

Blocking Blockage

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Note: An erratum to this article, which is available at <http://link.springer.com/article/10.1007/s11406-016-9721-z>, has been incorporated into the Conclusion on p. 577. Please note also that the page numbers will change once this article comes out in print.

Abstract The Blockage Argument is designed to improve upon Harry Frankfurt’s famous argument against the Principle of Alternative Possibilities (PAP) by removing the counterfactual intervener altogether. If the argument worked, then it would prove in a way that Frankfurt’s argument does not that moral responsibility does not require any alternative possibilities whatsoever, not even the weakest “flicker of freedom” (such as the possibility of avoiding voluntary action). Some philosophers have rejected the Blockage Argument solely on the basis of their intuition that the inability to do otherwise is incompatible with moral responsibility. I will argue, however, that it is not merely the inability to do otherwise by itself but rather the inability to do otherwise in combination with the absence of a counterfactual intervener that is incompatible with moral responsibility. If I cannot do otherwise and it is not because of a counterfactual intervener, then it must be the case that I am being forced to choose and therefore act as I do, in which case I cannot be morally responsible for this action. Because the Blockage Argument fails, and because it was really the only way to establish that moral responsibility does not require any alternative possibilities whatsoever, it follows that moral responsibility does indeed require at least one alternative possibility in any given situation. But it turns out that this conclusion does not tip the balance in favor of incompatibilism over compatibilism. It would have if blockage and determinism were equivalent. But they are not. Unlike blockage, determinism is compatible with certain counterfactuals that compatibilists traditionally believed the ability to do otherwise reduces to. So even though moral responsibility is incompatible with blockage, it does not necessarily follow that moral responsibility is incompatible with determinism.

Keywords Moral responsibility · Harry Frankfurt · Principle of alternative possibilities · Blockage argument · John Martin Fischer · Flicker-of-freedom strategy · Ability to do otherwise · Alternative possibilities · Determinism · Indeterminism · Compatibilism · Incompatibilism

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Introduction

In 1969, Harry Frankfurt offered an argument against the “Principle of Alternative Possibilities” (PAP), which says that moral responsibility requires the ability to do otherwise. In order to refute PAP, Frankfurt employed what have come to be known as “Frankfurt-style situations”, thought-experiments in which he argued that (a) I am morally responsible for my action because I perform it on my own (that is, without being forced to) and (b) I could not have done otherwise because a “counterfactual intervener” would have forced me to perform the very same action had it anticipated that I would *not* do so on my own.

Since Frankfurt first introduced this argument almost 50 years ago, there has been an endless discussion about whether or not it works. One need only glance at the lengthy bibliography at the end of this paper to see just how much controversy Frankfurt’s paper has provoked. While there is not too much left that is new to say,¹ there is one relatively recent contribution to the debate – or, more accurately, one contribution to the many debates – that has not been sufficiently pursued. I intend to remedy this deficit here. The contribution that I am referring to is the “Blockage Argument.”

The Blockage Argument proposes that we get rid of the counterfactual intervener altogether and replace it with a “wall” – a complete absence of *any* alternative possibilities. Only *then* can we genuinely determine whether moral responsibility can survive without them. If it can – that is, if we can imagine a “blockage situation” in which I am morally responsible even though absolutely *no* alternative possibilities were available to me – then we have shown not only that moral responsibility does not require the ability to do otherwise (thus vindicating Frankfurt’s argument against PAP) but, even further, that moral responsibility does not require any alternative possibilities whatsoever, even alternative possibilities *weaker* than the ability to do otherwise.

The status of the Blockage Argument is unclear. While some accept it in one form or another,² others dismiss it, often without much argument.³ The latter base their opposition on three premises: blockage reduces to determinism (the thesis that every state or event is causally necessitated by an immediately prior state or event), determinism is incompatible with the ability to do otherwise, and the ability to do otherwise is necessary for moral responsibility. In this paper, I will challenge all three premises. But my conclusion will not be that we should accept the Blockage Argument. Instead, I will provide a much different reason for rejecting it.

¹ As Haji and McKenna (2011, 400–401) suggest, “By now, it must be thought that the debate has petered out, as there is little left to explore; every avenue has been traveled, every stone already turned.” Indeed, as far back as 1996, Robert Kane (1996, 41) was already noting – or lamenting – just how voluminous the literature on Frankfurt-style situations had become: “The literature on Frankfurt scenarios and what they prove is now so large that it would take an entire book to do justice to it.” Levy (2007, 124) describes the debate over Frankfurt-style situations as “increasingly convoluted.”

² See Fischer (2000, 145–146); Hunt (2000, 218–220, 2003, 169–173); Hurley (1999, 236–239); McKenna (2003, 206–213); Mele (1995, 141, 192–193); Stump (1990, 1996, 1999a, 316–317, 319); Wallace (1994, Ch. 6–7, 263). Zimmerman (2003, 315) is unsure if pure blockage is possible, but he does say that it “strikes” him as “promising.”

³ Kane (2000, 162–163) and Levy (2011, 176–177) reject the Blockage Argument. Della Rocca (1998, 100) thinks that it is “difficult, if not impossible” to construct an example in which blockage is compatible with responsibility. Fischer (1999, 120, 2000, 145–146) is sympathetic to the Blockage Argument, but he is a bit more skeptical in Fischer (1994, 145, 1999, 119, 2002a, 295–297, 2002b, 1).

The Blockage Argument posits not merely (a) blockage – that is, an obstacle to my doing otherwise – and (b) the condition that this obstacle be causally irrelevant to the action that I actually end up performing *but also* (c) the absence of a counterfactual intervener. It is (c) that distinguishes the Blockage Argument from Frankfurt’s argument against PAP; without it, the former would reduce to the latter. I will argue in the section below entitled “Why the Blockage Argument Fails” that it is the combination of these *three* conditions – not just the first two conditions – that is incompatible with moral responsibility.

