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FREE WILL AND CONTEXTUALISM

ABSTRACT. This paper proposes a contextualist solution to the puzzle about free will. It argues that the context-sensitivity of statements about freedom of the will follows from the correct analysis of these statements. Because the analysis is independently plausible, the contextualism is warranted not merely in virtue of its capacity to solve the puzzle.

I

A striking parallel has often been noticed between the puzzle about free will and the puzzle about skepticism. Recently a number of philosophers have argued that a *contextualist* approach offers an intuitively satisfying solution to the skeptical problem. This paper develops a contextualist solution to the puzzle about free will.

Consider the perfectly ordinary action of Emma's raising her hand in normal circumstances. The free-will puzzle can be expressed as an apparently inconsistent set of three statements:

- (1) Emma raised her hand freely.³
- (2) If Emma's raising her hand is the product of a causal chain going back to something other than Emma, then her raising her hand was not free.
- (3) Emma's raising her hand is the product of a causal chain going back to something other than Emma

What is puzzling is that (1)–(3) seem jointly inconsistent, yet each ordinarily seems either true or at least true for all we know. This is certainly the case with (1): we do ordinarily think of such normal, unconstrained actions as free. Yet (2) also seems true on reflection. As to (3), it is true if global determinism is true.

Moreover, only some interpretations of quantum mechanics are indeterministic.⁴

Each of the major positions in the free-will debate can be classified according to which of these three statements it denies. And the main weakness of each position is that denying any of these statements either is intuitively implausible in itself or implies something else which is implausible. Hard determinists and other skeptics about free will such as Galen Strawson of course deny (1). Yet this is precisely what makes hard determinism so difficult to accept. Most people cannot accept that such ordinary actions as raising one's hand or going out for a walk are not free. Compatibilists deny (2), but this just sounds self-contradictory. It simply does not sound right to say

 (~ 2) Emma's raising her hand is the product of a causal chain going back to something other than Emma, but her raising her hand was free.

Finally, (3) is denied by libertarians. The problems for this view are a little different from those facing the other two. The main obstacle to libertarian theories is not the implausibility of denying (3), but the difficulty in developing a reasonable account of incompatibilist agency.⁵

The puzzle about skepticism is remarkably similar. To use a well-known example from Fred Dretske (1970), suppose that Tom is looking at a zebra in a zoo in normal circumstances. Surely Tom knows that this animal is a zebra. Yet now consider the skeptical possibility that the animal in front of Tom is not a zebra but a cleverly disguised mule. If the disguise were clever enough it would fool Tom (who is no biologist). Now, does Tom know that this animal is not a cleverly disguised mule? It seems not. Finally, consider the conditional: if Tom does not know that this animal is not a cleverly disguised mule, then he does not know that it is a zebra. This appears to be true as well. After all, if Tom cannot rule out the possibility that it is a cleverly disguised mule, then how can he be sure that it is a zebra? If it were a cleverly disguised mule, Tom would still have thought that it was a zebra. But now we seem to have accepted three statements which are jointly inconsistent:

- (4) Tom knows that this animal is a zebra.
- (5) If Tom does not know that this animal is not a cleverly disguised mule, then he does not know that it is a zebra.
- (6) Tom does not know that this animal is not a cleverly disguised mule.

The two puzzles are alike in a number of ways. Each of course consists of a set of three apparently inconsistent statements. Each puzzle involves a concept (free will/knowledge) which concerns our own fundamental capacities, and in each case the first statement is a perfectly ordinary instance of the concept. The second statement is a conditional which states a very reasonable necessary condition for the application of the concept, and the third statement is the plausible, or at least not unlikely, claim that this condition is not met in the ordinary case under consideration. Finally, the puzzles are easily generalizable so that they would threaten nearly any application of the concept in question. The free-will puzzle calls into question any human being's ever having free will, and the skeptical puzzle seems to undermine all less-than-infallible knowledge.⁶

Standard solutions to the skeptical puzzle, like solutions to the puzzle about free will, can be classified according to which of the three statements they deny. And the main objection to each of the standard solutions to the skeptical puzzle is that each statement is difficult to (reasonably) deny. Epistemic skepticism, which denies (4) may be the most incredible. It is very hard to accept that we do not know any of the things that we believe as a result of our senses. Fallibilists deny (5), but this too seems wrong, for it entails accepting

 (~ 5) Tom does not know that this animal is not a cleverly disguised mule, but he does know that it is a zebra.

