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Freedom and the Necessity of the Present: A Reply to William Hasker

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FREEDOM AND THE NECESSITY OF THE PRESENT: A REPLY TO WILLIAM HASKER

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In a recent paper, William Hasker has responded to a paper of mine criticizing his argument for theological incompatibilism. In his response, Hasker makes a small but important amendment to his account of freedom. Here I argue that Hasker's amended account of freedom is false, that there is a plausible alternative account of freedom, and that the plausibility of this alternative account shows that Hasker's argument for theological incompatibilism relies on a dubious premise.

I'm grateful to William Hasker for his powerful and insightful response[1] to a paper of mine[2] criticizing his argument for theological incompatibilism (the view that divine foreknowledge is incompatible with libertarian free will). In my paper, I had argued that Hasker's views on free will and hard facts (in *God, Time, and Knowledge*) are inconsistent. In his response, Hasker corrected the inconsistency by modifying a certain aspect of his account of freedom. His original account included the following two claims:

(FW) N is free at T with respect to performing A $=_{df}$ It is in N's power at T to perform A, and it is in N's power at T to refrain from performing A.

(P) In general, if it is in N's power at T to perform A, then there is nothing in the circumstances that obtain at T which *prevents* or *precludes* N's performing A at T.

Hasker's correction is to drop the last two words in (P), "at T." "Delete those words," Hasker writes, "and the contradiction disappears. For regardless of what N is doing at T, this need not in general either prevent or preclude N's performing A at some time subsequent (perhaps immediately subsequent) to T."[3] Thus, Hasker's amended account of freedom includes (FW) and

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[1] William Hasker, "Theological Incompatibilism and the Necessity of the Present: A Response to Michael Rota," *Faith and Philosophy* 28:2 (April 2011), 224–229. [Henceforth, "Response"]

[2] Michael Rota, "A Problem for Hasker: Freedom with respect to the Present, Hard Facts, and Theological Incompatibilism," *Faith and Philosophy* 27:3 (June 2010), 287–305.

[3] Hasker, "Response," 225.

(P₂)   In general, if it is in N's power at T to perform A, then there is nothing
       in the circumstances that obtain at T which prevents or precludes N's
       performing A.

In what follows I argue that Hasker's amended account of freedom is false,
and that a plausible alternative account of freedom is available. I then
point out that the plausibility of this alternative account renders dubious
a premise needed for the success of Hasker's argument for theological
incompatibilism.

I. An Interesting Consequence of Hasker's Views

Before proceeding to a close examination of Hasker's new account of free-
dom, I want to note an interesting consequence of the account. Hasker
rejects

(7)   For some human agent N, some act A, and some time T, N performs A
      at T, and N is free at T with respect to performing A.

Thus, he affirms

(11) For any human agent N who performs an act A at some time T, N is
      not free at T with respect to doing A at T.

But Hasker also holds that some acts are free; suppose A, which N does at
T, is one such act. According to Hasker, N is not free at T with respect to
performing A at T. But this entails that at T, N is not free with respect to the
free act N is performing! In my earlier paper, I took this apparently con-
tradictory entailment to be a problem for Hasker's account.[4] But, thanks to
Hasker's reply, I now see that I was wrong to do so. A defender of Hasker's
account can say that any appearance of a contradiction here arises merely
from the fact that our everyday language about freedom is imprecise. And
when we make our language precise, we're left with a coherent account,
which Hasker sketches as follows:

(FW) . . . gives a good account of what it is for a *person* to be free with respect
to performing some action, but it is a distinct question what it is for an *act*
to be free. In this connection, I suggest we look once again at the quotation
from Suarez. According to the philosophers he cites, the will is not free in
the sense of (FW) at the very instant at which it is acting. However, these
philosophers mention two other ways in which the will may very well be
free at that instant, namely, "the sense that (i) the act proceeds from the
freedom and indifference that the will had immediately before that instant
or in the sense that (ii) at the instant in question the will has the power to
desist from the act in the time immediately following that instant." These
two alternatives (or the combination of the two) specify, I want to say, what
is properly *meant* by saying that the act in question is a free act.[5]

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[4]Rota, "A Problem for Hasker," 293.

[5]Hasker, "Response," 227.

In addition to (FW) and (P_2), then, Hasker's amended account of freedom includes a claim stating what it is for an act to be free—something like this:

(Q₁) Where a human agent N performs an act A at a time T, the act A is free iff either (i) immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T, **or** (ii) at T, it is in N's power to refrain from performing A at the next instant.

Or perhaps[6] this:

(Q₂) Where a human agent N performs an act A at a time T, the act A is free iff (i) immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T, **and** (ii) at T, it is in N's power to refrain from performing A at the next instant.