While I can be morally responsible for my action even though I could not have done otherwise (e.g., Frankfurt-style situations), I cannot be morally responsible for my action when I could not have done otherwise *and* there was no counterfactual intervener. In these situations – situations in which I could not have done otherwise and it was *not* because of a counterfactual intervener – I will show that (b) above *cannot* be the case, that my inability to do otherwise necessarily dictates the action that I perform. So, contrary to the authors in note 3, it is not merely the inability to do otherwise that negates moral responsibility; it is the inability to do otherwise *in combination with the absence of a counterfactual intervener* that negates moral responsibility. To my knowledge, nobody else has clearly stated or clearly established this more profound refutation of the Blockage Argument.

Because the Blockage Argument fails, and because it was really the only way to establish that moral responsibility does not require *any* alternative possibilities whatsoever, it follows that moral responsibility does indeed require at least one alternative possibility in any given situation. But I will argue in the Conclusion that, despite first appearances, this conclusion does not tip the balance in favor of incompatibilism (the theory that determinism and moral responsibility are incompatible) over compatibilism (the theory that determinism and moral responsibility are compatible). It would if blockage and determinism were equivalent. But it turns out that they are not equivalent. Unlike determinism, blockage is not compatible with certain counterfactuals (such as “I would have done otherwise if I had tried harder” and “I would have tried harder if I had wanted to”) that plausibly amount to moral-responsibility-grounding alternative possibilities.⁴ So even though moral responsibility is incompatible with blockage, it does not necessarily follow that moral responsibility is incompatible with determinism.

Why PAP?

PAP says that moral responsibility entails the ability to do otherwise.⁵ Before Frankfurt’s argument against PAP, which I will briefly explicate in the section below

⁴ See, e.g., Dennett (1984b); Foley (1979); Narveson (1977); Smart (1961).

⁵ Unger (2002, 1–2, 5, 19–20) moves in a slightly different direction. He builds alternative possibilities into “full choice” (as opposed to responsibility) and argues that full choice is central to “the significance we commonly suppose our lives to have.” Similarly, Widerker (2009, 89) changes PAP to: “An agent S is morally blameworthy for performing a given act V only if S had a *morally significant alternative* to performing that act.” Blumenfeld (1971, 341–342) argues that Frankfurt’s argument against PAP fails if we modify PAP to PAP’: “A man is not morally responsible for what he has done if he did it *because* he could not have done otherwise.” Similarly, Funkhouser (2009) argues that Frankfurt is attacking a straw man because the principle that “the typical advocate of PAP really has in mind” is PAP+: “If a person could not have avoided performing a certain action or making a certain choice (due to factor *x*), then the agent is not morally responsible for that action or choice *because* that person lacked alternative possibilities (due to factor *x*).”

entitled “Frankfurt’s Argument Against PAP,” PAP was taken to be axiomatic.⁶ Now, after Frankfurt’s argument, it is hotly contested and often ultimately rejected or weakened. (I also discuss a weakened version of PAP in the section below entitled “The Flicker Strategy.”) When a principle moves from universal acceptance to wide-scale rejection, we must ask: whence its draw? Why do most people generally subscribe to it at least prior to encountering Frankfurt’s argument?

The answer is that those who endorse PAP generally subscribe to something like the following argument⁷:

- 1) If I were forced to act as I do, then I would not be morally responsible for this action.⁸ Rather, whoever forced me would be responsible.⁹
- 2) ∴ Moral responsibility entails an absence of force.¹⁰ ((1))
- 3) If I am not forced to act as I do, then I am not *pushed away* – and thereby prevented – from acting differently. (Circumstances will determine whether there is only one such alternative action or multiple alternative actions.)
- 4) ∴ An absence of force entails room – the ability – to have done something else, something other than what I ended up doing.¹¹ ((3))
- 5) ∴ Moral responsibility entails the ability to do otherwise.¹² ((2), (4))

While this argument for PAP rests on two intuitions (that moral responsibility requires an absence of force and that an absence of force entails the ability to do otherwise), it effectively opposes yet another common intuition: that I am responsible for my action as long as I knowingly and willingly performed it.¹³ According to the argument for PAP above, knowledge and willingness may be necessary for moral responsibility, but they are not sufficient. It must also be the case that I am not forced to act as I do and therefore forced away from other possible actions. The implication is that I can knowingly and willingly perform actions that I am (consciously or unconsciously) forced to

⁶ See Caruso (2012, 72–73).

⁷ For similar explanations of PAP’s intuitive appeal, see Frankfurt (1969, 144), McKenna and Widerker (2003, 2–3), Copp (2003, 282–283) and Wallace (1994, 152–153, 187, Ch. 7) offer rather different motivations for PAP.

⁸ See Kane (1996, 192). Arnold (2001, 54–55, 61–62) argues that coercion does not always negate responsibility. According to her “independent view”, as opposed to the “contingent view”, coercion does not negate my responsibility when I give into a threat or offer that I can be reasonably expected to have resisted.

⁹ See Double (1997, 362); Haji (1996, 714); Stump (1988, 230).

¹⁰ See Glatz (2008, 264). Analogously, *criminal* responsibility requires an absence of coercion and compulsion. This is why most jurisdictions explicitly provide for the defenses of duress and automatism. See Blum et al. (2013) and Reiser (2013).

¹¹ See Fischer (1999, 99, 101); Klein (1990, 12, 13); Stump (1990, 261–262, 1999a, 322).

