

A Frankfurt Example to End All Frankfurt Examples

James Cain

Received: 4 May 2013 / Revised: 8 July 2013 / Accepted: 10 July 2013 /
Published online: 23 July 2013
© Springer Science+Business Media Dordrecht 2013

Abstract Frankfurt examples are frequently used in arguments designed to show that agents lacking alternatives, or lacking ‘regulative control’ over their actions, can be morally responsible for what they do. I will maintain that Frankfurt examples can be constructed that undermine those very arguments when applied to actions for which the agent bears fundamental responsibility.

Keywords Frankfurt example · Principle of alternate possibilities · Regulative control · Responsibility · Robust agency

Frankfurt examples have been used to argue for a number of significant philosophical claims.¹ With a qualification to be mentioned later,² I will maintain that Frankfurt examples can be constructed that undermine the arguments for the most important of those claims. First I will review the claims in question and discuss the structure of Frankfurt examples. Then I will show how to construct an example that undercuts the main arguments that rely upon Frankfurt examples. Finally some objections to my position will be considered.

Most famously, Frankfurt examples are supposed to provide counterexamples to the *Principle of Alternate Possibilities* (PAP) which holds that “a person is morally responsible for what he has done only if he could have done otherwise.” More importantly, Frankfurt examples are thought to give counterexamples to a weakened form of PAP, one which holds that:

¹Frankfurt examples were first introduced in Frankfurt (1969). For an overview of the literature on Frankfurt examples see Fischer (2002) and Fischer (2011). The arguments of this paper deal with the most common kinds of Frankfurt examples—typical “prior-sign” examples, Mele-Robb style examples, and Pereboom-type examples—as well as the “Fischer-variant” on the Frankfurt type examples. See Fischer (2002) for an overview of these kinds of Frankfurt examples. I will not be concerned with what have come to be called “blockage cases” (also discussed in Fischer (2002)) which I do not consider to be genuine Frankfurt examples.

²See the first objection below and the corresponding reply.

J. Cain (✉)
Oklahoma State University, Stillwater, OK, USA
e-mail: james.cain@okstate.edu

With respect to the basic loci of moral responsibility, a person is responsible for what she has done only if she could have done otherwise.

The expression “basic loci of moral responsibility” comes from Widerker (1995: 247), who identifies the basic loci with “mental acts such as deciding, choosing, undertaking, forming an intention”. Though I am inclined to think that Widerker is correct in his identification, I will leave it an open question at this point just what constitutes the basic loci of responsibility (or, that for which we are fundamentally responsible). The weakened form of PAP thus says, with respect to those actions for which we are fundamentally responsible, that our responsibility requires the ability to do otherwise.

Another argument of concern—one advanced most notably by John Martin Fischer—holds that Frankfurt examples give strong evidence that moral responsibility does not require *regulative control* on the part of the agent. Regulative control is, as Fischer (2006: 6) puts it, “the sort of control that involves genuine metaphysical access to alternative possibilities.” My concern again will be with cases where we are fundamentally responsible. I will argue that, with respect to the basic loci of responsibility, Frankfurt examples cannot be used to show that an agent can be responsible for what she has done though she lacks regulative control with respect to doing it.³

Finally, it is sometimes argued that once we have been shown through Frankfurt examples that fundamental responsibility requires neither alternative possibilities nor the exercise of regulative control, there is little to hold us back from embracing *semicompatibilism*, the view that responsibility is compatible with determinism.

My task then will be to show that Frankfurt examples neither undermine the claim that fundamental responsibility requires alternative possibilities nor the claim that it requires regulative control. First let us briefly review the structure of Frankfurt examples. A Frankfurt example has the following elements. There is an ‘actual’ course of events (the *actual scenario*) in which an agent acts in a certain way at a fixed time *t* (this is the *target action*) and the agent is morally responsible for the action. In the background there is a *Frankfurt mechanism*. In the actual scenario the mechanism does not bring about the agent’s action, but had things been different in certain respects (had there been a *triggering event*) the mechanism would have brought it about that the agent performed the target action. Finally, the example is supposed to be set up so that the only possible courses of events up through *t* either culminate in the target action’s being performed by the agent without interference by the Frankfurt mechanism or they include some triggering event along with the mechanism’s bringing about the target action. If the example succeeds and that for which the agent bears fundamental responsibility in the actual scenario is the target action, then we have an example that advances the recently considered agenda of the proponents of Frankfurt examples. Of course that will not be the case if that for which

