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Agential Settling Requires a Conscious Intention

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Agential Settling Requires a Conscious Intention

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Abstract

Helen Steward holds that an agent's settling something does not require a conscious, full-fledged intention. Rather, sub-intentional acts can be instances of settling by the agent if that act is subordinated to the agent's personal-level conscious systems. I argue that this position is mistaken, and that agential settling does in fact require a conscious intention. I argue for this claim by offering a case which on Steward's position has counterintuitive implications. I consider a variety of ways in which Steward might respond, and show how each response incurs serious dialectical burdens. I then propose my preferred view of agential settling which does not share the aforementioned counterintuitive claims.

Keywords

Helen Steward, determinism, compatibilism, incompatibilism, libertarianism, settling, agency, intention

Introduction

In *A Metaphysics for Freedom*, Helen Steward argues that determinism is false on the basis of her notion of settling, a notion which is the central theme of her book. The argument may be summarized as follows:

1. If determinism is true, no one settles anything.
2. Humans and nonhuman animals settle things.
3. Therefore, determinism is false.[1]

1. Steward's actual argument against determinism is more complicated than what is being presented here, though these further complications do not concern what I wish to argue for in this paper. Regardless, Steward's (2012, 12) actual argument against determinism is as follows:

    1. If universal determinism is true, the future is not open.
    2. If there are self-moving animals, the future is open.
    3. There are self-moving animals.
    4. Therefore, universal determinism is not true.

    Self-moving animals possess the capacity to move their body whereby their "contribution *does* amount to something over and above the contribution of the process inside them which eventuate in the resulting bodily movements" (2012, 16–17).

Steward (2012, 39–42) distinguishes between a weak and strong account of settling, whereby the strong account is employed in premises (1) and (2). According to the weak account of settling, there is not necessarily any privileged time at which some event *e* is settled.[2] Rather, *e* can be settled by multiple events that occur at different times, so long as these events are part of the causal chain that lead up to *e*'s occurrence. To illustrate, on the weak account of settling, if determinism is true, then the state of the world in the remote past in conjunction with the laws of nature settle that my arm rises at *t*. However, my decision in a deterministic world to raise my arm *also* settles that my arm rises at *t* since my decision is part of the causal chain leading to my arm's rising at *t*. In other words, an overdetermination of settling by events that occur at distinct times is possible on the weak account of settling. By contrast, on the strong account of settling, an overdetermination of settling by events that occur at distinct times is impossible.

According to the strong account of settling, if at time t_1 it is nomologically possible that *e* occur at t_4, and at t_1 it is nomologically possible that *e* not occur at t_4, then at t_1 it is not settled whether *e* will occur t_4. Let's further suppose that at t_2 it is nomologically possible that *e* occur at t_4, but that at t_2 it is nomologically impossible that *e* not occur at t_4. In that case, whether *e* occurs at t_4 is settled in the strong sense by some event at t_2. Moreover, given that an overdetermination of settling by events that occur at distinct times is impossible on the strong account of settling, since some event at t_2 settles that *e* will occur at t_4, no event that occurs at t_3 can settle that *e* occurs at t_4, *including* events at t_3 that cause the occurrence of *e* at t_4.[3]

Given that Steward is employing the strong account of settling in her argument against determinism, premise (1) is undeniably true, and the crucial and controversial premise is (2). My disagreement with Steward does not concern the truth of (2). Rather, my aim is to express an in-house disagreement between myself and Steward concerning the finer details of the strong account of settling (all subsequent discussion of settling solely concerns the strong account of settling). More specifically, Steward claims that settling does not require a conscious, full-fledged intention. Rather, sub-intentional acts can be instances of settling by the agent if that act is subordinated to the agent's personal-level conscious systems. It is this position I wish to dispute.

2. Strictly speaking, Steward holds that that which is settled is not some event *e*, but rather a question of whether-*p*, whereby *p* may refer to the proposition that event *e* occurs (at some time). I will continue to speak of events rather than questions being settled merely for brevity's sake, as this will make no difference to the discussion below.