¹² Zimmerman (2003, 305–316) refers to transitivity arguments for PAP as “the Strategy” and offers four different ways in which the Strategy can be “employed.”

¹³ See Dennett (1984a, 132); Fischer (1982, 182–189, 1994, 131–134, 147–149, 157–158, 1999, 109–110, 2002a, 282–283, 306, 2002b, 3–4, 2008b, 170–172); Fischer and Ravizza (1998, 29–41); Haji (1998, 38, 61); Smilansky (2012, 215)

perform.¹⁴ In such cases, given the argument for PAP, I am *not* morally responsible for these actions.

Frankfurt's Argument Against PAP

Frankfurt's argument against PAP proceeds as follows.¹⁵ Suppose that I am choosing whether to do the right thing ("R") or the wrong thing ("W") in a given situation. If I am about to choose to *W*, then I will choose to *W* – and actually *W* – without interference. But if I am about to choose to *R*, then – unbeknownst to me – a "counterfactual intervener" previously implanted in my brain by an evil neurosurgeon will step in and force me to *W* anyway. Frankfurt argues, on the one hand, that if I go ahead and choose to *W*, then I am morally responsible (blameworthy) for my action. The counterfactual intervener did not negate my responsibility for *W*-ing because it did not cause me to *W*. I *W*-ed not because I was forced to but because I chose to on my own.¹⁶ On the other hand, I could not have done otherwise. I could not have *R*-ed. My *W*-ing was unavoidable, inevitable. I had to *W* whether or not I chose to. Had I been about to decide to *R*, the counterfactual intervener would have stepped in and forced me to *W* anyway.¹⁷ Putting both of these points together –

- 6) I could not have done otherwise; and
- 7) I am still morally responsible for my action (*W*)

– it follows that moral responsibility does not entail the ability to do otherwise and therefore that PAP is false. Moral responsibility depends entirely on what happens in

¹⁴ The "Manipulation Argument" suggests that if I am manipulated by an external agent to perform a given action, I am not morally responsible for this action even if I am unaware of the manipulation and therefore fully believe that I performed the action entirely on my own. For different versions of, and responses to, the Manipulation Argument, see Campbell (2011, 66–69); Fischer (2004); Fischer & Ravizza (1998, 196–201, 230–239); Kane (1996, 64–71); Levy (2011, 85–89, 105–106), McKenna (2008b); Mele (1995, 187–191, 2006, 138–144, 164–195, 2008); Pereboom (2001, 110–122).

¹⁵ See Frankfurt (1969, 1971, 78–79, 1975, 117, 121–123).

¹⁶ See Fischer (2007, 467, 2008a, 215); McKenna (2005, 175–176, 178–179, 2008a, 786–787); Widerker (2009, 91).

For arguments against this proposition (that I am morally responsible for *W*-ing in a Frankfurt-style situation), see Ginet (1996, 410–413); Levy (2008, 2011, 165–179); Widerker (2000, 2003). For a reply to Levy, see Haji and McKenna (2011). For a reply to Widerker, see McKenna (2008a, 780–787). Campbell (2006) argues that "source incompatibilists" may not assume that I am morally responsible for *W*-ing in a Frankfurt-style situation given that they subscribe to the "transfer principle," which would negate my responsibility for *W*-ing. Waller (2011, 222–223) argues that Frankfurt is begging the question in favor of moral responsibility. Zimmerman (2003, 312) suggests that my *W*-ing is not "up to [me]" but is still "truly [my] own." Similarly, Fischer (1982, 187) states, "An act can be yours without its being up to you; you can be in charge without being in control."

¹⁷ See Fischer (1982, 181–182, 183–187); Frankfurt (2003, 339–340); Funkhouser (2009, 349–350, 354–355); Mele and Robb (1998, 107–108, 2003, 129–130) (but see Mele (1998, 151)); Perry (2008, 163–165); Stump (1999a, 311, 322–323); Widerker (2009, 88). Some philosophers argue that the counterfactual intervener does *not* negate my ability to do otherwise: Campbell (1997, 319–330); Cohen and Handfield (2007, 364–367); Fara (2008, 853–856); Fischer (1994, 157–158, 2007, 57–61); Nelkin (2011, 66–67); Pereboom (2001, 27–28); Vihvelin (2000a, 14–21, 2000b, 141–147, 2004, 2008). For a critical response to Cohen and Handfield, Fara, and Vihvelin, see Clarke (2009).

the “actual sequence,” not on what might or could have happened (that is, what “happens” in the “alternative sequence”).¹⁸

The Flicker Strategy

Suppose action *W* is killing my enemy *E* at time *TI*. If at *TI*, I was about to perform any other action – for example, putting my gun down or running to hug *E* – the counterfactual intervener would step in and force me to kill *E* anyway. Frankfurt infers from this setup that I could not have done otherwise, that I *had* to kill *E*. In other words, Frankfurt assumes that the alternative sequence leads to the very same action that I end up performing in the actual sequence and therefore that I could not have done otherwise. No matter what, I just *had* to *W*; I *had* to kill *E*.

The most compelling response to Frankfurt’s argument is what came to be known as the “Flicker-of-Freedom Strategy” or “Flicker Strategy” for short.¹⁹ The Flicker Strategy maintains that Frankfurt-style situations do *not* really negate my ability to do otherwise after all. Because (a) I still could have triggered the counterfactual intervener simply by inclining to perform an act other than *W*, (b) the counterfactual intervener would then have forced me to *W* anyway (against my inclination), and (c) being forced to *W* constitutes a different action than voluntarily *W*-ing (despite their superficial resemblance), I still *could* have done otherwise – *W*-ed against my will rather than *W*-ed voluntarily.²⁰ Therefore Frankfurt’s argument fails to show that moral responsibility does not require the ability to do otherwise.