³ One might think that the claim that fundamental responsibility requires regulative control on the part of the agent comes to the same as the weakened form of PAP. It helps to recall that Frankfurt originally attacked PAP as a view shared by compatibilist and incompatibilists. It is far from clear that a compatibilist who advocates PAP would characterize an agent’s ability to do otherwise as involving “the sort of control that involves genuine metaphysical access to alternative possibilities.” Thus it might appear to beg the question against the compatibilist to simply assume that the weakened form of PAP is equivalent to the view that non-derivative responsibility requires regulative control. So for the purposes of this paper I will treat these as separate issues.

the agent bears fundamental responsibility in the actual scenario is not the target action.

Probably the most common Frankfurt example involves a choice or decision as the target action. The reason for this, I suspect, is that a choice or decision seems to be a paradigmatic case of an action for which we are fundamentally responsible. The example I will construct involves an agent making a choice, but I want to initially leave it open whether the agent has fundamental responsibility for the choice or whether there is something more fundamental for which the agent is responsible.

Here is our Frankfurt example. Take something that you would really love to do—call it “*X*”. One evening as you are about to leave work a couple of FBI agents approach and ask to speak with you about an important matter. They tell you that at some time over the next couple of hours you will be offered the opportunity to do *X*. “Wonderful!” you think. But there is a complication. They believe that your neurosurgeon, Doctor Black, has been implanting Frankfurt devices in the brains of his patients. The devices are implanted to guarantee that his patients will choose to do *X*. (Choosing to do *X* is the target action). This will be the first occasion on which the FBI will be able to observe one of Black’s devices in operation and they hope that you will help them learn how it works.

When you ask for more information you are told the following:

We only know in broad outline the nature of these devices. There are several models currently in use. Most monitor the brain prior to the time the target action is scheduled to take place: if a triggering event occurs the mechanism will be activated to bring it about that you choose to do *X*. In many of the older models the triggering events indicate the presence of causally sufficient conditions for your not choosing *on your own* to do *X*. In many of the newer ‘Pereboom’ models the triggering events indicate the presence of certain necessary conditions for your not choosing *on your own* to do *X*. In either case the event that triggers the mechanism to bring about the choice is always something that is morally insignificant with respect to your making the choice: perhaps it is a blush or your coming to imagine the look of a parent’s face; it may even be the position of a given atom at a given moment. Some models employ a ‘Mele-Robb’ fail-safe device: if at the exact time you are scheduled to choose to do *X* you are not making the choice on your own, then the device makes you make the choice at that time—but if you do choose on your own it does not cause your choice. There is even a possibility that you have been implanted with a ‘Fischer-variant’ Frankfurt device. This is not a genuine Frankfurt device; if triggered it will not actually cause you to choose to do *X*, rather it will instantly incapacitate you so that you cannot exercise any voluntary agency up through the time you were supposed to make that choice.⁴ One thing none of these devices can do is to ensure that you make the choice *on your own*.

You ask how you may help. They say that you may help by *not choosing on your own to do X*. That will guarantee that the device is triggered, and it will allow them to observe how the device operates.

⁴ What they don’t tell you is that the Fischer-variant Frankfurt device will incapacitate you by killing you instantly. See Fischer (2002), 288. The philosophical significance of Fischer-variant examples is not changed by having the device merely incapacitate—rather than kill—the agent.

The next day arrives, along with two angry looking FBI agents. They tell you that the Frankfurt device was never triggered because you chose all on your own to do *X*. Now they may not be able to figure out how the device works and they may not be able to thwart the future plans of Black. “Why did you do it?” they ask. You reply, “I wanted to do *X* and didn’t really care whether you found out how the device works.” Black had hoped that things would go exactly this way so that he would not have to ‘show his hand’ and have it be discovered how the Frankfurt device works.

