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On the Inevitability of Freedom from the Compatibilist Point of View

According to standard compatibilist accounts of freedom, human beings act freely just in case they are, when they act, free from *constraints* of certain specified kinds. Such accounts of freedom are examples of what one may call *Constraint Compatibilism* (*CC*). I will argue that, properly understood, *CC* entails not only that we are virtually always able to act freely, but also that virtually all if not all our actual actions are free. The suggestion is not so much that this is a hitherto unnoticed consequence of *CC*, but, rather, that there is a certain way of conceiving of freedom implicit in *CC* that has not been taken sufficiently seriously.

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One can distinguish act-theories and agent-theories of freedom. They aim to define 'free action' and 'free agent' respectively. The task of an *agent*-theory of freedom is to consider the various types of purposive agents, actual or possible,¹ and to say what a *purposive* agent must be like if it is to be, specifically, a *free* agent.

An *act*-theory of freedom presupposes the existence of an agent-theory. The main task of an act-theory is (1) to distinguish those sorts of circumstances in which a free agent (as defined by an agent-theory) is able to act freely from those sorts of circumstances in which it is not able to act freely (either in general, or in some particular way). An act-theory may also propose (2) to distinguish free actions from unfree or less than wholly free actions, among the actions of free agents. But this task is quite distinct from its main task. An act theory could in principle fulfil its main task without admitting the possibility of making this other distinction.

For present purposes I will assume that we have an agent-theory of freedom: I will assume that we have an acceptable compatibilist account of what an agent must be

As remarked in the Introduction, I think that this paper offers a general solution to the problem posed by Frankfurt's 1969 paper 'Alternate Possibilities and Moral Responsibility' (which I did not know at the time).

¹ Dogs, dolphins, human beings, Martians, etc.

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like if it is to be a free agent, and that we ourselves are free agents according to this account. (All actual Constraint Compatibilists take this to be true; most of them simply assume it, without offering any detailed agent-theory of freedom at all.) Given such an agent-theory, we need an act-theory: given that we are free agents, we need to know in what circumstances we can and cannot, and in what circumstances we do, actually act freely.

CC is an act-theory; and, as remarked, it holds that a free agent acts freely just in case it acts, and is, with respect to the performance of that act, unconstrained. But the word 'unconstrained' is vague; and so, when it gets down to details, CC is usually much concerned with the specification of the particular kinds of constraints that are held to limit or eliminate freedom of action.² These details are of no importance to the present claim, however, which is entirely general in character, and is as follows: given the way in which CC supposes the presence of constraint to lead to the absence of freedom, it is committed to the view that if one is a free agent, then if one is able to act *at all* (in any given particular circumstances) one is *ipso facto* able to act *freely* (in those circumstances); and, similarly, that if one does act at all then one does act freely.

The point can initially be put as follows.

(1) Suppose that an action of some kind X is performed by an agent at some time t.³ And call the occurrence of that which is held to constitute the action O.

Then

(2) it is integral to the notion of the agent's being genuinely able to perform an action of kind X at t that, in some ineliminable sense, the occurrence or non-occurrence of O, at t, must have been 'up to the agent'.

(3) Clearly, given the present compatibilism, the expression 'up to the agent' must be understood in such a way that it can be true that what happens is up to the agent even if determinism is true: it is true unless *constraints* are such that it is not up to the agent. (If constraints are such that it really is not up to the agent at all whether O occurs at t, then the agent cannot properly be held to have acted at all.)

But

(4) if the occurrence of O was indeed 'up to the agent', in the present sense, then the agent must (again relative to constraint, not determinism) have been both able to perform an action of kind X, at t, and able not to perform an action of kind X, at t.

For

(5) in some straightforward sense of 'initiated' that is entirely compatible with determinism (and materialism), the agent must itself have initiated the change that was the action, if it was indeed an action.

And

² Cf. Glover 1970.

³ Here consideration is restricted to actions that are not intentional inactions, and that (roughly) involve some positive self-change or happening. See n5 below.

