

STUDI

A Libertarian Response to Dennett and Harris on Free Will

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Abstract This article critically examines central arguments made in Sam Harris' "Free Will" as well as key aspects of Daniel Dennett's compatibilist conception of free will. I argue that while Dennett makes thoughtful replies to Harris' critique of compatibilism, his compatibilism continues to be plagued by critical points raised by Bruce Waller. Additionally, I argue that Harris' rejection of the libertarian view of free will is ill-informed and I explain the basics of Robert Kane's libertarian view, arguing that it can be defended against points raised by both Dennett and Harris.

KEYWORDS: Free Will; Libertarianism; Compatibilism; Daniel Dennett; Sam Harris

Riassunto *Una risposta libertaria a Dennett e Harris sul libero arbitrio* – Questo articolo prende criticamente in esame gli argomenti principali presentati nel volume di Sam Harris "Free Will" e gli aspetti principali della concezione compatibilista proposta da Daniel Dennett sul libero arbitrio. Intendo sostenere che Dennett, pur rispondendo accuratamente alla critica del compatibilismo proposta da Harris, sostiene un compatibilismo che resta sotto il giogo delle critiche sollevate da Bruce Waller. Inoltre, cercherò di sostenere che il rifiuto della prospettiva libertaria proposto da Harris è una posizione male informata e illustrerò i principi di fondo della prospettiva libertaria di Robert Kane, affermando che la si può difendere dalle critiche sollevate sia da Dennett che da Harris.

PAROLE CHIAVE: Libero arbitrio; Libertarianismo; Compatibilismo; Daniel Dennett; Sam Harris



SEVERAL YEARS AGO DANIEL DENNETT published an essay, *Reflections on Free Will*, which was an extended discussion of Sam Harris' book, *Free Will*. Harris' book offers an extended critique of the compatibilist conception of free will which Dennett endorses as well as a critique of libertarian conceptions of free will. While differing on the merits of compatibilism, Dennett and Harris both believe that libertarian views are deeply problematic.

In what follows, I offer a defense of the libertarian perspective on free will by addressing key points raised in the works of both Dennett and Harris. I argue that while Dennett provides good replies to Harris' critique of compatibilism, there are deeper problems with Dennett's view which have been raised poignantly by Bruce Waller. Additionally, I contend that the challenges to libertarian free will voiced by both Harris and Dennett are answerable and in doing so, I support a

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libertarian view akin to that of Robert Kane.

Early on in Sam Harris' book, *Free Will*, he states:

Free will is an illusion. Our wills are simply not of our own making. Thoughts and intentions emerge from background causes of which we are unaware and over which we exert no conscious control. We do not have the freedom we think we have. Free will is actually more than an illusion (or less), in that it cannot be made conceptually coherent. Either our wills are determined by prior causes and we are not responsible for them, or they are the product of chance and we are not responsible for them.¹

Daniel Dennett and I both think this is a bad argument, but we do so for different reasons which reflect our different perspectives on the nature of free will and moral responsibility. As a compatibilist, Dennett attacks Harris' assertion that «our wills are determined by prior causes and we are not responsible for them». As a libertarian, I find Harris' assertion that if our wills are not determined «then they are the product of chance and we are not responsible for them» to be problematic.

It is my view that to have the kind of free will which would make us morally responsible in such a way as to be deserving of praise and blame and reward and punishment we must engage in some causally undetermined free acts which enable us to be the ultimate authors of our characters and the actions which proceed from them. Dennett and Harris, indeed most contemporary philosophers, reject such an approach. Nonetheless, in later stages of this essay I will try to take some strides in showing why such a libertarian view may be correct. Before doing so, however, I will turn my attention to Dennett's response to Harris. While I agree, with many of Dennett's criticisms of Harris' argumentation, I do feel that the compatibilist view he defends is problematic in significant respects. It is my hope that by revealing some of these

deficiencies in Dennett's approach I can provide some motivation for giving the libertarian view another and closer examination.

Sam Harris discusses two psychopaths, Steven Hayes and Joshua Komisarjevsky, who committed horrible crimes. Reflecting on these psychopaths and their actions, he writes:

As sickening as I find their behavior, I have to admit that if I were to trade places with one of these men, atom for atom, I would *be* him: There is no extra part of me that could decide to see the world differently or to resist the impulse to victimize other people. Even if you believe that every human being harbors an immortal soul, the problem of responsibility remains: I cannot take credit for the fact that I do not have the soul of a psychopath. If I had truly been in Komisarjevsky's shoes on July 23, 2007 – that is, if I had his genes and life experience and an identical brain (or soul) in an identical state – I would have acted exactly as he did. There is simply no intellectually respectable position from which to deny this. The role of luck, therefore, appears decisive.²

Harris is suggesting that had he been born into the world with exactly the same kind of nervous system and faced exactly the same environmental conditions as these two psychopaths then Harris himself would have committed awful crimes. According to causal determinism, all future events, including human decisions and actions, are a necessary consequence of prior states and events and the laws of nature. Thus, given one's starting points in life this makes all the difference to where one will end up and what one will do. And since one's starting points are a matter of luck beyond one's control, then what one ultimately does in later life is a matter of luck beyond one's control. In this way Harris believes that free will is incompatible with a deterministic picture of the universe. This in turn helps explain his assertion that:

[A] neurological disorder appears to be just a special case of physical events giving rise to thoughts and actions. Understanding the neurophysiology of the brain, therefore, would seem to be as exculpatory as finding a tumor in it.³

On Harris' view, a deterministic universe is a universe in which the kind of free will which grounds just deserts responsibility does not and cannot exist.

Dennett replies that these arguments are wrongheaded. He notes that while it's true that our genetic heritage is a matter of luck and much of the environmental conditions we are exposed to as we mature into adults is a matter of luck, it does not follow from this that determinism precludes us from having the kind of free will that supports just deserts.