3. For further discussion of these two accounts of settling, see Clancy (2013).

This paper is divided into four parts. In section 1, I argue that, contra Steward, agential settling does in fact require a conscious intention. I argue for this claim by offering a case which on Steward's position has counterintuitive implications. In section 2, I consider a number of ways in which Steward might reply to my case. I attempt to show that these replies do not succeed insofar as each reply incurs serious dialectical burdens. In section 3, I propose my preferred view of settling. Finally, in section 4 I argue that my view does an equally good job of supporting Steward's argument against determinism, and, moreover, that my view can offer a more satisfying answer to the luck argument against libertarianism.

1. A Problem for the Subordination Thesis

As previously noted, Steward maintains that settling does not require an antecedent (or simultaneous) conscious intention (2012, 47).[4] To illustrate, consider an agent *S*'s sub-intentional act such as *S*'s head slightly turning or *S*'s foot jiggling which are not produced by means of *S*'s conscious intentions. Steward (2012, 50–52) maintains such a sub-intentional act by *S* is nevertheless an instance of settling by *S* if *S*'s sub-intentional act satisfies a certain condition which is captured in the following thesis:

> ***The Subordination Thesis (ST)*** Agent *S*'s sub-intentional act *A* is settled by *S* if *X* is causally responsible for the occurrence of *A*, and *X* is subordinated to *S*'s personal-level conscious systems insofar as *S* can consciously alter or prevent altogether the occurrence of *A*.[5]

My argument against *ST* appeals to what I'll call a *Reverse Frankfurt* case in light of the fact that my case reverses some of the structural features of Frankfurt's (1969) case against the principle of alternative possibilities.[6] Before I present this case, however, I must first present Jennifer Hornsby's (1980) distinction between transitive and intransitive verbs—a distinction which Steward herself accepts and employs. Roughly,

4. Steward does not say explicitly whether she understands a decision to be the formation of an intention, or simply the intention itself. Regardless, in light of affirming the subordination thesis, Steward clearly thinks that agential settling requires neither an intention nor the formation of an intention.

5. In Steward (2009), although the notion of settling is not employed, Steward similarly defends the position that sub-intentional actions are things we do—they are actions.

6. In Frankfurt's (1969) case, an agent allegedly cannot do otherwise given the presence of a preemptive intervener, even though the preemptive intervener stands idly by and never in fact intervenes. By contrast, in my *Reverse Frankfurt* case, an agent *can* do otherwise, even though an intervener *is* intervening.

a transitive verb refers to someone's *doing* something, and an intransitive verb refers to something *happening*. Here are two examples: the chair moved$_I$ (something happened to the chair) because I moved$_T$ the chair (I did something). My foot jiggled$_I$ (something happened to my foot) because I jiggled$_T$ it (I did something). With this distinction in hand, I now present my *Reverse Frankfurt* case:

> ***Reverse Frankfurt*** Jones is concentrating intensely on an exam she is currently taking, and has no interest in focusing her attention elsewhere. Unbeknownst to Jones, Black has placed a computer chip in Jones' brain which in turn might cause Jones' foot to jiggle$_I$ if Black presses a button. However, this chip is causally inert when it conflicts with Jones' conscious intentions: if Jones forms an intention to refrain from jiggling$_T$ her foot, the jiggling$_I$ will not occur even if Black presses the button. Hence, the chip is subordinated to Jones' personal-level conscious systems insofar as Jones can consciously alter or prevent altogether the jiggling$_I$.
>
> Given the fairly uncontroversial assumption that simultaneous causation is metaphysically possible (Taylor 1966; Brand 1980; Huemer and Kovitz 2003), the following is true:[7] Black's pressing of the button at time *t* deterministically causes the chip in Jones' brain to activate at *t*. Additionally, if at *t* the chip in Jones' brain activates and Jones has not formed an intention to refrain from jiggling$_T$ her foot, then the chip deterministically causes Jones' foot to jiggle$_I$ at *t*. So, at time *t* the following occurs:
>
> - Black presses the button.
> - The chip in Jones' brain activates.
> - Jones does not form (and has not formed) an intention to refrain from jiggling$_T$ her foot.
> - Jones' foot jiggles$_I$.