(6) it can truly be said to have done this, *as agent*, and in the required sense, at t, only if it can truly be said to have been able not to have done it, at t.⁴

It appears to follow immediately that a free agent is always able to act freely just so long as it is able to act at all; both in general, and with respect to any particular kind of action X which it is able to perform at any particular time t.⁵ For, taking 'to X' to abbreviate 'to perform an action of kind X', the claim is that an agent must be both able to X and able not to X (or, to not-X), at time t, if it is truly able to X at all, at t.⁶ It follows that the agent must be *unconstrained* at least in such a way that it is both able to X and able not to X (to not-X), at t. But if it is thus unconstrained with respect to X-ing, then (so the argument goes) it is *ipso facto* able to act *freely* in X-ing or not X-ing. That is, there is a fundamental sense of the phrase 'free action' in which this amount of unconstraint is already sufficient for free action, given CC's account of free action. If the agent X-es (acts in any way) then it *ipso facto* X-es (acts) freely.

It is true that a threat or a natural accident may put a lot of pressure on one to do something—to X—that one would otherwise be very unwilling to do. But it is wrong to say that one is for that reason not able to act freely, in such a case: so long as one is indeed still both able to X and *able* not to, one is, in a natural and fundamental sense, free, absolutely free, either to X or not to X (to not-X). (This is discussed further in §3 below.)

Given *CC*, then, it seems that a free agent is actually able to act freely (given its capacities and circumstances) just so long as it is able (given its capacities and circumstances) to act at all. Since we are (when awake) virtually always if not always able to act in some way, it follows that we are virtually always if not always able to act freely. And for any particular kind of action X, if we can perform an action of kind X at all, at t, then, necessarily, we can also not perform an action of kind $X.^7$ That is, we must be *unconstrained* with respect to the performing or not perform an action, at the time we actually perform it, in such a way that if we *do* perform an action of that kind at that time then that action is, necessarily, a free action. So all our actions are free actions.

This is a very strong claim, and can hardly be maintained unqualified. A number of objections will be considered. One is worth discussing straight away, because it forces some changes in the phrasing of the argument.

⁴ An agent can of course be in such a situation that if it does not act in a certain way at t, then its body will move at t in exactly the way in which it would have moved if the agent had acted in the way in question. But this is of no relevance to the present point. Its body may so move although it does not *act* at all. The problems that can be raised by reference to drug-addicts, or people who are

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It may be objected that there are actions one can perform and yet cannot not perform. Suppose you are hanging on to two boats that are moving apart. You have to let go of one of them. It may be said that while you are able to perform the action of letting go with (at least) one hand, you are not able not to perform such an action; but although you are not able not to perform such an action, it is still an action you can perform. This raises no real problem. For here there are really at least two kinds of actions you can perform, and can also, therefore, not perform: you can let go, or not let go, with your right hand, and you can let go, or not let go, with your left hand. (You can also let go with both, of course.) For so long as this is true, whichever action you do perform you act freely in performing it, unattractive though your situation may be.8 What this does show is that not just any action-kind description can be substituted for 'X', as it occurs in the argument in §1. But this does not amount to an objection to the strong claim, because the following remains true: whenever one is able to act at all, and does so, there will always be a true description of the action one performs given which it can be seen to be true that one could (relative to constraint) either have performed it or not have performed it, at the time of action. This description will reveal the vital sense in which it is true that if one acts at all then one is unconstrained in one's action in such a way that one's action is a free action—a fact that may be concealed by certain descriptions of what one does. All cases resembling the case just described are resoluble in the same kind of way.9

It may help to put the fundamental point in terms of doing rather than in terms of action. When a man *a* acts in some way, there are many different descriptions of what he does, in so acting (*or*: there are many different things he does).¹⁰ There may even be several descriptions of what he does intentionally (*or*: there may be several things he does intentionally). But if he has acted at all, then it must be the case that there is something he did intentionally in so acting — call this thing ϕ —which is such that he could (relative to constraint) not have done ϕ . And for so long as this is true, he was not only able to act but also able to act freely.

Consider the example of the boats restated in the present terms. You know you cannot but let go with (at least) one hand, and you wonder which one it should be. Should you stay with your husband, who has two of your children, and food (left-hand boat), or with your other, third and youngest child (right-hand boat)? You are

⁸ It is easy to tell a story in which your decision as to which action to perform has morally significant consequences. Telling such a story may make it clearer that such constricted choices can be fully free, as can the actions subsequently performed.