Harris can't take credit for the luck of his birth, his having had a normal moral education – that's just luck – but those borne thus lucky are informed that they have a duty or obligation to preserve their competence, and grow it, and educate themselves, and Harris has responded admirably to those incentives. He *can* take credit, not Ultimate credit, whatever that might be, but partial credit, for husbanding the resources he was endowed with.⁴

According to Dennett, while it's a matter of luck whether we are born with normal human brains and whether we are provided with a normal moral education, if we *are* born normal brained and given a normal moral education then we will rightly be held morally responsible for our actions and blamed and punished for our wrongdoing. The normal brained human being who is given a normal moral education will have the kind of rationality and self-control which justifies ascriptions of responsibility. The normal person, who is neither psychopathic nor suffering from other kinds of neurological or psychological disorders nor acting under duress or threat, raised under normal condi-

tions is rightly held responsible for what she does. Such a person can understand the moral norms and laws and the consequences for non-compliance and has the kind of self-control to guide his or her conduct in accordance with such understanding. According to Dennett, these rationality and self-control conditions for free morally responsible action can be met by the normal human being even if determinism is true.

[W]e don't hold *everybody* responsible; as [Harris] notes, we excuse those who are unresponsive to demands, or in whom change is impossible. That's an important difference, and it is based on the different abilities or competences that people have. Some people (are determined to) have the abilities that justify our holding them responsible, and some people (are determined to) lack those abilities. But determinism doesn't do any work here; in particular it doesn't disqualify those we hold responsible from occupying that role.⁵

In his essay Dennett defends at length this compatibilist conception of free and responsible action against the criticisms made by Harris. As noted, I think he provides an admirable defense against these arguments. In what follows, I would like to test the merit of his views by considering points raised in recent work by Bruce Waller.⁶ For Waller's arguments present a more serious challenge to Dennett's position.⁷

Waller believes we lack the kind of free will that makes us morally responsible in the basic desert sense. Because of this he thinks practices of blame and punishment are ethically indefensible, as they perpetrate unjust harms upon others. In supporting his view, he subjects both libertarian and compatibilist conceptions of free will and responsibility to significant criticisms. While I don't find his case against libertarianism to be all that compelling, I do find his case against compatibilism to be convincing.

Waller contends that Dennett has «developed the most philosophically famous ver-

sion of the plateau argument for moral responsibility».⁸ The plateau argument rests on ideas noted above which Dennett develops in response to Harris. The idea here is that once a person reaches a certain level of competence in terms of rationality and self-control she is rightly held morally responsible for her actions. The typical adult human being meets these conditions; those who don't are the victims of especially deficient upbringings or mental disorders or act under duress or threat.⁹ As noted, Dennett thinks that for many of us it will be a matter of luck whether we meet the rationality and self-control conditions for being a morally responsible person; however, all those who meet these conditions should be treated as equally responsible for their conduct. Thus, given two adults meeting the plateau conditions for moral responsibility, if they face the same choice and one acts badly while the other acts virtuously it is appropriate to reward the latter and to blame or punish the former.

Waller takes issue with this aspect of Dennett's view. Waller, a moral responsibility abolitionist, writes:

Plateau advocates of moral responsibility insist that there is a general level of moral responsibility, and beyond that level, the individual differences have no effect on moral responsibility. Moral responsibility abolitionists reply that even very small differences in capacities invalidate claims and ascriptions of moral responsibility.¹⁰

To support this point, Waller tells the story of Ann and Barbara, each of whom must make the choice of whether to enjoy a weekend at the beach or keep a promise to help a friend move. He has us suppose that they both meet Dennett's conditions for the plateau of moral responsibility and he says that Ann makes the choice to go to the beach while Barbara deliberates longer and decides to keep her promise to help her friend.

Why does Ann deliberate briefly and inef-

fectually (had she continued deliberating, as Barbara did, she would have remembered the relevant facts Barbara brings to the equation and would have chosen and acted as Barbara did), while Barbara deliberates more thoroughly and effectively? *Why* – within a naturalistic scientific explanatory system – does one deliberate well and the other poorly? Plateau advocates of moral responsibility counsel that we need not look more closely: both Ann and Barbara have reached the plateau of moral responsibility, both are capable of deliberation and choice, and both are morally responsible for their choices. In contrast, moral responsibility abolitionists insist on seeking an explanation for why Ann and Barbara chose differently.¹¹

Waller goes on to suggest that on a naturalistic world view we should expect there to be sufficient causal reasons why Ann deliberated briefly and made the poor choice and Barbara didn't.

[G]iven a naturalistic framework and the character [Ann] has and the situation she was in, she could not have made the better choice that Barbara made. Those considerations do not imply that it was not Ann's own faulty choice, or that she should be deprived of all future opportunities to make choices, or that she is an incompetent who should be excluded from our moral community, but it does mean that it is unfair to blame Ann for a choice she could not avoid making. In stark contrast stands the moral responsibility *system*, in which Ann has reached the plateau of competence, and therefore she is morally responsible: no questions asked, no inquiries allowed.¹²

Given the truth of the naturalistic worldview, Waller believes there are deterministic causal reasons why Ann is the way she is and why she made the poor choice and why Barbara made the good choice. He agrees

with Dennett that they may both meet the rationality and self-control conditions which our society has set as the conditions for responsible agency, but he thinks it is fundamentally unfair to regard them as equally responsible and, thus, while the one deserves praise the other deserves blame and punishment. He thinks Dennett's view gives an accurate description of how the moral responsibility system works, but he doesn't believe it accounts for the fairness of the system. It is because of the inherent unfairness of Dennett's approach to understanding the nature of free will and moral responsibility that Waller rejects it.

Dennett is familiar with Waller's criticism. In a detailed review of Waller's *Against Moral Responsibility*,¹³ he responds to it. Dennett argues that the societal rule which holds that those who meet certain minimal levels of rationality and self-control shall be held equally moral responsible for their actions is fair, because (1) having such rules is essential to the maintenance of a civilized society and (2) we contract into living in such a civilized society due to the benefits it offers.

You don't have to play the moral responsibility game; you can be a hermit on an otherwise deserted island, fishing and foraging. But if you want to enjoy the benefits of living in a civilized society, you have to play the game.¹⁴

Dennett goes on to contend that to adequately refute him Waller must present a plausible way of maintaining a civilized society without the moral responsibility system that Dennett endorses. He acknowledges that Waller provides an account of this, but he contends that it is utterly deficient.

Waller tries describing a society in which people would not be blamed and punished for their errors and crimes, but Dennett says the no-blame system he describes could plausibly work only if there were some harsh, punitive consequences for those who continually engage in wrongdoing and are not receptive to nonpunitive measures.