7. Steward would surely not want her account of settling to be committed to the metaphysical impossibility of simultaneous causation. At any rate, such a commitment would certainly seem to be a cost to her view.

ST renders the verdict that Jones' jiggling$_I$ is settled by Jones. Moreover, *ST* also seems to suggest that Black's pressing of the button does not settle that Jones' foot jiggles$_I$ precisely because the jiggling$_I$ is settled by *Jones*. For, it would appear that only one agent can settle some event if we wish to maintain that an agent settles some event if and only if it is up to the agent whether the event in question occur. At any rate, irrespective of what Steward might say about Black, her commitment to *ST* commits her to the claim that Jones' jiggling$_I$ is (at least) settled by Jones. This verdict is counterintuitive. Jones is concentrating intensely on an exam and is paying no attention to how her body might move in some trivial manner. As a result, if Jones' jiggling$_I$ is settled by an agent, it is at best settled by Black rather than Jones. In light of *ST*'s counterintuitive implications, I will now consider two ways in which Steward might attempt to modify *ST* in order to render the intuitively correct verdict in *Reverse Frankfurt* that Jones' jiggling$_I$ is not settled by Jones.

2. Revising the Subordination Thesis

In order to render the intuitively correct verdict in *Reverse Frankfurt* while *also* maintaining that in ordinary circumstances we often settle how our body moves in the absence of a conscious decision or intention, Steward may wish to modify *ST* in the following manner:

> ***The Subordination Thesis 2* (*ST2*)** Agent *S*'s sub-intentional act *A* is settled by *S* if *X* is causally responsible for the occurrence of agent *S*'s sub-intentional act *A*, and *X* is subordinated to *S*'s personal-level conscious systems insofar as *S* can consciously alter or prevent altogether the occurrence of *A*, *and X does not involve in any direct way the intentions of other agents.*

ST2 is meant to be understood in such a way that Jones' jiggling$_I$ is not settled by Jones because Black's intentions are involved in some direct way with Jones' jiggling$_I$. The notion of 'not involving in any direct way' is, among other things, undoubtedly vague. But never mind that. There are two more urgent problems with *ST2*.

First, a worry arises that affirming *ST2* would thereby undermine the manipulation argument which is one of the more powerful arguments for incompatibilism. In a nutshell, that argument claims that if *S*'s action is manipulated by other agents, then *S* is not morally responsible[8] for that action. Moreover, there is no relevant difference

8. The kind of responsibility at issue here is basic desert responsibility. To be responsible in the basic desert

between a case of manipulation and an ordinary case in which one acts in a deterministic universe. So compatibilism is false (Pereboom 2014, §4). If Steward accepts *ST2*, however, this opens up a 'soft-line' reply to the manipulation argument, according to which there *is* a relevant difference between an instance of manipulation and an ordinary case in which one acts in a deterministic universe. The difference is that only in an instance of manipulation are one's actions causally determined by factors beyond one's control, *whereby such factors involve in some direct way the intentions of other agents* (Lycan 1997). While I don't find this response to the manipulation argument compelling, it appears that if Steward adopts *ST2*, then she cannot consistently object to this soft-line reply to the manipulation argument. For, both a proponent of *ST2* and a proponent of the above soft-line reply accept importantly similar claims. One accepts that the intentions of other agents can make a difference with respect to whether *S* settles something. The other accepts that the intentions of other agents can make a difference with respect to whether *S* is morally responsible for what she has done.

The second problem with *ST2* is that, like the above soft-line reply, it seems *ad hoc*. Suppose that Black is replaced with a spontaneously emergent robotic machine that was not produced by an intelligent designer, and that the robotic machine causes Jones' jiggling$_{I}$ (Pereboom 2001, 115; 2014, 79). Alternatively, suppose that a spontaneously generated electromagnetic field directly causes the jiggling$_{I}$ (Mele 1995, 168–169; 2006, 141). Moreover, suppose that both the robotic machine and the electromagnetic field are subordinated to Jones' personal-level conscious systems. Surely these cases can't make the difference with respect to whether Jones' jiggling$_{I}$ is settled by Jones. *ST2* is thus untenable.