⁹ Some intricate questions arise here, but they do not affect the main argument. Interesting problems in the philosophy of action arise from the fact (pointed out to me by Jennifer Hornsby) that there are apparently things one can do intentionally (in such a way that one's doing them is one's performing an action) which are also such that one cannot not do them. Thus human beings can move air (and/or oxygen) molecules intentionally; but it seems plausible to say that they cannot not move air (oxygen) molecules, so long as they are agents (and alive) at all. Such facts raise no problem for the present argument, however.

¹⁰ I am not concerned with the relative merits of these two different ways of putting the matter.

shipwrecked, and the boats are ungovernable. You act. You let go with your left hand. You have acted, and in so acting you have done many things. There is something you have done intentionally which you couldn't not do: that is, let go with (at least) one hand. But there is also something you have done (that is, let go with your left hand), and have done intentionally, which you were (relative to constraint) able not to do. And so long as this is so, when you act, you act freely.

Whenever an agent acts, then, there is something that it does— ϕ —which is such that

(1) its acting is its ϕ -ing intentionally,

and

(2) it is true to say that it is when it acts both able to ϕ and able not to (though it cannot of course both ϕ and not- ϕ).

The objection currently being considered amounts to nothing more than the observation that not everything an agent does that fulfils (1) also fulfils (2).¹¹ But this is no objection to the claim that, given (1) and (2), there is a crucial sense in which all action is, just as such, necessarily unconstrained in such a way that *CC* is obliged to acknowledge that it is free action, or to the claim that there will in any particular case of action always be a way of describing what has happened that reveals how and why this is so.¹² (This said, it may also be observed that putatively problematic cases like the boat case are extremely rare.)

It might be thought that the essential point could be expressed in terms of the word 'power', simply as follows: if *a* is truly *able* (relative to constraint) to initiate and perform an action of kind *X*, at *t*, then it must be *in his power* (relative to constraint) to do so, at *t*. Obviously. But then it must also be in his power *not* to do so—for that is part of what it means to say that it is in his power to do so; the point is as simple as that.¹³

This way of putting it does again capture the essential point, but it is still open to the 'letting go with one hand' kind of objection just considered. A more careful statement is still needed, therefore. The conclusion remains the same. If a free agent acts at all, then it must be unconstrained in such a way that it acts freely in so acting. For the degree of unconstraint which is a necessary condition of all action whatever is sufficient condition of *free* action, according to a properly worked out *CC*.

It is—to recapitulate the argument in a rather more exotic form—a condition of something's counting as a's action, as an actual intentional initiation of something by a, that it could (relative to constraint) possibly not have been thus initiated by a. A

¹¹ If, for example, $\phi = letting go with (at least) one hand, (1) is true but (2) is not.$

¹² It would be wrong to think that what the more careful statement says is that the actions of free agents 'have descriptions under which' they are free actions, or some such thing. The claim is rather that all the actions of free agents are free actions, without any relativization to descriptions, and that a valid description of an action will always be available to show how this is so, in any particular case.

¹³ Perhaps your hand will be forced down onto the button, if you do not press it. But you will in that case perform no action of pressing the button. (You will probably perform the action of resisting the downward pressure on your hand.) fully intentional doing on the part of *a* must in some clear sense be a positive change made by *a*, who must be (so to say) properly situated in the field of the possibility of both making and not making the change. It is constitutive of the change's being an intentional doing, an action, that it occur in a field of possibility constituted by the agent's control of himself which is such that, up to the moment at which the change is brought about, it could (relative to constraint, not determinism) both have happened and not have happened.

I turn now to consider some other objections.

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If all the actions of free agents are free actions, then the natural act-theory distinction between free actions and unfree or less than wholly free actions has no application, in the case of free agents. But most compatibilists would wish to reject this conclusion. So how might it be defended?¹⁴

One can dismiss one huge range of supposed cases of unfree action straight away. Consider a bank clerk at gunpoint, who calmly submits to a gangster's demands and hands over the money in her possession. She does not panic. She acts deliberately and after due consideration. And so she acts both freely and responsibly. For she chooses so to act, fully aware that she could do otherwise, simply refuse, try to dive under the counter, try to raise the alarm, and so on. This being so, she will find it extremely odd if someone says 'You were not responsible for what you did', rather than 'You were not responsible for what happened'. She may object strongly to such a comment. Someone better informed about her state of mind may say 'You acted very responsibly, in the circumstances', or 'You made the right decision'—implying freedom of decision.

