determinism is true.
3. If 1 and 2, then agents can act freely even if determinism is true.
4. Therefore, agents can act freely even if determinism is true.

To illustrate, on a fictional compatibilist account of free action, an agent acts freely at t if at t , (A), her action is caused by reasons she endorses as “good”; (B), she has considered the consequences of her occurrent action; and, (C), she is not being coerced into performing this action. Assume that (A), (B), and (C) can be satisfied whether or not determinism is true. An event-causal libertarian account of free action is generated by adding (D) to (A), (B), and (C): apt reasons of the agent indeterministically cause her action.

2.2.1 Kanean Libertarianism

At the center of Kane’s libertarian theory of free action is the notion of “the will”, a “*set of conceptually interrelated powers or capacities*, including the powers to deliberate, or to reason practically, to choose or decide, to make practical judgments, to form intentions or purposes, to critically evaluate reasons for action, and so forth.”¹⁴ When an agent engages in practical reasoning (i.e., reasoning about what to do) her will takes as “inputs” the agent’s

¹³ See Clarke 2001, p. 29; Haji 2009, p. 186.

¹⁴ Kane 1996, p. 9.

reasons (desires, preferences, interests, and so on) and it “outputs” decisions or intentions.¹⁵ To amplify, “[a]n agent *wills* to do something at time *t* just in case the agent has reasons or motives at *t* for doing it that the agent wants to act on more than he or she wants to act on any other reasons (for doing otherwise).”¹⁶ The will, in effect, is the means by which agents sort out what it is that they want to do based on their various reasons.

Kane proposes that exercises of *free will* become possible when agents experience internal conflicts between opposed motivations. Such occasions for free actions arise, for example, when an agent is forced to decide between performing the morally right act and the prudentially beneficial one where these two acts are mutually exclusive.¹⁷ On such occasions the agent must “set her will” (i.e., decide) one way or the other by resolving the internal conflict through a mental effort to overcome one of the competing interests in favour of the other. Whether the agent’s effort will succeed is indeterminate.¹⁸

Kane speculates that the agent’s phenomenological experience of her mental effort is a reflection of the neurological chaos kicked up in the agent’s brain by two competing motivational systems. This neural turbulence in the brain increases the occurrences of micro-level indeterminacies, the effect of which is a greater chance that these low-level indeterminacies will have a macro-level effect such as making it indeterminate how the agent will decide.¹⁹

¹⁵ Ibid., p. 27.

¹⁶ Ibid., p. 30.

¹⁷ Ibid., p. 126. Kane allows that some free actions (those not directly free) are deterministically caused by an agent’s character and motivations. As my interests concern only directly free actions involving undetermined events, these determined, free actions are not given consideration in what follows.

¹⁸ Ibid., p. 128.

¹⁹ Ibid., pp. 128-30.

Whether the agent succeeds or fails in her effort, the decision she makes will be free since the agent will have exercised ‘plural voluntary control’: “*either way, the agents do what they will to do when they will to do it, they do it voluntarily, that is, without being coerced or compelled in doing it or in willing to do it, and they do it for the reasons that they will to do it[...]*”²⁰

One might find it curious that according to Kane an agent who struggles and fails to overcome temptation nevertheless acts freely (i.e., exercises plural voluntary control). The agent’s control, and thus freedom, is preserved however she decides because the self-interested reasons against which her moral inclinations must struggle are *the agent’s own*. “Failure” to overcome them can be alternately described as *the agent’s self-interest* holding back *the agent’s moral propensities*. The reason there is a motivational conflict in the first place is that the agent has two conflicting sets of reasons that pull her in opposite directions. The ensuing internal struggle is the agent’s attempt to figure out which decision, each allegedly supported by a set of reasons, to make. Kane explains:

If we overcome temptation, it will be the result of our effort, and if we fail, it will be because we did not *allow* our effort to succeed. And this is because, while we wanted to overcome temptation, we also wanted to fail, for quite different and incommensurable reasons. When we decide in such circumstances, and the indeterminate efforts being made become determinate choices, we *make* one set of competing motives prevail over the others then and there by *deciding*. (Kane, 1999, p. 108)

Consider Kane’s classic “business woman” example. While on her way to a career-defining sales meeting, a business woman happens upon a mugging in progress. Torn between helping the victim (and missing her meeting) and ignoring the crime (and making her meeting),

²⁰ Ibid., p. 138.

she has to decide between doing the moral thing and doing the self-interested thing. Her reasons tug in different directions and she must figure out what to do. She exerts a mental effort to overcome the temptation to leave the scene without helping. Whether or not her effort succeeds is undetermined.²¹ Nevertheless, according to Kane whichever way she chooses, she will voluntarily act on reasons she wills to succeed at the time of her decision.

2.2.2 The Luck Objection to Kanean Libertarianism

It seems to me that on the Kanean view there are two factors that contribute causally to an agent's decision: the agent's reasons and the agent's efforts to make some of her reasons prevail over others. In this section, I present two luck-based objections to Kane's view, one with respect to the agent's reasons, and the other with respect to the agent's efforts.

I will use the business woman's case to frame my arguments. Let *A* be the woman's decision to help the victim, and *B* be her decision to ignore the mugging. If she makes either of these decisions, she will do so at time *t*. Suppose she *A*-s in the actual world and *B*-s in a possible world with the same laws of nature and pre-*t* past as the actual world. In what follows, I refer to this possible world as "the contrast world."

Kane, as we saw previously, says the following:

If we overcome temptation, it will be the result of our effort, and if we fail, it will be because we did not *allow* our effort to succeed. And this is because, while we wanted to overcome temptation, we also wanted to fail, for quite different and incommensurable reasons. When we decide in such circumstances, and the indeterminate efforts being made become determinate choices, we *make* one set of competing motives prevail over the others then and there by *deciding*.²²

²¹ Ibid., p. 130.

²² Kane 1999, p. 108.

Let's bring these ideas to bear on the current scenario. According to Kane, the business woman who *A*-s in the actual world does so as "the result of her effort". The same woman, who *B*-s in the contrast world, does so because she "did not allow her effort to succeed". Something seems very wrong here. The woman's effort is exactly the same in both worlds. To explain each of the woman's *A*-ing in the actual world and *B*-ing in the contrast world by reference to her effort seems misguided.

Imagine you are tasked with making a free throw. The stakes are high; people are depending on you to make the shot. You bend your knees, straighten, and carefully shoot. You succeed. From then on people hold you in high esteem and your life goes incredibly well for you. Imagine now a contrast world in which your effort is exactly the same, but you miss. In this contrast world, your life after this mishap goes downhill. Everyone constantly reminds you of your let down.

It would be tragic (more so anyway) if in the contrast world you blamed yourself for missing the shot. Conversely, in the world where you succeeded, any praise you receive or give yourself for your effort seems undeserved (at least from the perspective of someone "looking in" on both worlds). The results differed despite your identical effort.

The same analysis applies to the business woman, her effort and her possible decisions. If, for example, she decides to help and is rewarded by the woman she saves, this will be a matter of good luck. Now picture the woman in the contrast world who made the same effort but ended up fleeing the scene. Later she looks back on that decision and decries her weak mental effort, never forgetting how she did not manage to overcome the temptation to flee. Again, given that

the effort in both the actual world and the contrast world is the same, it is hard to see how in the end it mattered to the decision made. The outcome of the effort seems to be a matter of luck.

In response to other luck arguments, Kane has augmented his original account with the notion of “doubled efforts.” Kane claims that the business woman makes not one but two mental efforts. She tries to *A* while also trying to *B*. Kane proposes that whether she *A*-s or *B*-s, the woman will have succeeded in doing what she was trying to do, and “and will endorse that as *her* resolution of the conflict in her will.”²³

Adding a second effort does not overcome the problem I have raised. The dual efforts of the business woman are still exactly the same across the actual and contrast worlds. A comparison of the actual and contrast worlds still reveals that the agent’s efforts leave it open that she *A*-s or *B*-s. It is not as if the woman can ensure that she *A*-s, for example, by exerting a strong enough effort. We know this because in the contrast world the opposed, weaker effort succeeds.

I direct attention next to the rationality component of plural voluntary control. This condition states that an agent who exercises plural voluntary control when in deciding will have had reasons for her decision, and will have decided as she did *for* those reasons, however she decides.²⁴

One thing the luck objection demands of libertarians is an answer to the question, “why *this* choice in the actual world and *that* choice in the contrast world?” What is needed to answer this question, it seems, is a reason to believe that the agent exercised control in *selecting* from among her alternative possibilities. Let’s assume for the sake of argument that the condition of

²³ Ibid., 111-112.

²⁴ Kane 1996, 135.

plural rationality is satisfied in the business woman's case. In the actual world, her moral reasons caused her to *A* and in the contrast world, her self-interested reasons caused her to *B*. It is unclear how plural rationality (and by extension, "plural voluntary control") goes any distance toward answering the question raised by the luck objection. Appealing to the agent's *A*-favouring reasons to explain why she *A*-ed in the actual world is ineffective. That's because the agent's *B*-favouring reasons were present at that world too. Why didn't those reasons prevail in the actual world? It is not as if reasons in favour of *A* appealed more to the business woman in the actual world and those in favour of *B* appealed more strongly in the contrast world. We can rule out these possibilities because at all times prior to *t* the two worlds, including the strengths of the agent's reasons, were exactly the same.

Frame the pertinent question more specifically in this way: "Given that all of the same reasons were present in both worlds, why did *this* businesswoman choose as she did because of *these* reasons, and the other business woman who is exactly like the first and with all of the same reasons available to her, decide differently and for different reasons?"

The problem, it seems, with injecting indeterminism into an essentially compatibilist account of freedom is that compatibilist freedom conditions—such as deciding for reasons—are not, by themselves, able to account for the selection of an action from among genuine alternatives. This isn't something compatibilists need to worry about when they think about freedom. Libertarians, on the other hand, do have to worry about such things. Perhaps along with the injection of indeterminism, they should include a dose of "control over undetermined events".

To fulfill the libertarian control condition something unique to libertarianism is needed. Compatibilist-friendly conditions of control fail to explain *why* an agent makes a particular

decision when more than one option is available. Likewise, if after all of an agent's "efforts are in" there is still more than one option on the table and no time left to influence the decision either way, then the decision is to a large extent out of the agent's hands. For these reasons, if an agent's control is accounted for by antecedent events, as is the case with all event-causal views of which I am aware, then the agent's decision is a matter of luck for the agent.

2.3 Agent-causal libertarianism

Indeterminism in the right place can allow for alternatives, but this does not equip agents with the power to see to it that one or another of the agent's alternatives is made actual. Event-causal libertarianism fails in this regard. Agent-causal libertarianism attempts to address this shortcoming by outfitting agents with a power tailored precisely to the task of ensuring that one alternative "prevails".