Steward might attempt to modify *ST* in a different way in order to escape the problems with *ST2*. Accordingly, such an amendment to *ST* must not invoke the notion of agency or action. For, it is plausible that such notions involve in a direct way the intentions of other agents. In that case, irrespective of the finer details of such an amendment, that amendment will entail the following:

> ***The Subordination Thesis 3* (*ST3*)** Agent *S*'s sub-intentional act *A* is settled by *S* if *X* is causally responsible for the occurrence of agent *S*'s sub-intentional act *A*, and *X* is subordinated to *S*'s personal-level conscious systems insofar as *S* can consciously alter or prevent

sense for performing an action is to deserve blame or credit just because one understands the moral status of the action one has performed, and not because of consequentialist or contractualist considerations (Scanlon 2013; Pereboom 2014).

> altogether the occurrence of *A*, *and X satisfies some further condition c, such that c does not invoke the notion of agency or action.*

ST3 seems to escape the charge of being *ad hoc* which I claimed plagues *ST2*. However, in the context of Steward's aims, *ST3* has its own serious problem, as I will now explain. Steward argues extensively against the causal theory of action (Davidson 1973; Frankfurt 1988; Bishop 1989; Velleman 2000), which Steward understands to be the thesis that "[f] or an agent to act is roughly…for the bodily movements that are intrinsic to the relevant action to be caused by certain of that agent's own mental states" (2012, 55). Steward endorses the two prevalent objections to the causal theory of action.

The first objection is that the *appropriate manner* in which an agent's mental states must cause one's bodily behavior in order to count as an action must be further specified. Davidson's (1973) classic illustration of this point involves a climber who is holding a rope to which another person is tied and who is endangering the climber. The climber wants to rid herself of this person, and could do so by loosening her grip of the rope. The climber's relevant beliefs and desires result in the climber's being extremely nervous, which in turn results in the climber *unintentionally* loosening her grip of the rope. In this example, the climber's loosening her grip of the rope was not an intentional action because her beliefs and desires did not cause the climber's bodily movements in the appropriate manner. This is the problem of deviant causal chains.

The second and closely related objection to the causal theory of action is that it in principle cannot provide necessary and sufficient conditions for when an *agent* does anything, i.e. where the agent—and not just her mental states—is responsible for the agent's relevant bodily movements. For, once the relevant mental states play their role in causing the agent's bodily movements, there's nothing left for the *agent* to do. This is sometimes called the disappearing agent objection (Hornsby 2004).

Now, Steward finds both objections to the causal theory of action persuasive, and, crucially, claims that neither objection can be answered so long as the proponent of the causal theory of action provides necessary and sufficient conditions for action which *do not invoke the notion of agency or action* (Steward 2012, 55–66). In other words, appealing only to the agent's mental states and their causal relation to the agent's bodily movements will always in principle leave out what we were after, viz. the *agent's* doing something. Steward invests a great deal in arguing against the causal theory of action precisely because it is a compatibilist-friendly one. So, it would be a great cost to Steward if she had to give up the two aforementioned objections to the causal theory of action. However, I claim that this is exactly what Steward must do if *ST3* is endorsed.

ST3 entails that there is some condition which is not met in *Reverse Frankfurt*, and yet *is* met in ordinary cases in which our sub-intentional acts are not directly caused by other agents, such that Jones' jiggling$_1$ is not settled by Jones, but an agent's sub-intentional act in an ordinary case *is* an instance of settling by the agent. The relevant event or property that satisfies this condition must surely involve a certain *way* in which one's mental states cause one's bodily movements. In other words, the way in which one's bodily movements are caused (by one's mental states) makes the critical difference between that which is, and is not, an instance of settling. But it seems to me that *ST3* opens up the door for the proponent of the causal theory of action to appeal to the exact same condition as making the critical difference between bodily movements that are and are not an action. Moreover, this condition is, *ex hypothesi*, one that is consistent with the causal theory of action precisely because this condition does not invoke any notions of agency or action. So I conclude that endorsing *ST3* would come at too great a cost for Steward given that her argument against the truth of determinism depends significantly upon refuting the causal theory of action. It seems, then, that there is good reason for Steward to give up *ST* and any variant thereof.