She acts completely freely, on the present account, and is fully responsible for what she does. The point is simply that she is not blameworthy. It is not freedom or responsibility that is diminished by such constraint as this, but only blameworthiness. Something that is considered blameworthy in normal circumstances is not considered blameworthy in circumstances such as these. Symmetrical considerations apply to potentially praiseworthy actions.¹⁵

The same goes for the clerk's freedom of choice: so long as she is fully or genuinely aware that she is now both able to hand over the money and able not to hand over the money, she is *ipso facto* able to choose freely whether to do so or not. The gangster's gun does not diminish this freedom in any way—unless it causes panic, and blots out this awareness. But in the case of panic, her freedom of choice is not merely diminished. It seems, rather, that it is, with respect to the particular choice in question, annihilated: there seems to be an important sense in which ability to choose,

¹⁴ The actions of purposive agents that are not free agents at all may be said to be unfree, of course. But their case is of little interest. What many compatibilists want to say is that free agents—ourselves, say—can act unfreely.

¹⁵ Cf. Frankfurt 1975.

and, hence, freedom of choice, is all-or-nothing.¹⁶ In which case there are no cases of unfree or less than wholly free choices: to be genuinely able to choose just is to be able to choose freely, from the compatibilist point of view, just as to be genuinely able to act just is to be able to act freely.

Sartre's claim that we are 'condemned to freedom' seems pertinent here. We are not free to choose whether or not to be free to choose (though the case can be imagined-we might now be free to choose whether or not to continue to be free to choose, or whether to submit to an operation that would deprive us of this freedom). If we are free at all, we are bound by our natures to be free. It is our inalienable gift (or burden), so long as we continue to be conscious and compos mentis. It is undiminished by imprisonment-and not because one may when imprisoned take an Epictetan view of one's circumstances. Imprisonment may restrict one's choices, but one remains fully free in the basic compatibilist sense. There remain many things that one can do or not do and can choose to do or not to do, and the ability to act freely disappears only when there is not even one kind of action one can perform or not perform. Given the present compatibilist account according to which we are free agents, it is probably true to say that very few if any of those who read this will, in their adult lives, ever have been in a situation in which they were not absolutely free agents, fully and inescapably able to act and choose completely freely. Just as one can act freely so long as one can act at all, so too there is a fundamental sense in which one has total freedom of choice so long as one has choice at all, however unpleasant the options are. After all, freedom of choice cannot be supposed to involve a completely unrestricted range of options; it is always somehow restricted. And, obviously, two options, however unattractive, are always minimally sufficient for genuine choice, so long as they are indeed what they are called-options.

Consider the question from another angle. Belief in freedom is often expressed as belief that one could do otherwise than one does do, in a given situation. This belief is very resilient under coercion; and, on the present compatibilist view (according to which the belief is false only if some constraint makes it so), it is very rarely false. For it is very rare that our actions or choices are determined by a post-hypnotic command or anything else that could count as a constraint of the sort that genuinely removes freedom of action or choice. Faced with the threat that a helpless child will be tortured for so long as one refuses to comply with some outrageous demand, one complies, if one does, not because one believes one could not possibly do otherwise, but because one is not prepared to do otherwise. In such a situation one acts freely and responsibly, but, quite possibly, not blameworthily.¹⁷

¹⁶ Of course the mind can be slippery with self-deception, and fear. But so far as the presence or absence of awareness of options is concerned, one's situation is, in the borderline cases, much more like that of a light with a faulty connection which may flicker on and off, but which is either fully on or fully off, than it is like that of a light that can brighten and dim steadily along a continuous range.

¹⁷ People may, like Luther, express their commitments by saying that they could not possibly have done other than they did do, but they will—unless they are idiotically fanatical—be prepared to admit the crucial, straightforward, common-sense sense in which they could have done other than they did.

