

Free Will and External Reality: Two Scepticisms Compared

It is possible to be sceptical about whether anyone has free will, in the sense of believing that no one can know whether free will is something we possess. It is possible to be sceptical in the same sense about whether a mind-independent external world exists. In this paper, I want to consider these two forms of scepticism side by side, examining some analogies and more importantly, some disanalogies, between them. My ultimate hope is to defend, in connection with the free will debate, a somewhat Moorean anti-sceptical strategy for the defence of a metaphysics which affords the real alternate possibilities that libertarianism insists are required for free will, a strategy of a kind that is typically deemed *not* to have been effective as a means of responding to external world scepticism – so the disanalogies will be especially important. G.E. Moore notoriously claimed that he could be more certain of the existence of his hands than of any of the principles on the basis of which the sceptic might encourage us to doubt the existence of such things.¹ I am interested here in exploring the possibility of arguing in a similar sort of way that we can be more certain of the existence of our own free will (understood as what I call *agency* – see below) than we can be of certain principles on the basis of which we are sometimes encouraged to think that we could not possibly know that free will exists. Moreover (and this is the interesting part) it seems to me possible that the argument in the free will case may be less vulnerable to some of the worries that have dogged its Moorean relative in the debate about external world scepticism. It must be conceded that it faces different disadvantages of its own, which I shall also consider. Nevertheless, I believe that the argument represents a promising strategy for the libertarian that deserves more investigation than it has generally been afforded.

So far as free will is concerned, there are of course many philosophers who think we can show that there is no such thing, perhaps, for example, because they believe that determinism and indeterminism are mutually exhaustive of the possible options and that free will is provably inconsistent with both. This is already a disanalogy between the two debates, since there have been very few who think the existence of the external world can be *disproved* – though Berkeley may perhaps have been an example.² But I will be interested here only in the position of those who think that it is epistemically possible that we have free will, but who think it is impossible to *know* whether or not we do without first knowing something that we do not yet, and perhaps cannot ever come to know – that is to say, the truth or otherwise of the thesis of determinism.³ In principle, those who hold this position might think that we need to know this either because they think determinism (but not indeterminism) would rule out free will, or because they think indeterminism (but not determinism) would rule it out. My focus here, though, will be only on those who believe the first of

¹ Moore (1939).

² Berkeley (1710/1975) and (1713/1975).

³ Fischer seems to hold a position of this kind with respect to *free will* – though not with respect to moral responsibility (see his defence of the position he calls ‘semicompatibilism’ in his (1994)). Mele may be another example of a philosopher in this camp – although it is hard to find him committing anywhere explicitly either to compatibilism or to incompatibilism. But he is certainly committed to the idea that determinism is a scientific thesis; see his (2006), where he claims that “showing that determinism is true is not a philosophical task” (p. 163).

these things, because it seems to me that that is the more commonly held of these two positions, and also that it is the easier to justify.⁴

I shall take as my starting point Bob Lockie's interesting (2018) discussion of the so-called 'Lazy Argument', a consideration and refutation of which is attributed to Chrysippus by Cicero (44BC/1942); and also appears to be mentioned, again with a proposed refutation, by Origen in *Contra Celsum* (c.248AD/2008). There are of course, many disputes about how the Lazy Argument is supposed to go, but roughly, we can say that it is of something like the following form: (i) if it is fated that p, it must be futile to make efforts to avoid p; but (ii) equally, if it is fated that not-p, it must be futile to make efforts to ensure that p. But then (iii) in respect of all those things that are fated either to be or not to be, it follows that all our efforts are always entirely futile. The Lazy Argument has generally been considered to be a sophism, having been judged fallacious not only by Chrysippus, but also by a range of subsequent commentators, including Cicero and Leibniz (1710/2005); and in our own times, by Susanne Bobzien (1998) and John Martin Fischer (2006). Lockie argues, however, that there is more to be said for it than might initially be thought; and in this section of the paper, I shall be interested in exploring this suggestion.

