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THE DIALECTIC ROLE OF THE FLICKERS OF FREEDOM

ABSTRACT. One well-known incompatibilist response to Frankfurt-style counterexamples is the 'flicker-of-freedom strategy'. The flicker strategy claims that even in a Frankfurt-style counterexample, there are still morally relevant alternative possibilities. In the present paper, I differentiate between two distinct understandings of the flicker strategy, as the failure to differentiate these two versions has led some philosophers to argue at cross-purposes. I also explore the respective dialectic roles that the two versions of the flicker strategy play in the debate between compatibilists and incompatibilists. Building on this discussion, I then suggest a reason why the compatibilism/incompatibilism debate has reached a stalemate.

1. INTRODUCTION

One well-known incompatibilist response to Frankfurt-style counterexamples is the 'flicker-of-freedom strategy'. The flicker strategy claims that even in a Frankfurt-style counterexample, there are still morally relevant alternative possibilities. In the present paper, I differentiate between two distinct understandings of the flicker strategy, as the failure to differentiate these two versions has led some philosophers to argue at cross-purposes. I also explore the respective dialectic roles that the two versions of the flicker strategy play in the debate between compatibilists and incompatibilists. Building on this discussion, I then suggest a reason why the compatibilism/incompatibilism debate has reached a stalemate.

2. PAP AND FRANKFURT-STYLE COUNTEREXAMPLES

Compatibilists and incompatibilists disagree over whether the truth of causal determinism would threaten moral responsibility.[1]

Compatibilists think that one could be morally responsible even if causally determined, while incompatibilists deny this claim. Despite this fundamental disagreement, prior to the publication of Harry Frankfurt's momentous article "Moral Responsibility and Alternate Possibilities," it was commonly assumed by compatibilists and incompatibilists alike that a Principle of Alternative Possibilities (hereafter PAP) was true. According to PAP as Frankfurt originally formulated it, "a person is morally responsible for what he has done only if he could have done otherwise."[2] Frankfurt there wrote regarding PAP:

> Its exact meaning is a subject of controversy, particularly concerning whether someone who accepts it is thereby committed to believing that moral responsibility and determinism are compatible. Practically no one, however, seems inclined to deny or even to question that the principle of alternate possibilities (construed in some way or other) is true.[3]

Incompatibilists could easily account for the ability to do otherwise. Given the falsity of determinism, an agent who did action A at time t and was morally responsible for her doing A could have failed to do A at t since the laws of nature plus the state of the entire physical universe prior to t were not jointly sufficient for her doing A at t. Compatibilists, on the other hand, gave more complicated, subjunctive accounts of the ability to do otherwise. For them, the proposition that 'an agent could have done other than A at t' was equivalent to 'the agent would have done other than A at t if she had willed or chosen to do so.'[4] Note, however, that this understanding of PAP is entirely consistent with the truth of determinism. Granted, many incompatibilists objected to these subjunctive readings of the ability to do otherwise. The point, however, is that it appeared that all parties of the debate agreed that the ability to do otherwise was required for moral responsibility.

Frankfurt's article drastically changed the landscape of the compatibilist/incompatibilist debate by calling into question the importance of the ability to do otherwise. Here is Frankfurt's now infamous scenario which purports to show the falsity of PAP:

Suppose someone — Black, let us say — wants $Jones_4$ to perform a certain action [i.e., action A]. Black is prepared to go to considerable lengths to get his way, but he prefers to avoid showing his hand unnecessarily. So he waits until Jones is about to make up his mind what to do, and he does nothing unless it is clear to him (Black is an excellent judge of such things) that $Jones_4$ is going to decide to do something *other* than what he wants him to do [i.e., other than A]. If it does become clear that $Jones_4$ is going to decide to do something else, Black takes effective steps to ensure that $Jones_4$ decides to do, and that he does do, what he wants him to do. Whatever $Jones_4$' initial preferences and inclinations, then, Black will have his way... Now suppose that Black never has to show his hand because $Jones_4$, for reasons of his own, decides to perform and does perform the very action that Black wants him to perform. In that case, it seems clear, $Jones_4$ will bear precisely the same moral responsibility for what he does as he would have borne if Black had not been ready to take steps to ensure that he do it.[5]

Let us call such this scenario, and other like it, Frankfurt-style counterexamples, or *FSCs*.[6]

*FSC*s, then, purport to show that moral responsibility is compatible with the lack of the ability to do otherwise, that is, with the falsity of *PAP*. *FSC*s are then related to the compatibilism/incompatibilism debate in the following way. If *FSC*s succeed, then compatibilists will not need to give or defend subjunctive renderings of *PAP*. Furthermore, determinism will not threaten moral responsibility simply in virtue of ruling out the ability to do otherwise.

Of course, many incompatibilists resist the conclusion that *FSC*s challenge *PAP*, much less incompatibilism itself. There are, as I see it, three main strategies that incompatibilists use to respond to the challenge raised by *FSC*s. A few incompatibilists deny that the incompatibilist is committed to *PAP* or any similar principle.[7] In another article, I suggest that while perhaps incompatibilists have no need of *PAP* as Frankfurt originally defined it, it nevertheless looks as if all incompatibilists need to assent to a *PAP*-like principle.[8] I will not further consider this strategy in the present paper.

The second major strategy is what I will call the Kane-Widerker-Ginet objection, or *KWG* objection.[9] The proponents of the *KWG* objection claim that, in order to avoid begging the question against the incompatibilist, an *FSC* cannot assume

that determinism is true. However, if indeterminism is instead assumed, then the defenders of *FSC*s are faced with a dilemma. In traditional *FSC*s, the counterfactual intervener depends on the presence of some prior sign by which he knows whether or not intervention is necessary. So, for example, in a relatively standard *FSC*, Jones will blush at t_1 if and only if he will decide to kill Smith at t_2. According to the *KWG* objection, it is the relationship between the prior sign and the action that is problematic. If the presence of the sign (here, the blush) is causally sufficient for the agent performing the action (here, the decision to kill), the incompatibilist could simply say that Jones is not morally responsible since the blush is not a free action, but its occurrence entails that Jones will decide to kill Smith. In other words, if the sign is not a voluntary action but is a sufficient condition for the action in question, saying that the agent would still be morally responsible for the action would be begging the question against the incompatibilist. On the other hand, if the sign is not causally sufficient for the action, then the intervener cannot guarantee that there are no alternative possibilities. If it is possible for Jones to blush at t_1 and then fail to decide to kill Smith at t_2, the intervener cannot use the observance of the blush to guarantee the desired outcome. Elsewhere, I have argued that the *KWG* objection fails because it depends on an element of extant *FSC*s which is merely accidental – namely the relationship between the prior sign and the action. This feature is not essential to *FSC*s because one can develop an *FSC* that does not contain a prior sign at all and, as such, need not illicitly presuppose determinism in order for the agent to lack the ability to do otherwise.[10] While I will not argue against the *KWG* objection here, in what follows I will proceed under the assumption that the defender of *FSC*s has a satisfactory response to the *KWG* objection.[11]

The failure of the *KWG* objection renders the final incompatibilist response to *FSC*s of vital importance, for it is here that the incompatibilists must take her stand against *FSC*s. The third strategy incompatibilists use in responding to *FSC*s is what has come to be called the 'flicker-of-freedom strategy,' which claims that there still are morally relevant alternative

possibilities in any *FSC*. Unfortunately, it seems to me that there exists a confusion about what exactly the goal of the flicker strategy is. In this paper, I hope to dispel the confusion surrounding the flicker strategy in order that we can better understand the role it plays in the larger dialectic of the incompatibilism/compatibilism debate.