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True, to say that one does not act freely in such a case accords with one important way in which we use the word 'free'. But, given a properly developed *CC*, the sense according to which we can and do (and cannot but) act completely freely and responsibly in such a situation, if we are free agents at all, remains philosophically paramount.

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Suppose that one agrees with this approach: one takes the whole vast class of cases of action in which (a) freedom and responsibility have traditionally and mistakenly held to be diminished or eliminated on account of the presence of various sorts of constraints, although (b) the constraints are not in fact really such that the agent really can do nothing but the thing it does do, and one denies that such cases are really cases of unfree or less than wholly free action. The only cases that then remain to be considered, so far as the question of whether there can be unfree (or less than wholly free) actions is concerned, are those cases that involve such rare things as kleptomania, obsessional neurosis and post-hypnotic command; cases where there is allegedly an action although it really is true that the agent couldn't not perform (or rather 'perform') it.

These cases are more difficult to deal with. I will first try to suggest how one might treat them if one wished to maintain unqualified the view that all the actions of free agents are free actions. Then I will briefly consider the concession that there can after all be said to be unfree actions.

Those who seek to defend the view that there is an act-theory distinction to be drawn between free and unfree (or less than wholly free) actions may first of all claim that most kleptomaniac thefts or obsessionally neurotic performances must be supposed to be intentionally carried out in *some* sense, for most of them clearly involve controlled and perhaps very complex bodily movement. They may then argue that this gives us very good reason to call these things *actions*, while the fact that kleptomania and obsessional neurosis are psychical constraints which can be such that the agent subject to them cannot but do what it does gives us good reason to say that they are not *free* actions. Therefore they are unfree actions.

Other apparently clear cases of unfree action involve post-hypnotic commands. a thinks he is choosing between pushing button X and pushing button Y—between X-ing and Y-ing, for short. But he is in fact being compelled to choose (or rather 'choose') to X, by a post-hypnotic command to X. He makes his apparent choice, and X-es. X-ing, he acts intentionally, and in a controlled and perhaps complicated fashion. As far as anyone including himself is aware, he acts completely normally. Surely this is a case of action? But since he was compelled by hypnotic command, it is an unfree action.

Replying first to this second case, and seeking to uphold the absolute view according to which all actions performed by free agents are free actions, one may grant that *a*'s *X*-ing is indeed unfree. But one must then claim that it is not an action, although it seems just like one. A defence of this view might go as follows. It is not an action, for it is not a's action if a truly cannot not do it (and it is certainly not anyone else's, such as the hypnotist's). It seems just like an action simply because the constraint is as it were routed through, and exploits, a's normal action-producing and action-controlling system. But a is in effect taken over; he himself—he as we normally conceive him, the agent, the subject—does not act.

This may be found implausible. But is it? If a really cannot not X (relative to constraint), and yet produces an apparently intentional controlled movement of precisely the kind that is produced when he is both able to X and able not to X, and then Xes intentionally, there must be something quite extraordinary going on inside him. And it seems plausible to say that what is going on is, precisely, an exploitation of his normal action-producing and action-controlling system; an exploitation which is of such a kind that he himself does not act. We are deluded into thinking that there is an action precisely because something that must be counted as external to a so far as he is considered as an agent is routed through this system, and so causes something that looks just like an action to occur. But it is not really an action; for a is in a clear sense essentially constituted as an agent at *t*, with respect to any kind of action, by the property of being-able-to-do-or-not-do an action of that kind at *t*, and it is precisely this property that he does not now have, with respect to X-ing. So his X-ing now cannot be an action on his part. As remarked in §1, able-to-do-or-not-do-ness is a fundamental feature and necessary condition of all genuine intentional agency, and it is *ex hypothesi* true that *a* does not possess it, with respect to X-ing, in the present case.