So a free act A (occurring at T) counts as free not because the agent is at T free with respect to performing it, but because the act has a certain sort of history, and/or because it is up to the agent whether or not the act will be prolonged.

II. An Argument against Hasker's Amended Account of Freedom

In this section I'll argue against Hasker's amended account of freedom. But first I'll need to clarify the account on a certain point. More exactly, I'll now try to show that Hasker's account should include the following precisification of (P_2):

(P_3) Where T* is later than T, if it is in N's power at T to perform A at T*, then there is nothing in the circumstances that obtain at T which *prevents* or *precludes* N's performing A at T*.[7]

Suppose that Nick (N) is on a solo spaceflight, millions of miles away from any other human. He is strapped in (with a seat belt) to a special chair equipped with electromagnetic shackles which, when activated, keep his wrists flat against the armrests. (The chair is equipped with a timing system governing the activation of the shackles.) At T, the shackles are not turned on, and Nick is not lifting his arm. But the shackles are set to close at T1, the next moment Nick would have been able to act.[8] And they are

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[6]It is unclear to me from Hasker's comments at "Response," 227, whether he intends Q1 or Q2.

[7]For concision I've dropped the "in general" that begins Hasker's (P), which seems not to be playing any important role.

[8]T1 is the first moment after T at which N would have been able to lift his arm, had there been no shackles. I assume here that there are a finite number of acts a human being could make in a given time interval. This is a way to make sense of Hasker's use of the concept of a time "immediately subsequent" to T ("Response," 225), without committing to the view that time itself is discrete rather than continuous.

set to stay closed forever (due to a malfunction). Suppose further that the causal mechanisms in the timing system are such that it is at T already causally inevitable that the shackles will close at T1 and remain closed for the rest of Nick's life. Is it in Nick's power at T to lift his arm?

On Hasker's principles, it is not in Nick's power at T to lift his arm at T (it's too late for that). And neither is it in Nick's power at T to lift his arm at T1, since at T1 the shackles will be on.[9] Nor is it in Nick's power at T to lift his arm at any time after T1, since, again, the shackles will be on. So, on Hasker's views, we should say that it is not in Nick's power at T to lift his arm.

But now let's change the scenario—say that the shackles aren't set to go on till T2, right after T1. So at T, the shackles are off, and at T1 they will be off. After that, they'll be on. Is it in Nick's power at T to lift his arm? Here we should clearly give a different answer—lifting an arm is now in Nick's power. Assuming Hasker's views, we should say that it is in Nick's power at T to lift his arm, precisely because it is in Nick's power at T to lift his arm at T1, although it is not in Nick's power at T to lift his arm at T2.

For Hasker's account to make sense of the difference between these two cases, a distinction needs to be made between the claims "it is in N's power at T to lift his arm at T1" and "it is in N's power at T to lift his arm at T2." Hasker's account thus requires locutions such as "it is in N's power at T to do A at T*," where T is distinct from T*.

(P_2) gives a necessary (but not a sufficient) condition for "It is in N's power at T to do A," but does not state a necessary condition for "It is in N's power at T to do A at T*." Extrapolating from (P_2), however, gives us

(P_3) Where T* is later than T, if it is in N's power at T to perform A at T*, then there is nothing in the circumstances that obtain at T which *prevents* or *precludes* N's performing A at T*.

Henceforth I will take (P_3) to be part of Hasker's amended account.

I now proceed to an argument against Hasker's amended account. First, I argue that the account should be modified by replacing (Q_1) and/or (Q_2) with a proposition I will creatively name (Q_3). I then make an argument against the account so modified.

A full account of freedom should have something to say about free omissions, as well as free acts. Extrapolation from Q_1 and Q_2 gives us

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[9]Consider this quotation from Hasker in *God, Time, and Knowledge* (Ithaca: Cornell University Press, 1989): "The ascription of powers to finite agents *is always subject to the possibility of interference*. If I bump your elbow while you are shaving and cause you to cut yourself, this does not show that, on that occasion, you lacked the power to shave without cutting yourself. You had the power, but my interference prevented its exercise. (This assumes that my bumping your arm is not *causally inevitable*—if it were, then you would lack the power in question under those circumstances.)" (67, 1998 edition, italics in original). Also relevant: "If Thomas has the skill to perform on the parallel bars, but at T_1 his arms are tied behind his back, we shall say that he lacks the power at T_1 to perform on the parallel bars" (67).

(Q$_1$*) Where a human agent N refrains from performing an act A at a time T, the omission ~A is free iff either (i) immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T, **or** (ii) at T, it is in N's power to perform A at the next instant,

and

(Q$_2$*) Where a human agent N refrains from performing an act A at a time T, the omission ~A is free iff (i) immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T, **and** (ii) at T, it is in N's power to perform A at the next instant.