I should perhaps confess that despite my interest in the Lazy Argument, I do not myself think that it can really be saved.⁵ But I want to concur with Lockie, nevertheless, that there may be arguments in its vicinity which have more going for them; and I wish to draw, in making that case, on some of Lockie's interesting ideas about the intended directionality of the Lazy Argument. I shall try to suggest that the questions about directionality which Lockie raises are parallel, in some ways, to questions that are sometimes raised in epistemology, where similar argument forms can be run either in the *modus ponens* or *modus tollens* direction, depending on which propositions one takes to have the highest probability of being true. Where external world scepticism is concerned, the Moorean possibility of exploiting this argumentational symmetry to defeat the sceptic is generally considered to be a failure, for reasons I shall later explain. But it is not evident to me that the same sorts of reasons must vitiate what I take to be a somewhat similar strategy in the case of agency.

(i) *The Lazy Argument*

According to Lockie, the proponent of the Lazy Argument argues that "if determinism is true, all our strivings are equally futile to an absolute and categorical degree" (p.153). A first thing to note is that Lockie speaks here of 'determinism', whereas the word generally used to translate the Stoic arguments (and which I used in my little sketch of the Lazy Argument, above) is 'fated'; and there are interesting questions here about what the differences between these two concepts might be. For the purposes of this paper, however, I am going to presuppose that causal determinism would involve a variety of something that could reasonably be called 'fatedness'; or even if this is denied, at

⁴ Only on what I regard as the false assumption that indeterminism must involve randomness of a sort that vitiates agency can the latter position be upheld - though here is not space here to argue that this assumption is false.

⁵ Why not? Roughly, because the Lazy Argument, as presented below, assumes that the truth of determinism, though it would make our strivings futile, would not prevent the existence either of (admittedly futile) strivings or of strivers. But on my view, the truth of determinism would negate agency altogether; and hence there would, under determinism, simply be no agents, no agential 'we', whose strivings we might recognise as actions, albeit futile ones. Neither the premises nor the conclusion of the Lazy Argument are therefore ones I think we should straightforwardly endorse.

any rate, that there is nothing wrong with the idea that a *prima facie* similar argument to that of the Stoics might be mounted which utilised determinism rather than fatedness as its central concept.⁶

How might such an argument go? Here is a shot at one, based roughly on a simplified version of what Lockie calls ‘the conative transcendental argument’⁷:

- P1. If determinism is true, we are powerless to avoid or alter anything that has been, is or will be the case.
- P2. If we are powerless to avoid or alter anything that has been, is or will be the case, all our strivings are futile.
- Therefore
- C1. If determinism is true, all our strivings are futile.

Another version, one perhaps better deserving to be called the Lazy Argument, proceeds further to a normative recommendation of laziness, or doing nothing, under the supposition of determinism:

- P1. If determinism is true, we are powerless to avoid or alter anything that has been, is or will be the case.
- P2. If we are powerless to avoid or alter anything that has been, is or will be the case, all our strivings are futile.
- P3. If our strivings are futile, we ought not to strive.
- Therefore
- C2. If determinism is true, we ought not to strive.

I shall not be too concerned in what follows with the differences between these arguments; mostly, because it is simpler, I shall concentrate my attention on the first, and will avoid the complexities involved in questions surrounding the prerequisites of normative recommendations. What I shall rather be interested in, for the purposes of this paper, is Lockie’s claim that the Lazy Argument has typically been misread as a ‘straight’ argument for the conditional conclusion – an argument for the claim that if determinism is true, something else, something surprising or worrying, is true too, or perhaps that something surprising or worrying should be recommended. Whereas the intention of the proponent of the Lazy Argument, according to Lockie, is that the surprising or worrying implication ought rather to be taken as a *reductio* of the starting supposition of determinism. The defender of the Lazy Argument, says Lockie, “isn’t defending its subjunctive conclusion – of futility or impotence, a ‘decision to do nothing’ – he is saying that since any such conclusion is untenable, so is determinism” (p.153). The argument is rather that *since* our strivings would be futile if determinism were true – and since, plainly, they are not thus futile (or perhaps, slightly less strongly, cannot be accepted to be futile by anyone who wants to engage in argument at all) - determinism must be false. The two arguments above, that is, are intended (according to Lockie) to be continued beyond the conditionals with which I’ve concluded them: for example, having reached C1 (‘If determinism is true, all our strivings are futile’), we are supposed to *go on*:

- P4. It’s not the case that all our strivings are futile.
- Therefore

⁶ I here rely on Bobzien’s claim that “For Chrysippus, the principle that if *p* is fated, *p* is not a statement about a relation between the present truth of a proposition about a future event and the future happening of that event which holds independently of any physical or causal relation in the world. Rather, for Chrysippus, this principle is about a physical or metaphysical power, fate, by which an occurrent *p* is determined, and which actively brings about or sustains *p*.” (1998: 228).