The critical proposition here is (c). (c) suggests that *being forced* to kill *E* is *not* the same action as *voluntarily* killing *E*. Even though both voluntarily *W*-ing on my own and *W*-ing because I am forced to are superficially identical – indeed, both amount to *W*-ing – they still constitute two different actions because of their very different causal histories (choice versus force). So despite the presence of a counterfactual intervener, I still could have done otherwise. I still could

¹⁸ See supra note 13 and accompanying text.

¹⁹ Proponents of different versions of the Flicker Strategy include: Davison (1999, 245); Della Rocca (1998, 101–102); Ginet (1996, 406–409); Hunt (2000, 208–209); Kane (1996, esp. 142–143, 2003, 97–98); McKenna (1997, 72–79, 2003, 203–213); Naylor (1984); Otsuka (1998, 692–693); Rowe (1989, 321, 1991, 276–278); Speak (2002); Stump (2003, 151); Van Inwagen (1978, 157–171, 1983, 171–180); Vihvelin (2000a); Widerker (1995a, 256–258, 1995b, 2000, 2002, 326–327, 2003); Widerker and Katzoff (1996); Wyma (1997, 62–68). O’Connor (2000, 81–84) *arguably* belongs in this list. Hetherington (2003, 231–233) argues that while Frankfurt’s argument correctly shows that moral responsibility is compatible with my not being able to do otherwise, it fails to show that moral responsibility is compatible with the *complete* elimination of alternative possibilities. Frankfurt (2003) surprisingly adopts the same position. See also Timpe (2003, 141). Ekstrom (1998, 283–284) finds the Flicker Strategy *bunappealing*” at least for the purposes of *protecting*” incompatibilism from Frankfurt’s argument. She argues that instead of trying to find a flicker of freedom on which to predicate responsibility, proponents of PAP should question whether or not this responsibility even exists in a Frankfurt-style situation in the first place.

²⁰ Fischer (1994, 136–139) offers four different versions of the Flicker Strategy. I am collapsing these four versions into one here because they differ in respects that are not important for our purposes.

have performed the action of *W-ing-from-force* rather than the action of *W-ing-from-choice*.²¹

A clarification is in order. Being forced to kill *E* is either a different action from voluntarily killing *E* or, like a twitch or muscle spasm, an involuntary bodily motion and therefore not an action at all.²² Either way, because my *W-ing* as a result of the counterfactual intervener would not have been voluntary (in the sense of deliberately or intentionally performed) and possibly therefore not even an action, it is less accurate to say that I could have *done* otherwise and more accurate to say that an alternative possibility was available to me: the alternative possibility of avoiding my action under the description of voluntarily *W-ing*.²³ According to the Flicker Strategy, then, even if PAP is false under the first (“robust”) interpretation of the ability to do otherwise – call it “Ability” – it is nevertheless true under this second interpretation – call it “Possibility.” I still need this weak alternative possibility – the possibility of avoiding voluntarily *W-ing* – to be morally responsible for *W-ing*.

The Flicker Strategist adopts this position for the same reason that we generally adopt PAP before hearing Frankfurt’s argument against it. (See the section above entitled “Why PAP?”) Once again, we tend to think that moral responsibility entails an absence of force and that an absence of force entails the ability to do otherwise. The only difference between a Flicker Strategist and a proponent of PAP is that the Flicker Strategist has lowered her ambitions. She concedes that Frankfurt’s argument successfully refutes PAP. It successfully shows that moral responsibility does not require me to be able to perform an alternative voluntary action. But it fails to refute the basic idea behind PAP – in particular, (1) through (5). It fails to show that moral responsibility does not require an absence of force or that an absence of force does not require me to have at least one alternative possibility, even if this alternative possibility is something weaker than an alternative voluntary action. The Flicker Strategist is convinced that if every last alternative possibility were eliminated, if every last flicker of freedom were snuffed out, then I *would* be forced to act as I do by this absence of alternative possibilities, in which case I would no longer be morally responsible for my action. So if I were not even able to avoid voluntarily *W-ing*, if I did not have even this very weak alternative possibility available to me, I would then – as a result – lose all responsibility for my *W-ing*.²⁴ (I will defend this conclusion further in the section below entitled “Why the Blockage Argument Fails.”)

²¹ For variations of this argument, see Blum (2000); Clarke (2000, 166); Fischer (1994, 137–139, 144–145, 1999, 122); Fischer and Ravizza (1998, 99–101); Goetz (2002, 132); Hetherington (2003, 231–232); Larvor (2010, 507–508); McKenna (1997, 73–74); Mele (2006, 92–93); Speak (2005, 264, 266); Widerker (1995a, 256–258); Wyma (1997, 61); Yaffe (1999, 220–222); Zagzebski (2000, 241). Widerker (2003, 53) formulates PAP itself in terms of the power to avoid. Stump (2003, 151–152) suggests that weaker alternative possibilities may constitute alternative *modes* of action rather than alternative *actions* themselves. Haji (2003, 289–291) thinks that having alternative possibilities is equivalent to the power to refrain.

²² On this view, actionhood entails agency, agency entails voluntariness, and therefore all actions are essentially voluntary. Arnold (2001, 55) suggests that any motion of mine that is physically compelled is not an action. Funkhouser (2009, 358–359) rejects the notion that a choice can be coerced. Philosophers who believe that there can be involuntary actions include: Brand (1984, 5–6); D’Arcy (1963, 7–8); Husak (1998, 79–80); Kane (1996, 149).

²³ See Larvor (2010, 507–508); McKenna (1997, 76–78).

²⁴ See, for example, Widerker and Katzoff (1996, 419).

