Philosophical Explorations, Vol. 10, No. 1, March 2007

Routledge
Taylor & Francis Group

THE APPEARANCE OF FREEDOM

Randolph Clarke

This paper develops three points in response to Habermas's 'The Language Game of Responsible Agency and the Problem of Free Will.' First, while Habermas nicely characterizes the appearance of freedom, he misconstrues its connections to deliberate agency, responsibility, and our justificatory practice. Second, Habermas's discussion largely overlooks grave conceptual challenges to our idea of freedom, challenges more fundamental than those posed by naturalism. Finally, a physicalist view of ourselves may be able to save as much of the appearance of freedom as can the anti-physicalist naturalism that Habermas recommends.

KEYWORDS ability to do otherwise; appearance of freedom; deliberation; Frankfurt cases; free will; justification; luck; naturalism; physicalism; responsibility

We deliberate and act under the idea of freedom. Yet a conception of ourselves as thoroughly natural beings seems to threaten this conviction. Such is the conflict that Jürgen Habermas addresses in his illuminating lead article for this journal.

I am in agreement with much of what Habermas has to say; but as is customary, I shall direct my comments to points of difference, focusing on the following three issues. First, while Habermas nicely characterizes the appearance of freedom, he misconstrues its connections to deliberate agency, responsibility, and our practice of demanding and providing justifications. Second, his discussion largely overlooks grave conceptual challenges to our idea of freedom, challenges more fundamental than those posed by naturalism, difficulties that must be faced equally by an anti-naturalist. Finally, I shall briefly suggest that a physicalist view of ourselves may be able to save as much of the appearance of freedom as can the anti-physicalist naturalism that Habermas recommends.

1. The Phenomenology of Intentional Agency

In deliberating about what to do, one typically takes it for granted that one is able to pursue each of the courses of action one is considering. In the minimal case, where one considers whether or not to *A*, one takes it for granted that one can *A*, and one takes it for granted that one can refrain from *A*-ing.

Habermas aptly identifies the two key elements of the presumed abilities: alternate possibilities and self-determination. In deliberating about whether or not to *A*, one presumes that it is open to one to *A* and that it is open to one not to *A*; and one presumes that it is up to oneself whether or not one *A*-s. And in making and carrying out the decisions

ISSN 1386-9795 print/1741-5918 online/07/010051-7

DOI: 10.1080/13869790601170136

that culminate practical deliberation, it generally seems to one that one is determining, oneself, which of a plurality of alternatives one will pursue.

Connected to this first-person appearance of freedom, as Habermas notes, is our view of ourselves and each other as typically responsible for what we do. Just how close is the connection is a question to which I shall return shortly.

Habermas sees this presumption of free will as arising from the reflective weighing of reasons in practical deliberation and from the related practice of demanding and offering justifications for our actions. We can be called upon to give reasons—justifying reasons—why we have done something in particular, and when so called to account we are obliged to provide what is demanded. Free will, he says, is a necessary presupposition of this practice.

However, the deliberative weighing of reasons, the formation of attitudes on that basis, and the practice of demanding and providing justification cover much more than intentional agency. And we do not suppose that we exercise free will with respect to many of the things covered by this practice.

Practical decisions are formations of intentions. We take them to be, themselves, intentional actions, and free if any actions are. Indeed, it is often thought that the freedom of any other actions stems from the freedom of practical decisions. But there are other sorts of deliberation, and other sorts of culminating decisions, also subject to demands for justification, which we do not presume to be exercises of free will.

We make up our minds not just what to do, but also how things stand in some matter, for example, whether Oswald acted alone. In so doing, we form beliefs on the basis of theoretical reasoning. While engaged in such cognitive deliberation, as also in the case of practical deliberation, we take it for granted that we are responsive to reasons and can form our attitudes on the basis of our assessments of reasons. And after the fact, we often face and comply with demands for justification for the beliefs we have formed.[1]

There is also what may be called conative deliberation and decision: we sometimes deliberate and form preferences, and we can do so even apart from any plan to act on them. Again, while engaged in such deliberation, we typically take ourselves to be reason-responsive; and subsequently we may be called to account for our desires, a demand that we are sometimes able to meet.