(Q$_2$*), however, implies the false conclusion that N could not freely omit an act of will in the last instant of his existence. It seems possible that a human freely omit an act (say, an act of will) in the last instant of his or her existence. Suppose that God decided a day before T to annihilate N,[10] and T was to be (and was) the last moment of N's existence. Say that God's decision was firm, so that it was causally inevitable, for a whole day leading up to T, that N would not exist later than T. Now suppose that N was freely omitting an act A at T, as is possible. According to (Q$_2$*), this would be impossible, because N would not satisfy clause (ii), which requires that at T, it be in N's power to perform A at the next instant. But since it is causally inevitable at T that N will not exist at the next instant, it is not in N's power at T to perform A at the next instant.

(Q$_2$) itself also seems too strict. Suppose that an instant before T, N has the two-way power with respect to A required by clause (i), and at T N performs act A. But further suppose that God has long since decided to causally ensure that N perform A at the instant after T. This would show that N's doing A *after* T is not free, but there is no reason to think that God's interference after T would remove N's act at T from the class of free acts. So it appears that (Q$_2$) implies the false conclusion that it is impossible for N's act A at T to be a free act if God is going to take over N's will immediately after T.

This leaves us with (Q$_1$) and (Q$_1$*). It seems to me that, contrary to these claims, the satisfaction of clause (ii) is not sufficient for an act (or omission) to be free. Suppose, for example, that God creates N *ex nihilo* at T, in such a way as to ensure that at T N is in a state of thinking about but refraining from performing a certain act of choice A. So, at T, this first moment of N's existence, N omits A. But suppose that it is in N's power at T to perform A at the next instant. Is this enough to make N's omission *at T* a free omission? I don't see why it would be. On the contrary, it seems evident that N's omission at T is not a free omission. Through no choice of his own, N was simply created in a state of omitting A at T. To push this point further,

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[10]Throughout this section I will assume, with Hasker, for the sake of argument, that God is not timelessly eternal.

suppose that at given instants in N's life, God periodically causally ensures that N omit A, no matter what N is doing before. So, for example, every minute God causes N to omit A, but just for an instant's time. (Q1*) would have it that those omissions are free as long as it is in N's power to do A at the next instant. But N would see these as interruptions of his own agency (if and when he noticed them). A similar counterexample to (Q1) can be constructed by supposing that God causally ensures N to perform an act A at certain instants.

Since clause (ii) is the source of the problems here, we can strengthen Hasker's amended account by dropping clause (ii), and replacing (Q_1) and (Q_1^*) with:

> (Q_3) Where a human agent N performs an act A at a time T, the act A is free iff immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T,

and

> (Q_3^*) Where a human agent N refrains from performing an act A at a time T, the omission ~A is free iff immediately before T, it was in N's power to perform A at T, and immediately before T it was in N's power to refrain from performing A at T.

Having given some additional precision to Hasker's amended account, and modifying it as above, I will now argue that the modified account is still inadequate. Consider the act of lifting an arm. Such an act occurs over an interval of time, and since we will be concerned with precise instants, let's consider the portion of such an act which occurs at a certain instant. Say that T is the first instant of the actuation of some particular muscles in N's arm. And call that actuation of the arm muscles act A. (We might describe A as an act of beginning to lift an arm.) Imagine that N is performing A at T. And suppose that the nerve impulse travelling from N's spine to N's arm, which occurs immediately before T (and which is causally responsible for the actuation of the arm muscles), together with the total circumstances immediately before T, make it causally inevitable that A will occur at T. Then it is not in N's power, immediately before T, to refrain from performing A at T. (It's too late for N to stop the chain of causation that is already in motion.) Thus, according to (Q_3), A cannot be a free act.

The medieval distinction between acts commanded by the will (like the act of lifting one's arm) and acts immediately elicited by the will (like the act of choosing to lift one's arm) is relevant here. Because the chain of causation between a state of will and a successfully performed commanded act may involve necessary causal links (or just be so fast that a person cannot voluntarily correct it mid-course), (Q3) will sometimes deliver the false conclusion that a commanded bodily act is not free, when it in fact is.

But there is a natural thing for a defender of Hasker's position to say here: we need to distinguish between (a) free commanded acts, which are derivatively free, in virtue of being caused by a free elicited act of the will, and (b) free elicited acts, like choices, which are free in a primary sense. And then we need to apply the general strategy incautiously expressed in (Q_3), in order to say what makes an act elicited by the will[11] free in this primary sense, as follows:

(Q_4) Where a human agent N performs an act of will α at a time T, the act is free iff immediately before T, it was in N's power to perform α at T, and immediately before T it was in N's power to refrain from performing α at T.