3. THE WEAK FLICKER STRATEGY

Though himself a compatibilist and a defender of *FSC*s, it was John Martin Fischer who introduced talk of the 'flicker-of-freedom strategy' into the free will debate.[12] In his *The Metaphysics of Free Will*, which has since become one of the most influential works in the compatibilism/incompatibilism debate, Fischer describes the flicker strategy as follows:

> The Frankfurt-type cases seem at first to involve no alternative possibilities. But upon closer inspection it can be seen that, although they do not involve alternative possibilities of the normal kind, they nevertheless may involve *some* alternative possibilities. That is to say, although the counterfactual interveners eliminate most alternative possibilities, arguably they do not eliminate *all* such possibilities: even in the Frankfurt-type cases, there seems to be a 'flicker of freedom'. Thus, there is an opening to argue that these alternative possibilities (the flickers of freedom) *must* be present, even in the Frankfurt-type cases, in order for there to be moral responsibility.[13]

Fischer distinguishes four ways that the flicker strategy could be developed;[14] I am not concerned here with the differences between these formulations, and for purposes of simplicity (and only for such purposes), will present the flicker strategy along the lines of only one of the four options.[15]

Consider an *FSC* involving agent *S*, intervener *B*, and action *A*. In the actual sequence, *S* does *A* on-her-own, whereas, in the alternate sequence, *S* does *A* only as a result of *B*'s intervention. So, while *S* does not have alternative possibilities to doing *A*, she does have the alternative possibility of doing *A*-on-her-own versus doing *A* as a result of *B*'s coercion. Furthermore, it looks as if any non-question-begging *FSC* will contain some alternative possibilities analogous to these. As Michael McKenna

and David Widerker note, "strictly speaking, Frankfurt examples do not rule out all alternative possibilities since there do exist, built right into the examples, flickers of freedom."[16]

The only way it would seem possible to get rid of all alternative possibilities would be to assume the truth of determinism.[17] Thus, given the flicker strategist's insistence on the incompatibility of causal determinism and moral responsibility, the flicker strategy can be understood as involving a *PAP*-like principle of the following sort:

$PAP_f =_{df}$ an agent is morally responsible for doing an action A at time t only if there are morally relevant alternative possibilities related to A (excluding cases of derivative responsibility).[18]

Given that all *FSC*s involve some alternative possibilities, the flicker strategist might think that PAP_f is not refuted by *FSC*s.[19] In other words, the flicker strategist can insist that the relevant *PAP*-like principle needed by the incompatibilist is PAP_f. Let us call this version of the flicker strategy the 'Weak Strategy'. Since causal determinism removes all alternative possibilities, PAP_f and the Weak Strategy preserve the incompatibilist's position that moral responsibility is incompatible with the truth of causal determinism, that is, that one can be morally responsible only if indeterminism is true.

According to the Weak Strategy, the alternatives remaining in an *FSC*, however minute, are relevant to moral responsibility. If the falsity of determinism is relevant to moral responsibility, as the incompatibilist under consideration claims, then any alternative possibilities are relevant to moral responsibility in that they are a necessary precondition for moral responsibility. Even if it turns out that the remaining alternative possibilities are not relevant to moral responsibility in any further way, or tell us nothing further about the nature of moral responsibility, their absence is sufficient for the incompatibilist to claim that an agent is not morally responsible. As Alfred Mele notes, the Weak Strategy "can get significant mileage out of some flickers of freedom, given the indeterminism that those flickers require."[20] The presence of these alternative possibilities, no matter what sort of alternatives they may be, is sufficient for the falsity of

causal determinism. Thus, these remaining alternative possibilities can be understood as the 'flicker in which the absence of, one cannot be free.'[21]

According to the Weak Strategy, if one can find alternative possibilities in the actual and counterfactual sequences of an *FSC*, then the *FSC* will not have shown that one does not need alternative possibilities in order to be morally responsible. Given that even Fischer agrees that all *FSC*s contain some alternative possibilities, it looks like no possible counterexample can be given to PAP_f. As a result, *FSC*s will not give any reason for abandoning all versions of *PAP*. Furthermore, if one thinks that the falsity of *PAP*-like principles provides motivation for abandoning incompatibilism, as Frankfurt appears to have thought, the Weak Strategy will also undercut this reason to reject incompatibilism. This point is captured in the following comments by Ted Warfield:

What in Frankfurt's work on *PAP* is supposed to support the claim that moral responsibility is consistent with causal determinism? Clearly it is the 'Frankfurt stories' that are supposed to do this. Frankfurt stories ... are stories that at least strongly suggest that moral responsibility is consistent with a lack of alternative possibilities. Many think that causal determinism threatens moral responsibility *precisely by* precluding alternative possibilities. So if Frankfurt cases show that the removal of alternative possibilities does not thereby remove moral responsibility, then Frankfurt stories provide at least some reason to think that R-Compatibilism [i.e., the thesis that moral responsibility and causal determinism are compatible] is true.[22]

But this is precisely what *FSC*s cannot do if the Weak Strategy holds, since *FSC*s are not cases in which the agent has no alternative possibilities. In order to be a counterexample to PAP_f, an *FSC* would have to show that at the precise moment of the agent's action there was only one physically possible future. Of course, if the agent's action was determined, this would be sufficient for there being only one physically possible future. But determinism cannot be assumed without begging the question against the incompatibilist. It is hard to see what else would be able to eliminate all alternative possibilities.[23]

When incompatibilists put forth a version of the flicker strategy, it is often the Weak Strategy that they endorse. For example,

both Michael Della Rocca[24] and Ted Warfield[25] appear to endorse the Weak strategy, and Alfred Mele has discussed it.[26] In fact, it looks as if the prominent opponent of the flicker strategy, Fischer himself, is willing to grant that the alternative possibilities that remain will be morally significant for the proponent of the Weak Strategy. Considering an argument from Mele much to the same affect as the Weak Strategy, Fischer writes that "*if* one believes that moral responsibility requires the lack of causal determinism in the actual sequence, then the existence of alternative possibilities of any sort would be relevant (even if indirectly) to ascriptions of moral responsibility."[27]

It then looks like no non-question-begging counterexample to PAP_f can be given. Fischer himself countenances this possibility:

> The flicker theorist may not dispute the claim that the alternative possibilities in the Frankfurt-type examples are insufficiently robust to *ground* our ascriptions of moral responsibility. That is to say, he may not wish to argue that the existence of such alternatives in themselves supports our intuitive judgments that individuals are morally responsible for what they do. But he nevertheless may insist that alternative possibilities *must be present*, whenever an agent is legitimately held morally responsible for what he does... Thus, we have as yet no decisive reason to abandon the claim that moral responsibility requires the *presence* of alternative possibilities, even if the presence of these alternatives is not in itself what drives our judgments about moral responsibility... The flicker theorist's move could be formulated as follows. Even if the alternative possibilities are not what explain our intuitions about moral responsibility, nevertheless there may be some *other factor* which *both* grounds our responsibility ascriptions and *also* entails that there be some alternative possibility (thin and weak as it may be). And if this were so, then moral responsibility would require alternative possibilities, even thin and weak ones.[28]

Fischer apparently grants that the Weak Strategy could be used "to fan the flickers of freedom,"[29] and further admits that he has no conclusive argument against such a strategy.[30]

4. THE ROBUSTNESS REQUIREMENT AND THE STRONG STRATEGY

However, Fischer is not willing to let the debate over the flickers end there. Even if one cannot give an *FSC* that shows

PAP_f to be false,[31] he hopes to undermine incompatibilism by arguing that the remaining flickers do not pack enough metaphysical oomph to help establish incompatibilism. The alternative possibilities that remain in flicker cases, according to Fischer, are "essentially irrelevant"[32] and are "simply not sufficiently robust to ground our ascriptions of moral responsibility."[33] It is this idea that is behind Fischer's requirement that the remaining alternative possibilities must be 'robust' enough for the work they do in incompatibilism: "I am willing to grant to the flicker theorist the claim that there exists an alternative possibility here; but my basic worry is that this alternative possibility is not sufficiently *robust* to ground the relevant attributions of moral responsibility."[34] He thus disputes the claim in PAP_f that the alternative possibilities that remain in the Weak Strategy are *morally relevant*.

In other words, Fischer thinks that is important to show that *FSC*s not only contain alternative possibilities, but that the remaining alternative possibilities must be relevant for moral responsibility in some way beyond *merely* pointing out that determinism is false. Let us call this the Robustness Requirement.[35] It is with respect to the Robustness Requirement that Fischer thinks the remaining alternative possibilities fail – the flickers simply are not robust enough.[36] Furthermore, Fischer thinks that even the incompatibilist, such as the proponent of the Weak Strategy, should see the need for the remaining alternative possibilities to meet the Robustness Requirement:

> *If* you buy into this traditional picture [in which moral responsibility requires alternative possibilities], then you should *also* accept that the alternative possibilities must be *of a certain sort* — they must be sufficiently robust.[37]

What else, then, must be true of an alternative possibility to make it 'robust' enough to meet the Robustness Requirement? Alternative possibilities are not sufficiently robust if they merely meet the aim of the Weak Strategy discussed in the previous section:

> Even if the possible event at the terminus of the alternative sequence [as pointed out by the Weak Strategy] ... is indeed an alternative possibility, it is highly implausible to suppose that it is *in virtue* of the existence of such an

alternative possibility that Jones is morally responsible for what he does. I suggest that it is not enough for the flicker theorist to analyze the relevant range of cases in such a way as to identify an alternative possibility. Although this is surely a first step, it is not enough to establish the flicker of freedom view.[38]

Thus, Fischer appears to think that the proponent of the flicker strategy needs to move beyond the Weak Strategy and show how the remaining alternative possibilities satisfy the Robustness Requirement.

Let us then define the 'Strong Strategy' as a flicker strategy that attempts to show that the remaining alternative possibilities can meet the Robustness Requirement. That is, a Strong Strategy will show that the remaining alternative possibilities play a perspicuous role with regard to moral responsibility such that, when lacking, it is easy to see why the agent is not responsible (beyond the mere fact of showing that the agent was not determined). A number of incompatibilists have tried to show the relevance of the remaining alternative possibilities, and Fischer has canvassed these attempts to locate alternatives meeting the Robustness Requirement. For example, in *The Metaphysics of Free Will* he considers the notions of origination, initiation, being active rather than passive and creativity.[39] With respect to each of these, Fischer thinks that compatibilists and incompatibilists alike can give an account of these notions, and that "there is no strong reason to opt for the incompatibilist interpretation, *apart from considerations pertaining to alternative possibilities*."[40] Likewise, in "Frankfurt-Style Compatibilism" and "Problems with Actual-Sequence Incompatibilism," Fischer takes issue with more recent attempts to satisfy the Robustness Requirement. For example, he considers Robert Kane's principles of ultimacy (or ultimate responsibility), objective worth, and independence, as well as Laura Ekstrom's rejection of 'pushing', all of which purport to support the Strong Strategy. I will not evaluate Fischer's treatment of these strategies here; for the sake of the current argument, I am willing at this point to grant him that none of these accounts of the nature of the remaining alternative possibilities satisfies the Robustness Requirement.

Instead, I want to focus on a more recent incompatibilist attempt to defend the Strong Strategy, one offered by Daniel Speak. Though he does not make the distinction I am developing here between the Weak Strategy and the Strong Strategy, I think that it is the Weak Strategy that Speak describes as unsatisfactory in his recent article on the flicker of freedom. According to Speak, the problem with the flicker strategy when understood as the Weak Strategy is that "it is satisfied with the cold coherence of incompatibilism. That is, it provides a way to vindicate incompatibilist intuitions – but in a way that can only have force for incompatibilists... Intuitively, we should prefer a response to the flicker argument that can, in principle, be offered persuasively to the compatibilist."[41] Speak attempts to do this by providing a way of understanding the remaining alternative possibilities that the compatibilist could grant as morally relevant.[42]

According to Speak, what is needed beyond the Weak Strategy is to show that "these seemingly attenuated alternatives could *possibly* be relevant to our attributions of moral responsibility."[43] Speak attempts to meet this challenge and, in doing so, advances a novel version of the Strong Strategy. Speak labels the principle underlying the Robustness Requirement 'the Principle of Relevant Alternatives' (or *PRA*):

PRA: An alternative is relevant (i.e., it could play a role in our attribution of responsibility) only if it is one in which the agent could properly be held accountable for something.[44]

The problem with the Weak Strategy, according to Speak, is that it does not satisfy *PRA*. What the incompatibilist needs to show is that, contrary to Fischer's evaluation, *PRA* is not violated in the way Fischer thinks. Furthermore, given that Fischer's argument against the indirect relevance of the remaining flickers is the only one currently offered by compatibilists, "the failure of this argument to establish the impossibility of relevance should be seen as *prima facie* evidence for its possibility."[45]

Speak's strategy to defend *PRA* is as follows: the remaining alternative possibilities can be used to ground moral

obligations, which *mutatis mutandis* can ground moral responsibility. If this strategy is correct, then the appearance that *FSC*s violate *PRA* will be "due to the way in which many formulations of Frankfurt examples obscure the existence of moral responsibility in the affected sequence."[46] In defense of *PRA*, Speak gives the following *FSC*-like example:

Suppose Garvin is a member of our U.S. Marine Corps. On a mission in an active war zone he is captured by enemy troops. Now the leader of this rebel force had devised a wicked form of mental torture. Having also captured Garvin's close friend Johansen, the leader forcibly "connects" Garvin to a rifle aimed directly at Johansen, his finger placed lightly but unavoidably on the trigger. Now suppose the enemy leader informs Garvin that he can simply pull the trigger and have it over with, or he can wait for the initiation of an electrical impulse which will inevitably produce the same effect. Garvin's finger *will* pull the trigger, and Johansen *will* be killed . . . in either case. So, what ought Garvin to do? Most will grant that Garvin has a *prima facie* duty not to pull the trigger on his own.[47]

Furthermore, let us stipulate that Garvin has no contravening duty to pull the trigger which outweighs his duty *not* to pull the trigger on his own. According to Speak, in such a case Garvin has a duty proper to avoid pulling the trigger on his own, and "having a duty to perform an act (or to fail to perform an act) seems to imply that one would be morally responsible for one's act should one act dutifully."[48] In the alternate sequence of this scenario in which Garvin is manipulated or coerced into shooting Johansen, he only does so because of his refusal to pull the trigger on his own. But if Garvin still has the duty not to pull the trigger on his own in the alternate sequence, then the alternate sequence is such that Garvin can be held accountable for something in it (i.e., whether or not he fulfills this duty), and *PRA* is fulfilled. The alternative possibilities existing in the alternate sequence are thus morally relevant, as required by the Strong Strategy. Speak concludes that scenarios like the Garvin/Johansen case "show that we can imagine scenarios with Frankfurt-style interveners in which the intervention does not cancel out all responsibility. Agents can be morally responsible in some affected sequences because they can be obligated in these sequences."[49]

What should one make of Speak's argument? The first response is to note that even if the Garvin/Johansen case does preserve PRA, and thus vindicates the Strong Strategy, it is not clear that all FSCs can be shown to preserve PRA in the same manner. Consider, for example, an FSC in which the agent's action is prefigured by a morally neutral prior sign, such as a blush. Suppose that whether or not Jones involuntarily blushes is correlated with the action that the counterfactual intervener desires him to do.[50] Can we say that Jones has a duty to refrain from blushing? Not everyone involved in this debate thinks so. Michael McKenna, for one, argues that a blush cannot serve as the locus for moral responsibility "since, quite obviously, such an episode is not something over which a person could normally exercise any kind of control."[51] It is hard to see what such a duty not to blush involuntarily could amount to. So even if Speak has shown that some FSCs do not violate PRA, it is not clear that all FSCs contain the resources for the defender of PAP to make the same response. And given that PAP is a claim about what is necessary for moral responsibility, there being even one FSC in which PRA is not satisfied is enough to sever the link between moral responsibility and PRA.[52]

Speak presumably would not be satisfied with this response. He is likely to claim that it is not his intention to show that every FSC contained obligations in the alternate sequence. Rather, his intention is to show that an alternative isn't necessarily irrelevant simply in virtue of its containing intervention. "For, if PRA is not violated in the obligation cases, then why think it is violated in the ordinary Frankfurt-style cases?"[53] This, he thinks, is sufficient to shift the burden of proof back to the opponent of the Strong Strategy since the Garvin/Johansen case provides "support for the claim that these sorts of [remaining] alternatives could *possibly* play such a role."[54] One response would be to remind Speak that, on his own account, the alternate sequence satisfies PRA in virtue of Garvin having an obligation in that sequence. No obligation, no satisfaction of PRA. Speak admits that his argument for the Strong Strategy is a "plausibility argument," rather than a "knock-down appeal to indubitable principles."[55] But, in cases

such as that involving the blush, it does not look plausible that the agent has the sort of moral obligation needed to ground the relevance of the alternate sequence.[56]

Nevertheless, I think that there is a more forceful reply to Speak's Garvin/Johansen case. It seems to me that the more promising reply to Speak's example is to pursue a strategy that he himself suggests, namely to undermine the salience of the comparison between his case and typical *FSC*s. Speaks notes two ways that his modified case differs from traditional *FSC*s. The first is that, by involving the ending of a life rather than voting habits, his modified case is "intentionally loaded from a moral standpoint."[57] Speak thinks that this modification is innocuous, and I agree.

However, the same is not true of the second way in which Speak's example differs from traditional *FSC*s. In Speak's Garvin/Johansen case, unlike normal *FSC*s, the agent in question (i.e., Garvin) is aware of the presence of the counterfactual intervener. He knows that if he does not perform the action in question on his own, the intervener will take the needed steps to guarantee that he does what the intervener wants him to do (in Speak's example, pull the trigger). Given that there is an epistemic condition for moral responsibility, it looks as if had Garvin not known about the intervener and his ensuring mechanism, then he would not have the obligation in the alternate sequence. In response to this objection, Speak's reply is "to point out that Garvin's knowledge of the leader's power and intentions can be removed, and the result is the same. This knowledge, it seems, plays no role in our assessment of obligation."[58]

I do not think, however, that we should be so quick to dismiss the implications of Garvin's knowledge for his moral responsibility. Consider the following two modifications of the Garvin/Johansen case. In the first, let us call it *Modification 1*, Garvin does not have knowledge of the intervener's desire and ability to make him pull the trigger. Garvin refrains from pulling the trigger on-his-own and the intervener steps in and forces Garvin to pull the trigger, killing Johansen. In the second case, *Modification 2*, Garvin does have knowledge of the intervener's desire and ability to force

him to kill Johansen. Garvin knows that if he does not pull the trigger by a certain time, t, then the intervener will step in at t. Garvin does not pull the trigger on his own by t, and again, as in the first modification, the intervener steps in and forces Garvin to pull the trigger. *Modification 1* is like the alternative sequence of standard *FSC*s, and our inclination is to say that Garvin is not morally responsible for Johansen's death. But the same is not true for *Modification 2*. This scenario is, at present, under-described for us to know whether Garvin is morally responsible. It seems to me that we are justified in withholding our moral judgment until we find out more about Garvin's mental states. If Garvin did not desire Johansen's death, then he would not be morally responsible for Johansen's death. On the other hand, if Garvin desired Johansen's death, then knowing that the intervener would force him to pull the trigger at t (and knowing that an agent is not morally responsible for a coerced act), Garvin's desire for Johansen's death could lead him to withhold pulling the trigger on his own and yet still intentionally bring about Johansen's death via the enemy's intervention. My intuition regarding such a case is that Garvin is at least partly morally responsible for Johansen's death in *Modification 2*.[59]

Even if one does not share my intuition here, notice that the addition of Garvin's desire that Johansen be killed in *Modification 1* of the Garvin/Johansen case does not affect our intuitions about his moral responsibility. Garvin's desire for Johansen's death is not appropriately connected to his pulling of the trigger to make him morally responsible (Remember, in *Modification 1*, it is the intervener that brings about Garvin's pulling of the trigger through intervention). This suggests that, contrary to Speak's claim, the addition of knowledge about the counterfactual intervener in his example, and the lack of such knowledge in traditional *FSC*s, does make a difference. For this reason, I think there is reason to think that Speak has not succeeded in offering a viable version of the Strong Strategy regarding traditional *FSC*s.