Perhaps Keith DeRose exaggerates when he calls this sort of sentence an "abominable conjunction" (DeRose, 1995, p. 28), but it does seem an *implausible* conjunction. Like (~2), it just sounds self-contradictory.⁷ Finally, (6) is denied by "Mooreans": they claim that the fact that (4) and (5) are both true

shows that (6) is false. But again this faces the objection that intuitively (6) very much seems true.

Thus there are two main problems with all of the standard solutions to the skeptical puzzle. First, each one – skepticism, fallibilism, and Mooreanism – appears arbitrary. Each solves the puzzle by giving up one of the three statements. Now clearly we can use the apparent joint inconsistency of these statements as an argument against any one of them. But why this one rather than another? *Prima facie* each of them seems true. The second problem is that each of the three standard solutions comes at a high price, for each entails denying a statement which (at least in some contexts) appears eminently credible.

П

Contextualist solutions to the skeptical puzzle avoid these problems by claiming that the truth value of a sentence which ascribes knowledge depends not just on the situation of the person to whom knowledge is being ascribed but also on the circumstances of the ascriber. So when contextualists say that knowledge ascriptions are context-sensitive, they do not mean simply the obvious fact that whether "S knows that P" is true depends on S's relation to P, which can of course vary with context. The contextualist's point is that in addition the truth value of "S knows that P" depends on certain facts about us, i.e., those who make or evaluate the knowledge ascription, and thus that a change in our circumstances can alter the truth value of the sentence. Which facts? According to contextualism, (4) is true in an ordinary context but false in a context in which we are considering skeptical possibilities such as cleverly disguised mules.8

Some contextualists, such as DeRose, put the point in terms of "raising the standards" for knowledge attributions. In a normal context the standards are relatively low. That is to say, in order for (4) to be true in a normal context, Tom need not be able to rule out unusual skeptical possibilities such as cleverly disguised mules standing in place of zebras. But in a context in

which we (note: not Tom) are thinking about such skeptical hypotheses, the standards rise. Now the important point here is that our thinking about a sentence such as (5) or (6) is sufficient to make the context one in which we are thinking about a skeptical hypothesis. Thus when we ask ourselves whether (5) is true, this very question changes the context into one in which a skeptical hypothesis is salient to us. Thus, according to the contextualist, the standards for knowledge ascriptions rise such that, in order for Tom to be truly said to know, he must be able to rule out skeptical hypotheses such as this one. Thus (5) is true *in any context in which we are thinking about it.* But this does not mean that (5) is true *in every context*.

Much the same is true of (6), according to the contextualist. In thinking about (6) we are thereby thinking about a skeptical hypothesis. This means, according to the contextualist, that the standards for knowledge ascriptions go up, and hence (6) is true in any context in which we are thinking about it. Moreover, according to the contextualist, (4) is false in a context in which we are considering (5) or (6). Again, this is because considering (5) or (6) raises the standards such that Tom, being unable to rule out skeptical hypotheses such as cleverly disguised mules, cannot truly be said to know that this is a zebra.

Thus the contextualist gets to have his cake and eat it (in different contexts, of course). Contextualism says that (4) is true in an ordinary context but becomes false in a context in which we are thinking about sentences such as (5) or (6). And, importantly, when we stop thinking about such skeptical hypotheses, (4) reverts to being true. This is one of the most attractive features of contextualism: it is consistent not only with the fact that when we imagine a skeptical possibility knowledge seems to be destroyed, but also with the fact that when we *cease* to think about such possibilities, knowledge seems thereby to reappear.

Another merit of contextualism is of course that it coheres with our intuitions that each of (4)–(6) is true. The contextualist says that each is true – in the appropriate context. While (4) is true in an ordinary context, (5) and (6) are true in a context in

which we are considering skeptical hypotheses – which of course is any context in which we are considering (5) or (6). Thus the contextualist solution to the skeptical puzzle avoids the major drawbacks of the standard solutions. It does not arbitrarily reject one of (4), (5), or (6) while retaining the others. Nor does it contradict our intuitions that in an ordinary context (4) is true, and that (5) and (6) are also true.

The contextualist strategy can also be applied to the puzzle about free will. Suppose for the sake of argument that (3) is true. (Otherwise the puzzle does not arise.) Then a free-will contextualist will say that in an ordinary context (1) is true and (2) is false, but in a context in which we are thinking about causal chains of the sort mentioned in (2) and (3), (2) is true. We can put this in terms of differing standards for ascriptions of free will. In an ordinary context, the standards for ascribing free will to an agent are relatively low, and hence (1) is true and (2) is false. But when we think about (2), this makes the standards go up and thus (2) becomes true. Moreover, in this context (where the standards are higher) (1) is false. Finally, when we stop thinking about the remote causes of Emma's action as mentioned in (2) and (3), the standards go back to normal, so that even if (3) is true, (1) nevertheless becomes true again.

