

Bad Luck Once Again

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In a recent article in this journal, Storrs McCall and E.J. Lowe sketch an account of indeterminist free will designed to avoid the luck objection that has been wielded to such effect against event-causal libertarianism. They argue that if decision-making is an indeterministic *process* and not an event or series of events, the luck objection will fail. I argue that they are wrong: the luck objection is equally successful against their account as against existing event-causal libertarianisms. Like the event-causal libertarianism their account is meant to supplant, the process view cannot offer a reasons explanation of the agent's choice itself; that choice is explained by nothing except chance. The agent therefore fails to exercise freedom-level control over it.

In "Indeterminist Free Will" (McCall and Lowe 2005) Storrs McCall and E.J. Lowe offer us an account of indeterministic decision-making that is designed to avoid the luck objection that has widely been seen as vitiating existing accounts of libertarian free will. They argue that on their process view, agents choose for reasons, and that "something that happens for a reason does not happen by chance" (p. 685). However, avoiding the luck objection requires more than just showing that agents choose for reasons. An adequate libertarianism must offer a reasons explanation of the very choice that is the locus of free will, not simply of the options between which the agent chooses. The process view does not, and cannot, offer such an explanation, and therefore fails to avoid the luck objection.

I. Indeterminist Decision Making: The Process View

McCall and Lowe begin from a familiar starting point: the apparent vulnerability of extant libertarian theories to an objection from luck. Consider Robert Kane's event-causal libertarianism. Kane (1996) argues that agents possess libertarian free will only if they at least sometimes exercise what McCall and Lowe call the "'two-sided' ability" to act in a

certain manner *or* to perform an incompatible action. On Kane's account, agents exercise this ability when they confront a situation in which they have strong, though not decisive, (internalist) reasons for performing an action, and strong, though not decisive, reasons for an incompatible action. Kane argues that in such circumstances, the conflict we experience disrupts the thermodynamic equilibrium in our brains such that a chaotic process begins, which amplifies the quantum level indeterminacy which otherwise would be too small to have any effect on our behavior or thought. As a consequence, it is causally open to us to choose to perform either action for which we have strong reasons.

Kane pictures agents in these circumstances as simultaneously trying to do two incompatible things; which alternative wins out is settled by undetermined quantum level events in their brains. Because in these circumstances it is undetermined which action the agent shall choose to perform, but whatever they choose to perform they try to choose, and they endorse *as* what they were trying to choose, they are responsible for the choice; since (on Kane's view) agents are responsible only for what they do freely, their responsibility entails that they choose freely.

As McCall and Lowe point out, however, this kind of account does not provide the agent with freedom-level control *over the indeterministic process that issues in her choice*. They invoke Van Inwagen's (2000) replay argument to make the point. Suppose that God repeatedly replayed the history of the universe, starting from a time just prior to a particular undetermined, and allegedly free, decision. In these replays, sometimes the agent's choice would go one way, and sometimes it would go the other (if she were equally inclined toward each option, we can expect that about half the time she would ϕ , ψ -ing in the remainder). Now, what brings it about that she ϕ s or ψ s? Nothing, apparently—nothing about *her*, her reasons, desires, volitions, or tryings—except luck. She does not control *which* alternative she settles for. The indeterministic causal process settles that. So long as our actions, decisions, or deliberations are the product of indeterministic event-causal processes, *we* do not exercise any greater control over them than we would in a deterministic world. *We* do not control the indeterministic process which settles how we act, decide or deliberate (Strawson 2000; Mele 1999; Haji 2002). Some thinkers are happy to concede that an event-causal libertarianism secures *as much* freedom as an adequate compatibilist account; they deny, however, that it secures any more (Clarke 2003, p. 96; cf. O'Connor 2000, p. 29). Since event-causal libertarianism does not provide any freedom-level control unavailable in a deterministic universe, it ought to be unacceptable to libertarians.