The Flicker Strategy is out of fashion nowadays largely because it is assumed that John Martin Fischer refuted it. Fischer argued, on behalf of Frankfurt's argument against PAP, that such a weak alternative possibility as avoiding voluntarily *W*-ing – whether or not it is necessary for moral responsibility – cannot *explain* moral responsibility. What makes me morally responsible for *W*-ing is the fact that I willingly chose on my own to perform it, not the fact that the weak alternative possibility of being forced to perform the same action was available to me.²⁵

Once we recognize that there are not just one but two perfectly reasonable interpretations of the ability to do otherwise – Ability and Possibility – we no longer need to choose between Frankfurt and the Flicker Strategy. Frankfurt is certainly correct to *reject* PAP when the ability to do otherwise is interpreted as Ability, the ability to perform an entirely different (non-resembling) action than *W*.²⁶ But the Flicker Strategy is certainly correct to *accept* PAP when the ability to do otherwise is interpreted as Possibility, the possibility of avoiding voluntarily *W*-ing. And this is the case even if Fischer is correct that this possibility is only necessary for responsibility and does not actually help to explain responsibility. Still, it is difficult to see how an *ex hypothesi* necessary condition of responsibility is not part of the reason – and therefore the explanation of – why the agent is responsible, even if it is only entailed by another condition (such as absence of force) that is *clearly* part of the reason why the agent is responsible.²⁷

Of course, one response to this proposed reconciliation is to argue for one interpretation of the ability to do otherwise over the other. If we go this route, Ability is stronger than Possibility; there is a semantic problem with interpreting the ability to do otherwise as merely the possibility of avoiding voluntary action. The fact that I end up performing *W* involuntarily – that is, without *choosing* to *W* – does not clearly amount to a *doing* otherwise because doing (action) must be intentional, intended by the agent. This is precisely the reason why we do not regard twitches, spasms, convulsions, or seizures as actions. Because they are not intentional, they are mere bodily motions and nothing more.²⁸

²⁵ See Fischer (1982, 181–182, 1994, 132–133, 140–147, 207–208, 1995, 124, 1999, 110–111, 113, 120–123, 2000, 147, 2002a, 287–289, 300–303, 306, 2002b, 6–7, 2008a, 209).

²⁶ Campbell (2005), however, goes so far as to suggest that, in a Frankfurt-style situation, I could have done otherwise not merely in the weak sense of avoiding voluntarily *W*-ing but in the robust sense of performing an alternative action because the counterfactual intervener negates only my “all-in ability” to *R*, not my “general ability” to *R*. Similarly, Campbell (1997) argues that because the counterfactual intervener is causally irrelevant to my *W*-ing, we may consider possible worlds in which the counterfactual intervener is absent when assessing my ability to do otherwise.

²⁷ According to McKenna’s “limited blockage strategy”, which he regards as a “cousin” of the blockage strategy, Frankfurt-style situations need not eliminate *all* alternative possibilities. Rather, they must eliminate only *all robust* alternative possibilities. See McKenna (2003, 206–208). Pereboom (2000, 128–134, 2001, 18–33) takes a similar position. But McKenna and Pereboom differ on whether or not these leftover non-robust alternative possibilities help to explain responsibility in the actual sequence. While McKenna believes that they do, Pereboom (2000, 131–134, 2001, 2, 18–33, 37, 2003, 187–188, 193–197) proposes the possibility that alternative possibilities may sometimes be necessary for, but not explanatory of, responsibility. Still, Pereboom does not go so far as to say that alternative possibilities cannot explain responsibility at all. Rather, he says only (a) that they cannot play a significant role in the explanation and (b) that responsibility is not explained by alternative possibilities *qua* alternative possibilities but rather by alternative possibilities *qua* indicators of indeterminism or of “a causal history of a kind that is relevant per se to explaining an agent’s moral responsibility.”

²⁸ See Davidson (1973, 70–72); Frankfurt (1978, 46); Ginet (1990, 5, 6–7); Klein (1990, 96); Wallace (1994, 120–121, 140–141).

The Blockage Argument

Even if we interpret the ability to do otherwise as Ability rather than Possibility, the matter is not settled. We cannot simply conclude that Frankfurt is right – that PAP is false – and be done with it. There still remains an important question: even if moral responsibility does not require Ability, does it require Possibility? In other words, even if moral responsibility does not require the ability to perform an entirely different, non-resembling action, does it still require at least the possibility of avoiding voluntary action – that is, the possibility of undergoing the same exact bodily motion involuntarily rather than voluntarily? In the next section, I will argue that it does – that moral responsibility does indeed require Possibility and therefore that PAP is correct to this extent. I will demonstrate this point by showing that the “Blockage Argument,” which attempts to show that moral responsibility does *not* require even Possibility, is false.

According to the Blockage Argument, even a complete absence of alternative possibilities does not necessarily negate moral responsibility. Because moral responsibility might survive the complete absence of alternative possibilities, it follows that the Flicker Strategy – which, again, maintains that moral responsibility requires at least one alternative possibility – collapses.

The Blockage Argument takes Frankfurt’s argument against PAP to its logical extension. Again, Frankfurt’s argument against PAP suggests (a) that moral responsibility does not require the ability to do otherwise and therefore (b) that all that matters to moral responsibility is what happens in the actual sequence. The Blockage Argument suggests that if (a) and (b) are indeed true, then Frankfurt could have made his argument even stronger. He could have dispensed entirely with a counterfactual intervener and its corresponding alternative sequence (in which I am about to choose to *R* and the counterfactual intervener then intervenes) and instead opted for a situation in which:

- 8) A counterfactual intervener is absent;
- 9) I still have no alternative possibilities whatsoever;
- 10) The reason for which I lack alternative possibilities, and my lack of alternative possibilities itself, are causally irrelevant to my action; and
- 11) ∴ I still am morally responsible for my action.