Although some philosophers allude to our freedom and responsibility with respect to belief and desire,[2] it does not seem that we exercise over these attitudes the sort of free will that Habermas characterizes. While engaged in cognitive or conative deliberation, we do not typically think that, however we may conclude, we are able to do otherwise. The reason-responsiveness of belief and desire, and our practice of demanding and providing justifications for them, do not ground such a presumption of free will with respect to them. (The appropriate responsiveness of belief, at least, seems entirely consistent with determination by evidence and epistemic reasons.)

So it is with many other attitudes. We can be called upon to justify anger, resentment, respect, or admiration. And when we find that we lack justification for such attitudes that we hold, we often cease to hold them. But, again, we do not suppose that we exercise free will with respect to these attitudes.

Forming beliefs or desires, becoming angry, or coming to admire are not intentional actions. Our characteristic presumption of free will is tied to something pertaining more specifically to intentional agency, and not to the broader feature of reason-responsiveness or the practice of demanding and providing justification.

When it comes to deliberate intentional agency, the presumption is deeply rooted. And yet, even here, contrary to what Habermas says, it is not conceptually necessary. A rational agent might, at least on occasion, sensibly deliberate and act without it.

Suppose that a certain individual, John, thinks that determinism may well be true, and suppose that John is also inclined to believe that if determinism is true, then no one can ever do other than what he actually does. John thinks, then, that perhaps he (and everyone else) lacks the ability to do otherwise. Still, John has no reason to think that his general capacity to find, assess, and decide on the basis of practical reasons is at all diminished. He thinks that, if his decisions are determined, the determination typically works via his practical reasoning, not in a way that bypasses it. When considering whether to *A* or to *B*, John does not know which of these (if indeed either) it is determined that he will do, and he prefers his action to be governed by his deliberation. About this decision, John believes the following: if there is better reason to *A*, then, in a satisfactorily efficient way, I can find it; if I find better reason to *A*, then I can forthwith decide to *A*; if I decide to *A*, I can *A*; and likewise with regard to *B*-ing. John might consistently believe all these things without believing that he can *A* and without believing that he can *B*. (The conjunction of these conditionals does not entail that John can do otherwise, and John does not believe that it does.) It is conceptually possible, in these circumstances—and I think psychologically possible as well—for John to deliberate about whether to *A* or to *B* without believing that he will exercise free will (without believing that he will have the ability to do otherwise) when he makes his decision.[3]

The way we stand with respect to justifying reasons in practical deliberation does not render the presumption of freedom conceptually, or even psychologically, necessary. Agents who have doubts about the ability to do otherwise can, at least on occasion, sensibly believe something less than that they exercise free will when they act. We must take ourselves to be responsive to practical reasons, but the presumption of freedom goes beyond that.

Habermas likewise takes the presumption to be necessary to regarding oneself as a responsible agent, and again, I think, mistakenly. About Frankfurt cases, Habermas says that while an observer of the agent may see that the agent cannot do otherwise, we must suppose that the agent herself is unaware of the would-be intervener and believes that she is able to do otherwise. But the claim is mistaken. In Frankfurt's (1969) own examples, if the agent were about to do something other than what the controller wants her to do, some sign would trigger this readiness, and the controller would then intervene. Suppose the agent is aware that she is in such a situation. She realizes that she can perform the deed on her own or allow the triggering event to occur and then be made to perform the deed. Suppose that she wants to perform the deed anyway, and does so on her own, utterly unmotivated by her awareness of the would-be intervener.[4] If any agents in Frankfurt scenarios can be responsible despite not being able to do otherwise, this one can. Her awareness that she lacks the ability to do otherwise, then, does not undermine her responsibility, and it need not undermine her sense that she is responsible for what she does.