Where then does the debate surrounding the Strong Strategy stand? The first thing to note is that the fact that no extant version of incompatibilism currently meets the Robustness Requirement does not entail that no forthcoming breed of incompatibilism will fair better in this regard. To show that no future brand of incompatibilism could satisfy the Robustness Requirement, the compatibilist would need an *in principle* reason why no such argument could be given; and it is hard to see how this could be done without begging the question against the incompatibilist. However, it does seem suspicious that despite the vast quantities of the ink that has flowed forth from incompatibilists' pens in recent years, no satisfactory Strong Strategy has been given. Simply to say that such an account will be developed in the future will understandably be found by many to be unsatisfactory.

5. THE DIALECTIC

How then are we to understand the relationship between the Weak and Strong Strategies and the compatibilism/incompatibilism debate they are a part of? I think that flicker opponents and defenders alike have often confused the two strategies (or to be more charitable, have written in such a way that the reader could easily believe that they were confused). For example, consider Fischer's treatment of the flicker strategy. As we saw above, Fischer grants that the compatibilist has no argument against the Weak Strategy. But it looks to me like he is not always considering the Weak Strategy. For instance, when discussing the importance of *FSC*s, Fischer writes that "the Frankfurt-type examples have the important function of *shifting the debate* away from considerations pertinent to the relationship between causal determinism and alternative possibilities."[60] This statement will be true, however, only if one is considering the Strong Strategy. Let us then look at each version of the flicker strategy, and their place in the compatibilism/incompatibilism debate in turn.

As noted above, the Weak Strategy and PAP_f are immune to *FSC*s. However, the Weak Strategy is not an argument for

incompatibilism, nor can it be used as part of a larger argument for incompatibilism. In responding to the challenge posed by *FSC*s, the Weak Strategy claims that any alternative possibilities due to the falsity of causal determinism are a necessary precondition for an agent being morally responsible. The Weak Strategy thus *assumes* that moral responsibility is incompatible with determinism. If the Weak Strategy were incorporated into an argument for incompatibilism, it would beg the question against the compatibilist. But it is not the goal of the Weak Strategy to argue for the incompatibility of causal determinism and moral responsibility. Rather, the Weak Strategy should be understood as follows. For one who is already an incompatibilist, the Weak Strategy means that *FSC*s do not show incompatibilism to be false in virtue of demonstrating the falsity of all *PAP*-like principles. Thus understood, the Weak Strategy is useless in the compatibilism/incompatibilism debate except in a defensive role. Since the compatibilist rejects the incompatibility of causal determinism and moral responsibility, she will not be swayed by the Weak Strategy's insistence that the remaining flickers, and the indeterminism they point to, are morally relevant.

The Strong Strategy, on the other hand, would have significant relevance for the compatibilism/incompatibilism debate. A version of the Strong Strategy, that is, an incompatibilist account of alternative possibilities that meets the Robustness Requirement, would show that, contrary to what Frankfurt claims to have shown in his counterexample, alternative possibilities are required for moral responsibility. Furthermore, if a successful Strong Strategy was joined with a rejection of subjunctive accounts of the ability to do otherwise, it would constitute a formidable argument for incompatibilism. Unfortunately, as I suggested above, there appears to be no currently satisfactory account of the Strong Strategy; furthermore, the prospects for developing one seem to many to be dim. However, until someone develops a principled reason why no such account could be given in the future, it remains a viable option for the incompatibilist to continue to try and develop a version of the Strong Strategy.

Short of such a development, it seems to me that both compatibilism and incompatibilism are therefore defensible positions, for neither has a knock-down argument against the other. How then should we understand the current state of the compatibilism/incompatibilism debate? In answering this question, it will be helpful to begin with a suggestion first advocated by Fischer a decade ago. In his *The Metaphysics of Free Will*, Fischer suggested that advocates and opponents of *PAP* have reached a 'Dialectical Stalemate', which he describes as follows. Consider a philosophical argument in which one argues for some claim *C* on the basis of a principle *P* which supports that claim. The proponent of *C* may support *P* by invoking a set of examples or other considerations which provide reason for accepting *P*. But the opponent of the argument may respond that the examples are not sufficient to establish *P*; rather, all the examples establish is a weaker principle, *P′*. Furthermore, unlike *P*, *P′* does not support *C*. And the opponent of *C* does not see how one could decisively establish *P*:

> One reason it is so difficult is that it at least appears that one cannot invoke a particular example which would *decisively* establish *P* without begging the question in a straightforward fashion against either the opponent of *P* or the opponent of *C*. Further, it *also* seems that one cannot invoke a particular example which would *decisively* refute *P* without begging the question against the proponent of *P* or the proponent of *C*. These conditions mark out a distinctive – and particularly precarious – spot in dialectical space.[61]

In these sorts of circumstances, Fischer thinks, further arguments would be begging the question since the two sides of the debate begin with different premises, often based on intuitions that the other side denies: "I suggest that some of the debates about whether alternative possibilities are required for moral responsibility may at some level be fueled by different intuitive pictures of moral responsibility."[62]

If this is true, then perhaps it would be true to say that not much philosophical headway was been made in the past thirty years of debate begun by Frankfurt's article. It is certainly true that much is made of various and conflicting intuitions in the debate surrounding the compatibilism/incompatibilism debate. Perhaps the debate is ultimately over which set of intuitions is

more plausible, in which case we should not be surprised by the lack of a clear victor. This certainly seems to be the case, for example, between the defender of the Weak Strategy and her compatibilist opponent.

Elsewhere, however, Fischer suggests that perhaps the compatibilism/incompatibilism debate is not a dialectic stalemate (or, at the least, not the same dialectic stalemate that it was thirty years ago). In a recent argument, Fischer writes that "Frankfurt-style compatibilism does represent a genuine advance; Frankfurt has helped to shift the debates from a context in which incompatibilism has an advantage to one in which incompatibilism has no such advantage."[63] The reason for this shift was suggested above in the first section of this paper. Prior to Frankfurt, compatibilists and incompatibilists alike defended *PAP*. The incompatibilist's need for *PAP* was rather straightforward;[64] it often under-girded an argument for incompatibilism (which I shall call the 'Basic Argument'):

(1) Moral responsibility entails the ability to do otherwise (contrapositive of *PAP*).
(2) If causal determinism is true, then no agent has the ability to do otherwise.
(3) Therefore, moral responsibility entails the falsity of causal determinism.[65]

If (1) and (2) are true, then compatibilism is false. As mentioned above, compatibilists who believed that (1) was beyond reproach were forced to give subjunctive accounts of *PAP* which called (2) into question.[66] If *FSC*s do show that *PAP* is false, then compatibilists would have another strategy for rejecting the above argument for incompatibilism.[67]