3. The Cartesian View of Settling

Since the proponent of Steward's argument against the truth of determinism should not endorse *ST* (or a variant of *ST*), I think the following position ought to be endorsed instead:

> ***Cartesian Settling* (*CS*)** Necessarily, an agent *S* settles some contingent event *e* only if *e* is preceded by (or is simultaneous with) a conscious intention by *S* to perform action *a*,[9] such that either (i) the occurrence of *a* at time *t* is identical to *e*, (ii) the occurrence of *a* at time *t* is identical to event *e** which necessitates *e*, or (iii) *a* deterministically causes *e*, and *S* believed that *a* might cause *e*.

Note that the above view is Cartesian only insofar as it emphasizes the role of the mind with respect to settling. This view is perfectly consistent with physicalism about the mind. For, nothing about *CS* requires that the conscious intention of the agent be a non-physical state. Moreover, this view is consistent with Steward's (2012, 16–17) view that agential

9. For simplicity's sake, I assume that an omission can be an action. If one disagrees, then *CS* could no doubt be appropriately tailored to accommodate such disagreement. I will further discuss the issue of intentional omissions below.

settling involves a kind of top-down causation that is over and above the causal processes that constitute the agent. To be clear, however, *CS* in no way *requires* top-down causation since *CS* is also consistent with a reductionist view of agency and settling (Franklin 2014).

In order to attain a better grasp of *CS*, let's consider the three kinds of ways in which an agent can settle something. Suppose Haley forms the intention to raise$_T$ her arm at *t* in order to get a taxi driver's attention, and Haley succeeds in raising$_T$ her arm and getting the taxi driver's attention. According to condition (i) of *CS*, Haley settles the occurrence of the following event: Haley's raising$_T$ her arm at *t*. Next, given the relationship between transitive and intransitive verbs, Haley's raising$_T$ her arm at *t* necessitates Haley's arm rising$_I$ at *t*. So according to condition (ii) of *CS*, Haley settles that Haley's arm rises$_I$ at *t*. Finally, consider the event of the taxi driver noticing Haley's signal. Haley's raising$_T$ her arm is, let's suppose, a deterministic cause of the taxi driver's noticing Haley's signal. Moreover, Haley believed that raising$_T$ her arm might cause the taxi driver to notice Haley's signal. So, according to condition (iii) of *CS*, it follows that Haley settled the occurrence of the taxi driver noticing Haley's signal.[10]

Now, in *Reverse Frankfurt*, Jones has no intention to jiggle$_T$ her foot, or to perform some action that entails that her foot jiggles$_I$, or to perform some action which Jones believes might cause her foot to jiggle$_I$. So *CS* renders the correct verdict that Jones does not settle her foot's jiggling$_I$. Additionally, since Black intentionally presses the button, the pressing of the button deterministically causes Jones' foot to jiggle$_I$ (in the absence of certain intentions by Jones), and Black believes that pressing the button might cause Jones' foot to jiggle$_I$, according to condition (iii) of *CS* it follows that Black settles that Jones' foot jiggles$_I$. So unlike *ST*, *CS* renders all of the intuitively correct verdicts in *Reverse Frankfurt*.

Before proceeding to the final section, I want to consider some important objections to *CS*. In order for an agent to settle something, certain factors outside of an agent's control intuitively need to obtain. For instance, suppose that Haley raised$_T$ her arm at time *t*, and there was a bomb nearby, such that it was nomologically possible for the bomb to explode at *t* (suppose that whether the bomb explodes at *t* depends upon certain genuinely indeterministic processes at the microphysical level). Call this *The Bomb Case*. Whether the bomb explodes at *t* is not up to Haley. Moreover, it is not up to Haley that if the bomb explodes, then Haley does not raise$_T$ her arm at *t*. We might be tempted to conclude that whether Haley raises$_T$ her arm at *t* is therefore not up to Haley. After

10. I have added a belief component to (iii) since I acknowledge that an agent's power to settle something partly depends upon an agent's beliefs (Shabo 2014).