⁷ Lockie (2018), 178.

C3. Determinism is not true.

I think we can be fairly confident that Lockie is right that, historically speaking, the Lazy Argument was intended to serve as a refutation of Stoic determinist principles, rather than as a proof of the futility of action; I am no scholar of Stoic philosophy, but this is certainly what Bobzien's masterly treatment suggests, and I would be inclined to take her word for it. But supposing this interpretation is correct, what might then explain the argument's misconstrual down the centuries as an argument for the futility of action, or for 'doing nothing'? Perhaps certain purely historical or textual reasons might supply part of the explanation. But I am interested in the possibility that certain philosophical presuppositions may also have been at work. Might there be philosophical reasons why a range of commentators have failed to see that, rather than intending to endorse the claim that all our strivings *might* perhaps be futile (in the event that determinism turns out to be true), the proponents of the Lazy Argument rather intended to show that that eventuality is in fact an impossibility – that determinism *could not* be true, and that we can know this precisely because we know that our strivings are not thus futile?

One possibility why someone might fail to see that an author is offering an argument as a *reductio*, rather than as a defence of the official (and 'absurd') conclusion of the argument, is that they are assuming that no one *could* be intending the argument in this way, because, for some reason, they believe that the proposition which is supposed to have been reduced to absurdity simply ought not to be vulnerable to a refutation of this kind. Of course, since any *reductio* is supposed to be a *reductio ad absurdum*, if the conclusion really *is* absurd, that will also be a reason which counts in favour of supposing that no one could really be intending to argue for it. But if one thinks the proposition which has been assumed at the outset for purposes of *reductio* is for some reason not the sort of thing that *could* be thus reduced to absurdity, that will be a *countervailing* reason for taking the argument genuinely to have been an attempt to establish its official conclusion, however absurd that conclusion might seem. Suppose, for example, that one thinks that the possibility from which the *reductio* begins is something that for all we know could perfectly well turn out to be true, and which science might one day deliver reasons to think *is* true. Then it will seem very strange for someone to be offering a purported *reductio* of this possibility. Suppose, for example, that I claimed to have a purely philosophical *reductio* of the proposition that there is life elsewhere in the universe. You would immediately wonder (rightly) how on earth I could possibly claim to have such a thing. And even if you were not inclined to think that the truth or otherwise of determinism was an empirical proposition, to the extent that you still thought that determinism had to be a *live option*, a way the Universe really could be, perhaps because God might conceivably have ordained everything that happens in advance, for instance, you might be inclined to continue to think that no one, surely, could be attempting to argue, more or less *a priori*, to the falsity of determinism. Might it not be possible, then, that the very widely-held idea that determinism has to be maintained through all our arguments and reasonings as a live option has sometimes hampered the ability of those who take themselves to be arguing more or less from the armchair that determinism is false to be taken at their word?

(ii) *The Agency Argument*

This is perhaps the point at which to confess (in case you have not already guessed) that my interest in Lockie's discussion of the tendency of interpreters of the Lazy Argument to fail to see it as a genuine attempt to refute determinism is not entirely a matter of disinterested scholarly concern on my part. The Lazy Argument (as Lockie interprets it) has, I think, some striking similarities with an argument I have myself in the past wished to offer (Steward, 2012). One might represent my own

anti-deterministic argument (which for ease of reference, I shall henceforth call the Agency *Argument*) in skeletal form, like this:

The Agency Argument

- A1. If determinism were true, there would be no agents (this is a thesis I call 'Agency Incompatibilism' - cp C1 and C2 in the two versions of the Lazy Argument above).
- A2. There are agents. (cp P4).
- C3. Determinism is not true.