One can also make the point by reference to the notion of responsibility, as follows. (1) Those who hold that there are unfree actions hold that those who perform such actions are not responsible for them, because they are unfree actions. (2) All action—all action properly speaking—is intentional action (the phrase 'intentional action' is, properly speaking, a pleonasm). (3) But if one is inclined to say that *a* is not *responsible* at all for what he did, surely one should be equally inclined to say that *a* did not really *act* (act intentionally) at all. For (4) it is really very odd indeed to say that *a* has acted intentionally and yet is in no way responsible for his action. How *can* one act intentionally and yet not be in any way responsible for one's action (within the compatibilist framework). It seems much more plausible to say that *a*—the person, the agent—did not really act at all, given that he is *in no way* responsible for what happened, than to say that he did act, but unfreely, and in such a way that he is in no way whatsoever responsible for what happened.¹⁸

Some may still wish to say that there is action in this case. And one reason for this may be that they shy away from the fact that we are simply complex psychophysical mechanisms, whatever else we also are. They do not like to think that we can, as mechanisms, be *used* in such a way that it looks exactly as if we are acting although we are not acting at all. But we can be so used: we do possess or contain complex

¹⁸ Remember the level-headed bank clerk. She is not blameworthy when she hands over the money, but she is certainly *responsible* for her action. If she were not even *responsible* for her action—well, how could this be? How could it be true to say that it was really her action at all, an intentional action that she had performed, if she was not responsible for it?

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intention-forming bodily-movement-controlling systems; and elements that are not the agent's intentions at all, and yet have exactly the same functional consequences as his intentions, can arise in or be introduced into this system in such a way that complex bodily movements ensue without the agent acting at all.

The same sorts of considerations apply to the first sort of cases mentioned above, cases of kleptomania and obsessional neurosis. These are less clear than cases of post-hypnotic command, however. For they are cases in which it is almost invariably much less clear whether the constraints on the agent which lead it to do what it does do are of such a kind that it really cannot but do what it does do.

It can, certainly, be maintained that the unclear cases are never cases of unfree or less than wholly free action, and that what is unclear is simply whether they are cases of action at all (and therefore *ipso facto* cases of free action), or whether they are cases of the compulsion (and therefore *ipso facto* not cases of action at all). But there are many complications here, and there would perhaps be little point in insisting on the all-or-nothing view.¹⁹

The all-or-nothing view is not in any case presupposed by the main conclusion of this paper: the conclusion (a) that if we are free agents at all, in the way that most compatibilist theories of freedom suppose we are, then virtually all if not all our actual actions are free actions; and (b) that we are virtually always if not always able to act freely. The fact that there are very murky cases, cases that may look like cases of unfree action, does not show that not all our actions are free; it may just be that in some situations no one can really tell whether someone who has done something has performed an action or responded to compulsion.²⁰

But the point need not be pressed. Such cases are in any event extremely rare. And what remains true is that there is a fundamental sense in which, if one is a free agent, and if, as compatibilists suppose, free action is a matter of being able to do otherwise than one does (relative to constraint, not determinism), then all one's actions, all one's intentional self-change, must be free; simply because such 'being able to do otherwise' (relative to constraint) is not just a sufficient condition of free action, but also a necessary condition of all action.²¹ Even if we do allow that actions and choices may be unfree, given the presence of certain constraints, I suspect that I have never

¹⁹ This is very programmatic indeed. Defence of the all-or-nothing view requires, among other things, very careful consideration of what can be supposed to count as total constraint. I will mention just one problem case. A hypnotist induces in *a* a wish to *X* which is very likely to lead to an intention to *X*, but which is designed not to be compulsively overriding: it has to compete for a chance of fulfilment with *a*'s other wishes If *a* does X^{21} ThisN2(f)-1.2(41ase.objec)-253.9(w)2n8(o)4-42

really acted unfreely, and that the same is true of you. On the present view, human beings are born free, and everywhere remain so, whether they like it or not.²²

²² In fact, of course, libertarians can have as much reason to accept this general view as compatibilists. One challenge to it starts out from the claim that unconscious motives may not only give rise to such obviously pathological phenomena as the repetitious performances of obsessional neurosis (for example), but may also influence (or constrain) many of our most ordinary seeming actions in such a way that they are not really free actions. Discussion of this view is outside the scope of this paper, but one problem with it is that it risks treating too many of our ordinary actions as unfree actions. Indeed it may end up treating the conscious agent as some sort of plaything of the unconscious.