What are you responsible for? It would seem that you are responsible for (1) choosing on your own to do *X* and for (2) not setting off the Frankfurt device. Your responsibility for not setting off the Frankfurt device derives from your responsibility for choosing on your own under the given circumstances. It is not clear to me whether you are also responsible for the target action, that is for (3) choosing to do *X*. There are two options. On the one hand, since you could not have avoided choosing to do *X* it may appear that you are not responsible for the choice. On the other hand, since you chose on your own it may look like you are responsible for the choice. I think that it should be clear however that if you are responsible for choosing to do *X*, what makes you responsible is the fact that you made the choice on your own. You are fundamentally responsible for choosing on your own, and your responsibility for choosing to do *X* derives from this fundamental responsibility. (That is why you are responsible for choosing to do *X* in the actual scenario in which you choose on your own but are not responsible for choosing to do *X* in alternative scenarios in which you do not choose on your own.) Since the example gives us no reason to hold that you could not have done otherwise than make the choice on your own—the action for which you are fundamentally responsible—this Frankfurt example does not give us a counterexample to the weakened form of PAP. Furthermore there is nothing in the example to show that you lacked regulative control with respect to whether you would choose on your own to do *X*. Thus we have no reason to think we have here a counterexample to the thesis that fundamental responsibility requires regulative control.

In our example the target action is the agent’s choosing to do *X*. In a typical Frankfurt example in which the target action is the making of a choice, the agent is unaware of the presence of the Frankfurt device and (according to proponents of Frankfurt examples) is responsible for his choice. (Without this claim of responsibility they would not have a Frankfurt example.) For the sake of the argument I will assume that proponents of Frankfurt examples are correct in holding that the agent in the typical Frankfurt example is responsible for his choice. Clearly the agent in our example is no less responsible for his choice than the agent in the typical Frankfurt example.⁵ Thus I will go with the second option above and hold that the agent in our example is responsible for his choice. But, as we saw, the agent’s responsibility will then be derivative upon the agent’s more fundamentally responsibility for choosing on his own.

Under these assumptions the typical Frankfurt example (with a choice as the target action) has the following in common with our example: The agent is responsible for having made the choice; the agent made the choice on her own; the Frankfurt device

⁵ If you say that the agent in the typical example is responsible but the agent in our example is not responsible (because he knew he would make the choice anyway) then modify our example so that the agent does not learn that the device, if triggered, will cause him to make the choice; let him just be aware that the device will be triggered if, and only if, he does not choose on his own.

guaranteed that the agent would make the choice but did not guarantee that the agent would make the choice on her own; and the agent's responsibility for the choice is due to the fact that the agent made the choice on her own. The only difference is that the agent in our example knew of the Frankfurt device. That knowledge, however, did not give the agent a power to choose on her own that the agent in the typical example lacked, nor did it give the agent regulative control over whether she would choose on her own that the agent in the typical example lacked. Given the structural similarities between the examples it should be clear that the agent in the typical example, like the agent in our example, is fundamentally responsible for choosing on her own, and her responsibility for making the choice derives from her responsibility for choosing on her own. Furthermore, given that there is nothing in the typical Frankfurt example to make us think that the agent could not have done otherwise than choose on her own and given that there was nothing to make us think that the agent lacked regulative control with respect to choosing on her own, it follows that the typical Frankfurt example does not serve as a counterexample to either the weakened form of PAP or the claim that fundamental responsibility requires regulative control.

I have considered examples in which the target action is a choice. But my considerations can be generalized. Frankfurt examples might be used to show with respect to some target action that the agent could not have done otherwise than do that action, but they do not show that the agent could not have done otherwise than do that action on her own.⁶ And in such cases the agent's responsibility for doing the action will be derivative upon her more fundamental responsibility for doing it on her own. Thus Frankfurt examples do not provide counterexamples to the weakened form of PAP or the view that fundamental responsibility requires regulative control.⁷

That concludes my argument that Frankfurt examples do not advance the agenda set out at the beginning of the paper. Now I must turn to objections.

First Objection Your argument employs a Frankfurt example in which a mechanism can bring it about that an agent makes a choice without its being the case that the agent chooses on his own. It is not clear that this is coherent; it is not clear that whatever it is that the Frankfurt mechanism brings about in the agent should be counted as a choice.⁸ Furthermore, if this worry is justified then the distinction between making a choice and making a choice on one's own may break down, and so if choosing on one's own is among the fundamental loci of responsibility the same will hold for choosing *simpliciter*.