Agent causation is a species of causation in which a substance (e.g., a person), as opposed to an event, can cause other events. Agent-causal libertarians believe that *agents themselves* cause their free decisions. Regarding the business woman example, an agent causalist would say that, given exactly the same past and laws, if the woman freely *A-s* at *t*, she agent-causes *A* at *t* or her *A-ing* at *t*. Her *A-ing* is not a matter of luck since *she caused it herself* for one or more of her own reasons. As uncaused causers of their actions agents, in effect, initiate wholly new causal chains when they exert their causal power to bring about an action. Because there are no additional events or past occurrences that cause or contribute to the agent's exercising her causal power, there seems little reason to deny that the agent herself is the sole originator of her action or choice.

Agent-causal libertarianism is often charged with relying on mysterious, unsubstantiated phenomena. Two facets of agent-causal libertarianism in particular have attracted a number of accusations of incoherence or mystery. The first is agent-causation itself, the second, the notion of being an uncaused cause. In the next two sections, I address elements of these complex matters before evaluating the claim that luck is not an issue for agents who have agent-causal powers.

2.3.1 Agent-causation

To say that Joan agent-caused her decision to raise her hand is to say that the substance that is Joan caused the event that is her forming an intention to raise her hand. Event-causalists would say that Joan's causal role can be "reduced" to the causal role of her reason-states. Agent-causal libertarians might agree that Joan's reasons play a role in her decision. They will not, however, accede to the claim that agent-involving states or events can cause a *free* action. Such events might directly cause an agent's decision but that decision insofar as it was not agent-caused will not count as free.

One might think that substance causation is fairly common or that substance and event causation must overlap frequently. After all, to say that *Joan's deliberation* resulted in her deciding to raise her hand hardly seems different than saying that *Joan* caused her choice. The truth is, event-event causation (the causing of events by prior events) is widely (if not universally) accepted in the sciences, while substance-event causation (the causing of events by substances) is highly contentious. This might come as a surprise given our tendency to talk in terms of substance causation, and in so doing be so understood by our interlocutors. It seems that

these ways of talking, though, can easily be shown to be conveniences or idiosyncrasies of language.

We have all said or heard someone else say something like the following: “My son woke me up at 7:00 AM.” Translating this sentence into a form that appeals to causation yields: “My son *caused* me to wake up at 7:00 AM.” This sentence seemingly describes an instance of substance-event causation; the substance, a child, causes an event, the parent’s waking. This substance-event causal description seems perfectly fine until we compare it with an event-event causal description of the same phenomena: “the drumming of my son’s fists on my forehead caused me to wake up at 7:00 AM”. This new description captures better what actually happened. Strictly speaking, the child did not wake the parent; an event involving the child—his fist drumming—caused another event—the parent’s waking. Without his being involved in the fist-drumming or some similar event it is hard to see how the child could have caused the parent’s waking. For another example, when we say things like “the car caused the damage,” we don’t literally mean that a substance (the car) caused some event. Rather, we take it that some event involving the car (for instance, the car’s backing into the garage door) caused some event. Reflection on such cases and the two types of causation inclines most people to think that all occurrences of substance-event causation can be similarly understood to be occurrences of event-event causation, rendering substance-event causation superfluous. Agent causalists might concede that all instances of causation are event-event in nature *except* where agents cause their decisions freely. How, though, might an agent causalist proceed in convincing us of the viability of his exception?

Back to the child example, the agent-causalist might direct our attention to the child’s *decision*, and ask, “what caused *that*?” Skeptics about agent causation will reply in typical event-

causal libertarian fashion, citing certain mental events and psychological states of the child as indeterministically causing the child's decision. In response, the agent-causalist can preserve some of the event-causal libertarian's story. The agent-causalist can agree that some of the child's reason-states favoured and others told against carrying out the rude awakening. However, whereas the event-causal libertarian cites the child's mental states and prior deliberative events as the probabilistic *causes* of the decision, the agent-causal libertarian sees the role of such events quite differently. At most, such considerations will "incline" the child toward acting in accordance with her reasons. The decision itself, though, is caused by the child. The child can choose in accordance with her stronger reasons by causing (or refraining from causing) the decision they recommend.

I elaborate on the finer details of how this is supposed to work in the next section.

2.3.2 O'Connor's Agent-Causal View

Timothy O'Connor thinks the event-causal picture leaves agents at the mercy of luck given that they have "no means directly to settle which of the indeterministic propensities gets manifested."²⁵ This missing "means" is found in agent-causal accounts as "an ontologically primitive capacity of the agent directly to determine which of several alternative courses of action is realized."²⁶ O'Connor's own version of agent-causal libertarianism limits the role of reasons to affecting the objective probabilities associated with the agent's various possibilities.²⁷ This role of reasons, O'Connor is quick to say, does not extend to causally affecting the choice

²⁵ O'Connor 2013, p. 231.

²⁶ Ibid.

²⁷ Ibid., pp. 234-5.

the agent makes; rather, reasons serve only to provide options (with their levels of attractiveness) to the agent. The more attractive an option is to the agent the more likely it is the agent will cause that option to become actual. The agent-causing of an intention (or decision), though, is a function of the agent's "motivational state" at the time and is not brought about by the probability assigned to the chosen option.²⁸ O'Connor clarifies the role of reasons in acting freely when he writes, "Agents who act freely to any degree, then, directly produce the intentions that initiate and guide their actions, acting on an inclination that is the causal product of certain reasons they acquired (and subsequently retained) at some point prior to this causal activity".²⁹ Reasons, it seems, causally produce inclinations, but inclinations do not cause intentions, nor do they cause the agent to cause as she does.

How would O'Connor explain the child's case? He seems committed to saying that the thought of having some fun (a reason) inclined the child toward waking his parent in a certain way (knocking on the parent's forehead), while the possibility that the parent might be cranky upon being awoken in that way (another reason) inclined the child against waking his parent in this way. That is the extent of the role of the agent's reasons. What exactly happened when he chose then? How does an agent cause an event?

O'Connor is a realist about causation. He takes causation to be "a *primitive* notion of the 'production' or 'bringing about' of an effect." An object's properties are the basis of its causal powers. The causal powers of objects are thought to manifest in the presence or absence of certain conditions, and the activation of such powers results in changes in the object itself. The causal powers of objects are most commonly thought to be powers to cause events; these powers

²⁸ Ibid., p. 235.

²⁹ Ibid., 236.

are functions of the object's inherent properties. The power to agent-cause is a function of an agent's possessing "volition-enabling properties". While event-causal properties necessarily produce their effects in certain situations³⁰, agent-causal properties, in certain situations, "*make possible* the direct, purposive bringing about of an effect *by the agent* who bears it". For example, certain of my properties make it so that when I am in cold environments I begin to shiver. Other of my properties, the agent-causal ones, make it so that when I have alternative possibilities I can bring about an effect of my choosing from among them.

To sum up, O'Connor proposes that agent-event causation works similarly to event-event causation in that both have to do with properties of objects bringing about effects when activated, the difference being that properties conferring event-causal powers manifest the powers they bestow automatically (or necessarily) in certain situations, and the properties that bestow agent-causal powers when activated, allow that the property-having agent can choose whether or not to cause some effect.³¹

2.3.3 Agents as Uncaused Causes of Their Actions

The existence of agent-causation is but one of a number of controversial theses the agent-causalist must defend. Another is that agents cause their actions and decisions without being caused to do so by prior events. One reason to think agents initiate wholly new causal chains when they exert their agent-causal power is that it seems impossible that a substance could be the

³⁰ Or, necessarily probabilistically produce their effects.

³¹ Randolph Clarke, another contemporary philosopher who has written on agent-causalism is a realist about causation. Clarke holds that the causal relation between a substance and an event is exactly the same sort of relation that holds between two events where one causes the other (1993, p. 197). I will not delve into the depths of Clarke's account. I merely want to indicate that modern agent-causalists do provide accounts of agent-causation that should be addressed directly.

effect of an event. We might resist the “uncaused cause” claim by trying to produce counter-examples. We might, for example, propose that the formation of a zygote seems to be a case of a substance being caused by a prior event, namely, the fusing of two gametes. This seems, initially, to be somewhat credible. However, one might rejoin that the zygote is not the effect, “the formation of a zygote” is. Similar examples will be met with similar responses.

It seems that if (and this is a big “if”) agent-causation exists, the claim that agents are uncaused causes of their actions and decisions necessarily follows given that substances cannot be the effects of events.

2.3.4 How Agent-Causal Libertarianism Purports to Avoid the Luck Objection

Agent-causalists rely on a controversial account of causation. They have also been charged with being unable adequately to explain the notion of acting for reasons (a charge I left unaddressed), which seems fundamental to acting freely. These complaints and others make agent-causal libertarianism unattractive to some. However, those wanting a theory of free will that includes a strong sense of direct control over alternatives ought to be interested in agent-causal libertarianism.

We can now appreciate why agent-causal libertarianism might be thought to be immune to objections from luck. First, recall that the problem hits event-causal libertarian accounts especially hard because once it is stipulated that, (a), freely performed actions are undetermined events, and, (b), freely performed actions are probabilistically caused by antecedent agent-involving events, it seems as though the extent of the agent’s role in bringing about a certain action leaves the outcome up in the air. Worse still, it appears that nothing but chance supplements the agent’s role in determining what happens. This shortcoming of event-causal

libertarianism is representative of the general problem luck objections raise: indeterminism accommodates alternative possibilities but makes it nightmarishly difficult to satisfy the control condition.

Agent-causalists propose a no-nonsense, straightforward solution to this problem. They simply stipulate that agents have the power directly to cause their choices. The difference between worlds at the moment of decision that worries luck objectors is not to be (unconvincingly) explained in terms of prior events but in terms of the agent's exercise of her agent-causal power, and the claim to direct control over her actions that such a power confers. If such a power were to exist, then the luck objection seems to dissolve.

In agent-causalist Meghan Griffith's words, "The agent-causal theorist asserts that the explanation [of a free decision] is straightforward: which world becomes actual depends upon the way the agent exercises his causal power - end of story."³² To expand, when S, an agent-causal agent, makes the decision to *A* in the actual world, S exerts *direct control* in making this decision by agent-causing it at *t*; in a possible world with the same past and laws in which S makes the decision to *B*, S exerts *direct control* in making this decision, again, by agent-causing this decision at *t*. An agent exerts direct control over her decision to *A* (or *B*) by agent-causing *A* (or *B*) to occur at the time of decision. If Kane's business woman had agent-causal powers, her *A*-ing would not be a matter of luck for her since she would have caused it herself for one or more of her own reasons.