I hope it is already obvious that the Agency Argument resembles the Lazy Argument (as interpreted by Lockie) in some important respects. One respect in which Lockie's version of the Lazy Argument is similar to the Agency Argument – something which at the same time differentiates it from many arguments about free will and determinism in the modern literature – is that both start from the premise that determinism is incompatible not merely with a specific sub-category of actions, the so-called 'free actions' or 'freely-willed actions' (whichever they are supposed to be), but rather that it is incompatible, in some sense, with the existence of actions *per se*. In the Agency Argument, this is absolutely explicit. In the Lazy Argument, it is less so – since, as mentioned above in note 5, it appears that the Lazy Argument is prepared to countenance the possible existence of a world in which there are strivings *all* of which are nevertheless futile, a possibility I would wish to eschew, and which might seem to imply that determinism is *not* incompatible with the mere existence of 'strivings'. Nevertheless, since futile strivings are clearly not manifestations of the effective agency we normally take ourselves to have, the parallels between the two arguments remain clear. The crucial point of similarity, for my purposes, is that neither argument seeks to make any distinction within the class of actions of the kind typically made in the contemporary literature between actions which are 'freely-willed' and actions which are in some sense below the threshold for freedom. The existence of real agency of *any* kind, of the sort we normally take ourselves (and perhaps also take some other animals) to have, is ruled out, according to these arguments, if determinism is true.

A second thing that connects the Lazy Argument as interpreted by Lockie with the Agency Argument is of course that it reaches the same conclusion – the falsity of the thesis of determinism – but does so without any reliance on the idea that for example, quantum mechanics or the metaphysics of radioactive decay or some other non-agential phenomenon uncovered by scientific evidence or theorising is what shows its falsity. Rather, as Lockie presents it in the conative version, it is the (supposedly evident) non-futility of agency that suffices to show that determinism is untenable. But is it really possible to show that determinism is untenable by such means? I find that many philosophers are inclined to doubt that it can be done. An objection to the Agency Argument that I have often encountered in conversation is that we ought not to be able to reach the conclusion that determinism is not true merely by way of the philosophical argument which is supposed to provide justification for A1, combined only with a premise, A2, which states something which might quite reasonably be taken to be more or less undeniable. The objector's thought is this: determinism is an empirical thesis, which should be left to what Fischer (2006) describes as 'the men in white coats' to decide. It is an essentially scientific matter, with which we philosophers have no business getting ourselves entangled; our job, as philosophers, is simply to figure out what would follow from it. We ought not to be able to discover, then, whether determinism is true merely by what is essentially no more than an exercise in thought.

Those who believe they have independent reasons to deny one or other of the two premises of the Agency Argument need of course look no further for the answer to the question what has gone wrong with the argument. But I am more interested here in a different class of objector. These

objectors are persuaded that we are very well justified in thinking there are agents; and they might also be inclined to be persuaded by the arguments for Agency Incompatibilism.⁸ But they are *still* worried by the Agency Argument. They think that it must in some sense be question-begging or illegitimate, *even though* they feel inclined to accept the premises, because they feel that something *has* to be wrong with an argument that seeks to show what it ought not to be possible to show by such means. And this is a phenomenon, of course, that we encounter elsewhere than in the free will debate. There are other arguments in the philosophical literature which have attracted opprobrium for making it look as though it is possible to derive a piece of essentially empirical knowledge from premises which can be established, as it were, from the ‘armchair’, by combining such things as philosophical theorising, conceptual analysis, and so on, with a premise deemed for some reason or other to be beyond reproach, despite the fact that no empirical evidence can be or has been offered for it. One such example is the following, which for ease of reference I shall call the ‘Water Argument’:

The Water Argument

Water (1) I am thinking that water is wet (self-knowledge).

Water (2) If I am thinking that water is wet, then I am (or have been) embedded in an environment which contains samples of water (externalist thesis established by philosophical reflection).

Water (3) I am (or have been) embedded in an environment that contains samples of water.⁹

The problem with this argument is that it seems as though it ought not to be possible by means of reasoning alone to arrive at the conclusion that one is (or has been) embedded in a watery environment, merely by combining a piece of authoritative self-knowledge about the content of one’s own thought with an externalist thesis.¹⁰ And this judgement can persist even for one who accepts both premises. Martin Davies refers to this worry as the ‘consequence problem for first-person authority, given externalism’ (2003: 108). The problem which my objectors see in the Agency Argument is also a potential consequence problem. The worry these days is usually that determinism is a thesis which we must look to science to confirm or disconfirm, and so that one ought not to be able to discover that it is false merely by arguing that it is inconsistent with agency, and that agency exists. But actually, the form of the worry is independent, I think, of the idea that determinism is specifically a scientific claim. It might be felt by anyone who thinks that for some reason determinism has to be preserved as a live option – something that might, for all we know, be true.