The no-blame system only works against a background of blame and the omnipresent threat of punishment, the suspenders that hold up the pants.¹⁵

In a response to Dennett's review, Waller acknowledges that he has not provided a fully worked out alternative to the moral responsibility system, but he still contends that the moral responsibility system should be abolished as it is *not* fair enough. It is not fair enough, because there is no rational alternative for us than to opt into this system which treats all minimally rational and self-controlled adults as equally responsible even though on a deterministic naturalistic understanding of the world this is clearly not the case. He reminds us how Dennett says the moral responsibility system is fair enough because we choose to play "the moral responsibility game." Waller states:

But here the sports/game metaphor becomes less helpful. If I don't like football and its rules, I can play a new game... But in life we can't select another game, or choose a different social system: this is the only one available, unless we decide to be hermits. For profoundly social animals, that's not an attractive option – especially when those who remain in the game would classify us as demented, and fit only for treatment, and unworthy of respect or affection. If we don't play we are banished not just from society, but from the human community.¹⁶

Waller's response to Dennett is fundamentally sound. While Waller admits that he has not fully worked out a no-blame system to replace the moral responsibility system, he has still shown that Dennett cannot explain why the moral responsibility system is fair enough. The problem with Dennett's approach is that he's a compatibilist who thinks that even if all events, including human actions and decisions, are causally determined by prior states and events, then we can still rightly be held morally responsible for our

actions. On Dennett's view, even if determinism is true then we can rightly be held responsible in acting if we meet his rationality and self-control requirements. But, as Waller shows quite forcefully, with his examples of Ann and Barbara, once we accept a naturalistic deterministic perspective we should also believe there are sufficient causal conditions which are beyond Ann's control which have led her to be the way she is and which explain why she could not have made the better choice which Barbara made. Barbara and Ann meet Dennett's requirements for morally responsible agency, but once we accept a deterministic worldview we must also concede that Ann has come to be who she is through factors beyond her control and because of who she is she makes the poor choice she makes. In this way, a deterministic worldview really does undermine the belief that people are morally responsible for what they do, and as such it undermines the belief that the moral responsibility system is fair.

Additionally, Dennett's retort that the system is fair since we opt into it is misguided for precisely the reasons Waller gives – it is “an offer one can't refuse”, as Don Corleone would say. Opting out of the moral responsibility system to live as an isolated hermit is not a decision we can expect any reasonable person to make. Thus, the fact that we participate in the moral responsibility game is no sign of its fairness. Now Dennett might say,

But, still, the benefit we get from the moral responsibility system is a civilized society. By having a system that allows for punishment of those that don't conform to the rules which protect rights to life, liberty, and property, we all stand to benefit.

In this way, Dennett may feel that his compatibilist model of moral responsibility is justified. However, while Waller would have to concede that there are some benefits to the moral responsibility system, it is still a system that is unfair in significant respects and we should continue to search for a workable al-

ternative to it which rejects the notion that people can be morally responsible in such a way as to deserve blame and punishment.

I would note that the driving force of Waller's critique of Dennett's view is his spelling out of the implications of determinism. He shows how it is that on the deterministic model two people who meet Dennett's compatibilist conditions of responsibility will still be shaped to be as they are by factors beyond their control and this will in turn shape the way they respond to situations they face. In this way, we are led to see that it is a matter of constitutive luck that when faced with the same choices Ann makes a poor choice and Barbara makes a good choice. We might wonder here whether the belief in determinism is true and we might also wonder whether indeterminism of the right sort in human decision-making could help us make sense of morally responsible agency.

Now, both Dennett and Harris believe that indeterminism in human behavior and decision-making will offer no help in supporting a belief in free will and moral responsibility; indeed, as I note above, most philosophers (including Waller) believe such a libertarian approach will not help matters. Notice how Harris says in a passage I quoted earlier:

Either our wills are determined by prior causes and we are not responsible for them, or they are the product of chance and we are not responsible for them.¹⁷

The presumption here is that if our actions or decisions are not determined then they would be chance happenings – matters of luck – not reflective of our free will and thus not acts or decisions for which we could be morally responsible.

Both Dennett and Harris reject the libertarian idea that indeterminacy in human decision-making could help in making the case for free will and moral responsibility. In what follows I will examine their criticisms of such libertarian approaches to free will and respond to them.

Harris' argument considered

Harris' critique of the libertarian approach has two prongs to it. First, as noted, he thinks the indeterminacy involved in libertarian accounts of free will suffer from a problem of control robbing luck. Second, he thinks the view is scientifically indefensible. Regarding the latter he states:

Today the only philosophically respectable way to endorse free will is to be a compatibilist – because we know that determinism, in every sense relevant to human behavior, is true. Unconscious neural events determine our thoughts and actions – and are themselves determined by prior causes of which we are subjectively unaware.¹⁸

He goes on to note how some thinkers believe the occurrence of quantum level indeterminacy in brain functioning could allow for causally undetermined free actions, noting that biologist Martin Heisenberg holds such a view. However, Harris responds:

Quantum effects are unlikely to be biologically salient in any case [...] [F]ew neuroscientists view the brain as a quantum computer. And even if it were, quantum indeterminacy does nothing to make the concept of free will scientifically intelligible.¹⁹

Clearly Harris believes that neuroscience tells us that our decision-making is causally determined, and, furthermore, even if some of our decisions were causally undetermined it wouldn't help matters any. This latter point reflects his belief that undetermined decisions would essentially be random happenings unreflective of our free will. In further support of this point, he states:

If my decision to have a second cup of coffee this morning was due to a random release of neurotransmitters, how could the indeterminacy of the initiating event count as the free exercise of my will? Chance oc-

currences are by definition ones for which I can claim no responsibility. And if certain of my behaviors are truly the result of chance, they should be surprising *even to me*. How would neurological ambushes of this kind make me free? Imagine what your life would be like if *all* your actions, intentions, beliefs, and desires were randomly "self-generated" in this way. You would scarcely seem to have a mind at all. You would live as one blown about by an internal wind.²⁰

Now, what are we to make of all of this? Harris finds it scientifically implausible to think that any of our decisions could be causally undetermined. But do we really know this to be true? And why does Harris think this is true? In support of this he cites the empirical findings of Benjamin Libet²¹ and other neuroscientists. Harris says he starts each day drinking either coffee or tea. He says he had coffee today, but he says this choice could not have been consciously made, because,

the intention to do one thing and not another does not originate in consciousness – rather, it appears in consciousness, as does any thought or impulse that might oppose it.²²

It is in supporting this point that he invokes the experiments of Benjamin Libet and others, which he believes to have shown that with respect to all of our decision-making there are always unconscious neural processes occurring prior to our conscious actions and decisions which determine them.