(8) and (9) are designed to distinguish blockage from both Frankfurt’s argument against PAP and the Flicker Strategy. (10) is saying that my having to *W* cannot be the cause of, or reason for, my *W*-ing; otherwise, I am forced to *W*, in which case I cannot be morally responsible for *W*-ing, contrary to (11).

Conditions (8) – (11) are supposed to yield the same result as Frankfurt’s argument against PAP (namely, that moral responsibility does not require the ability to do otherwise) but without the costs – that is, without the existence of even one alternative possibility and the consequent foothold that it has given Flicker Strategists. In this way, the Blockage Argument holds out the promise of categorically refuting not only PAP but also the Flicker

Strategy.²⁹ By eliminating *all* alternative possibilities and retaining moral responsibility, it presents a compelling threat to the position that moral responsibility is at least partly in virtue of alternative possibilities.

David Hunt (2000) offers three different examples of situations that arguably satisfy conditions (8) through (11) above. For the sake of space, I will consider only his first example – what I will refer to as the “Neural Wall Situation.”³⁰ In the Neural Wall Situation, the neural pathways in my brain that would enable me to act otherwise are entirely sealed off such that I could not have acted otherwise. So (8) and (9) above are satisfied. But like the counterfactual intervener, this “Neural Wall” is still causally irrelevant to my action. By sheer coincidence, my action takes place along the one and only trajectory that is *not* blocked by this wall. So (10) is satisfied. And because (10) entails (11), (11) is satisfied as well.

Since we are more familiar with brick walls than with neural walls, it might help for a moment to consider this analogy. Of course, brick walls as we know them close off only one set of alternative possibilities – motion through them. They do not close off any other alternative possibilities – e.g., motion on either side, motion over them, or motion around them. So if the brick wall now under consideration is supposed to be strictly analogous to the Neural Wall, it must be an unusual kind of brick wall. It must eliminate *all but one* of these possibilities. And the only way to picture this scenario is a brick wall that hugs my contour perfectly and happens to move along with me but does not causally contribute to my motion. By sheer coincidence, it happens to move in exactly the same trajectory and at exactly the same rate as I move.

But even this picture is still incomplete. One more addition must be made to it. Suppose indeed that a brick wall hugs me and just happens to be moving in the same direction in which, and at the same rate as, I am moving. The implication is that if I were to make one wrong move – that is, suddenly move in a direction or at a rate different from that of the brick wall – my motion would be frustrated and the brick wall would then force me away in its own direction and its own rate. In this picture, the brick wall acts as a counterfactual intervener, ready to force me along with it if I should move against it. But given the fact that the Blockage Argument’s goal is to remove counterfactual interveners altogether – again, proposition (8) – this possibility cannot be allowed. The brick-wall analogy must therefore be modified to exclude the possibility of my moving against it. And the most convenient way to make this modification is simply by stipulating that the brick wall somehow removes this possibility. So in

²⁹ Hunt (2005) offers another argument against PAP. Contrary to the Blockage Argument, Hunt reinserts a counterfactual intervener. But what the counterfactual intervener blocks is not any alternative possibility, weak or robust. Instead, what the counterfactual intervener blocks is a *necessary condition* of an alternative possibility – specifically, my *considering* acting otherwise. The rest of the thought-experiment then goes through as Frankfurt’s original thought-experiment did: the necessary condition (my considering acting otherwise) happens not to (start to) obtain, in which case the counterfactual intervener does not activate to block it. So even though I could not have acted otherwise (because I could not have satisfied a necessary condition of my choosing/doing otherwise – again, considering doing otherwise), I am still morally responsible for the choice that I actually make and the action that I actually perform because I made this choice and performed this action on my own (without being forced to).

³⁰ See also Hunt’s personal correspondence with Fischer in Fischer (1999, 119–120 n. 46). Hunt’s second example (2000, 218–219) involves backward time travel. Hunt’s third example (2000, 219–220, 222; see also 1996, 397–398, 399, 2003) involves an infallible predictor of my decision and action. See also Fischer (1999, 120); Wyma (1997, 66).

addition to moving along with me and thereby preventing me from moving in a different direction or at a different rate should I choose, the brick wall somehow also prevents me from so choosing. Unlike everyday brick walls, this particular brick wall prevents me not merely from moving against it but also from even touching it. (If the reader is suspicious at this point, she should be. I will return to this stipulation in the next section. Suffice it to say for now that this stipulation, which is necessary to satisfy (8), is the main reason why the Blockage Argument fails.)

Why the Blockage Argument Fails

If the Blockage Argument worked, then moral responsibility would not require *any* alternative possibilities, not even the faintest flicker of freedom (the possibility of avoiding voluntarily *W*-ing). Recall the four conditions that the Blockage Argument requires:

- 8) A counterfactual intervener is absent;
- 9) I still have no alternative possibilities whatsoever;
- 10) The reason for which I lack alternative possibilities, and my lack of alternative possibilities itself, are causally irrelevant to my action; and
- 11) ∴ I still am morally responsible for my action.

In order for the Blockage Argument to succeed, it has to be the case that my *W*-ing is not forced upon me by Neural Wall. Otherwise, (10) is violated.³¹ But if *W*-ing is the only available option, how is it *not* forced upon me? There is really only one possible response that the proponent of the Blockage Argument may offer to this question: (9) and (10) may be reconciled by positing a reason independent of the Neural Wall – call it “Neural-Wall-Independent Reason” or just “NWIR” for short – for my *W*-ing.