As for cases of omitting an act of will, we would have:

(Q_4^*) Where a human agent N refrains from performing an act of will α at a time T, the omission $\sim\alpha$ is free iff immediately before T, it was in N's power to perform α at T, and immediately before T it was in N's power to refrain from performing α at T.

I'll now argue that this account fails. Return to the example of lifting an arm, now letting T_1 be the time of the occurrence of A (the actuation of certain of N's arm muscles). If A is a free commanded act, A is derivatively free in virtue of being caused by a free act of N's will. As we trace the causal history of A (the first part of an arm lift) back, we must eventually reach an event in N's brain that was not causally necessitated by prior brain events—otherwise A would not be a free act. Suppose, for the sake of simplicity, that this event involves a certain electron, **e**—suppose, in fact, that this event is the event of **e**'s being in state S1 at T_0. If **e** is in state S1 at T_0, then it is causally inevitable, given the circumstances (and barring any intervention) that N will perform A at T_1. But if **e** is in state S2 at T_0, then it is causally inevitable, given the circumstances (and barring any intervention) that N will refrain from performing A at T_1. Prior to T_0, it might be that **e** will be in S1 at T_0, and it might be that **e** will be in S2 at T_0.

At this point a few careful distinctions will be needed. When N performs an act of will, N's will takes on (or remains in) a certain state. For example, when N performs the free act of choosing X, N's will is in a state of being directed to X in a certain way (the way characteristic of choice, rather than, say, mere wish). But for *N* to perform a *free* act of will, it is also necessary that N be the cause of his will's being in this state. If, because of some external influence totally outside of N's control, N's will ended up in the state of being directed at X in that same certain way, we wouldn't have a case of N performing a free act of will. For N to perform a free act of will, it is required that *N* cause his will to enter (or just be in) a certain state.

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[11]Henceforth, I'll use "act of will" as shorthand for the more precise, but cumbersome medieval phrase "act immediately elicited by the will."

Next, the phrase "N's act of will" is ambiguous between a state of N's will and N's action of causing that state of will (i.e., causing his will to be in that state). Henceforth I will use "N's act of will" to refer to N's action of causing some state of N's will.
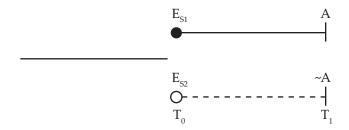
We have supposed that if e is in S1 at T_0, N will begin to lift his arm at T_1. And we are supposing that if N performs a free act of will (of choosing to lift his arm), then the commanded act of beginning to lift his arm will be derivatively free. What is the relation between N's free act of will and e's being in S1 at T_0? A dualist might hold that N causes his will to be in a certain state, and his will's being in that state in turn causes e to be in S1 at T_0. A materialist might hold that N's free act of will here just is N's causing e to be in S1 at T_0. On this latter idea, e's being in S1 at T_0 is what we might call the "indeterminacy resolving event,"[12] since before that event is posited, it is not yet determined that N will perform A at T_1, but once it is posited, it is causally determined[13] that N will perform A at T_1. On the former idea, the distinct state of will which causes e's being in S1 at T_0 would be the indeterminacy resolving event. My argument should go through either way, so for the sake of simplicity I'll henceforth assume (pretend, really) that e's being in S1 at T_0 is the indeterminacy resolving event, and that N's causing e to be in S1 at T_0 just is N's act of will.

It would be helpful to have a name for the event of e's being in S1 at T_0—we could call it E_{S1}. Similarly, we could let E_{S2} name the event of e's being in state S2 at T_0. But one final wrinkle must be smoothed. Contrast a situation in which N causes e to be in S1 at T_0, and a situation in which something or someone else (and not N) causes e to be in S1 at T_0. Do we have the same event in these two situations, or do we have two distinct token events of the same type? Some may hold that events are individuated in part by their causal origin. On that view, we should speak of events of the *type* e's being in S1 at T_0, and say that if N is doing the causing, we have a particular token of that type. On the other hand, according to the view that events are individuated just by the objects, properties, and times involved, we would say that there is just one event here. I will side-step these issues by speaking of event E_{S1}, but inviting careful readers to substitute for E_{S1} the phrase "either the unique event of e's being in S1 at T_0, if there is just one possible such event, or some event of the type e's being in S1 at T_0, if there could be multiple tokens of that type."

Since we are supposing that N performs A at T_1, we are also supposing that E_{S1} is what actually occurs. But either E_{S1} or E_{S2} might have occurred. We can illustrate the situation with the diagram below.

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[12]This way of characterizing such events was suggested to me by Alicia Finch.