all, this line of reasoning resembles a transfer of powerlessness principle employed in the consequence argument for the incompatibility of determinism and the ability to do otherwise (van Inwagen 1983). There is, however, a crucial difference between the above line of reasoning and the employment of a transfer of powerlessness principle. Haley's raising$_T$ her arm at *t* and not raising$_T$ her arm at *t* are each nomologically possible prior to *t*. Moreover, *if certain conditions beyond Haley's control which are nomologically possible obtain*, then it is up to Haley whether she raises$_T$ her arm at *t*. So, while Haley no doubt has a limited kind of control over whether she raises$_T$ her arm at *t*, we can nevertheless maintain that Haley settles that she raises$_T$ her arm at *t* in *The Bomb Case*. By contrast, if determinism is true then either it is nomologically impossible just prior to *t* (and at *t*) that Haley raise$_T$ her arm at *t*, or it is nomologically impossible just prior to *t* (and at *t*) that Haley not raise$_T$ her arm at *t*. So, *CS* is consistent with the view that no one settles anything (according to the strong account of settling) if determinism is true.[11] I now turn to another objection that arises in light of the remarks just made.

I have just claimed that *CS* is consistent with the following thesis:

> ***The Limited Settling Thesis*** Possibly, an agent *S* settles that *S* ϕ-*s* even when *S*'s ϕ-ing partly depends upon factors beyond *S*'s control.

A worry now arises that the proponent of *ST* can stand firm in asserting that *Jones* settles that Jones' foot jiggles$_I$ in *Reverse Frankfurt*. For, while Black is certainly a cause of Jones' foot jiggling$_I$, Black's intervention is still nomologically compossible with Jones' foot not jiggling$_I$. For, if Jones forms the intention not to jiggle$_T$ her foot, then Jones' foot will not jiggle$_I$, *irrespective* of whether Black intervenes. So, although whether Jones' foot jiggles$_I$ partly depends upon factors beyond Jones' control (given that Jones doesn't form an intention not to jiggle$_T$ her foot), it doesn't follow that the jiggling$_I$ is not settled by Jones.

In response, I contend that there is still a crucial difference between *Reverse Frankfurt* and *The Bomb Case*. In *Reverse Frankfurt*, Jones omits from jiggling$_T$ her foot. However, this omission is not *intentional* since Jones has no intention which is in any important way

11. I am intentionally side-stepping recent intricate issues concerning Joseph Campbell's (2007) 'no past' objection to the consequence argument, according to which the consequence argument does not demonstrate that an agent cannot do otherwise in a deterministic world since it is possible for an agent to perform an action at the first moment of time in a deterministic universe *without* being causally determined by factors beyond the agent's control to perform the relevant action. For a variety of responses to Campbell, see Brueckner (2008), Loss (2009; 2010), Bailey (2012), and Finch (2013). The present discussion can be appropriately tailored according to each reply.

relevant to Jones' foot not jiggling$_I$ (Clarke 2010). If, however, Jones *intentionally* refrained from jiggling$_T$ her foot, then Jones' foot would certainly not have jiggled$_I$, despite Black's intervention. Hence, while Jones' jiggling$_I$ in *Reverse Frankfurt* happens to partly depend upon factors beyond her control (viz. Black's intervention), and while Haley's raising$_T$ her arm in *The Bomb Case* likewise partly depends upon factors beyond her control (viz. the bomb not exploding), there is still a relevant difference between these two cases. Jones' jiggling$_I$ was not preceded by (or was simultaneous with) a relevant conscious intention by Jones. By contrast, Haley's arm rising$_I$ *was* preceded by (or was simultaneous with) a relevant conscious intention by Haley. It is *this* difference between *Reverse Frankfurt* and *The Bomb Case* that should lead us to conclude that Jones' jiggling$_I$ was not settled by Jones in *Reverse Frankfurt*, but Haley's arm rising$_I$ was settled by Haley in *The Bomb Case*. So, *The Limited Settling Thesis* should not lead us astray from the importance of intentions for agential settling. I now turn to the final section in which I show that *CS* does an equally good job of supporting Steward's argument against determinism, and, moreover, that *CS* can offer a more satisfying answer to the luck argument against libertarianism.