Reply I share these concerns. If the worry raised in the objection is correct then a Frankfurt device could not bring it about that an agent makes a choice, and thus

⁶ From the beginning this has been acknowledged by proponents of Frankfurt examples. Thus, in introducing Frankfurt examples, Frankfurt (1969: 836) says, describing the agent, "Of course it is in a way up to him whether he acts on his own or as a result of Black's intervention".

⁷ Naylor (1984) defends PAP on the grounds that the agent in a Frankfurt example is not responsible for performing the target action but is responsible for performing the action on his own. This position has been criticized for defending PAP by appealing to "flickers of freedom" that do not require robust alternatives on the part of the agent; see, for example, Fischer (2002: 289–90). As we shall see when we turn to the objections, this objection can be answered by considering our Frankfurt example.

⁸ For objections along these lines see Alvarez (2009: 70–71), Cain (2003) and Cain (2004: 447–50).

Frankfurt examples would not give us cases in which an agent makes a choice under circumstances in which the agent could not have done otherwise than make that choice. My purpose here is to show that even if we grant to the proponent of Frankfurt examples the assumption that a Frankfurt mechanism could bring it about that the agent makes a choice, Frankfurt examples would still not provide counter-examples to the weakened form of PAP or the view that fundamental responsibility requires regulative control. So I am making the assumption that proponents of Frankfurt examples are correct in (1) distinguishing between an agent's choosing and an agent's choosing on her own and (2) holding that an agent might choose without choosing on her own. Given this assumption, and the assumption that the Frankfurt device can guarantee that the agent makes a given choice, we are led to hold that if the agent in our Frankfurt example is responsible for having made the choice it is because—and thus derivative upon the fact that—she chose on her own.

Second Objection Generally in Frankfurt examples it is assumed that the triggering device is finely tuned so that if it is triggered it will be by events of no moral significance—mere “flickers of freedom” as Fischer ironically puts it.⁹ The kind of event that might trigger the device could be something as insignificant as the furrowing of a brow. And once the device has been triggered the agent no longer exercises voluntary agency in a way that is relevant to his responsibility for the target action. Thus the alternative possibilities left open to the agent in these examples are not sufficient to ground the agent's responsibility. So the agent's responsibility does not depend on the agent's having access to alternatives. This undercuts the weakened form of PAP and the need for regulative control in cases of fundamental responsibility.

Reply In the typical example, Black hopes that the agent will perform the target action on his own and sets up the Frankfurt mechanism so that if it is triggered it will be by insignificant events that act as signals that the agent will not (or might not) do the action on his own. If we can assume that Black can do this in the typical example, we may make the same assumption for our example: Black hopes that you will be unmoved by the FBI agents' request and that you will, without hesitation, choose on your own when the opportunity arrives. He sets up the Frankfurt device so that it will be triggered by insignificant events that act as signals that you will not, or might not, choose on your own. As things turn out you behave just as Black hoped. So if all robust alternatives could be eliminated in ordinary Frankfurt examples by making the triggering events morally insignificant, they could be eliminated in our example in the same way. But not all robust alternatives can be eliminated in our example by making the triggering events morally insignificant. Nothing in a Frankfurt example per se eliminates the alternative of not choosing on one's own—and that was a robust alternative for the agent in our example.

Of course if we look in detail at exactly what triggers the device in various alternative scenarios it may well be that in every instance it is something outside

⁹ The assumption that the potential triggering events are morally insignificant will not apply to the event that triggers the ‘Mele-Robb’ fail-safe device. The trigger in that case is the agent's not choosing on his own, and that is certainly morally significant. Thus this objection cannot be used to defend the use of Mele-Robb type Frankfurt Examples.

the agent's voluntary control. In one scenario it might be the position of this atom and in another scenario it might be the position of that atom. The agent does not have control over exactly how the device is triggered, but that level of control is not needed for responsibility.