³² Griffith 2010, p. 44.

2.3.5 *The Luck Objection Re-emerges*

Given the additional complexities, advantages, and disadvantages, agent-causation brings to the table, one might mistakenly think that the luck objection against agent-causal libertarianism is radically different from the luck objection against event-causal libertarianism. One might also think that the “agent-causal version” must be rather complicated, more so than the “event-causal version,” to reach the conclusion that agent-causing one’s actions is a matter of luck. The truth is luck objections to agent-causal libertarianism are no more complicated than, and have plenty in common with, luck objections to event-causal libertarianism.

The proposed difference between the event causal libertarian’s story and an agent-causalist story is that, in the latter, the agent can resolve the indeterminacy *in exactly the way she decides when she decides* by exerting direct-control (“agent-causal control”) over the outcome. Against this agent-causal solution, these luck objectors simply switch their focus to the agent’s causal power. The pertinent question becomes, “Why did the agent exercise her causal power one way in the actual world and another way in the contrast world when both worlds share exactly the same past and laws of nature?”³³

Some defenders of the luck objection remain skeptical. Even if we grant that the business woman’s decision was agent-caused we can still demand an explanation of why she agent-caused that particular decision and not the other, especially if all her prior reasons inclined her toward one decision and not the other. From here the argument continues in much the same way as it does in its general form. Emphasized is that the demand for an explanation cannot be met since any factor appealed to will have been present in the contrast world (a world with the same past

³³ See Haji 2004; Mele 2006.

and laws as the actual world) where the alternative choice was made. It begins to appear as though the way in which an agent exercises her agent-causal power is a matter of luck.

2.4 Looking Ahead

We are finally in a position to consider some substantive agent-causal libertarian responses to the luck objection. In the next chapter, I critically examine Meghan Griffith's attempt to separate worries over action explanation from worries over control. The thought is that this separation will help us to see where the luck objection goes wrong.

Chapter Three: Griffith's Worries About Control and Explanation

3.1 Enter Griffith

In a recent paper (2010) Meghan Griffith offers three arguments that call into question the luck objection's inference from a lack of action explanation to a lack of agential control. The first is an argument by counter-example: Griffith advances a case that supposedly involves an inexplicable cross-world difference at the moment of decision *and* pertinent agential control. Griffith's second argument suggests that explanation and control are fundamentally separate issues. She proposes that whether or not an action can be explained is irrelevant to whether or not the action was controlled. Finally, Griffith argues that proponents of the luck objection falsely presuppose that agential control is to be explained in terms of events *prior to* the putatively free decision. This false presupposition feeds the intuitions that apparently fuel the luck objection. With nothing but a false presupposition as its foundation, Griffith concludes that the luck objection should be disregarded.

3.2 Griffith's Counter-example

As we've seen, luck objectors claim that inexplicable cross-world differences at the moment of decision *entail* that the agent's actual decision is beyond her control. One straightforward way to refute claims of the form, "x entails y," is to identify a case where x but not y is true. Griffith's first attempt to reject the luck objection takes this form.

In Griffith's counterexample, God must choose between "equally good but mutually exclusive" options A and B.³⁴ God has good reasons to choose A and equally good reasons to

³⁴ Griffith 2010, p. 48.

choose *B*. However, He lacks any reason to choose *A* over *B*, or *B* over *A*. Now, suppose God chooses *A*. Griffith writes, “an explanation for why God chose *A* rather than *B* is not available, not even to God. But the choice is not *lucky* either. It did not happen to Him. He made it for (good) reasons, at will. There is nothing incoherent about His controlling such a choice.”³⁵

Griffith’s point is clear. Nothing explains God’s choice, for if it did, at least *God* would have the explanation (and he doesn’t). Yet, we have no reason to suppose God lacked control over His choice. Presumably, God, being *God*, cannot fail to control His decision. Therefore, an agent-controlled free decision can defy explanation, and the luck objector’s main inference, which says otherwise, is faulty.

Griffith’s counter-example is flawed. It exemplifies the very problem it is meant to overcome. Recall, the luck objection centers around the idea that if nothing explains an agent’s decision, then the agent lacked control over which of her alternatives was actualized. Now notice that Griffith stipulates that nothing explains God’s choice, and then fails to substantiate the claim that God controls His decision. We don’t even get a bare sketch. If anything, then, this case is as vulnerable to the luck objection as any like-case featuring human agency.

Presumably, God is an agent-causer; otherwise, the counter-example is irrelevant. However, God’s status as an agent-causer does not help matters. All agent-causers *qua* agent-causers supposedly control their decisions in the same way: by agent-causing them for reasons. But, as we’ve seen, from the standpoint of the luck objection, agent-causing one’s decision is insufficient grounds for supposing that one has control, since it remains to be explained exactly what an agent’s control over her causal power consists in. That being so, an explanation of how

³⁵ Ibid.

divine agent-causers control their supposedly free decisions is no less needed than is an explanation of how human agent-causers control their decisions. Generally speaking, implicitly stipulating that an agent has control is an inadequate way to deal with the luck objection.

It would be very convenient for libertarians if control over genuine alternatives were the sort of thing that could not be explained. I am not sure why someone would think this is the case, though. If to have control over something is to be able to make that thing move or behave in a certain way, then explanations of control are easy to come by. Here are some examples. I yank my dog's chain and he stops moving. I turn the wheel to the left and the car goes left; I turn the wheel to the right, and the car goes right. If an agent controls how she moves her body when she has genuine alternatives with respect to how she moves it, then there must be something that she does to get it to move in a certain way. My response to Griffith's next argument shows why this intuitive reading of what it is to control something is not available to libertarians.

3.3 Griffith's Second Argument

To buttress her case, Griffith mentions (without dwelling on) the following argument: "As has been pointed out against the luck objection, worries about control are separable from worries over explanation. Explanation brings in other issues - issues that are 'extraneous to the causal story'."³⁶ The "causal story" Griffith refers to is just that agents control their decisions by agent-causing them for reasons.³⁷ Griffith's point seems to be that if an agent agent-causes her decision for her own reasons, then she has control over her decision, and no further explanation

³⁶ Ibid., p. 49.

³⁷ Ibid.

is needed. The burden of this section is to show that the “causal story” fails to shed light on certain cases that a suitable theory of two-way agential control ought to be able to illuminate. That being so, the call for an explanation that goes beyond the causal story is justified.

Griffith’s comments about explanation and control strike me as odd. The bare explanation luck objectors are after just is the etiology of a decision. If agent-causalists have a “story” of any kind to tell about control, we should be able to use it to explain each of an agent’s possible decisions (i.e., her decision to *A* in the actual world and her decision to *B* in the “contrast” world). The problem with the “causal story” is that by accepting it, we are accepting that two mutually exclusive decisions, *A* and *B*, each made at *t*, can share the same etiology. The following case illustrates why this is problematic.

Joan is on her way home from work. The drive is long and familiar, so Joan uses the time to reflect on the nature of metaphysical freedom, which leads her to consider the fact that she could, if she so-decided, veer into oncoming traffic and cause a massive accident. This thought both disturbs and fascinates Joan—she really could wreak havoc. She considers only to dismiss the disturbing thought of ploughing into the other cars. Joan is neither suicidal nor malicious. She drives steadily in her own lane.

Joan’s reasons for remaining in her lane (option *A*) were that she enjoys her life and is averse to harming others. Joan’s reason for wanting to veer into oncoming traffic (option *B*) was that she wanted to prove to herself that she really could do it. Given Joan’s strong *A*-favouring reasons, her weak *B*-favouring reason, and Joan’s recognition of her reasons and their comparative weights, there was just prior to *t* a 99% probability that Joan would *A*, and a meagre 1% chance that she would *B*.

Explaining Joan's *A*-ing via the causal story is relatively easy. Joan's *A*-favouring reasons were more compelling to her than her *B*-favouring reasons. Realizing this, Joan judged it best that she *A*. Shortly after, Joan agent-caused *A* at *t*, in accordance with the reasons she more strongly identified with. If Joan's *A*-ing was a libertarian free action, then there is a possible world in which Joan did not do *A* at *t*; imagine that she *B*-ed at *t* instead. (The causal history behind Joan's *B*-ing is exactly the same as the causal history behind Joan's *A*-ing. Therefore, Joan's *B*-ing is (presumably) explained in exactly the same way as the way in which her choice to *A* is explained, save for what happens at *t*. So, we get the following causal story for *B*:

Joan's *A*-favouring reasons outweighed her *B*-favouring reasons. Realizing this, Joan judged it best that she *A*. Shortly after, Joan agent-caused *B* at *t*, in defiance of the reasons she more strongly identified with.

Strangely, the decision to *B* would have been arrived at by employing exactly the same resources that were employed in deciding to *A*. One would think that by exerting *the same* measure of control to *A*, as her deliberations dictate, under *the same* conditions (that is, given the same laws and the same past) Joan would have arrived at *the same* decision as she did before. That she does not, and that there is no explanation regarding why this is the case, just *is* the luck problem.

The causal story behind Joan's *B*-ing fails to establish reasonable grounds for supposing that Joan had control in *B*-ing. I am not suggesting that Joan did not cause her *B*-ing, nor would I deny that she had a reason to *B*. All said, I admit that the elements required to tell the "causal story" are present. However, in telling the "causal story", I get the sense that Joan lacked control.

After all, she was involved in a single sequence of events that terminated in two vastly different actions. Usually when we control something one sequence of events gets us one result and a different sequence of events gets us a different result. The same is not true on the “causal story”, and that should worry us if libertarianism is the correct theory of free action.

3.4 Griffith’s Third Argument: Faulty Presuppositions

Griffith’s first two arguments attempt to show that there is nothing incoherent about a controlled decision being unexplainable. Griffith’s next argument charges luck objectors with demanding the wrong *kind* of explanation. Specifically, according to Griffith, luck objectors falsely presuppose that “there must be something about [the agent] *prior to* the decision that will *fully* explain, and, therefore, account for [the decision].”³⁸ This presupposition is false because agent-causalists do not claim that agents’ decisions are *fully* accounted for by *prior* states of the agent. Rather, “For the agent-causalist, what ‘accounts for’ [an agent’s] decision is that he caused it for his own reasons. And it is fair to say that agents who cause, for reasons, have a strong *prima facie* claim to control.”³⁹ To be clear, the problem is that while luck objectors presuppose that control is to be explained in terms of events antecedent to the decision, agent-causal libertarians make no such claim about control. Control, they will say, is exercised at the time of decision, not prior. If this “false presupposition” really is the basis of the luck objection, then agent-causal libertarians have nothing to fear from this objection.