Of course the success of the contextualist strategy ultimately requires a credible mechanism to explain why the truth of ascriptions of free will depends on what we are thinking about in just these ways. But the search for such an explanation is certainly worth undertaking since the contextualist strategy promises an intuitively satisfying resolution of the puzzle. If it works, contextualism will avoid the problems facing the standard solutions. Unlike hard determinists or other skeptics about free will, the contextualist claims that our ordinary ascriptions of free will such as (1) are – in their ordinary contexts – true. Unlike compatibilists, the contextualist does not have to assert such seemingly contradictory conjunctions as (~ 2) . And, unlike libertarians, the contextualist does not need to deny that our actions are caused by events outside of us, nor does the contextualist need to endorse a theory of uncaused agency.

Ш

It is one thing to claim that ascriptions of knowledge or free will are context-sensitive and that this solves the puzzle; it is another to explain this context-sensitivity. David Lewis proposes the following analysis of knowledge:

S knows that P iff S's evidence eliminates every possibility in which not-P – Psst! – except for those possibilities that we are properly ignoring. (Lewis, 1996, p. 551)

Lewis then enumerates several rules for what counts as proper ignoring of possibilities. But, he points out, given that a possibility is not ignored, it is not properly ignored. This explains why the truth value of a knowledge ascription can depend on which possibilities we are thinking about. In an ordinary assertion of (4), we are ignoring the possibility of cleverly disguised mules (and Lewis's rules ensure that this possibility is properly ignored). Therefore in an ordinary context (4) is true. But when we consider (6) we are not ignoring this possibility. Thus it cannot be properly ignored. So, in a context in which we are considering (6), (6) is true. According to Lewis, then, (6) is true in any context in which we are thinking about it, but false in contexts in which we are not thinking about it (or about cleverly disguised mules in general).

John Hawthorne sketches a contextualist account of freedom modeled on Lewis's contextualist theory of knowledge. Hawthorne writes:

I shall use the notion of a "causal explainer of an action," which is simply a state of affairs which provides an adequate causal explanation of an action. Here is the analysis:

S does x freely only if S's action is free from causal explainers beyond S's control - Psst! - apart from those causal explainers that we are properly ignoring. (Hawthorne, 2001, p. 68)

(Hawthorne points out that this provides only a necessary condition for freedom, not a sufficient one.) The idea is that causal explainers which are not ignored are *a fortiori* not properly ignored. Thus, once we (the ascribers of free will)

think about the fact that a person's actions are in all likelihood caused by factors beyond their control, we are no longer ignoring certain causal explainers. Therefore, we are not properly ignoring them, and hence in this context (the context of our considering these factors) the person is not free.

Although Hawthorne does not actually endorse this proposal, he does argue that it warrants serious consideration. As a contextualist approach to free will, Hawthorne's suggestion has the virtues of contextualist accounts in general: it would solve the puzzle in a manner which acknowledges the truth in our apparently competing intuitions.

The major drawback to Hawthorne's account is that the contextualism is unmotivated apart from its capacity to solve the puzzle. That is, no independent reason has been given for thinking that ascriptions of freedom are context-sensitive in the strong sense required by the contextualist. A similar objection can be made to Lewis's contextualist theory of knowledge. In addition, as Hawthorne acknowledges, the theory is incomplete since it does not spell out the rules for proper ignoring (as Lewis's theory does). Hawthorne suggests some strategies for filling in the details, but this work remains to be done.

IV

Rather than trying to develop Hawthorne's account, I shall propose a different contextualist approach to free will. Unlike Hawthorne's, this theory provides independent reason for thinking that ascriptions of free will are context-sensitive (beyond the fact that this solves the puzzle). Thus its contextualism is not *ad hoc*. My method for adapting the contextualist strategy to the free-will puzzle will be to show that the context-sensitivity of statements about free will follows from a certain analysis (in the traditional sense of necessary and sufficient conditions) of these statements – and that the analysis has support *independently* of the puzzle.

I propose the following analysis: to say that an agent did F freely is to say that

The agent caused F and in so doing was the original cause of F.

Although this analysis may appear to imply Chisholmian agent-causation, in fact it does not. The position defended by Chisholm (1964) is a conjunction of two theses: (i) actions are caused by agents, and (ii) causation by an agent is not reducible to causation by events. As J. David Velleman (1992) points out, (i) is part of our common-sense understanding of action, while (ii) is the controversial portion of the doctrine commonly known as "agent causation." Action theorists such as Velleman, who wish to steer clear of agent causation, maintain that statements about agents causing actions can be reduced to statements about events causing actions. So merely saying that the agent caused the action does not commit one to agent causation.