This point may be brought out by the following consideration. Imagine an agent, like the one in our example, entering into a contract specifying how she will behave. The agreement, in part, reads: "I have been informed that I am now in a Frankfurt scenario in which the target action is my choosing to do *X*. I hereby agree that I will not, on my own, choose to do *X*." Imagine that the agent makes it through the signing of the contract without triggering the Frankfurt device and the agent has not yet been given the opportunity to choose to do *X*. At this point the agent has the requisite control to fulfill her end of the contract—or at least nothing in the Frankfurt shows that the agent lacks such control. Of course the agent does not have control over precisely what will trigger the device or the precise moment the device will be triggered, but the alternative the agent has within her control can be described in general terms: that of not choosing on her own to do *X*. And if in the end—as in the actual scenario of our example—she chooses on her own to do *X*, then we can say that the agent had a morally significant, robust alternative.¹⁰

Third Objection To be plausible both the weakened form of PAP and the requirement of regulative control must call for the agent to have robust alternatives, but there is more to robust agency than you admit. A couple of well-known examples bring this out. Suppose that an epileptic (who has no control over when a seizure occurs) intentionally does action *A* at time *t* but would not have done *A* had a seizure occurred at or just prior to *t*. This agent does *A* under circumstances in which there was an alternative possibility (viz., having a seizure instead). But clearly this alternative is merely accidental and thus cannot ground the agent's responsibility for doing *A*. To avoid having to accept this kind of alternative possibility as a robust alternative we must include a requirement on robust alternatives that they be initiated voluntarily.¹¹

Take another example. Consider an agent who does action *A* at time *t*. Just prior to *t* the agent could have voluntarily taken a sip of coffee from the cup next to him. The coffee was drugged—though the agent did not know this—and drinking it would have rendered him unable to do *A* at *t*. Surely such an alternative (drinking the coffee), though it would be voluntary and would have precluded the agent's doing *A*, is irrelevant to the agent's responsibility in the actual scenario and cannot be treated as a robust alternative that was available to the agent. To avoid having to treat such an alternative as robust, we must recognize that for an alternative to doing *A* to be robust the agent must have some "cognitive sensitivity" to the fact that willing the alternative would allow him to avoid responsibility for doing *A*.¹²

¹⁰ Do not say that the agent who signs such a contract has thereby already done a robust action in virtue of which she will be blameless in the case in which the Frankfurt device is triggered. Remember that one need not intend to carry out the terms of a contract one signs. It is enough for our purposes that nothing in the Frankfurt example precludes the agent from having the power to fulfill the contract. It is perhaps easiest to imagine that at the point the agent signs the contract she has not decided whether to abide by its terms.

¹¹ See Fischer and Tognazzini (2010), 45–46. They discuss an example involving a seizure found in Otsuka (1998).

¹² See Pereboom (2009), 111–12.

Here are a couple of accounts of the robust agency found in the literature.¹³ According to Fischer (1994: 142):

On the traditional alternative-possibilities picture, it is envisaged that an agent has a choice between two (or more) scenarios *of a certain sort*. In one scenario, he deliberates and forms an intention to perform an act of a certain kind and then carries out this intention in an appropriate way. In at least one other possible scenario, he deliberates and forms an intention to perform a different kind of act (or no act at all) and carries out this intention in an appropriate way. This is what is involved in having robust alternative possibilities, and certainly this is the natural way to think about the sort of alternatives that allegedly ground moral responsibility.

Pereboom (2009: 112) has formulated the robustness requirement as follows:

For an alternative possibility to be relevant per se to explaining why an agent is morally responsible for an action it must satisfy the following characterization: she could have willed something different from what she actually willed such that she has some degree of cognitive sensitivity to the fact that by willing it she thereby would be, or at least would likely be, precluded from the responsibility she actually has.¹⁴

Carefully crafted Frankfurt examples can be developed in which the agent is responsible and yet does not have access to alternative scenarios in which appropriate alternative intentions are formed under suitable cognitive conditions. These show that an agent does not need robust alternatives in order to be responsible, and thus they undercut the need for alternative possibilities and the need for regulative control.