Furthermore, although it is not explicit, this seems to be Frankfurt's motivation in "Alternate Possibilities and Moral Responsibility." The upshot of his counterexample to *PAP* (if it succeeds) is that compatibilists would no longer need to reject premise (2) of the Basic Argument in order to avoid its conclusion. Let me briefly discuss three reasons for thinking that this was Frankfurt's intention. First, in the initial paragraph of the article, after he introduces *PAP*, Frankfurt says that "its

exact meaning is a subject of controversy, particularly concerning whether someone who accepts it is thereby committed to believing that moral responsibility and determinism are incompatible.''[68] It thus looks as if Frankfurt is suggesting from the start that *PAP* is of interest at least in part because of its alleged role in an argument for incompatibilism. Second, near the end of the article, Frankfurt says of a slightly revised version of *PAP* that "this revision of the principle does not seriously affect the arguments of those who have relied on the original principle in their efforts to maintain that moral responsibility and determinism are incompatible.''[69] This comment again suggests that Frankfurt has the Basic Argument for incompatibilism in mind. Finally, in the article's penultimate paragraph, Frankfurt proposes a replacement for *PAP* that he thinks is true (let us call it *FP* for 'Frankfurt's principle'): "a person is not morally responsible for what he has done if he did it only because he could not have done otherwise.''[70] However, immediately after introducing *FP*, Frankfurt goes on to state that "this principle does not appear to conflict with the view that moral responsibility is compatible with determinism.''[71] The reason that *FP* does not conflict with the truth of determinism is because determinism does not entail (at least not uncontroversially) that we do what we do *only* because we could not have done otherwise. Now note that this does not involve a defense of (2) as it appears in the above argument for incompatibilism. Once we change (1) to involve *FP* rather than *PAP*, we would also have to amend (2) in order for (3) to follow. But once (2) is so amended, compatibilists would not be so hard pressed to deny its truth. So one outcome of Frankfurt's argument is that compatibilists need not be so worried about subjective accounts of the ability to do otherwise.[72]

6. CONCLUSION

According to the incompatibilist, moral responsibility is possible only if causal determinism is false, that is, *only* if given the laws of nature and the physical state of the universe at some point in the past, there are alternative possibilities regarding an

agent's action. And while PAP_f is immune to FSCs, the Weak Strategy presupposes the incompatibility of moral responsibility and causal determinism. It thus cannot serve in any indirect argument for incompatibilism.

To see this in another way, let us return to Fischer's evaluation of FSCs. He thinks that FSCs, while perhaps they haven't succeeded in establishing compatibilism, have succeeded in showing that alternative possibilities are not needed for moral responsibility. Fischer continues that he finds it "interesting that, once the debate is shifted away from the relationship between causal determinism and alternative possibilities, it is difficult to present a non-question-begging reason why causal determinism rules out moral responsibility."[73] But FSCs shift the debate away from the need for alternative possibilities only if we are talking about the Strong Strategy. The incompatibilist, however, will maintain that the Weak Strategy has not been undermined in any way. Indeed, it is difficult to see, she is likely to think, how it could be undermined without begging the question against her. Likewise, I suggested above that the compatibilist will not be persuaded by the Weak Strategy since it presupposes incompatibilism. It looks then as if Fischer may have been right in this regard: that the compatibilism/incompatibilism debate has reached a stalemate.

There are two roles that alternative possibilities can have in FSCs. According to the weaker role, alternative possibilities show us that the actual sequence is not deterministic, that is, that the conjunction of the laws of nature and the state of the entire physical universe prior to the action in question do not entail that the agent does that action. Alternative possibilities can also play a stronger role if it can be shown how their absence is morally relevant beyond merely showing that determinism is false. These two roles correspond with what I have been calling the Weak Strategy and the Strong Strategy, respectively. The Weak Strategy, and the weak PAP-like principle it involves, is immune from attack by FSCs; however, it is of little use in furthering the compatibilism/incompatibilism debate since it assumes the incompatibility of causal determinism and moral responsibility. This assumption is necessary

if the Weak Strategy is to insist that the presence of *any* alternative possibilities, no matter how flimsy or robust, are morally relevant, since their presence is sufficient for the falsity of determinism. But this means that the weak version of the flicker strategy cannot be used in an argument for incompatibilism for this very reason, since to do so would be to beg the questions against the compatibilist. While the Strong Strategy is such that it could possibly convince the compatibilist of the coherence of incompatibilism, as the debate currently stands it is reasonable for the compatibilist to think that no incompatibilist has so far succeeded in giving an account of moral responsibility as robust as is required by the Strong Strategy. Once these two different interpretations of the flicker strategy are clearly delineated, it looks as if Frankfurt's argument has not carried the compatibilism/incompatibilism debate as far as many have supposed after all.

ACKNOWLEDGEMENTS

NOTES

[1] As I am using the term, 'causal determinism', or simply 'determinism' for short, is the thesis that the conjunction of the state of the entire physical universe at any time and the laws of nature entails the state of the entire physical universe at any other moment in time. For a discussion of the relationship between this compatibilism/incompatibilism debate and the debate whether causal determinism precludes metaphysical freedom, see Ted Warfield (forthcoming). As Warfield there notes, these two debates are distinct, even if intricately related. Given that I am interested in the debate centered on moral responsibility rather than freedom, it is accurate for me to describe John Martin Fischer's position as a version of compatibilism, even though he calls it 'semi-compatibilism'. See Fischer (1994), 178ff.

[2] Frankfurt (1969), p. 829.

[3] Frankfurt (1969), p. 829.

[4] For example, G. E. Moore wrote that "There are certainly good reasons for thinking that we *very often* mean by 'could' merely 'would, *if* so and so had chosen'. And if so, then we have a sense of the word 'could' in which the fact that we often *could* have done what we did not do, is perfectly compatible with the principle that everything has a cause." ((1912), p. 131). For other compatibilist understandings of the ability to do otherwise, see Thomas Hobbes (1962); David Hume (1955), particularly section 8; P. H. Nowell Smith (1960); Roderick Chisholm (1967); and Bruce Aune (1967). For more recent work in the same area, see David Lewis (1981); Peter Forrest (1985); Jim Stone (1998); Torbjorn Tannsjo (1989); Jan Narveson (1977). For related discussions, see also Kadri Vihvelin (1991); Tomis Kapitan (1991); Thomas Kapitan (1996); Richard Foley (1979); John Martin Fischer (1984); Keith Lehrer (1976); and Terence Horgan (1979).

[5] Frankfurt (1969), 835f.

[6] Subsequent to Frankfurt's article, many similar scenarios of increasing complexity have been put forth in the literature. For a noteworthy introduction to this literature and some of the most recent *FSC*s, see Michael McKenna and David Widerker, (2003).

[7] See, for example, Eleonore Stump (1990), (1996), (1999), and (2003); Linda Zagzebski (2000); and David Hunt (2000). Ken Perszyk has given the title 'Frankfurt-incompatibilists' to such individuals; these incompatibilists are also sometimes referred to as 'causal history incompatibilists' or 'source incompatibilists'.