McCall and Lowe suggest that any libertarian account of free decision-making will be vulnerable to the luck objection so long as it

predicates the indeterminism of discrete events. For any such undetermined event, and no matter how many such events there might be, the luck argument will show that the agent failed to exercise freedom-level control over how it turned out. Instead, they argue, an adequate libertarianism will predicate the indeterminism of a *continuous process*. On such a libertarianism, an undetermined decision can be freely made for reasons, in such a manner that is not due to chance. Thus, the agent exercises freedom-level control over her decision, by exercising freedom-level control over the process of deliberation.

McCall and Lowe ask to imagine an agent, Jane, who is deliberating about whether to vacation in Hawaii or in Colorado. Like the agents Kane focuses upon in his account of free will (*exactly* like them, since the case is borrowed from Kane (1996)), Jane has strong but not decisive reasons for each option. Each option is epistemically open to her, in the sense that she believes that she is able to choose to vacation in either state, and to act upon her choice, and she does not yet know which she will choose. Accordingly, Jane deliberates about her options. If the entire process of deliberation is controlled by Jane, then she decides freely.

The deliberation process described by McCall and Lowe has the following characteristics. First, throughout the process, Jane's options remain open to her, which is to say (at least) that the neural states that correspond to either decision are continuously causally open. Second, Jane exercise freedom-level control throughout the deliberative process inasmuch as she not only *weighs* her reasons for and against each option, she also *weights* them. An agent weighs reasons when she attempts to discover how significant, all things considered, they are for *her*, given her values, preferences, goals and desires. An agent *weights* reasons when she cannot weigh them because they lack "ready-made weights" (p. 686). When reasons lack weights, the agent "must *assign* a weight or degree of importance to each reason" (p. 687). I take it that it is *because* Jane must weight, and not weigh, her reasons that indeterministic decision-making is a continuous process and not an event. Whereas there is an event that corresponds to weighing reasons, weighting (as McCall and Lowe conceive it) is a process.

Now, how do free agents go about weighting reasons? McCall and Lowe argue that weighting is a rational process. It is Jane's rational judgment that assigns weights. Before she decides, she does not know where she will vacation. "She employs her reason to find out, using her judgment to adjudicate between the competing claims" (p. 688). It is, McCall and Storr tell us, Jane's judgment that weighs and weights her reasons, not random or unpredictable events. For this reason, "the process is strictly under her control" (p. 688).

II. Assessing the Process View

Kane's version of event-causal libertarianism fails to deliver freedom-level control that is unavailable on the best compatibilist accounts. Does McCall and Lowe's account do better? I shall argue that it does not. I shall claim that it, too, is vulnerable to the luck objection: on the process indeterminist view, the agent's assignment of weights to her reasons can *only* be a matter of chance.

McCall and Lowe concede, as they must, that were God to replay Jane's decision, the result might turn out differently. They must concede this because Jane's decision was *undetermined*: only if one alternative had sufficient conditions prior to her choice would it be the case that the result could not turn out differently, and indeterminism entails the absence of such sufficient conditions. Nevertheless, they insist, the different outcomes would not be due to chance. Why not? Because whatever Jane chose, "she would do so for a reason, and something that happens for a reason does not happen by chance" (pp. 684–5). But Kane can make exactly the same claim. Kane argues that agents like Jane are responsible for their decisions because whichever choice she makes she was trying to make, and she was trying to make it because she had (strong though not decisive) reasons for it. No matter how she decides, on Kane's view, she decides for reasons.

Why is Kane's account widely held to be inadequate, despite the fact that on it agents make decisions for reasons? The objection is this: on Kane's view reasons do not explain the *very decision that is held to be the locus of free agency*. The agent's reasons explain why she is choosing between these options, and not others (Jane's vacation deliberations will not end with her deciding to vacation in Afghanistan, or to take up yoga). But they do not explain her choosing Hawaii over Colorado, or vice-versa. In other words, the luck objection focuses on the contrastive fact, <that the agent chooses to ϕ rather than to ψ >, even though she has strong reasons for both. What explains this contrastive fact? Invoking the agent's reasons do not help: they have, as it were, got her this far, but since (by hypothesis) she does not have decisive reasons for ϕ -ing or for ψ -ing, they can take her no further. Instead, the contrastive decision is left to chance. Nothing about the agent, her character, judgment or reasons, explains the contrastive fact; it seems that it is a matter of chance which option she chooses.