Reply If the agent in a typical Frankfurt example could have been cut off from access to alternatives in which the agent formed an intention not formed in the actual scenario (or “willed something different from what she actually willed”), our Frankfurt example could be set up with the same feature. Imagine our example so modified. The FBI agents could even add the following to their initial explanation:

If the device is triggered it will be triggered by something that is morally insignificant, and this will happen before you even have the chance to form the intention to not choose on your own or the intention to trigger the device. And if the device is triggered you will not be able to engage in any voluntary activity until after the target action takes place. One thing the device cannot do is bring it about that you choose on your own to do *X*.

Without asking for what is beyond your control, they could reasonably go on to ask you not to choose on your own to do *X*. (This of course is different from asking you to choose to not do *X*—that might be beyond your power given the presence of

¹³ In addition to the accounts of Fischer and Pereboom cited below there are a number of other philosophers—including prominent critics of Frankfurt examples—who express similar views. See Kane (2005: 86–87), Kane (2007: 21), and Widerker and McKenna (2003: 7–8).

¹⁴ Pereboom calls this formulation, “Robustness (3)”. The remarks I make below apply as well to the other formulations of the robustness requirement he has made elsewhere.

the Frankfurt device). The control you have at this point is morally significant, and it is sufficiently robust to ground your responsibility for choosing on your own, should you do that. You need not have access to an alternative scenario in which you form alternative intentions. The constraints on robustness formulated by Fischer and Pereboom are simply too strong.

The alternative *not choosing on your own to do X* is not an accidental alternative for the purposes of determining responsibility in the actual scenario. However, if we consider any alternative scenario in which the Frankfurt device is triggered then it may be the case that the triggering event in that scenario (e.g., this atom's being in the 'wrong' place) is accidental for the purpose of determining the agent's responsibility in *that* scenario. But in the scenarios in which the agent chooses on her own to do *X* there is an alternative—not choosing on her own to do *X*—which is not accidental for the purposes of determining responsibility in those scenarios; it is a fully robust alternative.

If this is not already obvious, imagine having the following conversation with the FBI agents after choosing on your own to do *X*. You try to explain to them that, though it was possible for it to have come about that you did not choose on your own, this was not a 'robust' alternative for you. Here is your argument:

I am an epileptic, and it was possible for me to have had a seizure and be unable to choose on my own to do *X*. And there happened to be coffee near me which—though I did not know it at the time—was drugged and had I sipped it I would not have been able to choose on my own to do *X*. Clearly those were not robust alternatives. Since I was in a Frankfurt scenario all my alternatives were on a par with these. Thus, I had no robust alternative.

They might respond (quoting the title of a well-known book by the inventor of Frankfurt examples), "Bullshit! The alternative you had—that of not choosing on your own—was not on a par with those other alternatives. It was as robust an alternative as you can find." I believe they would be right.

Fourth Objection Fischer (2006: 46) raises the following objection against the view that responsibility requires regulative control:

The proponent of the idea that regulative control is required for moral responsibility insists that there can be no moral responsibility if there is but one path leading into the future: to get the crucial kind of control, we must add various alternative possibilities. Now it seems that the flicker theorist must claim that the addition of the sort of alternative possibility he has identified would transform a case of lack of responsibility into one of responsibility. But this seems mysterious in the extreme.... This might appear to involve a kind of alchemy, and it is just as incredible.

The objection may be phrased as follows: Let AS be the actual scenario of a Frankfurt example. Imagine for the moment AS occurring, not as it is found in the Frankfurt example, but stripped of all alternatives—that is, imagine AS taking place without there being the possibility of anything happening other than what occurs in AS. One who says that regulative control is required for responsibility must hold that *in these circumstances* the agent in AS is without responsibility but by adding to AS the alternatives found in the Frankfurt example we "transform a case of lack of responsibility into one of responsibility". This looks like magical thinking on the part

of the regulative control theorist. Surely the alternatives found in a Frankfurt example are too barren to bring about such a transformation.¹⁵