Griffith’s point is well-taken. Asking an agent-causalist to explain control strictly in terms of prior events is like asking Joan to spell her name without using vowels. In both cases, a

³⁸ Ibid. Italics added.

³⁹ Ibid.

condition built into the request cuts the respondent off from a correct, complete answer. Just as Joan should say, “My name has vowels in it. I can’t spell it without them”, agent-causalists should, like Griffith, respond to the request to explain control in terms of prior events by saying, “Agent-causal exercises of control at the moment of decision are required for agential control. I can’t spell out how control works without such exercises.”

The presupposition Griffith takes luck objectors to make is drawn from prime examples of luck objections in the literature. Ishtiyaque Haji, for example, voices his concern about luck as follows, “if the past is fixed, there is nothing that Peg did differently in her world prior to agent-causing her decision to keep the promise than Peg* did in her world prior to her agent-causing her decision not to keep the promise.”⁴⁰ Haji goes on to question why, with “pasts fixed”, Peg and Peg* agent-caused such radically different actions, one akratic, the other continent. Alfred Mele takes a similar tack: “And given that neither world diverges from the other in any respect before *t*, there is no difference at all in Joe in these two worlds to account for the difference in his decisions.”⁴¹

Let’s isolate the sort of premise luck objectors exploit and call it “Alternative Possibilities Twist” (APT) in light of how it “twists” the libertarian’s alternative possibilities condition into something burdensome:

APT: With the alternate possibilities condition satisfied, either way the agent chooses, none of the agent’s prior states can, by themselves, account for the choice she makes.

⁴⁰ Haji 2004, p. 142.

⁴¹ Mele 2006, p. 9.

Griffith and others agree that APT is true but see it as insufficient to attack the agent-causal account of control.⁴² Two discrepancies between APT and the agent-causal account of control stand out. First, agent-causal control is exerted at the time a choice is made, not prior. This suggests that APT should be extended “temporally” to include pertinent events at the moment of decision. Second, agent-causal libertarians claim that it is the agent-as-substance that causes her choice thereby determining which possibility is actualized. APT’s explanatory challenge does not explicitly mention agents-as-substances. APT should, then, also be extended “ontologically” to include substances as causes as well as events as causes. By bringing APT more in line with the agent-causal view, the luck objection can be strengthened and the “false presupposition” discarded.

Rather than simply adding the identified features of agent-causal control to APT, I see no reason not to modify APT so as to altogether avoid troublesome presuppositions of any kind:

APT*: With the alternate possibilities condition satisfied, either way the agent chooses, nothing prior to or concurrent with the decision can fully account for the agent’s choice in a way that suggests the agent controlled her decision.

APT* leaves it open to agent-causalists to draw on anything they like—substances, happenings at *t*, whatever—to explain how agent-causal control works. The explanatory challenge suggested by APT* is not to explain control in terms of prior events; rather, it is to present a convincing case for the claim that Joan controls her *A*-ing in the actual world even though, given

⁴² See also, Clarke 2005; Steward 2012.

exactly the same past, Joan might have *B*-ed instead. Though the explanatory challenge notes the fixed pasts that precede each of Joan's possible decisions, it in no way rules out the possibility that libertarians might dispel worries about luck by drawing on substances or events at *t*, the very time at which the agent decides.

3.5 The Likely Agent-Causalist Response - Direct Control

To meet the explanatory challenge implied by APT* agent-causalists are likely to reiterate the direct control response. They will say that when Joan, an agent-causal agent, makes the decision to *A* in the actual world, she exerts *direct control* in making this decision by agent-causing it at *t*; in a possible world with the same past and laws in which Joan makes the decision to *B*, she exerts *direct control* in making this decision, again, by agent causing this decision at *t*. An agent exerts direct control over her decision to *A* (or *B*) by agent-causing *A* (or *B*) to occur at the time of decision. The difference between worlds at the moment of decision that worries luck objectors is not to be explained in terms of prior events but in terms of the agent's exercise of her causal power at that moment. Let's see whether this works to get around APT*.

In an earlier case, Joan kept to her lane instead of veering into oncoming traffic. Upon learning that agent-causal libertarianism is true, Joan realizes that there was a greater than 0% chance that her decision could have gone the other way. Spooked by the thought that she might perform *B*-like options in the future, Joan asks a metaphysician how she can altogether avoid agent-causing *B*-like options going forward. The metaphysician tells Joan that she can avoid making akratic decisions by doing what she did to avoid veering into traffic. She can, quite simply, exercise direct control to agent-cause the non-akratic alternative instead.

I will now argue that the metaphysician unintentionally misinformed Joan. He was *right* to tell her that she can avoid *B-like* actions by agent-causing an alternative. His mistake was to give Joan the impression that she can avoid *B-ing for sure*. No one, not the metaphysician, not even Joan can know how Joan will act if she faces a similar situation in the future. That's because all worlds in which Joan does not *B* and worlds where she does *B* will be worlds where the metaphysician advises Joan how to avoid performing *B-like* actions. That's because worlds where Joan *B-s* and worlds where she does not share exactly the same past. Let me develop this idea in another, perhaps, simpler way.

Luck objectors and libertarians agree that just prior to *t* there is a 99% chance that Joan will stay in her lane (*A*) and a 1% chance that she will veer into oncoming traffic (*B*). More specifically, just prior to *t*, there is a 99% probability that Joan will agent-cause *A* and a 1% probability that she will agent-cause *B*. Prior to *t*, then, no one, not even Joan, can guarantee that she will not agent-cause *B* at *t*. That's because the following two claims are inconsistent: 1) there is a 1% chance that Joan will *B*, and 2) Joan will definitely not *B*. The only way she could guarantee this would be if she could somehow reduce her chances of *B-ing* to 0%. But then *B* would not be a real option for Joan, and the alternate possibilities condition would not be satisfied. As a result, Joan would lack libertarian freedom regarding this particular choice. In short, either there is some chance prior to *t* that Joan will agent-cause *B* at *t*, or there is no such chance, and but then Joan's *A-ing* is not free. The question is whether agent-causalists, having admitted this much, can represent Joan's causal role at the moment of decision in a way that strongly suggests that she controls whether she agent-causes *A* or *B*.

Let's first consider what does not happen at *t*. At *t*, there is literally no time left for an event to precede Joan's decision. No last minute reasoning or sudden realizations come to mind

that could meaningfully affect Joan's decision—these will all have taken place “prior to t ”. Of course, many states of affairs will coincide with Joan's decision. Even so, these occurrences cannot meaningfully affect her decision. This is because either concurrent states of affairs involving Joan are the same across worlds, in which case they are explanatorily irrelevant; or concurrent states of affairs at t differ across worlds. If the latter, there will be room to question whether Joan or the differing states of affairs are responsible for Joan's differing decisions. Agent-causal libertarians obviously do not want this result.

Here is the crux of the problem. There is literally no time between “just prior to t ” and t during which the 1% chance that Joan will B can be reduced to 0%. So appealing to the claim that control is exerted at the moment of decision cannot help, since, if by the time t arrives the agent has not been able to determine how she will decide, then there is no time left for further input from the agent that might “inform” her causal power one way or the other. At t , exactly the same agent in exactly the same situation agent-causes A in the actual world and B in the contrast world. The original problem of fixed pasts leading to differing decisions becomes the problem of identical agents causing different decisions. Adding the agent to the causal story as a further cause to augment control is unhelpful because the agent-as-cause is no more predictable than the probabilistic event causes she is meant to replace or complement.⁴³

3.6 Conclusion

Nothing about the agent-causalist's “straightforward explanation” gives us reason to believe that the agent has *control* over which world becomes actual. It might be true that which

⁴³ See Haji 2004, pp. 241-243.

world becomes actual depends on how the agent exercises her agent-causal power at the moment of decision. However, it is also true that how the agent exercises her agent-causal power is a matter of luck.

Chapter Four: Steward and Agency Incompatibilism

4.1 Introduction

Helen Steward proposes that the very notion of agency is incompatible with the thesis of determinism. According to Steward, indeterminism is required for agency because no event can be an action unless it is indeterministically caused, and agents just are entities that perform actions. In Steward's estimation, whether an agent acts at any given time is up to the agent and, roughly, no event can be up to an agent if it is deterministically caused. Steward is, then, for all intents and purposes a libertarian with regard to action. Given my arguments in the previous three chapters, it stands to reason that just as indeterminism at the moment of action leaves libertarianism open to problems concerning luck, so too it leaves Steward's views on agency and action susceptible to luck.

In this chapter, Steward's unique perspective on actions and her approach to tackling two forms of the luck objection are critically examined.

4.2 Steward on Agents and Actions

Steward distinguishes agents from non-agents by proposing that the latter (things such as rocks, trees, cars) simply *are* bodies whereas agents *have* or *own* their bodies and have certain powers over them. One such power, the power to act, is of particular interest to my project. According to Steward, when an agent acts she causes her body or one or more of its parts to move. When one makes a decision, for example, one causes a movement in one's brain.⁴⁴

⁴⁴ Steward 2012, p. 33.

Steward claims that with each act an agent performs she *settles* some matter concerning the location and movements of her body.

The notion of *settling*—a term of art for Steward—requires some explication. Steward writes:

I want to insist that as I move through the world, performing the various activities of which my life consists, I am constantly settling the answers to a variety of questions whose answers are (therefore) not *already* settled long before the time at which my actions take place, such as whether I shall $\Phi\Psi$, when and how I shall $\Phi\Psi$ (if I do), and so on. The core idea at the heart of this notion of settling a matter is that of a question that is capable of being resolved in different ways at all times up until a certain moment—the moment of settling—at which point something that happens causes it to become resolved in some particular way. (Steward 2012, p. 39)

To *settle* a matter, then, is to close off all of the previously open possibilities except one concerning that matter. By *acting* agents *settle* open questions concerning the locations and movements of their bodies.

To elaborate, events involving bodily movements occur at certain times. Thus, each possible bodily movement can be represented as a time-indexed proposition such as P: “Joan begins to juggle at 6:30 p.m., on February 20th, 2017”. Because no Stewardian action is necessitated by the past, “whether P” is not settled until 6:30 p.m. (on February 20th, 2017) at which time Joan either causes herself to begin juggling or she doesn’t.

Steward’s notion of actions-as-settlings leads her to ‘agency incompatibilism’. If agents settle matters concerning the movements and locations of their bodies *by acting*, then determinism must be false. For if determinism were true, nothing would be settled by our actions; rather, how and when we move our bodies would have been settled long ago by events

in the distant past and the laws of nature.⁴⁵

4.3 Agency Incompatibilism and Luck

Stewardian actions have much in common with libertarian *free* actions. Both involve the exercise of a two-way agential power to act or refrain from acting at a given time. As we've seen, two-way agential powers of the sort Steward and libertarians posit, require indeterminism. Since indeterminism at the moment of action spurs the luck objection to libertarianism, it seems that Steward should face a similar problem as well.