There are certainly parallels between the Agency Argument and the Water Argument; for example, each has a premise asserting the existence of something taken to be a piece of virtually unquestionable knowledge and a conditional premise connecting this unquestionable knowledge with the truth or falsity of a conclusion which it is thought it ought not to be possible to establish by such means. But I shall not proceed further to investigate this particular parallel, since most attempts to show what is wrong with the Water Argument exploit specific features of the premises that are plainly lacking in the Agency Argument – features having to do with the identity of the proposition embedded within the content clause which appears in the premises (‘that water is wet’), and the presuppositions that might be involved in assumptions about its identity. What I shall turn to instead, since it seems to me more relevant to the Agency Argument, is a second argument which

⁸ I cannot unfortunately spell out these arguments here, for reasons of space; but precisely what they are is not relevant, really, to the points I wish to make in this paper.

⁹ This particular formulation is taken from Davies (2003).

¹⁰ See e.g. McKinsey (1991); Boghossian (1997).

has been thought to display a certain sort of ‘consequence problem’ – namely, Moore’s proof of an external world. I shall try to show that the Agency Argument shares an important weakness with Moore’s argument – the problem of being potentially *dialectically ineffective* against a proportion of those that its proponents might be hoping to persuade.¹¹ But I shall further argue that it is not similarly dialectically ineffective against *all* of those within its target audience; and moreover, that the argument is in fact better placed than Moore’s to rebut the allegation that there are serious worries about what Pryor calls its ‘justificatory structure’.¹²

(iii) Moore’s Proof of an External World

Moore argued as follows¹³:

- M1. Here are two hands.
- M2. If here are two hands, then there is an external world.
- MC. So there is an external world.

One might well believe that Moore could not in fact have been justified in believing, and certainly could not have known, the conclusion of this argument, merely on the basis of the argument itself. How could it be so easy to show that the external world exists? One might, in that case, try to undermine Moore’s right to deploy his first premise, arguing instead:

- S1. Moore can’t know that there is an external world.
- S2. If Moore can’t know that there’s an external world, then he doesn’t know that here are two hands.
- SC. So Moore doesn’t know that here are two hands.

Both of these arguments look to be valid and for the purposes of the present discussion, I shall be assuming (as much other literature on the argument also assumes) that the premises of both look to be at least *prima facie* plausible on some reasonable interpretation of what they mean. But if this is the case, we seem to face a choice. Assuming, as I shall for present purposes, that both parties to this debate (sceptic and Moorean) are likely to be able to come to agree about the truth of both the conditional premises M2 and S2, the question would seem to be whether M1 or S1 is the preferable starting point for enquiry.

Moore steadfastly maintained throughout his life that M1 (and variants on it, in which other physical objects are mentioned, instead of hands) were what he called ‘more certain’ than S1. Speaking of the view that we do not know whether the external world exists, he writes as follows:

It seems to me a sufficient refutation of such views as these, simply to point to cases in which we do know such things. This, after all, really is a finger: there is no doubt about it: I know it and you all know it. And I think we may safely challenge any philosopher to bring forward any argument in favour either of the proposition that we do not know it, or of the

¹¹ I take this term – as well as many other insights into what precisely might be the problems faced by Moore’s argument - from Pryor (2004).

¹² If an argument has an acceptable justificatory structure, then you can get justification to believe the argument’s conclusion from your justification to believe its premises.

¹³ Moore (1939).

proposition that it is not true, which does not at some point rest upon some premiss which is, beyond comparison, less certain than the proposition which it is designed to attack.¹⁴

Moore's claim is that M1 (and similar propositions of the same kind) – and also the proposition that such things can be known – are more certain than premises such as S1. Mostly, philosophers have not agreed – or at any rate, have not agreed that this is the case in such a way that it permits one to argue convincingly through M1 to MC for the existence of the external world. There is a huge literature on what might be wrong with Moore's argument; and for reasons of space, I cannot rehearse all the intricacies of this vast literature here. I shall instead merely raid it selectively, where it seems to bear fruitfully on the comparison I wish to draw with the Agency Argument.