The problem with Harris's argument here is that the experimental data from Libet and others have been significantly challenged in the philosophical literature. In Alfred Mele's *Free Will and Luck*,²³ Ch. 2, he clearly demonstrates that Libet's experiments do not in fact show that all of our actions are causally determined by unconscious neural activity. Libet's findings are also criticized in Ch. 4 of Mark Balaguer's *Free Will As An Open Scientific Problem*.²⁴ Since Harris appeals to the Libet experiments in

making his case for the claim that all of our actions are causally determined by unconscious neural activity, he really should have included some response to the thoughtful criticisms of this line of argument which have been made by Mele and Balaguer.

As noted, Harris also cites other, more recent empirical research which is in line with the research of Libet. For instance, he cites the work of Haynes, Fried, Mukamel, and Kreiman, Haggard.²⁵ In more recent writings, Mele has developed arguments which suggests these experimental findings also fail to show that all of our actions are determined by unconscious neural activity. For instance, he grants for the sake of argument that Libet and these others may well have shown that in the experiments they've performed the experimental subjects did engage in decision-making caused by unconscious neural activity.²⁶ However, it does not follow from these very limited findings that *all* human decision-making is caused by unconscious neural activity. In the experiments performed, subjects make trivial, morally neutral decisions in a short frame of time. In these cases, it was learned that neural activity leading up to action occurred before the agents were consciously aware of intending to act, suggesting that the decision to act occurs before one is consciously aware of it. Harris takes such experimental findings to suggest that all of our decisions are causally determined by unconscious neural processes. But, Mele notes that the experimental conditions in which these subjects act does not warrant such a universal claim about *all* human decision-making. He notes that we often make difficult moral decisions after consciously considering which option is best over an extended period of time. Given the significant difference in the nature and duration of such deliberation, we have reason to doubt the claim that *all* human decision making is causally determined by unconscious neural processes. He goes on to note there are also some experimental findings which suggest that our conscious mental processes do play a role in our deci-

sion-making, citing work on the effects of "implementation intentions".²⁷

For the reasons cited above, we have good reason to believe that Harris' argument for the view that all human decisions are causally determined by unconscious neural activity is inadequate. However, it still might be thought that Harris is correct in maintaining that causal indeterminacy in decision-making wouldn't help matters any. It might be thought that he is correct when he says that causally undetermined decisions are chance events and not the sorts of events for which we can be morally responsible. In responding to this other prong of Harris' case against the libertarian view, it should be noted that Harris' discussion of the issues is too brief. He seems unaware of the various resources that are available to libertarian philosophers in dealing with this criticism. Before concluding that this problem of chance or luck is decisive he should have given some consideration to the various ways in which libertarians, such as Mark Balaguer, Laura Ekstrom, Robert Kane, and Timothy O'Connor among others,²⁸ have addressed this problem. In what follows, I will develop a response to this criticism of libertarianism using key ideas and arguments from Robert Kane. Much of my own work on free will has focused on Kane's approach, and while my own views differ from his in some respects, it is safe to say that I find his approach to be correct in its essentials.²⁹

Kane's libertarian view acknowledges that most of the free willed acts we perform and for which we are morally responsible are causally determined by our character, by the kinds of persons we are. On his view, such causally determined actions can have a derivative freedom and we can be morally responsible for them insofar as we have shaped our character through prior causally undetermined free actions, which he calls "self-forming actions" (SFAs). So, for instance, I am walking down the street and I see a woman unknowingly drop her purse and without thinking about it I pick it up and give it back

to her. This action is most likely determined by my character, the kind of person I am. At this point in my life, I am the kind of person who is just the sort to do this kind of thing. But, on the Kanean view I can be said to act freely in returning this woman's purse and I can be morally responsible for doing so, insofar as I have in the past shaped my character by engaging in causally undetermined free acts – SFAs – that have contributed to my being the kind of person I am now. Notice already that we see one problem with Harris's conception of the libertarian view. Earlier I noted how he says,

Imagine what your life would be like if *all* your actions, intentions, beliefs, and desires were randomly "self-generated" in this way. You would scarcely seem to have a mind at all. You would live as one blown about by an internal wind.³⁰

Here, in talking about the libertarian conception of freedom, he has us imagine what our lives would be like if all of our actions were causally undetermined. But as we can see the libertarian need not believe that all human decisions need to be causally undetermined in order for us to make sense of free will and moral responsibility. Kane, as well as other libertarians, need not hold that all of the free willed acts for which we are responsible are causally undetermined.

Nonetheless, Kane does believe that when we are causally determined to act as we do we are free in such action and morally responsible for it *only* to the extent that we have shaped the character from which these acts flow from prior causally undetermined free acts, the SFAs. To be more precise, Kane believes that we can only be ultimately free and responsible for acts causally determined by our character when those acts flow from a character formed by some prior SFAs and in addition when those causally determined acts that flow from a character so formed also meet certain kinds of compatibilist criteria of free and responsible action. That is, in performing them the agent

must: (i) be reasons responsive; (ii) possess teleological guidance control over his action; (iii) be uncoerced; (iv) not be controlled or manipulated by other agents; and (v) act intentionally and not accidentally nor by mistake. The character-forming SFAs themselves must also satisfy these criteria as well as being causally undetermined and plural voluntary. Harris' primary concern is how we can be responsible for such SFAs if they are causally undetermined. His thinking is that if they are causally undetermined then they are mere chance occurrences, matters of luck, for which we cannot be morally responsible. Thus, they cannot be the basis for our moral responsibility when our acts are causally determined by our character.