Steward, well aware of the luck objection and its potential threat to her view, dedicates substantial space in her book to addressing the problem. Steward frames her discussion of luck around the following case.⁴⁶ Joe is considering moving out from his crummy apartment and into his girlfriend's luxurious condo. Not only are her dwellings nicer than his in every way, Joe loves being with his girlfriend and dislikes living alone. Among other things, by moving in Joe will save money and his commute to work will be appreciably shorter. In short, Joe has, and is fully aware of, many good reasons to decide to move in with his girlfriend (option A). At the same time, Joe has no good reasons whatsoever to decide against moving in (option B).⁴⁷ After some deliberation, Joe judges it best that he A. Soon after, at time *t*, Joe A-s in accordance with his best judgement and his reasons.

⁴⁵ Even if determinism is true, there is a sense in which agents' decisions settle matters. Some people like to channel surf. These people flip through the channels looking for something to watch, pausing for about a fifth of a second to decide whether to watch or change the channel. Eventually they put the remote down, having *settled* which channel they will watch (and which ones they will not). That determinism is true does not change the fact that by stopping at a certain channel the agent has settled which channel she will watch by deciding what to watch.

⁴⁶ The structure of the objection is Alfred Mele's (2006). Steward, though, provides the details of the story.

⁴⁷ To avoid ambiguity, Joe's options are, A: "decide to move in with his girlfriend", and B: "decide against moving in with his girlfriend".

Steward labels cases like Joe's "clear cases". In such cases, an agent's relevant reasons all suggest a single option, making it clear to the agent what ought (from the agent's point of view) to be done. Because Joe's *A*-ing is a Stewardian action, it was not causally necessitated by the past and laws of nature. In other words, Joe need not have *A*-ed. He might have *B*-ed at *t* instead. In fact, there is a possible world with the same laws and pre-*t* past as the actual world where Joe does *B* at *t*. Regarding a case of just this sort Mele writes:

If there is nothing about Joe's powers, capacities, states of mind, moral character, and the like in either world that accounts for this difference [*A*-ing in the actual world and *B*-ing in the possible world], then the difference seems to be just a matter of luck. And given that neither world diverges from the other in any respect before *t*, there is no difference at all in Joe in these two worlds to account for the difference in his decisions. To be sure, something about Joe may explain why it is possible for him to decide to *A* in the actual world and decide not to *A* in another world with the same laws and past. That he is an indeterministic decision-maker may explain this. That is entirely consistent with the difference in his decisions being just a matter of luck. (Mele 2006, p. 9)

Mele's point is this: if Joe's choices at *t* differ across worlds while the pre-*t* pasts and the laws don't differ in the worlds, then Joe's choice is a matter of luck. Mele makes the problem of luck especially salient by focusing attention on Joe's "powers, capacities, states of mind, moral character, and the like". None of these things differ in the actual world and in the contrast world prior to Joe's making vastly different decisions in these worlds. I will refer to this particular version of the luck argument as the Metaphysical Randomness argument.

Steward concedes Mele's conclusion—Joe's decision *is* a matter of luck—however, she rejects Mele's line of reasoning.⁴⁸ Steward interprets Mele as presupposing an account of luck on which "it may indeed be possible to infer from the fact that there is no explanation in terms of any antecedent of why *p* rather than *q*, that it is at least partly a matter of luck that *p* rather than

⁴⁸ Steward 2012, p. 131.

q.”⁴⁹ Rather than seeing this account of luck as “an unforeseen disastrous consequence” for her view, Steward sees it as a requirement. What Steward has in mind is the following. Two-way powers of the sort Steward claims agents possess just are powers to act or refrain from acting without being determined to do so by the past, or the agent’s properties in the past or at the moment of decision. In other words, it is part and parcel of a two-way power to act or refrain from acting that an agent’s “properties at a given time [must] not dictate that they will act, in given circumstances, in just one possible way.”⁵⁰

Steward, though, has her own reasons for thinking that Joe’s *B*-ing is a matter of luck. Her view is that with absolutely no reason to *B*, Joe’s *B*-ing would defy rational explanation. In the contrast world where Joe *B*-s, none of Joe’s relevant reasons, beliefs, desires, and so on recommend *B*; in fact, all of Joe’s relevant reasons support his *A*-ing. With the past fixed, Joe himself heavily favoured *A*-ing in the contrast world exactly to the extent that he favoured *A*-ing in the actual world. In the contrast world, then, Joe *B*-s in the absence of any positive reason to *B* and in spite of his own judgement and many strong reasons to *A*.

Steward contends that Joe could not have caused *B*. Joe’s control at *t* must have been subverted by a freak occurrence of some sort: “It seems impossible to understand how it could have been a true decision, one made by Joe of his own volition, because it does not connect up properly with what we know in this case are the motivational and deliberative antecedents of what occurs.”⁵¹

⁴⁹ Ibid., pp. 130-31.

⁵⁰ Ibid., p. 131.

⁵¹ Ibid.

Unable to see any connection whatsoever between Joe's reason-states and deliberations on the one hand and *B* on the other, Steward is convinced that Joe's control over his power to act must have been supplanted in the contrast world. Call this sort of luck argument, Disconnection.

"Clear cases" occur frequently. Agents often know exactly how they should decide and for what reasons. But if deciding in the only rational way available is to count as a Stewardian action, one must have an alternative. Otherwise, deciding in the rational way appears to be "necessary", which goes against it being entirely up to the agent how she exercises her causal power. However, if one's only alternative in such scenarios is to choose in complete and utter defiance of one's strongest reasons and best judgement that is formed on the basis of these reasons, then one's alternative is, essentially, "to go crazy". Steward, understandably, is not happy with this result. Referring to the decision in the contrast world, she writes, "we can only conceive of the possibility of such a 'decision' occurring, if we can conceive of it at all, as a kind of random upsurge of total irrationality into Joe's psychological life.[...]How could an insistence upon such possibilities contribute in any way to our control over the course of events". Joe's control over his alternatives seems to be compromised; in the event that Joe *B*-s, the likely explanation is that he was forced to do so by something *beyond his control*. But if Joe could not make a controlled decision to *B*, then, for all rhyme and reason, he is left with only one real option, and thus he appears to lack alternatives, which would mean his decision was not a Stewardian action.

To my mind, Joe's problem is less a problem of control than it is a problem of lack of "real" alternatives. Joe needs to be able to settle what he does at *t*. If *B*-ing is not the sort of thing that Joe, of his own volition, can do, then *B*-ing is not a real option *for Joe*. To be clear, it is possible that Joe *will B*; it is, however, not possible that Joe *qua agent* will be the cause of his *B*-

ing. Therefore, *B* is not a real option *for Joe*. Steward says as much herself when she claims it is inconceivable that Joe could *B* if it were up to him. But if Joe cannot *B*, and his only other option is to *A*, then Joe does not settle anything when he *A*-s.⁵²

That *B* is not a real option for Joe is only a *prima facie* problem for Steward, who maintains that Joe's *A*-ing *is* an action. From Steward's perspective, this of course can only be true if Joe has a real alternative. Steward explains her position in the following passage:

Actions (including decisions) must be things, therefore, whose occurrence is always non-necessary relative to the totality of their antecedents. What this implies is that they must be exercises of a power that need not have been exercised at the moment or in the precise way that it was in fact exercised. The power to act, as many philosophers have remarked, is a two-way power: to act or to refrain from acting.⁵³

It appears that Joe could have *refrained from A-ing at t*. In other words, in the actual world Joe *A*-s at *t*, while in a possible world with the same past and laws, Joe refrains from *A*-ing (he $\sim A$ -s), opting to not decide at all. In either case, Joe settles whether he *A*-s at *t*. Crucially, $\sim A$ -ing (not choosing or deciding to move in) is not the same as *B*-ing (choosing or deciding against moving in). Steward is basically saying that it is a mistake to assume that Joe's options are *A* and *B*. Joe's options are in fact *A* or $\sim A$.

Against Steward one might rejoin that, given the "clearness" of the case, $\sim A$ -ing seems just as irrational as *B*-ing. Steward does not think so. Foregoing a decision when facing a clear

⁵² Were we talking about the sorts of action that issue in the movements of limbs, Steward would have an answer. In those cases, she is not averse to the idea that some of our movements are necessary, as is the case perhaps with a drug addict and the consumption of the substance to which she is addicted. According to Steward, even when the agent compulsively uses drugs, she settles details concerning such matters as whether to inject into the right arm or the left, or whether to take long luxurious puffs or to take short quick puffs. The making of a decision to do something, though, is not the sort of act that admits of such variations. Decisions do not differ from one another stylistically. So, if Joe could not *B* and there is no sense in which he could have *A*-ed differently it appears as though nothing is settled by Joe's *A*-ing. If true, Joe did not act when he *A*-ed.

⁵³ Steward 2012, p. 155.

case might be is a reasonable thing to do when an agent simply wants to avoid making a hasty decision. Another reason one might refrain from making an obvious decision is that one is simply under no obligation to decide at or by any certain time.⁵⁴

Steward offers an example of this latter sort. In the example she is sitting at her computer writing, and has been “dimly thinking about a cup of tea”. She has a reason to make a cup (she wants one) but lacks a reason to get up and get one right this second. Her refraining from doing something she has a reason to do is not wholly irrational by any means. In her example, Steward refrains from performing an action she has reasons to perform. Even so, she claims there need not be any explanation available as to why this is so. This does not mean the action cannot be explained, only that the action’s taking place when it did cannot, sometimes, be explained.⁵⁵

To elaborate, the general idea behind Steward’s move is the following. When agents have strong reasons to make a particular decision, it is rarely irrational for an agent to simply not decide at a given moment. This was the case with Joe. While all of his reasons unequivocally favored *A*, his failure to decide at a certain time is not irrational given that he was under no obligation to decide at that particular moment. We can imagine that in the actual world, Joe *A*-s at *t* and in a possible world with the same past and laws, Joe puts the decision off for a bit longer.

4.4 My Thoughts on Steward’s Solution

I have three points to make regarding Steward’s proposed solution to Disconnection. First, I will suggest that an agent can have two rational options available to her yet still suffer a Disconnection-like problem. With this in mind, I will re-visit Joe’s case, and propose that, even

⁵⁴ Ibid., p. 170.