The Agency Argument is, I think, somewhat like Moore's, in that it seeks to establish a kind of global metaphysical conclusion (the existence of the external world, for Moore; the falsity of determinism, for me), on the basis of a conditional argument from a premise which asserts the existence of something which is alleged, for one reason or another, to be something we may take for granted (the existence of such material objects as hands or fingers, for Moore; the existence of agents for me). There are many differences between the arguments too, of course, some of which I shall come to in a moment. But the main purpose of the comparison between Moore's argument and my own is to draw attention to the similarity between the challenges they face. In both cases, it is alleged by a certain kind of objector that it *ought not to be possible* to reach the conclusion of the argument by the means the argument suggests - and so that something must be wrong with the argument. The objection is that it ought not to be possible to come to know (or be justified in believing) the conclusion by mere argument from the kinds of premises supplied. And then the search is on, of course, for the flaw in the argument – a search which might end in a number of different ways.

One possibility – the simplest – is that one of the premises of the argument in question is found to be either false or unjustified. In the case of Moore's argument, this challenge is more likely to be a challenge to justification than to truth; the sceptic, for example, will want to insist that Moore is not justified in believing on the basis of perception, that 'here are two hands'; or perhaps that he is justified in believing it only in a sense that will not allow one to embrace simultaneously the conditional M2 (for example, as a 'sense-datum' statement). In the case of the Agency Argument, it might be thought that *either* premise is something one might take issue with. The arguments by means of which A1 is defended, for example, might be contested – this is likely to be the compatibilist's response – and though I think myself, of course, that the arguments for Agency Incompatibilism justify A1, others will doubtless not agree with me. But one might *also* think that A2) is manifestly contentious. And this is something I am keen (in a somewhat Moorean way) not to concede; and so I shall spend a little time explaining why I think it is almost impossible to deny it.

Some might suppose, I think, that so-called 'hard' determinists are likely to take issue with A2. However, this is the place to stress, as noted earlier, that it is important to my argument that it is based on the alleged existence not of a special power called *free will*, but rather merely of agency. And traditional hard determinists do not in fact explicitly dispute the existence of agency. What they have typically disputed is the existence of 'free will' or 'free agency' – that is to say, agency of a sort which is normally *defined so as explicitly to involve the power to do otherwise*. Thus defined, of course, anyone who thinks that determinism is true and that determinism makes the power to do otherwise impossible, will deny the existence of free will/free agency. But it is not so clear that there are hard determinists out there that would be prepared to dispute the existence of agency *per se*.

¹⁴ Moore (1919): 8.

That is an altogether more radical position – a position which I think it is much more difficult to maintain.

Someone might question whether the denial of agency really *is* more radical than the denial of free will – at any rate, for the Agency Incompatibilist. For the Agency Incompatibilist, this objector might allege, defines *agency* so that it explicitly involves the power to do otherwise, so that, for her, agency is simply tantamount to what others might call free will, or free agency! But it is very important to see that this is not the case. The Agency Incompatibilist does not *define* agency thus. Rather, she will take herself to be asserting that the things we call ‘actions’ – things of which I take it we can all indicate what we take to be paradigm cases – someone’s eating an apple, say, or their running a marathon; or perhaps a mental action such as someone’s adding up 24 and 73 in their head - constitute a distinctive metaphysical category of item concerning which it can be *argued* that they involve (conceptually) the possession of alternate possibilities of one sort or another. She does not suppose, though, that this is part of the very definition of action, even if it is in some sense a conceptual truth.¹⁵ She takes it, rather, that we all have a basic grip on the category of action such that we can at least single out some instances of the kind (just as Moore takes it that we can unproblematically single out some instances of material things, such as inkstands or fingers) – and the premise A2 relies on nothing more contentious than the idea that there are indeed at least some such instances (together, I suppose it is necessary to add for completeness, with the idea that actions require agents).