Still, the objector will point out that my analysis says more than that the agent caused the action: it says that the agent is the original cause of the action. If one thing is the original cause of another, must not the first be uncaused? Actually, no. We often say that A is the original cause of B even when we are not assuming that A is uncaused. A forest fire causes a house to burn down; the owner says that the destruction of the house was caused by the forest fire. Since she appears not to realize that the forest fire resulted from a lightning strike, her neighbor tells her: "Yes, but the original cause of your house's burning was lightning." If the lightning did indeed cause the forest fire, we would consider this statement true. Yet we are not thereby assuming that the lightning itself had no cause. A second example: two friends are discussing the unusually mild weather in their area. One says that the cause of the peculiar weather is a lingering high pressure system. The other replies, "Yes, but the original cause of the mild weather is El Niño, that disturbance they've been having in the tropical Pacific." Again, the second speaker's claim seems perfectly in order and in no way presupposes that El Niño was uncaused.

We have seen that there are contexts in which it would be true to say

(7) The original cause of the burning of the house was lightning.

But if the context shifts so that an earlier cause becomes salient, (7) may not be true – even though the facts about the fire are just the same. Suppose that in response to an utterance of (7), someone says:

(8) The lightning was caused by cold, dry air coming into contact with warm, moist air. So actually the original cause of the burning of the house was not lightning.

I think we would agree. Does this mean that we were wrong when we assented to (7)? No, the context has changed, and so have the standards for application of "the original cause." Since there is now a salient cause of the house's burning which is prior to the lightning, we do not wish to say that lightning was the original cause. The phrase "the original cause" thus appears to be context-sensitive. Whether something counts as the original cause can depend on what we are thinking about. Generalizing, we can endorse the following rule:

R1. In a context in which it is salient that something prior to A caused B, the sentence "A is not the original cause of B" is true. 14

Now suppose that instead of (8) someone says something weaker, namely,

(9) If the burning of the house is the product of a causal chain going back to something which is not lightning, then the original cause of the house's burning was not lightning.

I think we would agree that this is true. Likewise, the negation of (9) seems false, perhaps even self-contradictory:

 (~ 9) The burning of the house is the product of a causal chain going back to something which is not lightning, but the original cause of the house's burning was lightning.

The reason that (9) seems true is that antecedent itself makes salient the possibility that the house's burning is ultimately the product of something other than lightning. Merely uttering or thinking about the antecedent of (9) is sufficient to make this possibility salient. Thus we judge that, if the burning is ultimately the product of something other than lightning, then the

original cause of the burning was not lightning. Generalizing, we obtain a corollary of R1, namely:

R2. The sentence "If B is the product of a causal chain going back to something which is not A, then the original cause of B is not A" is true in any context in which it is uttered or considered.

Let's apply R2 to another example. We might in some contexts say that the original cause of the extinction of a certain species was the last ice age. But suppose that someone points out that the ice age itself probably had a cause, such as a change in the tilt of the Earth's axis. Now consider:

If the extinction is the product of a causal chain going back to something other than an ice age, then the original cause of the extinction was not an ice age.

This seems true, as is implied by R2.

Now it might be objected that "the original cause" is not context-sensitive, but rather absolute. That is, it might be claimed that to say that A is the original cause of B is to say that A is the beginning of the causal chain leading to B. A quick reply is that the locution "the beginning of the causal chain" is itself context-sensitive. In some contexts, we would say that the beginning of the causal chain leading to the burning of the house was lightning; in other contexts, where we were talking about the causes of the lightning, we would deny this. To this the objector might respond that when he claims that "the original cause" means the beginning of the causal chain, he means the absolutely first cause (in a non-context-sensitive sense). However, this simply is not credible, given the way we actually use the expression "the original cause." If the objector were right, every utterance of the form "A is the original cause of B" would be false - except perhaps where A is God or the Big Bang. Yet we do say such things as that the sun is the original cause of the earth's energy and that a certain virus is the original cause of a flu epidemic. 15

Unless we wish to maintain that nearly every time we say that one thing is "the original cause" of another we are mistaken, we ought to accept that this expression is context-sensitive. ¹⁶

Now, to return to free will, the analysis I have proposed is that to say that an agent did F freely is to say that the agent caused F and in so doing was the original cause of F. The expression "in so doing" is there in order to ensure that the agent's causing the action is one and the same as the agent's being the original cause of the action. Otherwise, the analysis would be subject to counterexamples of the sort proposed by David Blumenfeld (1988) in which a person freely puts himself in a situation where he will later be irresistibly controlled by a mind-control device. However, since nothing in my argument henceforth depends on this issue, I will for simplicity use a shorter version of the analysis, namely: to say that an agent did F freely is to say that

The original cause of F was the agent.