Suppose that John is a semicompatibilist;[5] he believes that responsibility is compatible with determinism even if (what John is inclined to believe) determinism precludes the ability to do otherwise. When John deliberates about whether to *A* or to *B*, he refrains from believing that he can *A* and that he can *B*, holding instead the conditional beliefs that I identified above. John may sensibly deliberate, and he may sensibly regard himself as responsible for what he does (even if, about the latter, he is mistaken).

I do not deny the oddness of deliberating and acting without taking oneself to have the ability to do otherwise. Perhaps, for some deep psychological reason, we cannot do so on a consistent basis. But it is a mistake to hold that we simply cannot deliberate without this presumption or that we cannot regard ourselves as responsible agents while denying that we have free will.

This fact should relieve some of the pressure that we might feel from a naturalistic conception of ourselves. For not all is lost if we must take the appearance of freedom to be at least partly illusory.

2. Some Conceptual Challenges

While it is the threat from a certain form of naturalism that Habermas wrestles with, the appearance of freedom faces conceptual difficulties that confront even anti-naturalist positions. In short, it is hard to see how, if free will is not compatible with determinism, it is possible at all, whether naturalism is true or not.

Suppose that our decisions, or our wills, or we, are outside of nature. Still, our decisions might be caused. Suppose, first, that they are caused in accord with deterministic laws—not laws of nature, of course, but causal laws governing these extra-natural causal relations. Then, with incompatibilism assumed (and Habermas assumes incompatibilism) our decisions are not free. Suppose, second, that our decisions are caused in accord with nondeterministic laws, such that typically, until a given decision is made, there remains some chance that the agent will make an alternative decision instead right then. Then, it seems, it is to a fatal extent a matter of chance—a matter of luck—which decision the agent makes right then. The imagined indeterminism does not seem to provide for, or even allow for, the self-determination that is required for free will. Suppose, third, that our decisions are caused by us—not by our states or by events involving us, but by us, by the continuing agents whose decisions they are. Suppose that typically, until a given decision is caused by its agent, there remains some chance that the agent will cause an alternative decision instead right then. Again, it seems, it is to a fatal extent a matter of luck which decision the agent causes right then. Moreover, it is not clear that what we are supposing now—that continuing agents, and not their states or occurrences involving them, are causes—is genuinely possible. Agent causation is a dubious notion.[6] Finally, suppose that nothing at all causes our acquisitions of intentions or the motions of our bodies. Then these intention-acquisitions are not decisions, and these bodily motions are not intentional actions at all. Since they are completely uncaused, we exercise no control at all with respect to them, but we exercise control over whatever is an intentional action.[7]

By imagining our decisions, or our wills, or ourselves, outside of nature, we gain no evident advantage with respect to these conceptual difficulties. It remains hard to see how free will is possible at all, if it is not compatible with determinism.

Granted, in supposing ourselves, or our wills, or our decisions, to be extra-natural, we might say that we act through the causality of freedom, or that of reason, or something of that sort. But what thought do we convey with such expressions? The possibilities seem to be exhausted by those already canvassed, and they all appear problematic.

What of causation not governed by laws—anomic causation? This is Habermas's suggestion, anomic causation within nature, with nature conceived as something broader than the subject matter of the natural sciences. Does this suggestion evade the conceptual difficulties? I do not see how.

Anomic causation would not be deterministic. Whether it might involve determinate probabilities is less certain. Perhaps individual causes might establish determinate probabilities of outcomes without being governed by laws. But even if it did not involve determinate probabilities, it would be chancy in a broad sense: given the causally prior conditions, there would remain, until the outcome occurred, a chance of something different occurring instead right then. And then the problem of luck would arise. Given the agent's appreciation of her reasons, it might remain open that the agent will decide one way, and open that she will decide a second way instead. But how are we to conceive of the outcome as something other than a matter of chance? How are we to conceive of the agent's determining, herself, which way she decides? The denial of nomicity does not seem to help at all with this problem.