[8] This principle is PAP_f, which I discuss later. See my "A Critique of Frankfurt-Libertarianism" (forthcoming).

[9] Robert Kane, David Widerker, and Carl Ginet have each advocated versions of this objection. See Robert Kane (1985), (1996), and (2000); David Widerker (1995); and Carl Ginet (1996). See also David Hunt (1996); and Laura Wadell Ekstrom (1998).

[10] The claim that *FSC*s need not contain a prior-sign is contentious. For a defense of this claim, see my (2003). For other treatments of *FSC*s that purport to avoid the *KWG* objection via the lack of a prior sign, see Stump (1999) and (2003), McKenna (2003), Bergmann (2002), Pereboom (2001), and Mele and Robb (1998).

[11] Of course, if my earlier article is wrong and the *KWG* objection holds, then the defender of the Strong Flicker Strategy, discussed below, also wins. For if the *KWG* objection holds and one cannot construct an *FSC* that insures only one course of action at any moment prior to a freely willed action, then incompatibilists will have an easy time finding alternative possibilities, whether they are construed as weak or strong. In such a case, then a version of the flicker strategy also holds against *FSC*s, but only in virtue of the cogency of the *KWG* objection.

[12] Peter van Inwagen's *An Essay on Free Will* (1983) contains an early presentation of the flicker strategy, though he does not call it such.

[13] Fischer (1994), p. 134.

[14] See Fischer (1994), 136ff.

[15] For those that favor a different version of the flicker strategy, I leave it to the reader to do the appropriate translation in what follows.

[16] McKenna and Widerker, "Introduction" (2003), p. 7.

[17] Fischer himself admits that the truth of determinism would rule out all alternative possibilities: "For in such a world [i.e., a causally deterministic world] there cannot be even a flicker of freedom (if the skeptical arguments are correct). Of course, causal determinism would extinguish not just a prairie fire of freedom, but also the tiniest flicker" ((1994), p. 135). He also admits that "there are ineliminable alternative possibilities (given the assumption of indeterminism)" ((2002b), p. 6). Similar comments are made by Alfred Mele, another opponent of *PAP*, when discussing the flicker strategy. See Mele (2003), p. 253.

[18] In fact, PAP_f is stronger than I need it to be, insofar as all the Weak Strategy needs is for some alternative possibilities to be necessary, whether they are related to the action in question or not. What is central to PAP_f is that A is not causally necessitated by anything prior to t (again, excluding cases of derivative responsibility).

[19] Of course, the claim that the alternative possibilities that remain in an *FSC* are morally relevant is contested by Fischer and kin, who claim that the remaining alternative possibilities are not 'robust' enough to ground moral responsibility. I return to this issue below.

[20] Alfred Mele (1998), p. 154. See also his (2003), p. 256 and McKenna and Widerker's "Introduction" to (2003), p. 7.

[21] Mike Murray suggested this way of putting the point in conversation.

[22] Warfield (forthcoming), 10 in manuscript.

[23] It should also be noted that arguments against incompatibilism from divine foreknowledge will not suffice to undermine PAP_f. To see why not,

consider the following. Assume that God is essentially omniscient and has foreknowledge of free actions (the assumption that God is temporal and that His knowledge is, properly speaking, *fore*knowledge is not essential to the story. A similar case which allows for an atemporal deity could also be described). At t_1, God knows that Harry will freely do A at t_2. It does not follow that Harry cannot do other than A at t_2 in the sense at issue in this paper. Even if God knows what Harry will do, the conjunction of the laws of nature and the state of the entire physical universe at any time prior to t_2 are not sufficient for Harry's doing A at t_2.

[24] Michael Della Rocca (1998), p. 101 and 100.

[25] Warfield (forthcoming). For a similar point, see also Sam Black and Jon Tweedale (2002), 300f.

[26] Mele (2003), p. 255.

[27] Fischer (1998) p. 164, emphasis added; see also p. 166.

[28] Fischer (1994), 145f. Fischer specifically acknowledges that the falsity of causal determinism could be one such factor. Furthermore, the Weak Strategy meets Fischer's desiderata that ascriptions of moral responsibility be based only on what happens in the actual sequence, not the alternate sequence. What the remaining flickers, no matter how 'weak and thin', show is that the action is not the result of causal determinism in the actual sequence, since that would eliminate all alternative possibilities of any sort. In other words, the presence of alternative possibilities tells us something about the actual sequence, namely that it is not one where causal determinism is true.

[29] Fischer (1999a), p. 119. Fischer credits Dan Speak for this phrase.

[30] Fischer (1994), p. 146. Fischer grants elsewhere as well that the arguments he offers against the flicker strategy are "not decisive" ((1999b), p. 286). See also Fischer (2002b), p. 2.

[31] While Fischer does not directly argue against PAP_f, I think it is clear enough that this principle (or one very much like it) is at the heart of the Weak Strategy.

[32] Fischer (1994), p. 159.

[33] Fischer (1994), p. 147. For more similar statements to the same effect, see also (1999a), (1999b), (2002a), (2002b). In (2003), Fischer refers to the lack of robustness as "a deficiency of oomph" (244).

[34] Fischer (1994), p. 140. Similarly, in (2002b) Fischer writes that "I would argue that it is not enough for the critic of the Frankfurt-style examples to argue that there exist *some* alternative possibilities in these cases, no matter how flimsy or exiguous; if one grounds moral responsibility in alternative possibilities, I believe they must be *of a certain sort*" (6). In this essay, Fischer says that while *FSC*s do not decisively establish the compatibility of moral responsibility with causal determinism, they "*do* show the following principle false: *(PAP*)*: Lacking alternative possibilities is a condition which in itself – and apart from anything that accompanies it (either

contingently or necessarily) – makes it the case that an agent is not morally responsible for his behavior" (9). If by "apart from anything that accompanies it (either contingently or necessarily)," Fischer means (among other things) the truth of causal determinism, then perhaps I would agree with his evaluation of PAP^*. But, as I try to demonstrate below, the flicker strategist insists that alternative possibilities are necessary for freedom since causal determinism eliminates all alternative possibilities. The lack of any alternative possibilities is necessary for the truth of causal determinism and, as incompatibilists, flicker strategists hold that causal determinism precludes moral responsibility. To deny that the flickers remaining due to the falsity of causal determinism are not relevant to moral responsibility is to beg the question against the incompatibilist. Cf. Daniel Speak (2002), p. 92.

[35] The Robustness Requirement is what Speak refers to as the indirect challenge of *FSC*s: "Fischer has countenanced the possibility that there will always be room in Frankfurt-style examples for *some* alternative possibilities. The indirect challenge to the relevance of the flickers of freedom does not require, after all, that the flickers be extinguished. Instead, Fischer argues that it is implausible to think that such thin alternatives could be the ground for our intuitions regarding moral responsibility" ((2002), p. 93).