⁵⁵ Ibid.

in light of Steward's proposed solution, Joe's case is harder to judge than it may at first seem. The aim of my second point is to show that the number of cases where Disconnection arguments can be dispelled by Steward's solution are going to be appreciably smaller than she seems to suppose. Third and finally, I will suggest that whether or not Disconnection-type arguments apply to Joe is moot. Disconnection arguments, I will suggest, are just (particularly strong) versions of Metaphysical Randomness arguments. I will then revisit Steward's response to the Metaphysical Randomness argument and argue that it is not persuasive.

Steward gets around Disconnection by replacing B (deciding not to move in) with $\sim A$ (not deciding to move in). Unlike B , $\sim A$ is not wholly irrational for Joe. Therefore, Joe has an alternative to A , the selection of which does not require of Joe that he do something completely irrational. Before I revert to Joe's particular case I want to examine the general form of Disconnection arguments with the intent of revealing a potential flaw in Steward's solution.

Disconnection arguments establish a strong link between an agent and the agent's "motivational and deliberative antecedents" on the one hand, and the agent's decision on the other. A link of this sort is established, for example, when an agent has two or more alternatives and, through deliberation, she picks out a clear favorite (without actually deciding) based on what are her stronger reasons. In the actual world, with this firm connection established between the agent, her reasons, and one of her options, she makes "the right" decision. In the contrast world, pasts being exactly the same, the agent favours the same option, but then, inexplicably, acts against her better judgement and stronger reasons. For an example of this sort, think back to Joan's predicament in Chapter Three.

It is not a requirement of Disconnection arguments that agents have only one rational option available to them. An agent who has weak reasons supporting one option and strong reasons supporting a second option can fall victim to Disconnection problems. Therefore, that Joe has $\sim A$, a minimally rational option, open to him, does not give us a sufficient reason to think Disconnection has been overcome. For this reason, we should proceed with caution in assessing Steward's solution. Let's now return to this proposed solution.

Reconsider the original scenario, this time replacing B (deciding not to move in) with $\sim A$ (not deciding to move in). It remains the case that all of Joe's relevant reasons recommend A (deciding to move in), and that Joe himself judged in accordance with these reasons, that he ought to A . Suppose that Joe A -s at t . This being a Stewardian decision, there is, again, a contrast world with the same pre- t past and the laws but in which Joe $\sim A$ -s at t . Steward says the following of the contrast world:

If he had decided at t that he ought to put off the decision about moving in with his girlfriend until a later date just in case there were any drawbacks he might not have thought of and notwithstanding his sense that the decision ought to be clear-cut, that would not have been irrational or unintelligible or in the least at odds with our conception of how it is that human beings operate when under the influence of ordinary sorts of human motivation. (Steward 2012, p. 170)

It turns out that Joe is a cautious person, and in the contrast world Joe's cautiousness got the best of him. Is this a case of Disconnection? On the one hand, Joe was leaning very heavily toward A -ing. He judged it best that he A , and then, in the actual world he A -ed. No disconnection there. In the contrast world, reasoning precisely as he did in the actual world, Joe fails to make a decision. There may be a Disconnection-type argument to be made here given Joe's strong reasons and especially his own judgement that he ought to A , being followed by a failure to decide. On the other hand, given the gravity of the decision, Steward may be right that

there is nothing irrational about putting off a decision of this sort.

One thing that should hold one back is that we do not know enough about Joe. *Steward* seems to take “caution in the face of big decisions” to be some kind of universal principle. Maybe it is. However, what we need to know before evaluating this case is just how cautious *Joe* is. The disconnection in the contrast world, if there is one, will be between *Joe* and *his* motivational and deliberative antecedents. If Joe is incautious or largely unconcerned with caution when he is deliberating, then we might have a Disconnection case on our hands, especially given his very strong reasons to decide to make the move.

I am not confident enough either way to press the issue regarding Joe’s case. I merely hope to have drawn attention to the fact that going from an extreme case where an agent has no reason to make some decision to a case where an agent has a minimally rational reason, is not, in and of itself, sufficient reason to think that a Disconnection argument cannot apply.

Even if we suppose that the option to “not decide right now” is more or less ever-present and is almost always at least minimally rational, Disconnection cases will not disappear entirely. Sometimes it makes little sense to put off a decision. Whether or not this is so will depend on a host of factors.

In the next two sections I raise more incisive objections to *Steward*’s position.

4.5 The Ultimatum Case

Steward, having taken herself to be on firm footing up to this point raises the stakes by considering a potential counter-example to the view that not deciding is always an option. In this new scenario, Joe’s girlfriend demands that Joe choose *now*; otherwise, her offer will be

withdrawn.⁵⁶ This scenario presses on Steward's claim that refraining from deciding is an ever-present rational, and therefore legitimate alternative to making a decision. The problem of course, is that for Joe to $\sim A$ in this case would be as irrational as it was for him to B in the original case.

Steward argues that several relevant differences keep this case from being relevantly similar to the original. The first germane difference is that between actions and omissions.

Steward explains:

We are concerned with an omission, a failure to act, not with an action. It may be that it would have been irrational for Joe not to have made the decision then, but there is simply no issue, as there was in the original case, about whether Joe really counts as the agent of an action in the counterfactual scenario in which he fails to decide at t to move in with his girlfriend. For we are not, in general, agents of all our non-actions (though we can sometimes be responsible for them). There is no question of its having been possible for Joe not to have made the decision at t seeming to entail the possibility that an event beyond his control should have occurred. (Steward, 2012, p. 172)

I confess to not understanding the point Steward is trying to make here. It is true that “we are not the agents of all our non-actions”.⁵⁷ But it seems to me that this is irrelevant to the present case since Joe's girlfriend is demanding an answer of him *now*. For that reason, it seems that it is best to assume that Joe would be the agent of this particular omission, should it occur. And contra Steward, if when Joe's girlfriend demands an answer, Joe somehow manages to fail to answer unintentionally—perhaps he is daydreaming when she asks—it is hard to see how he could do otherwise given the same past and the laws, since he will be daydreaming in those scenarios as well. For that reason, it best to suppose that if there is an omission in this case, this

⁵⁶ Ibid., p. 171.

⁵⁷ Ibid., p. 172

omission is the result of a conscious decision Joe makes.

Steward raises another point here, “we are not forced into the admission that in saying [that Joe could have refrained] we imply that it was merely lucky for him that he was not waylaid by mysterious forces beyond his control at the time of decision. *For he remains in control of the question of whether he will decide or whether he will dither*”.⁵⁸

If Joe “remains in control of whether he will decide or whether he will dither”, as Steward suggests, and dithering amounts to deciding against moving in, then either ~A-ing, like B-ing, is not a legitimate option for Joe, or, Joe can make a controlled decision to do what was said to be impossible in the first case—decide against moving in.

Finally, Steward says there is a reason for Joe to refrain in this case: the reason derives from the general rational principle that one ought to exercise caution when facing irrevocable decisions of importance.⁵⁹

However, when I said earlier that one can raise a disconnection objection even when one has reasons supporting each alternative, the following is the sort of thing I had in mind. It is true that one should not rush into an irrevocable situation. However, everything we’ve been told about Joe to this point suggests that moving in with his girlfriend has no drawbacks in Joe’s eyes—the eyes that matter in a disconnection type argument. Joe’s only reason for not deciding in the *previous* case was that he did not have to make a decision at a certain time. Now he does have to make a decision at this time. If the decision is really as clear as we were led to believe and the only thing speaking against it is general caution, then I am quite convinced that a world in which Joe refrains from deciding is a world in which Joe displays a high degree of

⁵⁸ Ibid., p. 172. Italics added.

⁵⁹ Ibid.

disconnection; that is, there is a disconnection between Joe's pertinent behaviour in that world and his reason states. But, again, it really depends on how Joe views his various reasons. What we know of Joe is that he has very strong reasons to move in and he is aware of these reasons. The only reason for his failure to decide in the original case was that he did not have to decide at a certain time—say, *now*. In the modified case in which he is given an ultimatum, decide now, even that reason for not deciding at a certain time is removed. For Joe to refrain now because “he needs more time” when there is literally no time left—what could be more irrational than not deciding now when he has no reason whatsoever not to decide now.

4.6 Metaphysical Randomness Revisited

Even supposing Joe's case is not a good candidate for a Disconnection-like argument, it is a very good candidate for a Metaphysical Randomness argument. Steward seems to think that the two are distinct. I'm less sure. It seems to me, rather, that when an agent suffers a rational disconnection (a disconnection between her behavior and her reason states), it is because of “metaphysical randomness” at the moment of decision. Thus, Disconnection arguments are but a sub-class of Metaphysical Randomness arguments. Disconnection cases only make the problem of luck more salient by focusing on agents who, due to cross-world luck, cannot even be guaranteed to make, from their own perspectives, highly rational decisions.

Let's revisit Steward's response to Mele's Metaphysical Randomness argument. The gist of her point is found in the following passage:

If there are to be creatures with two-way powers, she will insist, then there are creatures that are such that their properties do not dictate that they will act, in given circumstances, in just one possible way. If this position is not to be ruled out prematurely, then, we must be careful about what exactly our *grounds* are for agreeing with Mele that Joe's decision looks to be a matter of luck. The reason, why it does indeed seem to be a matter of luck

that Joe decides as he does must not be simply that in advance of the decision he possesses no *properties* that might explain why his good reasons took effect, even though they might not have done. (Steward 2012, p. 131)

Steward takes a similar tack to that of Griffith. The idea here is that libertarians (and agency incompatibilists) accept that nothing *about* an agent or her past can fully explain why she *A*-s rather than *B*-s at a particular time. This merely follows from the alternative possibilities condition, a condition that all libertarians place on free action. Steward continues:

Action introduces into the world another kind of dependence entirely from the kind that is exploited by explanations of how things turn out in terms of how things antecedently were: dependence on an agent as opposed merely to dependence on the way the agent is. The Agency Incompatibilist should insist that it is not because something *about us* makes us act or because something explains why we act, but simply because *we act* that it is up to us what happens to our bodies. (Steward 2012, p. 169)

The thrust of Steward's final sentence eludes me. She seems to be suggesting that because agents cause their bodily movements it is up to agents *how* they move. In other places Steward does say that agents settle not only whether and how they will move by acting but also the minute details of their movements: how fast, for how long, and so on. Perhaps this is what she means when she says "because we act [...]it is up to us what happens to our bodies" and she might be right about that, but it does not answer the fundamental question that the luck objection raises concerning control. It does answer the weaker question about what *causes* an agent's movements: the agent herself, according to Steward. That's one thing, though. Whether the agent has *control* over what it is that she causes her body to do is another.