Perhaps it is not impossible that someone should want to insist that there is no such thing as an agent; or perhaps, less strongly, to insist that at any rate, we cannot know whether there is. Likewise, it is not impossible that someone should want to insist that there are no inkstands or fingers – or at any rate, to insist less strongly, that we cannot know whether there is. But to my mind, the hypothesis that there are no agents faces a powerful combination of cogito-like self-evidence (is it really possible that I myself am not an agent? – what then am I to make of this very thinking in which I am currently engaged?) as well as a powerful tranche of arguments opposing other minds scepticism. We know of agency, one might think, both from our own case and from our observations of and interactions with others; and both kinds of knowledge seem particularly fundamental to everything we believe about anything at all. In particular, any evidence I have acquired from science of any sort is dependent, one might think, on the assumption that scientific agents exist, that they have undertaken experiments, and so on. Imagining the non-existence of agency is therefore much harder than imagining the non-existence of free will, thought of as a distinctive property only of a certain class of actions. The knowledge that agency exists indeed, to my way of thinking, has the property that Moore thought attached to his assertion that ‘here are two hands’. It is a point from which argument can proceed, because we can take it to be known more securely than any of the other propositions which we might have to jettison as a result of the argument.

Suppose, then, that one accepted A2 as a Moorean proposition; and suppose also that one accepted Agency Incompatibilism (A1). How is the consequence problem to be avoided? My suggestion is that we should jettison the assumption that determinism really is a thesis that can be confirmed or disconfirmed only by scientific theorising and thus that it must be retained as a live option through all philosophical enquiries. I will not have space fully to justify this idea here. But I

¹⁵ Compare: suppose I believed knowledge was justified true belief. I would not be likely to think that this was part of the mere *definition* of knowledge – rather, it is a hard-won conceptual truth that takes a good deal of thought and effort to uncover.

hope to say enough in the final section of the paper to suggest that this may be a less difficult thing to justify than one might have thought.

(iv) The Epistemological Status of Determinism

The Agency Argument is of course in a less good position, in one way, than Moore's proof, because it has a highly controversial premise, A1, as well as A2, the premise which I have just suggested might be taken to be a bearer of the property of Moorean certainty. (To that extent, of course, the Agency Argument cannot really have ambitions, in the same way as Moore's argument does, to be a 'proof'). And because of the controversial nature of A1, it is likely, I think, that many of those against whom I am arguing will simply deny it, steering thereby into the ostensibly safe harbour of compatibilism. It is for this reason also that the argument is likely to lack, against these opponents, the property that Pryor calls 'dialectical effectiveness'. As Pryor notes, "Arguments are dialectical creatures in a way that proofs and pieces of reasoning are not. Arguing involves *offering* pieces of reasoning *to audiences* ... So how dialectically effective an argument is will depend on *who* its audience is".¹⁶ Audiences for arguments concerning the free will debate will undoubtedly contain many who think they have independent reasons to believe compatibilism to be true, and so they will be immediately disinclined in any case to accept A1. So the Agency Argument will fail to carry conviction for these interlocutors.

But *amongst* compatibilists, I think, there are likely to be some whose reasons for being compatibilists are not 'independent' in the relevant sense. There will be some who have accepted compatibilism wholly or mainly because they accept A2, as I do – and who *also* accept that our right to believe A2 ought not to be at the mercy of possible future scientific discoveries. Being in this position, they *cannot* therefore rationally accept A1 – that is to say, they have been driven into the arms of compatibilism by the consequence problem. And to *these* compatibilists, there is something to say which might be dialectically effective. Moreover, the something that there is to say puts the *Agency Argument* in what in some ways is a *better* position than Moore's argument to fend off worries about its justificatory structure (despite the fact that it has one premise that might be reckoned much more controversial than either of Moore's). Though Moore's argument has its defenders¹⁷, of course, many have argued (to my mind quite plausibly) that even if Moore's premises are true and justified, and his proof valid, Moore's argument nevertheless fails to *transmit* warrant or justification to its conclusion because Moore's justification for thinking he has hands relies on *antecedent* justification to believe there is an external world of which his hands are part.¹⁸ It feels very much as though Moore in one way or another assumes precisely what he is trying to justify. Whereas the epistemological principle which allegedly gets the Agency Argument into difficulties is not in the same way structural. Rather what gets it into difficulties is a *dogma* – the principle that determinism is the kind of thesis that can only be confirmed or disconfirmed by empirical science. And this is something which on reflection, I think, we can come to see that there is no good reason to accept.

¹⁶ Pryor (2004): 369.

¹⁷ Notably, Pryor; see his (2000) and (2004). Pryor argues that though Moore's argument lacks dialectical effectiveness against the sceptic, it is nevertheless acceptable as what he calls a *justificatory structure*. I am not sure whether I agree with this. But I do think that the Agency Argument definitely *is* acceptable as a justificatory structure.