This argument is at the heart of Harris's objection to libertarianism, but it is based on confusion. Using certain points originally made by J.L. Austin,³¹ Kane shows that the mere fact that an action is causally undetermined does not mean that it is an utterly random happening for which we have no moral responsibility. Imagine that an assassin tries to shoot and kill the President, and imagine that it is causally undetermined whether he will have a nervous twitch as he pulls the trigger, leading him to miss his target. Suppose that despite this indeterminacy in the process of firing his rifle, he succeeds in killing the President. If so, he will have succeeded in what he was trying to do and, thus, he will be responsible for killing him. Even if a jury knew the fact that he might have twitched and instead missed the President, they would not regard him as any less responsible for his action. Kane gives other similar sorts of examples which clearly demonstrate how one can be morally responsible for causally undetermined actions.

Admittedly, there is a difference between the case of our assassin and someone who makes a causally undetermined decision. The assassin's mind was made up when he attempted to kill the President. In the case of the assassin, the causal indeterminacy rests in whether or not he will have a nervous twitch in his arm as he pulls the trigger. A critic, such as Harris, may feel that if the indeter-

minacy lies in the decision-making process of an agent, then there may nonetheless be a responsibility undermining luck involved that is not present in the case of the assassin.

Kane addresses this worry in his writings. He argues that when we engage in causally undetermined SFAs we are torn between doing two or more things which we would like to do and which we feel we have good reason to do. This leads us to deliberate about what it is best to do, and such deliberation ends when we make a choice to do one thing or the other. He often uses the example of an ambitious businesswoman on her way to an important business meeting. On her way, she sees an assault taking place in alley. She wants very much to make it to her business meeting, but she also feels obligated to stop and help prevent this assault. Consequently, she deliberates about what she should do. Kane hypothesizes that in these sorts of situations when we deliberate we are actually engaged in efforts to do each of the things we want to do. So, on Kane's view in her process of deliberating the woman is trying to go on to her business meeting and she is trying to stop and prevent the assault. The significance of this is that even if her decision is causally undetermined she will be morally responsible for her choice either way, since whichever choice she ends up making it will be a result of her own effort – a result of what she was trying to do. Thus, as the assassin was responsible for his causally undetermined killing of the President because it was what he was trying to do, so too persons engaged in causally undetermined SFAs will be responsible for their decisions either way.

Kane argues that this conception of causally undetermined libertarian free choice need not involve any appeal to mysterious theories of dualism, agent-causality, or noumenal selves. Rather, as he argues there are ways of accounting for such free causally undetermined decisions in naturalistic terms. He suggests that in SFAs our conflicting efforts might be carried out in recurrent neural networks in the brain which can influence

each other. Relating this to the example of the businesswoman, he states:

The input of one of these neural networks consists in the woman's reasons for acting morally and stopping to help the victim; the input of the other network comprises her ambitious motives for going on to her meeting. The two networks are connected so that the indeterminism that is an obstacle to her making one of the choices is present because of her simultaneous conflicting desire to make the other choice – the indeterminism thus arising from a tension – creating conflict in the will [...] This conflict [...] would be reflected in appropriate regions of the brain by movement away from thermodynamic equilibrium. The result would be a stirring up of chaos in the neural networks involved. Chaos in physical systems is a phenomenon in which very small changes in initial conditions are magnified so that they lead to large and unpredictable changes in the subsequent behavior of the system [...] [S]ome scientists have suggested that a combination of chaos and quantum physics might provide the genuine indeterminism one needs. If the processing of the brain does 'make chaos in order to make sense of the world' (as one recent research paper puts it), then the resulting chaos might magnify quantum indeterminacies in the firings of individual neurons so that they would have large-scale indeterministic effects on the activity of neural networks of the brain as a whole.³²

Here Kane is suggesting some way in which we might scientifically understand how such causally undetermined SFAs could occur, as opposed to appealing to the mysterious theories of dualism, agent-causation, or noumenal selves, as various libertarians have done in the past. More recently, in *The Oxford Handbook of Free Will*,³³ Kane has emphasized a point made by philosopher of science, Robert Bishop. Bishop points out that

one need not even have to appeal only to chaos to get these effects. For, as he notes,

the exquisite sensitivity needed for both the sensitive dependence arguments and the normal amplification of quantum effects is a general feature of nonlinear dynamics and is present whenever nonlinear effects are likely to make significant contributions to the dynamics of the system.³⁴

This is significant because it is generally agreed that nonlinear dynamics is a pervasive feature of the functioning of human brains.³⁵

Kane is not saying that this is exactly what is going on in our brains when we make the kinds of difficult decisions like that of the business-woman. He would acknowledge that his views on this are speculative, while asserting that they are in the realm of possibility. His point is that if we have the kind of free will that makes us morally responsible, then some of our actions must be causally undetermined. His theory of SFAs and the dual efforts involved in them is intended to show that such a view is coherent, and his discussion of recurrent neural networks and the magnification of quantum indeterminacies is intended to show how this theory might fit with a modern scientific world view. Kane is a naturalist, and he believes that we will not really know whether we have libertarian free will until we learn more about the brain and how it operates.

Admittedly, this view has been subject to a lot of criticism in the philosophical literature. As noted, much of my own philosophical writing has focused on these criticisms; and, while I have found some of them to be apt, I have found many of them to be answerable. I should note as well that Kane is not the only philosopher to give a naturalistic account of libertarian free will. For others, see the work of Balaguer, Ekstrom, and Mele.³⁶ Regarding Mele's work on the subject, I would note that he is not committed to a libertarian view, but he has worked out a version of libertarianism which he regards as plausible and coherent.

Harris' rejection of the libertarian approach

to understanding free will and moral responsibility is overly brief. It overlooks the resources open to those who are sympathetic to such an approach. Were he to make a convincing case for rejecting such an approach, he would need to engage the kinds of issues I raise here and engage the abundant literature in which these ideas and arguments have been made. Since he doesn't do so, there is no reason for an informed philosopher to take his critiques of the libertarian approach seriously.

■ Dennett's argument considered

Dennett, on the other hand, has presented more serious challenges to the libertarian theory of free will. He is well-versed in the literature on free will, and he understands that to refute the libertarian view one must delve more deeply into the arguments made for the view. In his classic *Freedom Evolves*,³⁷ he devotes a full 42 pages to the exposition and critique of Kane's libertarian view. In what follows, I will address two of the central criticisms he makes against Kane's view.