Consider again the second sentence of the puzzle:

(2) If Emma's raising her hand is the product of a causal chain going back to something other than Emma, then her raising her hand was not free.

Putting in the proposed analysis, we get:

(2a) If Emma's raising her hand is the product of a causal chain going back to something other than Emma, then the original cause of her raising her hand was not Emma.

Intuitively this seems true. And R2 explains why (2a) seems true: R2 entails that (2a) is true in any context in which it is uttered or considered.

At the same time, R2 does not entail that (2a) is true in every context. In particular, R2 does not entail that (2a) is true in a context in which we are not thinking about the possibility that Emma's raising her hand is the product of a causal chain going back to something other than her. Thus analyzing (2) as (2a) will explain why (2) is true in a context in which we are considering it but not true in an ordinary context. Forget for a moment about determinism in general and about (2) and (3) in particular, and just consider the proposed analysis of

- (1) Emma raised her hand freely, namely,
 - (1a) The original cause of Emma's raising her hand was Emma.

As expected, (1a) seems true in this context. When we are not thinking about possibilities such as that our actions are ultimately caused by events before our birth, we do ordinarily judge that the original cause of a normal action by a normal human agent is the agent. Thus the analysis explains why (1) seems true in an ordinary context.¹⁷

So the analysis generates just the sort of context-sensitivity needed to solve the puzzle. The claim is that statements about free will are, upon analysis, statements about the original cause of an action. Under ordinary standards for applying the expression "the original cause," it is true that "the original cause" of a normal human action is the agent. Thus in an ordinary context (1a) is true. So, according to the analysis, (1) is true in an ordinary context. Yet, when we turn our attention to (2a), the antecedent makes salient the possibility that Emma's action was ultimately caused by something other than her. The salience of this possibility makes (2a) true – in accordance with R2. Thus, according to the analysis, (2) is true in any context in which we are considering it.

Since (2) is true in any context in which we are considering it, it follows that if (3) "Emma's raising her hand is the product of a causal chain going back to something other than Emma" is also true, then (1) is false in such a context. So if (3) is true, then whether (1) is true depends on whether we are considering the possibility that Emma's action is the product of a causal chain going back to something other than Emma. That is exactly what the contextualist wants to say about the puzzle.

It is important to point out that, while I claim that the context-sensitivity of (2) is explained by rules R1 and R2, I have shown that these rules are warranted *independently of their capacity to provide a contextualist solution to the puzzle*, indeed *independently of agency and free will*. The support for R2 was that sentences such as (9) "If the burning of the house is the product of a causal chain going back to something which is not

lightning, then the original cause of the house's burning was not lightning" are true in any context in which they are uttered or considered. This means that the solution proposed here is not *ad hoc*. By contrast, a contextualist approach such as Hawthorne's which appeals to rules whose only justification is that they solve the puzzle can legitimately be criticized as *ad hoc*.

More generally, we can now explain the oft-noted tension among our beliefs about free will. On the one hand, we ordinarily think that most normal actions by normal human agents are free. On the other hand, reflection on the earlier causes of a person's behavior tends to weaken our belief in this freedom. What is occurring is a shift in context which affects our judgments about "the original cause" of an action – and hence, according to the analysis, our judgments about free will. In an ordinary context the standards for applying "the original cause" are relatively low, and so the agent is "the original cause" of his action. But in a context in which we are thinking about the likelihood that the action had earlier causes, such as the agent's upbringing or genetic endowment, the agent is less likely to be seen as "the original cause." This shift is explained by R1: "In a context in which it is salient that something prior to A caused B, the sentence 'A is not the original cause of B' is true."

V

I have shown that R1 and R2, the rules which generate the context-sensitivity, are warranted independently of the puzzle, in fact independently of considerations about agency. Now I want to show that the analysis itself is reasonable independently of the puzzle. We have already seen that the analysis is consistent with our ordinary judgments about cases of apparently free action like (1). It also straightforwardly explains why clear cases of unfree action are unfree. These cases generally involve someone's or something's *making* the agent act. If we judge that something made the agent act, we judge that something caused the agent to act, and so we judge that the agent was not the original cause of the action. Suppose that Jim is forced at gunpoint to hand over his wallet, and consider the sentence

Jim freely handed over his wallet.