¹⁸ See Wright (1985), (2000), (2002), (2003), (2004) and Davies (1998), (2000), (2003) and (2004).

In order to decide what kind of evidence might be required to confirm or disconfirm the thesis of determinism, it is of course necessary to know what that thesis precisely says – and this is something that it is not as easy to be confident about as one might hope. A number of definitions exist in the literature, and they are by no means equivalent to one another. But on the whole, philosophers involved in the free will debate have homed in on definitions that look somewhat like this one:

“For any given time, a complete statement of the [nonrelational] facts about that time, together with a complete statement of the laws of nature, entails every truth as to what happens after that time”.¹⁹

Is this thesis true? Nobody knows, one might say, because nobody has the crucial ‘complete statements’ to hand – nobody can therefore run them through a logic tree to find out whether determinism is true. And probably nobody ever will have the crucial statements to hand. But if anyone does ever have them, it might be said, it will be scientists – because they are in charge of providing that complete statement of the laws of nature; and they are also in charge of saying what the empirical facts are at any given time. Probably, the necessary knowledge will never be available – but even if it is, it is not going to come from a priori theorising or pure argumentation. In the meantime, then, we must content ourselves, as philosophers, with deciding merely what we would say, if determinism turned out to be true (as well it might, as it were). That must be the limit of our ambition.

But there is much here that can be questioned. Let us concede, for the sake of argument, that it is conceivable that the question whether determinism is true might one day be answerable by science. This concession does not yet imply that it is ruled out that evidence or argumentation relevant to the question, or even sufficient to settle it, might not come from elsewhere. The phenomenon of agency, for example, might give us reason to believe that the laws of nature, though they *constrain* everything that happens, do not *dictate* everything that does – that the net of control exerted by law, though universal (in that those laws apply everywhere) is also *partial*, in that some outcomes are simply not settled by the totality of what law dictates. This seems perfectly conceivable. Those who think that we must leave the question of determinism to science tend to suggest that the question to be decided is whether the laws are merely probabilistic or deterministic – but this seems to me not to be the main question – the main question is whether laws are dictators or mere constrainers of what goes on in our Universe. And one good reason for thinking that they are mere constrainers might be thought to be supplied by the phenomenon of agency. One cannot rule out, of course, that one day physicists might discover something that entails determinism. But this does not imply that no one can be justified in arguing against it by other means. It implies only that we must be ready to revise our assessments in the light of the new evidence and argument that science might conceivably supply.²⁰

Of course, there is much more to say to defend the idea that determinism need not be retained as a live option in our thinking. But for present purposes, my main aim has been to show there are interesting parallels between a certain variety of scepticism about free will and scepticism about the external world. I have suggested that a Moorean defence of the premise that agency exists, a crucial premise in what I have called the Agency Argument, can be mounted. And I have also argued that

¹⁹ This definition is taken from Fischer (2006): 5.

²⁰ Cf Van Inwagen (1983: 223) “...it is conceivable that science will one day present us with compelling reasons for believing in determinism. Then, and only then, I think, should we become compatibilists, for, in the case *imagined*, science has *ex hypothesi* shown that something I have argued for is false”.

there is nothing wrong with the justificatory structure provided by the Agency Argument – we can indeed argue perfectly properly for the falsity of determinism on the basis of the Moorean premise A2, combined with Agency Incompatibilism. The argument, I have conceded, is unlikely to be dialectically effective against compatibilists who believe they have good justification, of an independent kind, for their compatibilism. But it may nevertheless manage to persuade those whose compatibilism results primarily from the perception that belief in agency ought not to be vulnerable to scientific disproof, if we can argue successfully that there is no need to accept the idea that only scientists may venture to have legitimately justified opinions about the truth or falsity of determinism.²¹

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²¹ I have benefited from the comments of several audiences and readers of earlier versions of this paper. Those I recall specifically include Dorothy Edgington, John Hyman, Mike Martin, Bob Lockie, Guy Longworth, Penelope Mackie, Tim O'Connor and Nick Zangwill. Thanks in particular to Mike and Guy for suggesting that I follow up in more detail what were to begin with hints about parallels with Moore.

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