4.7 Conclusion

Steward's handling of both the Metaphysical Randomness and Disconnection versions of the luck argument is incomplete. In discussing the former, Steward says that the causal openness

of the future is a requirement of libertarianism and that prior events or properties of an agent do not explain an action is something she accepts. Steward is right: a libertarian should take this position since to take this position just is to say that the alternative possibilities condition is fulfilled. However, Steward fails to follow up with an account of how agents exert control in selecting from among their alternatives. To fail to do so is to open the doors to the luck objection.

As for the Rational Disconnection argument. Steward's response presupposes that if one has two rational options, one cannot be rationally disconnected when one decides; there should be no disconnection between relevant behavior and reason states. I argued that whether one is rationally disconnected from one's decision depends not just on the options themselves, but also on one's attitudes toward one's options leading up to one's decision.

Steward's point about cases in which agents have reason to do something but lack reasons to do the thing at any particular moment is interesting. I am unable to reach a verdict on such cases as far as the Rational Disconnection argument is concerned. However, such cases do nothing to ward off the Metaphysical Randomness argument.

Chapter Five: Mele and Luck-embracing Libertarianism

5.1 Introduction

Alfred Mele, a central figure in the development of the luck objection, suggests an unorthodox response to this objection.⁶⁰ Mele invites libertarians to consider whether freedom and moral responsibility might be compatible with luck. Though Mele develops “luck-embracing libertarianism” as an event-causal libertarian position, I include it here after having dismissed such views in Chapter Two, for two reasons. First, given that I am both convinced by the luck objection and hopeful that some version of libertarianism is true, attempts to work around the problem of luck—as opposed to attempts to deny the problem—if successful, will allow me to have my cake and eat it, too. Second, luck-embracing libertarianism can easily be given an agent-causal libertarian formulation.⁶¹ I do not here undertake that project since the effort, it seems, would be wasted on account of my having an objection in store that works equally well against either libertarian view.

5.2 Luck-embracing Libertarianism

No one can *directly control* the outcome of a good hard throw of a well-constructed die. That’s because the probability that any of its six sides will land face up is 16.6667%, and there is nothing anyone can do about that once the die is thrown. Things, however, can be done prior to a throw to increase the likelihood of a particular outcome. One can, for example, “load” the die by carefully drilling into it and strategically wedging a tiny ball-bearing near the surface of one of the sides before sealing up the hole. The weighted side is more likely to “stick” to the table

⁶⁰ Mele 2008.

⁶¹ Mele 2008, p. 275

making the opposite side more prone to land face up. Because a loaded die does not always work as intended, one does not gain total control over a die by loading it. Loading a die merely increases the chance that one's luck will be good rather than bad. We might say that a person who loads a die "softens" luck's effect, and thereby acquires some degree of responsibility for the die's behavior.

The foregoing analogy demonstrates that agents can sometimes take steps to acquire a degree of responsibility for an event that is a matter of luck. According to *luck-embracing libertarians*, agents lack direct control over their basically free actions.⁶² These actions are matters of luck for those who perform them. Agents, however, do have the ability to influence the relevant probabilities associated with their basically free actions. By exercising this ability agents garner a degree of responsibility for their luck-infected free actions. In essence, agents can "load the dice" *prior to* the performance of a basically free action by way of their past and present basically free actions. Whereas the distribution of weight within a die grounds its probabilities, the probabilities associated with an agent's possible actions at a time are grounded in aspects of the agent's psychology. Such aspects include beliefs, desires, attitudes, and so forth. By manipulating these things, through prior basically free actions, agents influence the probabilities associated with their future basically free actions. By reflection on past behaviours and subsequent action one might, for example, temper or fuel existing desires, strengthen or weaken one's confidence in one's beliefs, acquire new beliefs or desires, or discard old ones

In developing luck-embracing libertarianism, Mele concerns himself primarily with basically free *decisions*. For Mele, deciding to do something, *A*, (or making a decision to *A*) is a

⁶² A quick terminological point is in order. Mele uses 'basically free action' in place of 'directly free action'.

momentary mental action of forming an intention to *A*.⁶³ Normally, which is to say, by default, an agent who acquires a “conscious belief [...] to the effect that it would be best to *A* (or best not to *A*)—best from the perspective of his own values, desires, beliefs, and the like [...]” will form an intention to *A* (or not *A*). Mele dubs “conscious beliefs to the effect that it would be best to *A*”, *CBs*. When an agent’s newly acquired *CB* conflicts with one or more of the agent’s substantial desires one of three things will happen: (1) the agent forms an intention in line with her *CB* in the normal, default way; (2) the motivational opposition (i.e., the desire) is overcome thanks to the agent’s efforts of self-control; or (3) the motivational opposition rather than the *CB* figures in the formation of an intention. When an agent acquires a *CB* regarding some matter, whether (1), (2), or (3) occurs is indeterminate. It is the probabilities associated with each of these three possibilities for which the agent is responsible.

As an illustrative example, Ann is in a bind.⁶⁴ Earlier in the day, she promised her brother that she would flip a coin at high noon. After making the promise, a mysterious stranger offered Ann \$10,000 to break the promise. Noon is approaching and she must make a decision. At 11:55, Ann acquires a *CB* to the effect that she ought to keep her promise. Ann’s desire to keep her promise grounds the 35% chance that her *CB* will issue in an intention to flip the coin. Her desire for cash grounds the 35% probability that her *CB* will be overruled. Finally, Ann’s dedication to deciding on the basis of reason rather than desire grounds the 30% chance that Ann will exercise self-control in an attempt to ensure that she intends in accordance with her *CB*. What happens

⁶³ Mele 2006, p. 15.

⁶⁴ I here adopt and modify a case developed by Mele 2008, pp. 255-256.

next is a matter of luck.⁶⁵ In one possible world Ann forms an intention to flip the coin. In another possible world with the same laws and past as the first, Ann forms an intention to not flip the coin. In a third possible world with the same laws and past as the other two, Ann struggles to decide in accordance with her *CB*. Which world becomes actual, is, at this point, out of Ann's hands.

Luck-embracing libertarians place great importance on the idea that Ann's probability-grounding mental items are not imposed on her by external forces.⁶⁶ Ann's reflection on the outcomes of pertinent sorts of action in the past and her subsequent actions played a part in shaping the probabilities of acquiring these items. Suppose that many years ago Ann made and kept an important promise to her brother, who later expressed his immense gratitude to Ann. That night Ann vowed to herself never to break a promise to her brother. This vowing act represents an intentional effort by Ann to "set herself up" to keep promises in the future. Now, whenever Ann feels tempted to break a promise she has made with her brother, she recalls her vow and the reason she made it in a conscious effort to increase the chance that she keep her vow.⁶⁷

Had Ann broken her promise all those years ago her attitude toward promising might have been different. Ann might have become less averse to breaking promises, or she might have later become even more determined to keep promises in the future. In either case, a different action in the past would most likely have altered the relevant probabilities in the present coin flip scenario.

⁶⁵ More accurately I should say that what happens next is partly a matter of luck. After all, the performance of any action involves the exercise of some control by the agent.

⁶⁶ Mele 2008, 262-3.

⁶⁷ It is worth noting that prior influence on present probabilities need not be intentional or dramatic.

Contemplating luck-embracing libertarianism from this angle can lend this view some plausibility. It often seems as though our past behaviours and the outcomes that follow influence the chances that we will behave in certain ways now and in the future. As Mele says, the probabilities associated with our present possibilities are not fixed, nor are they randomly assigned. Rather, what we do now affects what we are likely to do in the future, and what we did in the past affects what we are likely to do now.

However, luck-embracing libertarianism faces a deep-seated problem. Ishtiyaque Haji explains the complication here: “On the [luck-embracing libertarian’s] view of free and responsible action, if there is a problem of luck concerning Peg’s act of promise-keeping, why isn’t there also such a problem concerning Peg’s ‘earlier’ probability-influencing actions, whatever these actions turn out to be? Has the problem of luck not just been pushed further back?”⁶⁸ The seemingly inherent weakness of luck-embracing libertarianism that Haji presses on is simply this: if an agent’s recent basically free actions entail present luck, then so too do her earlier basically free actions, the performances of which helped shape the present probabilities for which the agent is supposedly responsible. It seems, then, that the relevant probabilities associated with basically free actions are matters of luck just as basically free (libertarian) actions themselves are matters of luck. One is left to wonder, “If the relevant probabilities associated with an agent’s options and the selection from among them are both matters of luck, what part of basically free actions are not matters of luck?” This should raise some serious red flags for luck-embracing libertarians.

⁶⁸ Haji 2009, p. 205.

Mele seems to take the problem in stride: “agents play an indeterministic role in shaping the probabilities that they will act continently and that they will act akratically insofar as they play an indeterministic role in shaping things that ground these probabilities.”⁶⁹ Mele adds, “if these decisions are basically free actions, there was a chance, when Drew made them, that she would not make them. But these facts do not undermine the claim that they influence the strengths of present relevant desires.”⁷⁰ Mele seems content to admit that an agent’s past influence over her present probabilities, influence for which she is supposedly responsible, is a matter of luck; indeterministic influence over one’s psychology is influence nonetheless.

5.3 An Objection to Luck-embracing Libertarianism

Mele seems content to admit that an agent’s past influence over her present probabilities, influence for which she is supposedly responsible, is a matter of luck. In this section, I take Haji’s basic concern and trace it all the way back to a typical agent’s very first basically free action in an attempt to figure out how an agent could possibly be morally responsible for any of its aspects. Through my examination I develop an objection to luck-embracing libertarianism that unfolds in two steps. First, I argue that an agent’s initial basically free action is necessarily a matter of *pure luck*. I then propose that if the first is a matter of pure luck, then so too is the second, third, and so on.

The problem with first basically free actions is that the chances that an agent will act continently, akratically, or refrain from acting at all, are undeniably not influenced by the agent’s prior basically free actions, because, well, there were none. But if the first is a matter of pure

⁶⁹ Mele 2008, 263.

⁷⁰ Ibid.

luck, then by the time the second occurs, the agent will still not have influenced *those* relevant probabilities in a way for which she can be held morally responsible.

My objection relies on a distinction between pure luck and softened luck. An agent who influences the probabilities associated with a future action softens his luck with respect to that action (even if he can do nothing to avoid present luck). An agent's action is a matter of *pure* luck when she has had no prior influence over the relevant probabilities and can do nothing about present luck. An agent is arguably responsible to some degree for his basically free actions only when those actions are not matters of pure luck.