4. Cartesian Settling and Libertarianism

Steward emphasizes *ST* partly because she thinks *ST* poses a further obstacle to the compatibilist who adopts a causal theory of action. As we've seen, the causal theory of action is supposed to analyze actions in terms of some appropriate causal relation between the agent's mental states and her bodily movements. But sub-intentional acts are not causally produced by the agent's (conscious) mental states. So the causal theory of action must be false since it cannot accommodate sub-intentional acts (Steward 2012, 66–67).

If this was an intractable problem for the causal theory of action, then *ST* would have an advantage over *CS* insofar as only the proponent of *ST* can pose the aforementioned objection to the causal theory of action. But this problem *is* tractable. The proponent of the causal theory of action could revise her view in the following manner. An agent's sub-intentional act involves bodily movements that are causally produced by physical states within the agent. And these physical states are subordinated to the agent's personal-level conscious systems insofar as the agent's relevant mental states can modify or prevent altogether the agent's relevant bodily movements by nullifying the causal efficacy of the agent's relevant physical states.

This proposal analyzes the subordination of sub-intentional actions in terms of the causal efficacy of the agent's mental states. As a result, this proposal does not seem *ad hoc*, and moreover does not stray too far off from spirit of the causal theory of action which emphasizes the causal efficacy of an agent's mental states. So I conclude that Steward's objection to the causal theory of action with regards to sub-intentional acts fails, and thus that *ST* has no advantages over *CS* within the context of arguing for libertarianism. However, as I will now try to show, besides rendering the intuitively correct verdicts in *Reverse Frankfurt*, *CS* has a further advantage over *ST*.

There are a variety of luck arguments against libertarianism, the core of which is formulated by Franklin (2011, 201) as follows:

1. If an action is undetermined, then it is a matter of luck.
2. If an action is a matter of luck, then it is not free.

If (1) and (2) are true, undetermined actions cannot be free, and thus libertarianism is false. How might the libertarian respond? There is a trend in the literature to highlight the fact that a free action involves an *action* or that a free action is the *agent's* in order to undermine the luck argument as well as related arguments against libertarianism (Balaguer 2009; Franklin 2011; Griffith 2010). But there is reason to think that this response is inadequate, and that libertarians need something more, such as an account of how an agent can determine, select, or (to put it in Steward's terms) settle between the relevant multiple courses of action available to the agent (Schlosser 2014). More specifically, the libertarian arguably needs to adequately demarcate instances of agential settling from truly random outcomes (Shabo 2013).

In response to this challenge (and the luck argument) the *CS* proponent can say that, unlike truly random outcomes, agential settling *necessarily* involves a conscious intention, whereby doing something intentionally involves doing something *for a reason* (Davidson 1963; Goldman 1970; Mele 1992).[12] In other words, *CS* arguably implies that, unlike a truly random outcome, agential settling necessarily has a teleological explanation. I think this response has some merit (Lowe 2006; Goetz 2008). The trouble, however, for the *ST* proponent is that they cannot adopt this response. Sub-intentional acts do not require an intention on behalf of the agent. So they need not have a teleological explanation at all. But according to *ST* such sub-intentional acts can be instances of settling by the agent.

12. There are a variety of accounts—both causal and non-causal—of the relationship between an agent's action and her motivational reason for performing that action. I do not intend to take a stand on this issue here.

So, according to *ST*, agential settling does not necessarily have a teleological explanation. Hence, in comparison to the proponent of *ST*, the proponent of *CS* is better situated to respond to the luck argument (and related arguments) against libertarianism. More specifically, the *CS* proponent can point to a feature that is essential to agential settling which aids in demarcating agential settling from a truly random outcome. So I conclude that *CS* does an equally good job of supporting Steward's argument against determinism, and, moreover, that *CS* offers a more satisfying answer to the luck argument (and related arguments) against libertarianism. Steward thus has good reason to abandon *ST* in favor of *CS*.[13]

13. For helpful discussion and comments on a previous draft of this paper, I'm grateful to Kim Frost, Sean Clancy and the audience at the 2014 Free Will conference hosted by the Center for Cognition and Neuroethics.

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