[36] Derk Pereboom suggests that in order for an alternative possibility to be 'robust' enough, it must be that the agent "could have willed something other than what she actually willed such that she understood that by willing it she would thereby have been precluded from the moral responsibility that she actually has for the action" (2003), p. 188). The epistemic feature of this definition of robustness seems too high for me. It seems to me that I often am morally responsible for actions even if I fail to understand that by doing something else I could escape the moral responsibility that I actually bear. While I agree that there is an epistemic dimension to moral responsibility, Pereboom's understanding of that feature is surely too high.

[37] Fischer (1999b), 284f.

[38] Fischer (1994), p. 140.

[39] Fischer (1994), especially pp. 149–154.

[40] Fischer (2002b), p. 10.

[41] Speak (2002), p. 96.

[42] In a footnote, Speak admits that "it might turn out that NO compatibilist will be persuaded" by his argument for this conclusion, but he thinks that this is "irrelevant" ((2002), p. 103 footnote 10). Speak thinks that his response is superior to the Weak Strategy in that the former, unlike the latter, "can be offered to compatibilists on grounds they can be expected to accept" (ibid.), whether or not they actually do accept it.

[43] Speak (2002), p. 97.

[44] Speak (2002), p. 94.

[45] Speak (2002), p. 97. In a footnote to this passage, Speak acknowledges that the flicker strategy should, in fact, do more than merely establish the possible

relevance of the remaining alternative possibilities: "A complete defense of the flicker strategy would involve arguments not just in favor of the possibility of the relevance of these alternatives. Fanning these flickers should also involve an attempt to defend the *plausibility* of their relevance. I will not, however, attempt this here, although I hope my examples can at least begin to build a case for the sort of plausibility I imagine incompatibilists ultimately want" (103, footnote 13). It should also be noted that, beginning with footnote 12, there is a discrepancy between the footnote numbering in the text and the footnotes themselves at the end of Speak's paper.

[46] Speak (2002), p. 97.

[47] Speak (2002), p. 98. Speak subsequently develops more complicated versions of this scenario, paralleling the development of *FSC*s with ever increasing complexity. However, the initial presentation of the case is sufficient for us to evaluate Speak's argument.

[48] Speak (2002), p. 98. In the footnote to this passage, Speak further stipulates that the case is not one in which the agent performs his duty in some responsibility-undermining way.

[49] Speak (2002), p. 98.

[50] At this point, one might be tempted to raise the following objection: either the relationship between the blush and the agent's action is deterministic or it is not. If it is, then it begs the question against the incompatibilist to insist that the agent is morally responsible. If the relationship between the blush and the agent's action is indeterministic, then it is not possible for the counterfactual intervener to guarantee that the agent does what he wants her to. This objection is the *KWG* objection mentioned earlier. In personal correspondence, Speak has informed me that his "response to the flicker strategy presupposes that the F-cases [i.e., *FSC*s] haven't begged the relevant questions. So, I've already set aside the prior sign cases on these grounds. I'm already on board with Widerker, Kane, etc. when I introduce Garvin and Johansen." In other words, Speak appears to think that the relationship between the prior sign and the action in this *FSC* would be problematic. However, if I am correct that the *KWG* objection does not hold against all *FSC*s, then I do not think it infelicitous for me to use an example involving a prior sign in order to make the present point.

[51] McKenna (1997), p. 75.

[52] "All that is needed is a single counterexample to *PAP*" (David Hunt (2003), p. 182 footnote 29). See also Fischer's (2003): "If *one* coherent sort of scenario can be constructed in which we are confident that the agent is morally responsible yet lacks alternative possibilities, that would be sufficient for the purpose" (247). For a dissenting view that a single counterexample to *PAP* is insufficient to establish its falsity, see Bernard Berofsky (2003), p. 110.

[53] Speak (2002), p. 100.

[54] Speak (2002), p. 100.

[55] Speak (2002), p. 101.

[56] Commenting on this paragraph, Speak wrote: "What I hoped I was showing was that I could construct an obligation out of the very same causal powers available to an agent under Frankfurtian circumstances. If I could construct an obligation, then it seemed to me that the powers where enough for responsibility – even in the absence of the additional conditions that constituted the obligation. So, to my mind, the obligation that serves to bring out that *PRA* is satisfied. It isn't necessary for the satisfaction of *PRA*. It isn't in virtue of the obligation... The agential power that can be exerted in the face of a Frankfurt intervener is enough to ground an obligation. There's no reason, then, to think that it can't ground responsibility." If this is what Speak intends his argument to prove, then it is not clear to me that it counts as a version of the Strong Strategy, for it seems like the relevant causal/agential powers give rise to both the alternative possibilities and the agent's moral responsibility. This, however, then looks like a version of the Weak Strategy.

[57] Speak (2002), p. 101.

[58] Speak (2002), p. 101.

[59] It seems plausible to me that Garvin is not only morally responsible for his desire that Johansen be killed, but also for Johansen's death. Garvin wants Johansen killed, knows that refraining from pulling the trigger on his own will still result in Johansen's death and thinks that by waiting, he will alleviate his moral responsibility for Johansen's death. So, contrary to what Garvin may have been thinking, I think it plausible that he is morally responsible for Johansen's death despite the intervention. Finally, I say that Garvin may be only partly morally responsible for Johansen's death because it seems as if the leader of the rebel force also plays a role in Johansen's death.

[60] Fischer (2002b), p. 8. A further reason for thinking that Fischer has confused the two strategies is the paragraph following the one the proceeding quotation was taken from, where Fischer is responding to Della Rocca, who, it seems clear to me, is advocating the Weak Strategy.

[61] Fischer (1994), p. 83.

[62] Fischer (1999b), p. 294. In (2002b), Fischer writes that "rational people can disagree about whether the doctrines in question are indeed incompatible with the relevant sort of alternative possibilities... We seem to have arrived at a certain kind of stalemate" (2).

[63] Fischer (2002b), p. 20. Frankfurt notes his agreement with Fischer regarding this point in Frankfurt (2002), p. 27.

[64] Here, as elsewhere in this debate, things are not quite so simple, given that some incompatibilists claim to have no need for any *PAP*-like principle. For an argument against such a position, see my forthcoming "A Critique of Frankfurt-Libertarianism."

[65] For a version of this argument, see Chisholm (1966), especially 12ff and Ginet (1995), especially 85f.

[66] See footnote 4 above.

[67] For a similar understanding of the dialectic at this point, see McKenna and Widerker's "Introduction" in (2003), p. 6.

[68] Frankfurt (1969), p. 829.

[69] Frankfurt (1969), p. 838. The revised version of *PAP* Frankfurt is discussing here (and which he also rejects) is as follows: "a person is not morally responsible for what he has done if he did it because he could not have done otherwise" (ibid.).

[70] Frankfurt (1969), p. 838.

[71] Frankfurt (1969), 838f.

[72] I would like to thank Tom Flint for helping me understand Frankfurt's motivation in this way.

[73] Fischer (2002b), p. 12.

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