Perhaps, contrary to Habermas's assumption (and what I, too, am inclined to believe), free will is compatible with determinism. If not, perhaps it is simply impossible. It is hard to see how any form of indeterminism could help. And with respect to these conceptual difficulties, it does not seem to matter whether we suppose our decisions, our wills, or ourselves to be within nature or without, or within or without a lawless sub-realm of nature.

3. Physical Freedom

Despite his invocation of postmetaphysical thinking, Habermas seems ready to embrace some heavy-duty metaphysics when he recommends what he calls weak naturalism. The proffered picture is one of a multi-layered world containing both physical and weakly (and perhaps also strongly) emergent properties, with nomic causation as well as an anomic causality of reasons, and causal lines running upward as well as downward. Though reasons are said to reside within nature, they are consigned to a sub-realm impenetrable by natural science. Whatever the warrant for these extravagant conjectures (and I am skeptical of its strength), the view seems unlikely to accomplish any more than can a much more austere one when it comes to saving the appearance of freedom.

Consider the following schematic suggestion. There are in space-time vastly many physical simples (perhaps of only a few fundamental types, perhaps just quarks and leptons), their intrinsic physical properties, and physical relations among and arrangements of these simples. There is nothing over and above this. (Alternatively: there is the one big physical thing—space-time, perhaps—with its distribution of physical properties; but I shall stick to the first version.) This is not to say that there are no such things as planets, tables, or human beings. Planets, tables, and human beings are, on this picture, ways in which physical simples are arranged; since these arrangements are thoroughly real, so are the planets, etc. States of planets, tables, and human beings are complexes of the states of the simples that compose them. Causation by states of planets, etc. is causation by such complexes, nothing more (and nothing less) than that.

There are no levels of reality on this picture, only levels of description. Something correctly described as a table may be also correctly described as a massively complex way in which quarks and leptons are arranged. Something correctly described as a belief that Paris is the capital of France may be also correctly described as a certain complex of properties within a certain arrangement of particles. The identifications are not ones of translation, the relations not semantic or conceptual. It is, in each case, simply a matter of there being a single thing variously described.[8]

Different semantically irreducible explanations for a single outcome may peacefully coexist on this picture. An explanation invoking tables is not ruled out by one invoking only elementary particles, even when the two are offered to explain the same outcome.

Such a view, I contend, can allow for the intentional behavior of human agents that is appropriately caused by their beliefs and desires, their grasp of reasons and their assessments of those reasons' relative strengths.[9] Rational and neurological causes are not competitors on this view; they are the same causes, differently described. The view can allow for multiple non-conflicting explanations of human behavior, some in the vocabulary of folk psychology and others in that of physics or neuroscience. It can allow for agents' exercising sophisticated capacities for practical reflection. It can, I think, come as close as any view to securing what is required for free will. It is, for one thing, not wedded to determinism, leaving that question to be settled by empirical investigation. Whether, even with indeterminism, the view allows for the required self-determination is uncertain; but as I indicated above, no advantage seems to be gained on this point by rejecting physicalism.

Habermas, I think, would raise numerous objections to these contentions. I have already replied to the contention that anomic causation is needed to secure freedom. Due to limitations of both space and expertise, I shall have to be selective and very brief in responding, but I expect that other commentators will take up some of these matters at greater length.

Habermas takes it that reasons stand in semantic relations and cannot be nomic causes. In philosophical writing, reasons are variously understood as facts or states of the world, as intentional objects of mental states such as belief and desire, and as such mental states themselves. The contents of mental states may, of course, have semantic features such as truth or falsity and may stand in semantic relations such as entailment or contradiction. States with such contents may, like assertions, derivatively have such properties and stand in such relations, as a belief may be false or two beliefs may contradict each other. Such contentful mental states can, I contend, be causes and effects, governed by causal laws if any causes and effects are. Nomic causes, even if the laws are deterministic, need not exert coercive force; the distinction between determination and coercion that is standardly drawn by compatibilists is one that we all, incompatibilists included, should accept. Similarly, explanation that identifies nomic causes does not entail illness or incapacity; neurologically explained outcomes might be exercises of sophisticated rational capacities.