The first criticism I want to consider is Dennett's own version of the luck problem. In *Freedom Evolves*, Dennett argues that if the decisions that establish our free will are the products of quantum level indeterminacy which occurs in some of our decisions, then why shouldn't we say that such decisions are free willed when the indeterminacy of our decisions is generated from a source external to our brains? He has us imagine that when engaged in difficult decisions the indeterminacy doesn't occur in your brain.

Suppose the indeterministic neurons in your faculty of practical reasoning died, leaving you disabled for any future SFAs. But suppose, fortunately for you, that the damaged part of your brain could be replaced by an indeterministic prosthetic device implanted in just the right milieu in the healthy part of your brain. A good way to get genuine quantum indeterminism into a physical device is to use a little bit of

decaying radium and a Geiger counter, but it might not be healthy to have such a radium randomizer implanted in your brain, so it could be left in the lab, surrounded by a lead shield, and its results could be fed into your brain on demand, by a radio link [...] The location of the randomizer in the lab obviously shouldn't make a difference, since it is *functionally* inside the system; it would play exactly the same role as the damaged neurons used to play, no matter where it was geographically.³⁸

Dennett knows we would be uncomfortable saying choices dictated by external random processes are free willed. His point is that there is no difference between having these as the source of the indeterminacy or having the indeterminacy result from quantum indeterminacy in neural functioning. Thus, we should be skeptical of Kane's view.

He notes that in correspondence Kane has said,

the indeterminacy-producing mechanism must be responsive to the dynamics within the agent's own will and not override them or it would be making the decisions and not the agent.

Dennett sees Kane as suggesting here that an external source of randomness would threaten the agent's autonomy, the agent's ability to make decisions for himself. Thus, on Kane's view it would seem the causal indeterminacy must have its source in brain functioning where it can be responsive to the will of the agent.

In response to this Dennett writes,

wouldn't it be much safer – and hence more responsible – to keep the randomizer inside you, under your watchful eye in some sense? No. Randomness is just randomness.³⁹

The point seems to be that wherever the causal indeterminacy is situated randomness is just randomness. So, wherever you place it

– whether inside the neurons of your brain or in an external randomizer – we should be concerned about whether such causally undetermined behavior is free willed behavior for which we can be responsible.

Dennett's critique here focuses too much on randomness. On Kane's view, free willed decisions are causally undetermined but they are not random. Think of our businesswoman. Whichever act she does whether (A) preventing the assault or (B) going to her business meeting, it will be caused by her effort to A if she does A or by her effort to B if she does B. Whichever act she does, it will be caused, but causally undetermined, by her effort. As such, what she does will not be a random happening but a product of her effort either way; and, as I've argued earlier, she will be responsible either way.

Furthermore, technically, it does not necessarily matter if one uses a prosthetic device external to one's brain that allows one to make the relevant causally undetermined decisions. As long as the device is, as Kane notes, «responsive to the dynamics within the agent's own will» such that it is responsive to the competing efforts of the agent and her reasoning in all the ways that her normal functioning brain would be, then an agent using such a device would still not make random decisions. Rather, such an agent would make causally undetermined decisions for which she'd be responsible, since either way her decisions would be reflective of her will.

The second criticism which I want to consider runs deeper. Dennett argues that if Kane's view were true, then we would not ever have any way of knowing whether a person was morally responsible for his actions. For on Kane's view to be morally responsible one must have engaged in some causally undetermined SFAs. But, as Dennett notes, for an act to be an SFA it will have to be a decision resulting from magnification of quantum level indeterminism occurring in the neurons of the brain.

The price libertarians pay for sequester-

ing their pivotal moments in subatomic transactions in some privileged place in the brain (at time *t*) is that they render these all-important pivots undetectable by both the everyday biographer and the fully equipped cognitive neuroscientist.⁴⁰

According to Dennett, on Kane's view neither the common man on the street nor fully trained cognitive scientists would ever be able to discern whether a person is morally responsible, because we could never tell whether a person has engaged in the causally undetermined SFAs which are supposed to make us responsible.

Dennett says that in correspondence Kane has replied that any theory of free will shall be faced with difficulties in determining which persons meet the conditions of moral responsibility. Thus, according to Kane, this shouldn't count as good reason to reject his view. In response to this, Dennett says Kane's view does nonetheless have difficulties on this front that other views don't have, and this can justify a rejection of Kane's view.⁴¹

In support of this criticism, Dennett has us consider that we have 100 murderers. Suppose that 60 of them had either bad life experiences and upbringings or neurological problems that give us good reason to believe they are not responsible for their crimes. Also, imagine that 10 of them are borderline; there are some problems in their life situations or their neurology which lead us to wonder whether they had enough self-control and understanding to be morally responsible for their crimes. Finally, suppose that the remaining 30 had healthy nervous systems and «normal-to-exemplary upbringings».⁴² According to Dennett, what we should want from our conception of free will and moral responsibility is a concept that will help us determine who among these murderers deserves punishment and who does not. He claims that Kane's view will not help. For even to determine whether any of the 30 normal brained and normally raised murderers are responsible we would have to know

whether they have engaged in causally undetermined SFAs which made them the murderers they are now. Yet, this is something we cannot know.⁴³

Dennett concludes:

Why should the *metaphysical* feature of Ultimate Responsibility [...] count more than the macroscopic features that can be defined independently of the issue of quantum indeterminism, and that are well motivated in terms of the decision-making competences that agents have or lack? Indeed, why should metaphysical Ultimate Responsibility count for anything at all? If it can't be motivated as a grounds for treating people differently, why should anyone think it a variety of free will worth wanting?⁴⁴

Dennett's view is that Kane's conception of free will provides us with a free will not worth wanting because it will be useless in distinguishing between those who are responsible and deserving of punishment and those who are not. Kane has said in his defense that any theory of free will runs into problems making such distinctions, but Dennett's point is that other theories, such as his own compatibilist view, will only have this problem when dealing with the 10 marginal cases among our 100 murderers, whereas Kane's view won't even allow us to determine the responsibility of the 30 normal brained murderers with normal upbringings.