This of course seems false. Now the analysis is:

The original cause of Jim's handing over his wallet was Jim.

This too seems false – since the original cause of Jim's handing over his wallet seems rather to be the demand by the robber.

But imagine a speaker who ignores the fact that Jim was being compelled to hand over his wallet. Couldn't this speaker truly say: "The original cause of Jim's handing over his wallet was Jim"? If so, then my analysis will imply that in this context the speaker asserts a truth when she says, "Jim freely handed over his wallet." This seems counterintuitive. My first reply is that while a speaker may ignore the fact that Jim was acting under compulsion, it is very difficult to ignore this fact while at the same time attending to the question of what is the original cause of Jim's action. Any speaker who is thinking about the original cause of Jim's handing over the wallet will find it very difficult to ignore the fact that Jim has a gun pointed at him.

Difficult, but not impossible. Imagine an unusual speaker who is capable of ignoring the compulsion while at the same time contemplating the question of the original cause. Can this speaker truly assert that "The original cause of Jim's handing over his wallet was Jim"? It seems not; not all ignorings are permissible. But then, like Lewis and Hawthorne, I face the challenge of specifying conditions for proper ignoring. Perhaps the best way to meet the challenge is to point out that when we say that A is the original cause of B, we are implicitly drawing a contrast to some other event which is not the original cause. For example, when we say that the original cause of the house's burning was lightning, the contrast is with the forest fire. Likewise, when we say that the original cause of the peculiar weather is El Niño, we are contrasting the high pressure system. In these cases the contrast is with an actual event that lies between A and B. In other cases, the contrast may be with other analogous events. For example, when we say of an ordinary action that the original cause was the agent, the contrast is with cases where something else (for example, disease or compulsion by another agent) caused the agent to act.

The implicit contrast can be brought out by imagining that we were to ask the speaker: "Original compared to what?" When we say that the original cause of the house's burning was the lightning strike, the answer is: compared to the forest fire. And when we say that the original cause of Emma's raising her hand was Emma, the answer is: compared to cases where another agent or perhaps a drug forced the agent to act. I propose, then, that to correctly say that A is the original cause of B there must be an implicit contrast. Now, what about our speaker who ignores the fact that a gun is pointing at Jim while she asserts, "The original cause of Jim's handing over the wallet was Jim"? If we ask this speaker, "Original compared to what?" there seems to be no answer available. This explains why it is improper to ignore Jim's compulsion in this case.

The problem we have been examining involves a speaker who ignores the fact that an agent is acting under compulsion. My first response is that this is difficult to do when the speaker is thinking about what the original cause of the action is. My second response is that if a speaker nevertheless does ignore the compulsion, this ignoring is improper because to say that A is the original cause of B is to imply that there exists a contrast – and there is no plausible contrast in this case.

The analysis also explains our judgments about cases which, as far as we know, rarely occur outside the imagination of philosophers and science-fiction writers, such as John M. Fischer's (1982, p. 37) "demonic neurologist who directly manipulates a person's brain to induce all his desires, beliefs, and decisions." Suppose that Sara is the victim of this neurologist: she goes out for a walk, but her decision to do so was produced by the demonic neurologist. In that case

Sara freely went out for a walk

seems false. And so does the analysis:

The original cause of Sara's going out for a walk was Sara.

Again, this seems false because it seems that the original cause of Sara's going out for a walk was something that the neurologist did.

The analysis also explains why the ability to have done otherwise is not necessary for free will. In a "Frankfurt scenario", a controller would have interfered in an agent's actions if necessary. But as it happens, the agent voluntarily does what the controller wants, and so interference is not necessary. The agent acted freely, but could not have done otherwise. The analysis that I have proposed explains why the mere fact that the controller would have interfered (had the agent not done what the controller wanted) does not annul the agent's freedom. The fact that the controller would have interfered does not mean that the agent is not the original cause of the action. Frankfurt, in explaining why the ability to have done otherwise is not necessary for responsibility, appeals to the absence of a causal connection between the action and what the controller would have done:

This, then, is why the principle of alternate possibilities is mistaken. It asserts that a person bears no moral responsibility – that is, he is to be excused – for having performed an action, if there were circumstances that made it impossible for him to avoid performing it. But there may be circumstances that make it impossible for a person to avoid performing some action without those circumstances in any way *bringing it about* that he performs that action. [Frankfurt (1988), pp. 8–9, emphasis added]¹⁸