Habermas sees a conflict between the normativity of reasons—and of thoughts—and the 'objectivating' characterizations provided by the natural sciences. I am not sure that anyone has provided, or will do so, a satisfactory naturalistic account of normativity, but I see little reason to think that scientific explicability is incompatible with it. There is normativity in biological systems and organisms—things a heart ought to do, ways an embryo should develop. Developments that either fulfil or depart from these norms can be described and explained in ways that do not mention the norms; but that fact does not preclude the normativity.

Habermas also takes reasons to have a social or cultural dimension. Many do, but some, such as some of my reasons not to stick my hand in a fire, have no interesting social character. In any case, with institutions and cultural practices conceived along the lines of the above-sketched physicalist picture, I see no greater fundamental difficulty in understanding socially grounded reasons than in understanding any others.

There may well be empirical reasons for denying this sort of physicalist view. But I remain unconvinced that such a denial will help us understand how we could have free

will. If my remarks on this point seem too quick or uncomprehending, they might at least be offered as an invitation to Habermas, and those who share his discomfort with physicalism, to better explain their position.

NOTES

1. I examine cognitive deciding more fully, and contrast it with practical deciding, in Clarke (forthcoming).
2. See, for example, Pettit and Smith (1996), Scanlon (1998, 21–22), and Smith (2005).
3. See Clarke (1992) for a more detailed discussion of this issue.
4. The agent here would resemble Frankfurt's (1971, 19–20) willing addict, although in the addict's case conditions that preclude the ability to do otherwise seem to be causally effective.
5. Fischer (1994) defends this view.
6. I have defended agent causal views from several standard objections, but in the end I am inclined to think that agent causation is impossible. For an extended discussion, see Clarke (2003, chap. 10).
7. See Clarke (2003) for an examination of the conceptual difficulties facing libertarian (indeterministic) accounts of free will.
8. Heil (2003) provides extensive discussion of such a view.
9. How, one might ask, do we account for thoughts—or more generally, intentional states—on this view? Heil (2003, chap. 18) suggests an account of intentionality as grounded in the intrinsic dispositions of intelligent beings. There are of course other possibilities, but Heil's suggestion strikes me as promising.

REFERENCES

CLARKE, RANDOLPH. 1992. Deliberation and beliefs about one's abilities. *Pacific Philosophical Quarterly* 73: 101–13.

———. 2003. *Libertarian accounts of free will*. New York: Oxford University Press.

———. Forthcoming. Making up one's mind. In *Action, ethics, and responsibility: Topics in contemporary philosophy*. Vol. 7, edited by Joseph Keim Campbell, Michael O'Rourke, and Harry Silverstein. Cambridge, Mass.: MIT Press.

FISCHER, JOHN MARTIN. 1994. *The metaphysics of free will: An essay on control*. Oxford: Blackwell.

FRANKFURT, HARRY G. 1969. Alternate possibilities and moral responsibility. *Journal of Philosophy* 66: 829–39.

———. 1971. Freedom of the will and the concept of a person. *Journal of Philosophy* 68: 5–20.

HEIL, JOHN. 2003. *From an ontological point of view*. Oxford: Oxford University Press.

PETTIT, PHILLIP, and MICHAEL SMITH. 1996. Freedom in belief and desire. *Journal of Philosophy* 93: 429–44.

SCANLON, T. M. 1998. *What we owe to each other*. Cambridge, Mass.: Belknap.

SMITH, ANGELA M. 2005. Responsibility for attitudes: Activity and passivity in mental life. *Ethics* 115: 236–71.

Randolph Clarke, Department of Philosophy, 151 Dodd Hall, Florida State University, Tallahassee, FL 32306-1500, USA. E-mail: rkclarke@fsu.edu.