Reply What Fischer describes may look like magic: we take a scenario in which the agent bears no responsibility and turn it into one in which the agent bears responsibility by adding to it alternative possibilities that appear to have no moral significance. But what looks like (would-be) magic is really a sleight of hand that takes place earlier in the formulation of the objection—not when we are asked to *add* alternatives but when we are asked to imagine AS taking place without there being the possibility of anything happening other than what occurs in AS. Recall that regulative control is by definition a “sort of control which involves the existence of genuinely open alternative possibilities” (Fischer 2006: 132). The exercise of regulative control, on a libertarian account, involves the exercise of a kind of causal power that can, in a given situation, result in the future going one way or result in the future going a different way, neither outcome being determined independently of the exercise of the power. It is by no means clear that we can have a scenario in which this kind of power is exercised but there are no alternative possibilities. So what looks like our taking AS stripped of alternatives may really be our substituting for AS a surrogate scenario in which a different set of causal powers are operative. And while it may be on par with alchemy to hold that we can take this surrogate for AS and, merely by adding to it morally trivial alternatives, turn it into a scenario in which an agent acts responsibly, that is not something to which the regulative control theorist is committed.

If my arguments are correct we see that Frankfurt examples in their various forms fail to give us grounds for denying either that fundamental moral responsibility requires the ability to do otherwise or that it requires that the agent have regulative control. Furthermore, important accounts of robust agency that have been developed in conjunction with the employment of Frankfurt examples stand in need of correction. Finally, with respect to the view that the alternatives left open in Frankfurt examples leave room for a morally meaningful exercise of regulative control, Fischer misses the mark when he characterizes this position as akin to alchemy.¹⁶

References

- Alvarez, M. (2009). Actions, thought-experiments and the ‘Principle of alternate possibilities’. *Australasian Journal of Philosophy*, 87(1), 61–81.
- Cain, J. (2003). Frankfurt style examples. *Southwest Philosophy Review*, 19(1), 221–229.
- Cain, J. (2004). Free will and the problem of evil. *Religious Studies*, 40(4), 437–56.
- Fischer, J. M. (1994). *The metaphysics of free will*. Cambridge: Blackwell.
- Fischer, J. M. (1999). Responsibility and self-expression. *The Journal of Ethics*, 3(4), 277–97.
- Fischer, J. M. (2002). Frankfurt-type examples and semi-compatibilism. In R. Kane (Ed.), *The Oxford handbook of free will* (pp. 281–308). New York: Oxford University Press.
- Fischer, J. M. (2006). *My way: essays on moral responsibility*. New York: Oxford University Press.

¹⁵ Fischer frequently employs variants of this argument, e.g., (1994: 141), (1999: 279), (2002: 289). Cf. Fischer and Tognazzini (2010: 49–50).

¹⁶ I have benefitted from comments by Sarah Buss and anonymous *Philosophia* readers on earlier versions of this paper.

- Fischer, J. M. (2011). Frankfurt-type examples and semicompatibilism: New Work. In R. Kane (Ed.), *The Oxford handbook of free will* (2nd ed., pp. 243–265). New York: Oxford University Press.
- Fischer, J. M., & Tognazzini, N. A. (2010). Blame and avoidability: a reply to Otsuka. *The Journal of Ethics*, 14(1), 43–51.
- Frankfurt, H. (1969). Alternate possibilities and moral responsibility. *Journal of Philosophy*, 66(23), 829–39.
- Kane, R. (2005). *A contemporary introduction to free will*. New York: Oxford University Press.
- Kane, R. (2007). Libertarianism. In J. M. Fischer, R. Kane, D. Pereboom, & M. Vargas (Eds.), *Four views on free will* (pp. 5–43). Oxford: Blackwell.
- Naylor, M. B. (1984). Frankfurt on the principle of alternate possibilities. *Philosophical Studies*, 46(2), 249–258.
- Otsuka, M. (1998). Incompatibilism and the avoidability of blame. *Ethics*, 108(4), 685–701.
- Pereboom, D. (2009). Further thoughts about a Frankfurt-style argument. *Philosophical Explorations*, 12(2), 109–18.
- Widerker, D. (1995). Libertarianism and Frankfurt's attack on the principle of alternative possibilities. *Philosophical Review*, 104(2), 247–61.
- Widerker, D., & McKenna, M. (2003). Introduction. In D. Widerker & M. McKenna (Eds.), *Moral responsibility and alternative possibilities: essays on the importance of alternative possibilities*. Aldershot: Ashgate.