In addition to explaining our ordinary judgments about free will, the analysis gains credibility from the fact that something like it has been endorsed – as at least a *prima facie* necessary condition for free will – by theorists on different sides of the debate. Many philosophers acknowledge the intuition that free will at least seems to require that the agent be *the original cause* or *the source* or *the originator* of his action. Richard Sorabji takes Aristotle to hold that "the concept of an action being up to us is connected ... with the concept of our being, or having within us, the 'origin' (*arche*) of the action" [Sorabji (1980), p. 234]. Susan Wolf writes, of cases such as hypnosis and kleptomania:

Although at one level the explanations for why these various agents are nonetheless exempt from responsibility may appear diverse, at another level they may seem fundamentally the same. For in each the problem is neither with the effectiveness nor with the content of the agent's will. It is rather with the source of the agent's will – with the fact that the agent is not in control of what the content of his or her will will be. The agents in these cases seem to be mere vehicles of change in the world rather than initiators of it. [Wolf (1990), p. 10]

According to Martha Klein, "... it is a condition of agent accountability that agents should be ultimately responsible for their morally relevant decisions or choices - 'ultimately' in the sense that nothing for which they are not responsible should be the source of their decisions or choices" [Klein, 1990, p. 51]. Gary Watson speaks of "the intuition that unless consent were undetermined, we would not truly be originators of our deeds" [Watson, 1987, p. 282]. 19 Galen Strawson claims that "in order to be truly morally responsible for one's actions one would have to be causa sui, at least in certain crucial mental respects" [Strawson, 1994, p. 21]. Similarly, Robert Kane writes: "An agent is ultimately responsible for some (event or state) E's occurring only if ... for every X and Y (where X and Y represent occurrences of events and/or states) if the agent is personally responsible for X, and if Y is an arche (or sufficient ground or cause or explanation) for X, then the agent must also be personally responsible for Y" [Kane, 1996, p. 35].

Several philosophers on different sides – Kane and Klein are incompatibilists, while Watson and Wolf are compatibilists – endorse at least the *prima facie* intuitive plausibility of something like my analysis as a necessary condition of free will. Thus the unoriginality of the analysis is one of its virtues. (What is original in my proposal is not the analysis itself, but rather the claim that the context-sensitivity of this analysis explains the context-sensitivity of ascriptions of free will.) By contrast, many proposed analyses of free will have been rejected by one side of the debate because they seem to beg the question about compatibilism. For instance, "conditional" analyses are said by incompatibilists to presuppose compatibilism. Likewise, to

analyze free action in terms of uncaused action would clearly beg the question in the other way.

VI

Free will is often considered a necessary condition of moral responsibility. It certainly sounds odd to say, for example,

(10) John is morally responsible for his action, but his action was not free.

Does a contextualist approach to free will imply contextualism about moral responsibility as well? Not necessarily. I will show that contextualism about free will is consistent with a number of approaches to moral responsibility.²⁰

One possibility is of course to combine the contextualism about free will with contextualism about moral responsibility. The two theories are attractive in some of the same ways. A puzzle parallel to that of (1), (2), and (3) arises for moral responsibility (if we suppose that Emma's raising her hand has some moral significance): Emma was morally responsible for raising her hand; if Emma's raising her hand is the product of a causal chain going back to something other than Emma, then she was not morally responsible for raising her hand; and Emma's raising her hand is the product of a causal chain going back to something other than Emma. Perhaps this puzzle ought to be solved contextually too. A contextualist approach to moral responsibility would cohere with the intuition that no utterance of (10) is true, just as contextualism about free will implies that no utterance of (~ 2) "Emma's raising her hand is the product of a causal chain going back to something other than Emma, but her raising her hand was free" is true. The claim that ascriptions of moral responsibility are context-sensitive may be more congenial to some theories of moral responsibility than others. It may fit well, for example, with "expressivist" theories such as that of Strawson (1962).

However, it is also possible to combine contextualism about free will with non-contextualism about moral responsibility. One way is to claim that while judgments about free will are context-sensitive, moral responsibility requires that an action be free in every context of utterance. That is, moral responsibility requires that the agent be the absolutely first cause (in a non-context-sensitive sense) of his action. In effect, this is contextualism about free will combined with incompatibilism about moral responsibility. This approach is also consistent with the intuition that no utterance of (10) is true.