[13]Subject to the assumptions that (a) no pure chance events can derail the causal chain between the event of e's being in S1 at T_0 and act A and (ii) there will be no intervening action by free agents capable of acting fast enough to intervene in the causal chain between the event of e's being in S1 at T_0 and act A.

$$E_{S1} \qquad\qquad\qquad A$$

$$E_{S2} \qquad\qquad\qquad \sim A$$

$$T_0 \qquad\qquad\qquad T_1$$

Suppose, then, that the past (prior to T_0) is compatible with E_{S1}, and is compatible with E_{S2}. But at T_0, E_{S1} occurs. What caused E_{S1} to occur? It was not necessitated (or deterministically caused) by prior events, since if it were it would not be the indeterminacy resolving event that we are supposing it is. Nor can we say that it was probabilistically (or indeterministically) caused by prior events, in such a way that it was a matter of chance that E_{S1} rather than E_{S2} occurred. (For if it was up to chance that E_{S1} occurred, then it was not up to N, and so A could not count as N's free act.) Nor can we say that E_{S1} has no cause, because then, again, we could not count A as N's own free act; rather, N would in that case be at the mercy of a spontaneous, uncaused event outside of his control. It seems most plausible, then, to say that E_{S1} must be agent-caused by N himself.

Next, when is E_{S1} actually caused by N? Not prior to T_0, since nothing N does prior to T_0 settles whether E_{S1} or E_{S2} will occur. So N causes E_{S1} precisely at T_0. This is a case of direct agent causation. E_{S1} occurs, and it is due to or caused by N instantaneously, and directly (not in virtue of N's causing something else which in turn causes E_{S1}).

Both E_{S1} and E_{S2} are possible before T_0, and although N wouldn't conceptualize it as such, up to T_0 it is in N's power to cause E_{S1} and it is in N's power to cause E_{S2}.[14] This is why, up to T_0, it is in N's power to perform A at T_1 and it is in his power to refrain from performing A at T_1. Then, at T_0, N directly agent-causes E_{S1}, and this sets in motion a chain of events which culminates in N's performing the free (commanded) act A at T_1. Let's call this case 1.

Now compare case 1 to a second case, just like the first up to T_0, but different at and after T_0. In case 1, there is no time lag between N's choice and E_{S1}, because N's choice just is the instantaneous causing of E_{S1}; at T_0 N directly and instantaneously causes **e** to be in S1. But if a creature can be so related to an electron as to be able to instantaneously agent-cause it to

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[14]It might be better to say "in N's power to bring it about that E_{S2} occurs" rather than "in N's power to cause E_{S2}." The latter locution fits well if we imagine that causing E_{S2} is itself an act of will (a choice to not lift an arm). But we could also imagine that the occurrence of E_{S2} constitutes an omission of an act of willing to lift an arm, in which case the former locution is suitable. The example could no doubt be complicated to more perspicuously take into account the distinction between omitting an act of will and willing the omission of a commanded act, but doing so would, I think, be unnecessary for the argument I'll be making. Thanks to Matthews Grant for help on this point.

be in a certain state, then an omnipotent God could be related to that electron in the same way.[15] On the view that events are individuated solely by the objects, properties, and times involved, I would word my claim here like this: God can directly, instantaneously[16] agent-cause the event of **e**'s being in state S2 at T_0. On the view that events are individuated in part by causal origin, I would word my claim like this: God can directly, instantaneously agent-cause an event of the type **e**'s being in state S2 at T_0.[17]

Furthermore, God could do this in a way which does not leave the matter in N's control in any way. God's causation of E_{S2} could amount to God's stepping in, so to speak, and authoritatively determining how things will be with respect to **e** at T_0. Whereas God normally allows N to have a say in what happens to the electrons in N's brain, it is possible that God could act differently. In such a case, N would not be involved in the causation of E_{S2} at all.

Suppose God does this—this is case 2. At T_0 God instantaneously and directly causes E_{S2} to occur, and N has no control over the fact that God does this. The history of events in case 2 is identical to the history of events in case 1 up to T_0, but in case 2 E_{S2} occurs at T_0, and it is directly caused by God (and not by N). As a result, N does not perform A at T. Was this a free omission?