There is something to Dennett's argument here. On the Kanean view we won't be able to know who is ultimately responsible and who is not. Kane himself admits that we don't know whether we engage in causally undetermined decisions which are to serve as the ground for our free will and moral responsibility. Additionally, it must be conceded that if it is correct, a compatibilist view, such as Dennett's, has the advantage that it would enable us to know who is responsible and who is not. For we can verify which persons have the kind of self-control and rea-

sons responsiveness to understand the moral norms and conform to them.

However, compatibilist views, like Dennett's, have this advantage *only if* they are correct. As I argued earlier, using key arguments from Bruce Waller, such compatibilist views are problematic. The examples of Ann and Barbara make it clear that just because two persons facing the same decisions and who both meet Dennett's competency conditions for responsibility might not both be responsible for their different choices. For if determinism is true then there will be sufficient causal conditions for all events, meaning there will be conditions external to these agents which explain why the one makes the poor choice and the other makes the good choice. This makes it clear why it is unfair to blame the one for her poor choice, as her poor choice will be a matter of constitutive luck. Compatibilist views invariably run into this problem of constitutive luck and because of this they cannot give an account of blame and punishment upon which such practices are fair.

As a consequence of this, libertarian views and theories of free will denial (either hard determinism or hard incompatibilism) are the only two credible options. Furthermore, as noted, we cannot at this point provide sufficient metaphysical or empirical evidence for the existence of libertarian free will. And this in turn means that from the theoretical point of view we cannot know if anyone is morally responsible for what they do. So, what is to be done? Should we who find the libertarian view to be a coherent and plausible view but who cannot give theoretical proof of its existence refuse to believe in its existence and give up on the practices of blame and punishment? Should we, like Derk Pereboom, Gregg Caruso, Bruce Waller⁴⁵ and other moral responsibility deniers, abstain from believing that we have the kind of free will that grounds judgments of desert? In the end, I don't think we should. While there is not at this point sufficient empirical or metaphysical evidence of the existence of free will, there are still moral and pragmatic reasons for living and acting as

if we do have free will. The belief in free will is too important for moral notions like that of desert, and notions of desert are too important to our sense of self-worth and human dignity. We should continue to search for the metaphysical and empirical evidence of libertarian free will, while at the same time developing the moral and pragmatic arguments for living and acting as though we have this kind of free will. If the moral/pragmatic argument is sound, then the libertarian could justify holding the 30 normal brained murderers with normal upbringings responsible for their crimes. For presumably, assuming the Kanean view is correct, then normal human beings will have engaged in enough of these causally undetermined SFAs to make them responsible for their actions.

These concluding remarks are, I know, too brief and sketchy. This is especially the case insofar as contemporary deniers of moral responsibility, such as Pereboom, Caruso, and Waller, have done so much to argue that we would be morally and practically better off by rejecting the belief in moral responsibility and the concomitant notion of just deserts. But, I don't believe their rosy picture of a world without belief in free will and moral responsibility will hold up under scrutiny. So, I will end here having noted that the libertarian view is a coherent, plausible view; and while we cannot know that such free will exists, we should continue to defend its coherence and possible existence while also developing the moral/pragmatic grounds for living and acting as if it were true.

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Notes

¹ S. HARRIS, *Free Will*, Free Press, New York 2012, p. 5.

² *Ivi*, p. 4.

³ Ivi, p. 5.

⁴ D.C. DENNETT, *Reflections on Sam Harris' "Free Will"*, in: «Rivista internazionale di Filosofia e Psicologia», vol. VIII, n. 3, 2017, pp. 214-230.

⁵ Ivi, p. 220.

⁶ B. WALLER, *Against Moral Responsibility*, MIT Press, Cambridge (MA) 2011, p. 225.

⁷ While I develop and defend Waller's critique of compatibilism here, it should be noted that there are various other philosophically sophisticated critiques of compatibilism that are worthy of serious consideration. Indeed, I am sympathetic with some of these other arguments too. See van Inwagen's consequence argument (P. VAN INWAGEN, *An Essay on Free Will*, Oxford University Press, Oxford 1983; P. VAN INWAGEN, *Free Will Remains a Mystery*, in: R. KANE (ed.), *The Oxford Handbook of Free Will*, Oxford University Press, Oxford 2002, pp. 158-177); Robert Kane's manipulation argument (R. KANE, *The Significance of Free Will*, Oxford University Press, Oxford 1996); and Derk Pereboom's four case manipulation argument (D. PEREBOOM, *Living without Free Will*, Cambridge University Press, Cambridge 2001; D. PEREBOOM, *Free Will, Agency, and Meaning in Life*, Cambridge University Press, Cambridge 2014). Each of these arguments has been the subject of numerous critical responses in the literature.

⁸ B. WALLER, *Against Moral Responsibility*, cit., p. 225.

⁹ See D.C. DENNETT, *Elbow Room*, MIT Press, Cambridge (MA) 1984, p. 96; D. DENNETT, *Freedom Evolves*, Viking, New York 2003, p. 274.

¹⁰ B. WALLER, *Against Moral Responsibility*, cit., p. 227-228.

¹¹ Ivi, p. 228.

¹² Ivi, p. 229.

¹³ D.C. DENNETT, *Review of "Against Moral Responsibility"*, October 2012, available at <https://www.naturalism.org>

¹⁴ *Ibidem*.

¹⁵ *Ibidem*.

¹⁶ B. WALLER, *Reply from Waller*, October 2012, available at <http://www.naturalism.org>

¹⁷ S. HARRIS, *Free Will*, cit., p. 5.

¹⁸ Ivi, p. 16.

¹⁹ Ivi, p. 29.

²⁰ Ivi, p. 28.

²¹ See B. LIBET, C. GLEASON, E. WRIGHT, D. PEARL, *Time of Unconscious Intention to Act in Relation to Onset Cerebral Activity (Readiness Potential)*, in: «Brain», vol. CVI, 1983, Pt. 3, pp. 623-642; B.

LIBET, *Unconscious Cerebral Initiative and the Role of Conscious Will in Voluntary Action*, in: «Behavioral and Brain Sciences», vol. VIII, n. 4, 1985, 529-566.

²² S. HARRIS, *Free Will*, cit., p. 8.

²³ A. MELE, *Free Will and Luck*, Oxford University Press, New York 2006.