This proposal seems very promising at first. The reason that I *W* is not because the Neural Wall prevents me from *R*-ing but rather because of NWIR. Therefore I would have *W*-ed even if the Neural Wall had not been present, in which case my inability to *R* is not causally relevant to my *W*-ing.³²

Think again of the bizarre brick wall that we just encountered in the previous section. It prevents me from moving in any other direction or at any other rate. Yet it does not cause me to move in the direction or at the rate that I do. Instead, my own brick-wall-independent reason does that. So I would have moved in exactly the same direction and at exactly the same rate if the brick wall had not been present, in which case I am morally responsible for moving as I do even though the brick wall prevents me from moving otherwise. Likewise, then, with the Neural Wall. It prevents me from *R*-ing but does not actually cause me to *W*. Instead, NWIR does that. So I would have *W*-ed on the basis of NWIR even if the Neural Wall had not been present, in which case I am morally responsible for *W*-ing even though the Neural Wall prevents me from *R*-ing.

³¹ See Kane (2000, 162–163).

³² Fischer (2007) and Speak (2007) argue that this assumption is difficult to maintain if we also assume indeterminism.

There are three problems with this defense of the Blockage Argument. The first problem is a modified version of an argument that has been offered against Frankfurt's argument against PAP, what is typically referred to as the "Kane/Widerker objection" and what Haji and McKenna (2004) refer to as the "Dilemma Defense" of PAP.³³ According to my modified version of the Dilemma Defense – one might call it the "Dilemma Argument against Blockage" – either I am determined to act on NWIR or I am not determined to act on NWIR. But both disjuncts lead to difficulties.³⁴ On the one hand, if I am determined to act on NWIR, then – on an incompatibilist interpretation of alternative possibilities – we may no longer assume (10), which says that my lack of alternative possibilities is causally irrelevant to my *W*-ing. I *W*-ed because I was determined to.³⁵ On the other hand, a compatibilist might challenge the incompatibilist's assumption that determinism left me no choice but to act on NWIR. Yet to agree with the compatibilist here – to assume that I am still morally responsible for *W*-ing even though I was determined to act on NWIR – would be to beg the question against the incompatibilist.³⁶

In order to avoid this question-begging, we must assume that I am *not* determined to act on NWIR. This assumption, however, leads to the second problem: if I am not determined to act on NWIR, then I have not just one but two possibilities available to me: *W*-ing because of NWIR and *W*-ing because of the Neural Wall.³⁷ And this result contradicts both (9), which says that I have no alternative possibilities, and (8), which says that a counterfactual intervener is absent. Regarding the first contradiction (between indeterminism and (9)), we learned in the section above entitled "The Flicker Strategy" that *W*-ing voluntarily and *W*-ing involuntarily are very arguably two inherently different possibilities, not just one action with two different reasons or causes. Therefore the assumption that I may *W* not because of NWIR but because of the Neural Wall contradicts (9), which says that only one possibility is available to me. Regarding the second contradiction (between indeterminism and (8)), even if I end up *W*-ing because of NWIR, the fact that I was not determined to act on NWIR and therefore might not have acted on NWIR turns the Neural Wall into a counterfactual intervener, standing by and ready to make me *W* if I did not choose to act on NWIR after all.

Third, a proponent of the Blockage Argument might argue that the previous paragraph rests on a false assumption: that I could have been forced by the Neural Wall to *W*. I could *not* have been forced by the Neural Wall to *W* because it was stipulated in the previous section that the Neural Wall "somehow removes th[e]

³³ See Kane (1985, 51 n 25, 1996, 142–144, 191–192, 2000, 161, 2003, 91–92, 99–100), and Widerker (1995a, 250 ff., 1995b, 2000, 183 ff., 2002, 323–327); see also Blumenfeld (1971), Caruso (2012, 76–78).

³⁴ See Berofsky (2003, esp. 116–120); Ekstrom (2002, 316–317); Kane (2000, 162–163, 2003, 97–99); Pereboom (2000, 126–128, 2001, 16–18); Widerker (2002, 328).

³⁵ See Funkhouser (2009, 347, 353–354); Goetz (2005, 85).

³⁶ See Blumenfeld (1971, 341–344).

³⁷ See Kane (1985, 51 n.25, 1996, 142–143, 191–192, 2000, 161, 2003, 91–92, 99–100); Widerker (1995a, 248–253, 1995b, 2000, 182–186, 2002, 324–327); Zagzebski (2000, 235). Philosophers who *reject* the proposition that indeterminism entails alternative possibilities include Fischer (1982, 183–187, 1994, 216, 1995, 122–124); Haji (1998, 36–37), McKenna (2009, 9); McKenna and Widerker (2003, 9–10); Mele and Robb (1998, 2003); Pereboom (1995, 27, 2001, 17, 21), and Stump (1999b, 414, 416–419). Fischer later qualifies his position. In Fischer (2000, 144), he says: "I think that my earlier confidence that Frankfurt-type examples can exist in causally indeterministic worlds was perhaps the result of youthful optimism. But even though I still do not think that it is obvious and straightforward that there can be Frankfurt-type cases in causally indeterministic worlds, I am still strongly inclined to this view." And in Fischer (2002b, 6), he says: "I find . . . indeterministic Frankfurt-type examples, intriguing and highly suggestive."

possibility” of moving against it and therefore that “in addition to moving along with me and thereby preventing me from moving in a different direction or at a different rate should I choose, the [Neural Wall] somehow also prevents me from so choosing.” But if we take this stipulation to heart, then (10) is false. Again, (10) says that the reason for which I lack alternative possibilities, and my lack of alternative possibilities itself, are causally irrelevant to my *W*-ing. To say that the Neural Wall somehow prevents me from moving against it is just to say that it forces me to *W*. Yes, NWIR might still motivate me to *W*. But if the Neural Wall prevents me from moving against it, then it is *forcing* me to *have* NWIR and *be motivated by* NWIR in the first place. It is this critical point that the proponent of the Blockage Argument ultimately misses.