Clearly not. Whereas N's act A is a free commanded act in case 1, N's omission of A in case 2 is not free (it's unilaterally guaranteed by God, and that God so guarantees it is a fact that is at no time in N's control). Similarly, N's omission, in case 2, of the act of will which consists in N's causing E_{S1} is not a free omission (it's unilaterally brought about by God, and that God so brings it about is at no time in N's control) . Yet Hasker's amended account gives the opposite answer. According to Hasker's account, what makes N's causing of E_{S1} (in case 1) a free act has entirely to do with facts that obtain before T_0. N's act of causing E_{S1} (in case 1) is a free act because immediately before T_0, it was in N's power to perform the act of causing E_{S1} at T_0, and immediately before T_0 it was in N's power to refrain from performing the act of causing E_{S1} at T_0. But the facts obtaining before T_0 are just the same in case 2 as they are in case 1. So in case 2, immediately before T_0, it was in N's power to perform the act of causing E_{S1} at T_0, and immediately before T_0 it was in N's power to refrain from performing the act of causing E_{S1} at T_0. But then, according to (Q_4*), it follows that in

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[15]For any electron in the universe, God is able to instantaneously and directly act on it, one would think. And the same should hold if, instead of an electron, we were talking about an immaterial faculty of will. I do not think God could unilaterally cause a *free* act of N's will, but God could unilaterally cause N's will to be in any particular state compatible with the nature of the will.

[16]God would not need to first make a choice to intervene (at T_{-1}, immediately before T_0), and then cause E_{S2} to occur at T_0. Rather, God could instantaneously cause E_{S2} to occur.

[17]I am not here making the claim that God could cause N's act of will—that would be to claim that God could cause N's causing of **e**'s being in a particular state at T_0. I am only claiming that God could cause the physical event of **e**'s being in a particular state at T_0, or an event of that type.

case 2, N's refraining from performing the act of will E_{S1} is a free omission. So (Q_4^*) gives the false conclusion that (in case 2) both N's refraining from causing E_{S1} at T_0 and N's omission of A at T_1 are free omissions.

In case 1, N's causing of E_{S1} is a free act, but in case 2 N's omission of causing E_{S1} is not free. There must be a difference between the two cases which accounts for this. But what that difference is has nothing to do with times before T_0, since the past up to T_0 is the same in both cases. The difference, it seems to me, is that in case 2, N lacks at T_0 the power to cause E_{S1}, because of an external influence, over which N has no control, whereas in case 1, the only reason to think N lacks at T_0 the power to cause E_{S2} is that, *given* N's own free causation of E_{S1}, N's ability to cause E_{S2} is precluded.

III. Diachronic vs. Synchronic Accounts of Contingency

Having argued against Hasker's amended account of freedom, I'll now defend the account I favor, according to which there are some acts we perform, such that it is in our power to not perform them, even at the time we perform them. (And the same for omissions, *mutatis mutandis*.) Against this view, Hasker brings up an example in which he is freely talking with you, and then realizes he shouldn't be saying what he is in the process of saying ("Response," 226); he points out that it is absurd "to insist that, in order for [this] act to be free, it must be possible for me to bring it about that *at the very instant* when I realize that my *present action* of talking to you is inappropriate, it should *already be the case* that I am no longer talking with you" ("Response," 227). I concede that this is absurd, but deny that it counts against my arguments. Note that Hasker's example here is a commanded act of the will, and one that takes time. When I take the view that some of the acts we perform are such that it is in our power (at the very time we perform them) not to perform them, I'm thinking of acts immediately elicited by the will, like choices.[18] And I'm thinking of these acts as acts that occur at a single instant of time.[19] So Hasker's example as presented does not tell against the account of freedom I wish to defend. Of course, one could raise a similar challenge with respect to an elicited act of will. Suppose that at T_0 N performs an act of will, say, a choice C. Someone taking Hasker's view could say that it is absurd and in no sense true that

(R) At T_0, it is in N's power to refrain from performing C.

I deny that this is absurd, and will now try to motivate a view of free will which affirms (R), when (R) is properly interpreted.

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[18] I didn't make this clear in my earlier paper, so it is no fault of Hasker's that his argument doesn't address precisely the right target.

[19] If that turns out to be implausible—if all choices have temporal duration—then we can instead discuss questions about the first instant of a choice, and the 'portion' of a choice that occurs at that first instant, rather than discussing instantaneous choices. But I will assume for ease of exposition that a whole choice can occur at a single instant.

Hasker holds what historians of medieval philosophy have called a diachronic analysis or account of contingency (one apparently also adopted by Ockham), and he rejects the synchronic account of contingency held by Scotus, Suarez, and others.[20] According to the diachronic account of contingency (as applied to the contingency involved in free human action), a human being has two-way power only with respect to a future act. So, for example, at T_{-1} earlier than T_0, it is in N's power to perform the act of will C at T_0, and at T_{-1} it is in N's power to refrain from performing C at T_0. On the synchronic account of contingency, in cases of freely elicited acts of will, humans have this sort of two-way power even at the temporal instant of the act. The key to the synchronic account is a distinction between temporal priority and metaphysical or explanatory dependence. Even at a given instant of time, N's act depends on N's power to perform that act, and so N's power to perform C at T_0 is metaphysically prior (i.e., prior in the order of dependence or explanation) to N's act C at T_0. And if this is correct, then within one and the same instant of time, we can distinguish between the stage in the order of dependence at which N has the power to perform the act C, and the stage in the order of dependence at which N exercises that power. There is no temporal gap between these two stages, of course; the point is just that since N's act at T_0 depends on N's having the power at T_0 to act at T_0, N's power to act is in an important sense prior to N's act. Using the phrase "natural priority" to refer to this sort of priority, Suarez explains his synchronic account as follows:

> The authors of [the diachronic account] err in not distinguishing between temporal priority and natural priority. . . . Thus, at the very instant it elicits a free act, [but] prior in nature to eliciting it, the will is thought of as having the power to elicit the act; and it is next thought of as eliciting the act by that power. Therefore, prior in nature at that same instant the will must be thought of as being capable of eliciting such an act and capable of not eliciting it—otherwise, it is not really being thought of as free to elicit the act.
>
> This is confirmed and clarified as follows. In the time immediately preceding the instant in question, the will is assumed to have the power to elicit the act and the power not to elicit it. And at the instant itself, naturally prior to the faculty's determining itself to the act, nothing has taken away its power not to elicit the act. Therefore, the will retains its twofold power at that instant, and by that power it either elicits or does not elicit the act at that very instant. Therefore, if the will is taken simply and absolutely at that instant along with all the prerequisites for acting, then it is really able at that instant not to elicit the given act.[21]

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[20]See, e.g., Scott MacDonald, "Synchronic Contingency, Instants of Nature, and Libertarian Freedom: Comments on 'The Background of Scotus's Theory of Will,'" *Modern Schoolman* 72 (1995), 169–174.

[21]Francisco Suarez, *On Efficient Causality: Metaphysical Disputations 17, 18, and 19*, trans. A. J. Freddoso (New Haven and London: Yale University Press, 1994), disputation 19.9.4, p. 380.

Let's apply this last argument of Suarez's to the present example: As time draws nearer to T_0, N has a twofold power with respect to performing C at T_0. When T_0 itself becomes present, N still has the power to perform C at T_0. Has N lost the power (at T_0) to refrain from performing C at T_0? Given that we are assuming C is a free choice, the only thing that removes, in any sense, N's power to refrain from performing C at T_0 is the actual exercise of N's power to perform act C. So it is only *consequent* upon N's own free exercise, at T_0, of the power to perform C at T_0 that N loses the power to refrain from performing C at T_0. But then *prior* to N's free exercise of the power to perform C at T_0 (that is, prior in the order of dependence to N's performance of C at T_0), N still has the power to refrain from C at T_0. And just as, within the same instant of time T_0, we can say that N's performing C is prior to N's losing the ability to refrain from performing C at T_0, so too we should say that, within the same instant of time T_0, N's power to refrain and N's power to perform C are prior to N's performing C. So at T_0, prior (in the order of dependence) to N's performing C, N does have the power to refrain from performing C at T_0.

One who holds this view will rightly concede that at a later stage or instant of nature within T_0, N does not have the power to refrain from performing C, since at a later stage N's act C has already been posited. But at the first stage or instant of nature within the instant of time T_0, it is in N's power to refrain from performing C. This is the sense in which a synchronic account of contingency affirms (R).

A point about the burden of proof is now in order. In the present dialectical context, it is Hasker who is trying to prove that divine foreknowledge and human freedom are incompatible. And so the burden of proof is on Hasker; to the extent that his argument relies on a dubious premise, his argument will fail. And as I see it, Hasker's argument does rely on a dubious premise—the premise that the synchronic account of contingency (as applied to human freedom) is false. Now, I don't claim to have shown that the synchronic account is true; I claim only that it is plausible. But since it is plausible, the premise that it is false is dubious.

I say that Hasker's account relies on the premise that the synchronic account is false based on the following chain of reasoning: Hasker has argued for theological incompatibilism. But if it is true that

(7)   For some human agent N, some act A, and some time T, N performs A at T, and N is free at T with respect to performing A,

then Hasker's premises will jointly imply a contradiction (see "Response," 225). So Hasker must deny (7) and affirm its contradictory,

(11)   For any human agent N who performs an act A at some time T, N is not free at T with respect to doing A at T.

It's then fair to ask why we should accept (11). At "Response," 226, Hasker endorses this reasoning in support of (11): At T, N does A. So at T, N does

not have the power to refrain from doing A at T. So N is not free at T with respect to doing A at T.

But if the synchronic account is correct, this reasoning is flawed. For the synchronic account implies that, where A is an immediately and freely elicited act of will, the fact that N does A at T does not imply that N does not have at T the power to refrain from doing A at T. Rather, according to the synchronic account, N does have at T (at the first instant of nature) the power to refrain from doing A at T. And so it does not follow that N is not free at T with respect to doing A at T. Thus, Hasker will need to assert the falsity of the synchronic account in order to shore up his reasoning in support of (11). The upshot of all this is that Hasker will need to rely on the doubtful claim that the synchronic account is false (unless he leaves (11) unsupported, in which case (11) will be dubious).