²⁴ See M. BALAGUER, *Free Will as an Open Scientific Problem*, MIT Press, Cambridge (MA) 2010.

²⁵ J.D. HAYNES, *Decoding and Predicting Intentions*, in: «Annals of the New York Academy of Sciences», Vol. MCCXXIV, n. 1, 2011, pp. 9-21; I. FRIED, R. MUKAMEL, G. KREIMAN, *Internally Generated Preactivation of Single Neurons in Human Medial Frontal Cortex Predicts Volition*, in: «Neuron», vol. LXIX, n. 3, 2011, pp. 548-562; P. HAGGARD, *Decisions Time for Free Will*, in: «Neuron», vol. LXIX, n. 3, 2011, pp. 404-406.

²⁶ A. MELE, *Free Will and Neuroscience*, in: «Philosophic Exchange», vol. XLIII, n. 1, 2013, pp. 1-17.

²⁷ P. GOLLWITZER, *Implementation Intentions. Strong Effects of Simple Plans*, in: «American Psychologist», vol. LIV, n. 7, 1999, pp. 493-503; P. GOLLWITZER, P. SHEERAN, *Implementation Intentions and Goal Achievement: A Meta-analysis of Effects and Processes*, in: «Advances in Experimental Social Psychology», vol. XXXVIII, n. 6, 2006, pp. 69-119.

²⁸ See M. BALAGUER, *Free Will as an Open Scientific Problem*, cit.; L. EKSTROM, *Free Will: A Philosophical Study*, Westview Press, Boulder (CO) 2000; R. KANE, *The Significance of Free Will*, cit.; R. KANE, *Some Neglected Pathways in the Free Will Labyrinth*, in: R. KANE (ed.) *The Oxford Handbook of Free Will*, Oxford University Press, New York 2002, pp. 406-437; R. KANE, *Libertarianism*, in: FISCHER, R. KANE, D. PEREBOOM, M. VARGAS, *Four Views on Free Will*, Blackwell, Malden (MA) 2007, pp. 5-43; R. KANE, *Rethinking Free Will: New Perspectives on an Ancient Problem*, in: R. KANE (ed.), *The Oxford Handbook of Free Will*, Oxford University Press, New York 2011, pp. 381-404; R. KANE, *Making Sense of Libertarian Free Will: Consciousness, Science, and Laws of Nature*, in: A. MCCAY, M. SEVEL (eds.), *Libertarian Free Will and the Law*, Oxford University Press, New York, forthcoming; T. O'CONNOR, *Persons and Causes: The Metaphysics of Free Will*, Oxford University Press, New York 2000.

²⁹ See J. LEMOS, *Kanean Freedom and the Problem of Luck*, in: «The Southern Journal of Philosophy», vol. XLV, n. 4, 2007, pp. 515-532; J. LEMOS, *Kane's Libertarian Theory and Luck: A Reply to Griffith*, in: «Philosophia», vol. XXXIX, n. 2, 2011, pp. 357-

367; J. LEMOS, *Wanting, Willing, Trying and Kane's Theory of Free Will*, in: «Dialectica», vol. LXV, n. 1, 2011, pp. 31-48; J. LEMOS, *Self-forming Acts and the Grounds of Responsibility*, in: «Philosophia», vol. XLIII, n. 1, 2015, pp. 135-146; J. LEMOS, *Kane, Balaguer, Libertarianism, and Luck*, in: F. GRGIC, G. PECNJAK (eds.), *Free Will and Action: Historical and Contemporary Perspectives*, forthcoming.

³⁰ S. HARRIS, *Free Will*, cit., p. 28.

³¹ See J.L. AUSTIN, *Ifs and Cans*, in: J.L. AUSTIN, *Philosophical Papers*, edited by J. URMSON, G. WARNOCK, Clarendon Press, Oxford 1961, pp. 153-180.

³² R. KANE, *Libertarianism*, cit., pp. 28-29.

³³ R. KANE, *Rethinking Free Will*, cit.

³⁴ R. BISHOP, *Chaos, Indeterminism, and Free Will*, in: R. KANE (ed.), *The Oxford Handbook of Free Will*, Oxford University Press, New York 2011, pp. 84-100, here p. 91.

³⁵ I am indebted to Robert Kane for drawing my attention to these more recent developments of his thinking on the neuro-scientific basis of his thinking. For more relevant work on this see R. KANE (*Making Sense of Libertarian Free Will: Consciousness, Science, and Laws of Nature*, cit.) as well as R. Bishop (*Chaos, Indeterminism, and Free Will*, cit.) and Peter Ulric Tse (*The Neural Basis of Free Will: Criterial Causation*, MIT Press, Cambridge (MA)

2013), who develops points similar to those of Bishop.

³⁶ See M. BALAGUER, *Free Will as an Open Scientific Problem*, cit.; L. EKSTROM, *Free Will*, cit.; A. MELE, *Autonomous Agents*, Oxford University Press, New York 1995.

³⁷ See D.C. DENNETT, *Freedom Evolves*, cit.

³⁸ *Ivi*, p. 132.

³⁹ *Ivi*, p. 133.

⁴⁰ *Ivi*, p. 129.

⁴¹ See *ivi*, pp. 129-130.

⁴² *Ivi*, p. 130.

⁴³ *Ivi*, p. 131.

⁴⁴ *Ivi*, pp. 131-132.

⁴⁵ See D. PEREBOOM, *Living without Free Will*, cit.; D. PEREBOOM, *Free Will, Agency, and Meaning in Life*, cit.; D. PEREBOOM, G.D. CARUSO, *Hard-incompatibilist Existentialism: Neuroscience, Punishment, and Meaning in Life*, in: G.D. CARUSO, O. FLANAGAN, (eds.) *Neuroexistentialism: Meaning, Morals, and Purpose in the Age of Neuroscience*, Oxford University Press, New York forthcoming; G.D. CARUSO, *Free Will Skepticism and Criminal Behavior: A Public Health Quarantine Model*, in: «Southwest Philosophy Review», vol. XXXII, n. 1, 2016, pp. 25-48; B. WALLER, *Against Moral Responsibility*, cit.; B. WALLER, *The Stubborn System of Moral Responsibility*, MIT Press, Cambridge (MA) 2015.