Conclusion

Because the Blockage Argument fails, we may conclude that moral responsibility *does* require at least one alternative possibility. I cannot possibly be morally responsible for a given action if this action was the only possibility available to me.³⁸

In the section above entitled “The Flicker Strategy,” we saw the difference between the Principle of Alternative Possibilities (PAP) and the Flicker Strategy. While PAP says that moral responsibility requires a “robust” alternative possibility – that is, the possibility of voluntarily performing an alternative, non-resembling action – the Flicker Strategy says that moral responsibility requires only a weak alternative possibility – for example, the possibility of avoiding voluntarily performing the same (resembling) action. The failure of the Blockage Argument supports only the latter (the Flicker Strategy), not the former (PAP).

It follows that the intuition that drives the Principle of Alternative Possibilities (PAP) is only partially vindicated. As I argued in the section above entitled “Why PAP?”, the intuition behind PAP is that (a) moral responsibility entails an absence of force and (b) an absence of force entails the ability to do otherwise. In light of the Blockage Argument’s demise and the Flicker Strategy’s resurgence, it would be more accurate to say *not* that an absence of force and therefore moral responsibility entail the ability to do otherwise in the sense of the ability to perform an alternative, non-resembling action but rather that an absence of force and therefore moral responsibility entail only the weakest possible alternative, the possibility of avoiding voluntarily acting. Conversely, the mere availability of the weakest possible alternative is sufficient to establish an absence of force and therefore moral responsibility;³⁹ a “robust” alternative possibility – the ability to perform an alternative, non-resembling action – is not also necessary.

The triumph of the Flicker Strategy over the Blockage Argument initially seems to lend some support to incompatibilism over compatibilism.⁴⁰ (Incompatibilism says that

³⁸ So I oppose Smilansky’s conclusion in (2012, 215) that “it can no longer be taken for granted that free will and moral responsibility require that the agent was able to do otherwise, namely, had alternative possibilities when deciding and acting. . . . [W]hat matters is that this common assumption of the debate, on all sides, for some two thousand years, has been overturned.”

³⁹ There may be some degree of pressure or force involved. But the mere availability of a weak alternative is sufficient to show that this pressure or force cannot be 100 %. I must still have at least some, and very possibly much, freedom to avoid my actual action.

⁴⁰ Smilansky (2000, 94–141, 2003, 2005, 250–256, 2012) argues that we should not choose between compatibilism and incompatibilism (specifically, “hard determinism”) because both are largely correct.

determinism and moral responsibility are incompatible, compatibilism that they are compatible.) Both determinism and blockage lead to the same result: there is only one possible action available to me at any given time.⁴¹ So if moral responsibility is incompatible with blockage, the prevention of all but one possible action, then it should be equally incompatible with determinism, the necessitation of one particular action.

Some compatibilists will respond, however, that determinism and blockage differ in a crucial respect: while blockage is incompatible with *all* alternative possibilities, determinism is compatible with at least some alternative possibilities.⁴² Even if I am determined to *W* for reason W_R , I still have two alternative possibilities: I would have *R*-ed for reason R_R if I had tried harder (“ AP_1 ”), and I would have tried harder to *R* if I had wanted to (“ AP_2 ”). If one objects that I could not have tried harder or wanted to try harder in the first place (given determinism), compatibilists may reply: not in every relevant possible world – that is, every possible world in which I am determined to *R*. Despite the fact that my action is determined, we can imagine nearby possible worlds in which my preceding desire or level of effort – and therefore my action – were determined differently.⁴³ To say that I am determined to act as I do given the causal background is perfectly compatible with saying that if the causal background had been determined differently, I would have been determined to act differently as well. This is all AP_1 and AP_2 are getting at.

While these two counterfactual propositions – AP_1 and AP_2 – are compatible with determinism, they are incompatible with blockage. Consider AP_2 . If blockage is the case, then it is meaningless to suggest that I would have tried harder to *R* if I had wanted. The alternative possibility of wanting otherwise was completely closed off to me in every relevant possible world – that is, every possible world in which I am *blocked* from *R*-ing. (If this alternative desire had not been completely closed off, a counterfactual intervener would have been necessary to prevent me from acting on it, which is contrary to (blockage) hypothesis.) Because the alternative possibility of wanting otherwise was completely closed off to me, we *cannot* imagine nearby possible worlds in which I wanted otherwise. Therefore it makes no more sense to say that I would have tried harder in this impossible situation than it does to say that I would have tried harder if I had been able to prove that $2 + 2 = 5$. Because proving that $2 + 2 = 5$ is impossible, any proposition about what I would have done if I had been able to accomplish this impossible feat is nonsensical.

I conclude that blockage does not reduce to determinism. So even if blockage is incompatible with moral responsibility, it does not necessarily follow that determinism is also incompatible with moral responsibility. Despite the fact that both involve necessitation of my action, they are still counterfactually different animals.

⁴¹ See Ginet (1990, 106–117); van Inwagen (1983, 2–8, 55–105). Fara (2008, 861–863) challenges this premise.

⁴² See supra note 4 and accompanying text. Perhaps the strongest of the most recent defenses of compatibilism are Dennett (1984a, 2003) and Fischer (2006). Smilansky (2000, 13–93, 2003, 2005, 250–256, 2008, 2012) argues that compatibilism is true so far as it goes, but it only goes so far and must therefore be supplemented (as opposed to negated or replaced) by “hard determinism.”

⁴³ See Fischer (1983, 130–135); Lewis (1981).

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