If McCall and Lowe are to avoid the luck objection, it is not enough for them simply to point out that on their model agents choose for reasons. Instead, they must show that the agent's free choice *itself* is explained by reasons (or, in any case, explained by something other than chance). In other words, the reasons explanation must apply to *the contrastive fact*, <that Jane chooses Hawaii over Colorado>.

Their model cannot explain this contrastive fact, and therefore does not constitute an advance over Kane's, I contend. The central element of their account, the insistence that agents *weight*, and not merely weigh, their reasons ensures that McCall and Lowe are unable to explain the relevant contrastive fact.

Consider how an agent might go about assigning weights to her reasons. Suppose, first, that Jane assigns weights to surfing and to white-water rafting, and that this assignment is made without any reference to what her reasons are prior to the assignment. In that case, the assignment is *entirely* arbitrary. If Jane's weightings are not to be arbitrary, they had better be something that she does in the *light* of her reasons. On the other hand, Jane's weighting had better not be done simply by her *discovering* what weights her reasons have for her: if that's all weighting comes down to, it is merely a more indirect manner of weighing. Weighting had better be done in the light of reasons, without being done *for* reasons.

By ensuring that weighting is done in the light of reasons, McCall and Lowe avoid the charge that Jane's weighting is entirely arbitrary: Jane will not choose Afghanistan or yoga when she deliberates between Colorado and Hawaii. In *this* sense, Jane chooses for reasons. But the fact that McCall and Lowe must explain is, once again, not that <whichever option Jane chooses she chooses because she has reasons in favor of it>. Instead, it is the contrastive fact <that Jane assigns a greater weight to one of the options for which she has reasons than the other for which she has roughly equal reasons>. That Jane's weighting is made in the light of reasons ensures that the first fact is explained, but her reasons are *necessarily* powerless to explain the second, contrastive, fact. Jane has (prior to her weighting of her reasons) reasons for both options, but no *decisive* reasons for either. Her reasons got her this far, but they can take her no further. If her reasons explained that contrastive fact then she would not be *weighting* them; she'd be weighing them. There cannot be a reasons explanation for the weighting of reasons, because the reasons that would explain the weighting are the weighted reasons *themselves*. There is, once again, a reasons explanation available of why Jane deliberates between Colorado and Hawaii, and not Afghanistan or yoga, but if Jane's decision assigns a weight to her reasons, then a reasons explanation of that decision itself cannot be given.

What does explain the contrastive fact that Jane assigns a greater weight to, say, surfing than to white-water rafting? We can say about this weighting almost precisely what we said about the analogous decision of an agent who satisfies Kane's conditions on free choice. What brings it about that she ϕ s or ψ s (where ϕ -ing is assigning a greater

weight to surfing and ψ -ing is assigning a greater weight to white water rafting)? Nothing—nothing about *her*, her reasons, desires, volitions, or tryings—except luck. She does not control *which* alternative she weights more heavily; it's simply a matter of chance. *We* do not control the indeterministic process which settles how we assign weights. We do not exercise freedom-level control *over the very element that is supposed to ensure our freedom*. Since McCall and Lowe's account of indeterminist free will is vulnerable to the same objection that ensures that Kane's is no advance over an adequate compatibilism, it is not itself an advance over Kane's view.

McCall and Lowe hoped that their account would finally deliver the unflawed statement of libertarianism the lack of which Wiggins (1973) lamented more than three decades ago. By the standards they set themselves, they have failed. If it is possible to formulate an account of libertarianism that avoids the luck objection, without of course suffering from some other flaw at least as serious, we have yet to see it. Wiggins's call remains unanswered.

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