Mele specifies the conditions under which an action is not *purely* a matter of luck in the following passage:

LELs [luck embracing libertarians] maintain that in the vast majority of basically free actions, agents have some responsibility for the relevant probabilities. They have, for example, some responsibility for the chance that they will act akratically and for the chance that they will act continently. These chances are not dictated by external forces, and they are influenced by basically free and morally responsible actions the agents performed in the past. LELs take these claims to soften worries about present luck, but they realize they have more work to do. (Mele 2008, p. 264)

In this passage, Mele unwittingly tips us off about why agents cannot be responsible for their first free actions. If agents are to be responsible for the chances that they will act continently and akratically in virtue of their past basically free actions, then one has to wonder whether an agent can be responsible to any degree for his first ever basically free action.

Fully cognizant of the importance to luck-embracing libertarianism of an account of first basically free actions, Mele frames his own discussion of this tricky issue around the case of Tony:

Consider the first time a normal child, Tony, makes a decision about whether to snatch a toy from his younger sister. He has occasionally acted on nonactionally acquired intentions to grab his sister's toys, but this time he gives the matter some thought and

makes a decision. Tony knows that his father is nearby; and, on the basis of some unpleasant experiences, he associates taking the toy with his sister's screaming and his father's scolding him. He decides not to snatch it and feels a little frustrated. Imagine that Tony's father saw that he was tempted to take the toy and was inconspicuously watching his son to see what he would do. When he saw Tony move away from his sister and pick up something else to play with, he praised him for his good behaviour. The father was not simply trying to reinforce the good behavior; he believed that Tony really deserved some credit for it. (Mele 2008, p. 272)

Mele continues, "It does not seem at all outlandish to believe that Tony would deserve, from a moral point of view, some blame in the world in which he decides to snatch the toy."⁷¹

Mele adds:

The difference at *t* between the actual world and a world with the same past and laws in which Tony decides at *t* to snatch the toy is just a matter of luck. That should be taken into account when asking about Tony's moral responsibility for deciding not to take the toy. The question is whether the cross-world luck--or the luck together with the facts about the case--entails that the degree is zero. I doubt that the knowledge that all actual decision-making children are indeterministic decision makers like Tony would lead us to believe that no children are morally responsible at all for any of their decisions. (Mele 2008, p. 273)

Referring to Tony's toy-snatching episode, Mele has us consider whether cross-world luck and facts of the case should nullify entirely Tony's responsibility for his refraining from snatching the toy from his sister. Mele weighs in, suggesting that "the knowledge that all actual decision-making children are indeterministic decision makers" *by itself* should not lead us to believe that "no children are morally responsible at all for any of their decisions". I completely agree. However, it is "luck with the facts of the case" that I take to reduce Tony's degree of moral responsibility all the way to zero. The pertinent fact is this: prior to his first basically free action Tony has had no opportunity freely to influence the relevant probabilities. This fact

⁷¹ Ibid., p. 272.

conjoined with the supposition of luck at the moment of decision entails that Tony is not morally responsible for his first basically free action, because it is a matter of *pure luck* for him.

If Tony is to be responsible for his first basically free action his luck will have to be mitigated in some way. With adult agents, the luck attaching to their basically free actions is mitigated by their having influenced the relevant probabilities associated with each of their present possibilities by way of past basically free actions. Tony's luck cannot be mitigated in this way, or so I will now argue.

All Tony-involving events occurring prior to his first basically free action will either have been deterministically or indeterministically caused. According to luck-embracing libertarians, deterministically caused actions can be freely performed. However, the freedom of these actions is established by the performance of prior basically free actions. Tony has not yet performed a basically free action, so none of his deterministically caused actions can be free. Therefore, Tony is not responsible for the way his deterministically caused actions affected the probabilities associated with his first basically free action.

Consider next those Tony-involving events occurring prior to Tony's first basically free action that were indeterministically caused. None of these events can be Tony's responsibility, either. Though these events will have been indeterministically caused, a requirement of basically free libertarian actions, none of them will have been freely performed since they will have happened prior to Tony's first free action.

To sum up, Tony is not responsible for the relevant probabilities associated with his first basically free action because Tony is not responsible for any of the events that occurred prior to his first basically free action.

If anything, the relevant probabilities surrounding Tony's first basically free action will have been imposed on him by external forces. My guess is that to this point in his life things such as Tony's parents, his environment, and his genetic profile will have shaped Tony's psychology.⁷² Notice, though, that the influence of such things on Tony's psychology are matters of *pure luck* for Tony.

To return to the dice-rolling analogy, if an agent loads a die and then rolls it, he is responsible for the altered probabilities, and to some degree, for the outcome. If, in another case, an agent loads a die without the consent or knowledge of a second agent, who then rolls the die, the second agent bears no responsibility for the altered probabilities or the outcome of the roll. Tony's situation is a lot like this second agent's.

The same sort of reasoning that supports the claim that Tony's first basically free action is a matter of pure luck equally supports the claim that Tony's second basically free action is a matter of pure luck. Because Tony had no non-lucky, non-determined prior influence over his first basically free action, it was a matter of pure luck from him. This being so, when Tony's second basically free action occurs, Tony will still have failed to perform an action that was not purely lucky or causally determined. And since Tony is not morally responsible for events that are matters of pure luck or that are causally determined, Tony cannot be responsible for the influence of his past actions, all of which are purely lucky or causally determined, on his present probabilities.

⁷² To be sure, other people and factors will influence Tony. I am by no means in a position to offer anything resembling a complete list of such factors. Regardless, whatever the influencing factors are, they will not be freely chosen by Tony since, by stipulation, to this point Tony has not done anything freely.

5.4 Potential Rejoinders

Mele is keen to remind us that children are far less responsible for their actions than adults are for theirs. Mele thinks philosophers tend to forget this when they assess cases like Tony's, and this oversight can lead to a misdiagnosis of Tony's degree of moral responsibility for his action.⁷³ The idea here seems to be that when the degree of moral responsibility at issue is very small, the conditions of moral responsibility are different. Mele goes as far as to suggest that present luck does not absolve children of moral responsibility.

I agree with Haji that worries about degree are beside the point: "Luck does not discriminate among degrees of responsibility. If luck presents a problem for responsibility, it presents a problem no matter what the degree of responsibility in question".⁷⁴ Though Haji's claims are made in reference to present luck, they apply equally to luck concerning one's relevant probabilities, since those probabilities derive from the past luck-infected actions. In addition, I would like to add that I am simply not prone to assuming that children are responsible to the degree that adults are. Why Mele thinks this is a problem for philosophers is beyond me.

I will now consider two other ways luck-embracing libertarians might try to circumvent my objection. The first amounts to an insistence that, despite appearances, Tony is morally responsible to some degree for the probabilities associated with his first basically free action. The second involves conceding that Tony's first basically free action is a matter of pure luck, and then denying that all of his subsequent basically free actions are matters of pure luck.

⁷³ Mele 2008, pp. 273-274.

⁷⁴ Haji 2009, pp. 206-7.

How might a luck-embracing libertarian deny that Tony's first basically free action is *purely* a matter of luck? Perhaps by directing our attention to the specific means by which agents supposedly influence the relevant probabilities:

If agents were to house neural randomizers with unchanging probabilities of continent and akratic action or with probabilities that change independently of what agents learn from their mistakes and successes, they would be subject to luck in a way that seems to preclude their performing basically free akratic actions. But *LELs postulate neural equipment of a kind that agents are capable of molding through reflection and efforts of self-control*. They contend that morally responsible agency is possible and that, over time, agents can take on increased moral responsibility for their probabilities of action in the sphere in which CBs clash with temptation, *probabilities that evolve in ways sensitive to what agents have learned and to their efforts at self-control*. (Mele, 2008, pp. 267-268).

Apparently, an agent's ability to shape his future probabilities depends greatly on his abilities to reflect on and learn from past behaviours and to exercise self-control. Suppose Tony's reflection on prior snatchings and his efforts of self-control *did* influence the relevant probabilities of his first basically free action. The question we need ask now is whether Tony is responsible for his reflective states and efforts at self-control. It seems that he isn't. Any probability influencing reflection Tony engaged in would have taken place antecedent to Tony's first basically free action, and so could not have been freely undertaken (assuming that the reflection at issue is something that can be free). The same goes for Tony's efforts of self-control. Tony made an intentional effort to overcome his inclination to take the toy. Tony's effort—his focus on past scoldings—raised the probability that he would refrain from taking the toy. Tony's efforts softened his luck, surely. With all of this in mind, a luck-embracing libertarian will likely insist on further explanation regarding why Tony is not responsible for his refraining.

Now is a good time to recall that according to luck-embracing libertarians efforts of self-control are basically free actions. When an agent's CB (his belief about what he ought to do) conflicts with one or more of his substantial desires there are three possibilities: the agent will act in accordance with his CB, act in accordance with his desire, or engage in efforts of self-control. So, Tony's efforts did not precede his first basically free action and somehow alter its probabilities; his efforts *were* his first basically free action. And the objection I made earlier regarding Tony's first basically free action remains in effect.

Some luck-embracing libertarians might admit that Tony's first basically free action was purely lucky but then claim that agents do not typically acquire responsibility for their basically free actions until they perform their second basically free action or subsequent ones. Such a story might go like this. Tony's first (completely lucky) basically free action provides Tony with his first opportunity to reflect on and learn from his mistake or success, depending on how things turned out. With a free action to ponder and learn from, Tony is in a position to take future probabilities into his own hands.

My initial objection more or less reduces to the worry that because Tony's first basically free action cannot be preceded by other free actions, Tony had no choice about his relevant probabilities. The current proposal does not deny that assessment and merely shifts focus to Tony's second basically free action, the etiology of which includes no non-lucky, non-determined influence from Tony either.

5.5 Conclusion

While the idea of a libertarianism that embraces luck appeals to me, Mele's account of such a view does not. We cannot, on the one hand, admit that our free actions are luck-infected

and, on the other hand, base our responsibility for our actions on the far-reaching effects of prior free actions.

5.6 Final Remarks

The luck objection raises a *prima facie* challenge for libertarian accounts of agential control. To meet this challenge, libertarians need to clarify just what agential control consists in in a way that quells critics' concerns with present luck. Agent-causalists like Griffith and Steward tend to trump up the role that agent-causation plays in the production of free actions. They argue that because event-causal libertarians shun agent-causation, they lack resources to respond effectively to the luck objection. In chapter two, siding partly with this assessment of agent-causalists, I argued that event-causal libertarians do indeed confront a serious problem of luck. In the subsequent two chapters, I argued that despite their additional metaphysical capital, agent-causalists fare no better than event-causal libertarians in addressing this problem. Finally, I defended the view that Mele's attempt at a work-around, while ambitious, places too much weight on the luck-infected actions it is meant to tip-toe around.

One thing is for sure. The luck objection has elicited some interesting and creative theorizing from libertarians. I look forward to seeing what they come up with in the future.

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