IV. Necessary and Sufficient Conditions for a Free Act According to the Synchronic Account

I've rejected Hasker's views on necessary and sufficient conditions for a free act, but haven't yet offered anything in their place. I propose the following: Suppose N performs an act of will C, and suppose N's performing this act of will consists in N's directly causing an event E (which is a state of N's will). This act has a location in the temporal order, and a location in the order of explanation or dependence. Suppose the former is T_0, and the latter is IN_i (for the ith instant of nature). N's power to perform C is explanatorily prior to N's performing C, and so we can say that N's power to perform C at T_0 is 'located' at T_0, but at an instant of nature prior to IN_i. Located at a possibly distinct instant of nature, but also prior to IN_i, we will find both God's concurrence with N's performing C (i.e., God's giving whatever is required on God's part to allow N to exercise a power to perform C at T_0), and God's concurrence with N's refraining from performing C (i.e., God's giving whatever is required on God's part to allow N to refrain from performing C at T_0). And because N's *lacking* the power to refrain from performing C at T_0 is consequent upon N's performing C at T_0, we should place N's lack of a power to refrain from C at T_0 at an instant of nature later than IN_i. Call the elements which are explanatorily prior to N's performance of C at T_0 the factors upstream in the order of explanation from IN_i. Then, N performs C at T_0 freely iff (i) N directly causes E at T_0, at IN_i, and (ii) all factors upstream in the order of explanation from IN_i are compatible with N's directly causing E at T_0, at IN_i, and all those factors are also compatible with N's not directly causing E at T_0, at IN_i, and (iii) that N causes E, rather than not, is not due to chance. Next, the free acts of will which an agent N performs are just those acts which N performs freely.

As for omissions: Let IN_i name the stage at which N does not directly cause E at T_0. Then, N omits C at T_0 freely iff (i) N does not directly cause E at T_0, at IN_i, and (ii) all factors upstream in the order of explanation from IN_i are compatible with N's directly causing E at T_0, at IN_i, and all those

factors are also compatible with N's not directly causing E at T_0, at IN_i, and (iii) that N does not cause E, rather than does, is not due to chance.

This definition is immune to the problem I raised for Hasker's account at the end of section two, since in any case where God unilaterally causes E_{S2} at T_0, so that N does not directly cause E_{S1} at T_0, condition (ii) will not be satisfied, and so N's omission of C (i.e., N's omission of the act of will which consists in directly causing E_{S1}) will not count as free. God's causation of E_{S2} at T_0 would be upstream in the order of explanation from N's not's causing E_{S1}, and incompatible with N's causing E_{S1}.[22]

Perhaps Hasker could fix his account of freedom, to deal with the counter-example I raised at the end of section two, by adding a clause or two ruling out certain freedom-precluding occurrences at the time of the act. So, for example, where N omits an act of will C, and N's performing C would have consisted in N's directly causing an event E at T, a proposed (Q_5*) might have it that N's omission of C is free iff (i) immediately before T, it was in N's power to directly cause E at T, and (ii) immediately before T it was in N's power to not directly cause E at T, and (iii) nothing and no one other than N ensures at T that N refrain from directly causing E at T, and (iv) that N refrains from directly causing E at T is not due to chance. This account would evade my counter-example, because of clause (iii).

Were Hasker to take this route, however, he would seem to be conceding that if God at T ensured that E not occur, N's omission would thereby be unfree (even though N did have the requisite two-way power immediately before T). But then Hasker would be conceding that a proper analysis of freedom requires a consideration not only of the factors leading up to the act or omission in the temporal order, but also of the temporally simultaneous elements in the explanatory order at the time of the act or omission. So Hasker would be accepting the validity and importance of the distinction between priority in the temporal order and priority in the order of explanation. And once this distinction, which is the essential conceptual tool used to build the synchronic account, is accepted, a principled denial of the synchronic account will be difficult to sustain. Thus, if Hasker were to take the route mentioned, the problem relating to the burden of proof raised in section three would be all the harder for him to solve.[23]

University of St. Thomas

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[22]To fill out this story we might add that the way in which God unilaterally causes E_{S2} is by refraining to sustain N's powers over **e**, and by causing E_{S2}. So in the order of explanation, all at T_0, we have: God refrains from sustaining N's power to cause E_{S1}, and from sustaining N's power to cause E_{S2}; God causes E_{S2}; and all these factors are explanatorily prior to N's not causing E_{S1}.