A third possible position is that free will is context-sensitive, moral responsibility is not, and yet we are often morally responsible even though determined. When do we have moral responsibility on this view? Here we can appeal to compatibilist accounts of responsibility, such as that we are morally responsible as long as our choice is based on our second-order desires. This view amounts to contextualism about free will plus compatibilism about moral responsibility. It implies that some utterances of (10) may be true, which is certainly surprising. But the oddity of (10) is no greater than that of (\sim 2), which compatibilists about free will are prepared to endorse.

The main topic of this paper is free will, not moral responsibility. My contextualist account of free will is consistent with, but does not entail, contextualism about moral responsibility. The context-sensitivity of our statements about free will is, on my view, a product of the context-sensitivity of the analysis of these statements. Before we decide whether statements about moral responsibility are also context-sensitive, it would be helpful to know how moral responsibility ought to be analyzed.

Another concept closely connected to free will is the notion of an excuse. And just as my contextualist account of free will is compatible with both contextualist and non-contextualist theories of moral responsibility, it is also compatible with both approaches to excuses. A contextualist view of excuses may be independently attractive, however. Whether an agent is in fact excused depends on the judgments of those empowered to do the excusing. So it may not be surprising to find a degree of context-sensitivity here. Nevertheless, excuses will not be granted in precisely the same context-sensitive way as claims about free will are made. For example, one can easily imagine a pair of interlocutors debating whether a third person ought to

be excused for not working, on account of not feeling well. They may decide that because of the truth of determinism the agent acted unfreely. Yet this may not induce them to excuse her actions.

In response, it might be claimed that the context sensitivity of claims about free will corresponds, not to excuses granted, but rather to when excuses ought to be granted – that is, to legitimate excuses. On this view, the interlocutors err in judging that the agent is unfree while at the same time failing to excuse her. This is a natural consequence of the position that moral responsibility is context-sensitive in the same way as freedom of the will, since one ought to be excused for an action only if one bears less than full responsibility for the action.

However, contextualism about free will is also consistent with non-contextualism about legitimate excuses. A lenient version of this view would say that, despite the fact that freedom of the will depends on context, everyone whose actions are determined should be excused. A *moderate* version would say that, even though freedom of the will is context-sensitive, excuses should be granted only in certain circumstances, e.g. in cases of compulsion by another person.

VII

Now I want to answer some potential objections. While my focus is of course on free will, some of these objections and replies have analogues for contextualism about knowledge. First, it may be said that contextualist solutions are too pat. Conflicting intuitions can always be explained away as a result of a context-sensitivity in one of the crucial terms, but that does not mean that all philosophical puzzles ought to be solved contextually. This objection is easily met. The solution that I have offered does not merely claim that ascriptions of free will are context-sensitive in such a way as to solve the puzzle. It provides independent reason for believing that this context-sensitivity exists, namely that a certain plausible analysis of statements about free will contains an expression ("the original cause") which depends on context in precisely this way.

Some might feel that the truth of "Emma acted freely" ought to depend on her situation, rather than on facts about us as ascribers. The contextualist will of course reply that it depends on both. So this objection must be sharpened to say that there is a strong intuition that the truth of "Emma acted freely" depends solely on her situation and not at all on us. I will assume for the sake of argument that we have this intuition. Even so, it is worth noting that there is also a contrary phenomenon that is consistent with contextualism: while we do not ordinarily think that the truth of "Emma acted freely" depends on us, we do notice that whether we judge this sentence true varies to some extent with whether we are thinking about the more remote causes of Emma's behavior. Contextualism can explain this. Still, to the extent that contextualism conflicts with one of our intuitions, there is a cost to accepting the theory. The question is whether it is greater than the costs incurred by the non-contextualist solutions. Is it easier to believe that the truth of "Emma acted freely" depends in part on facts about the ascriber, or to believe compatibilism, hard determinism, or libertarianism? While opinions may differ, I would be satisfied with the conclusion that contextualism is intuitively no less credible than the other theories.

It might be objected that, despite the examples I have provided, "the original cause" is quite uncommon in ordinary speech, and hence cannot bear the burden I have assigned it. I shall reply to each part of this objection separately: the claim that "the original cause" is uncommon and the claim that therefore too much is being asked of it.

Many conceptual analyses are rarely heard in everyday language. Think for example of Grice's (1957) analysis of meaning as intending "to produce some effect in an audience by means of the recognition of this intention." In fact, if analyses such as these are correct, it should not be surprising that the analysans is rarely uttered. After all, the analysandum is much shorter and obviates the need to use the analysans. So the rarity of an analysis in common speech is not itself an objection to the analysis.

However, it might be argued that "the original cause" differs from "intending to produce some effect in an audience by means of the recognition of this intention" insofar as the latter is easily understood (at least on reflection) and the former is not. On the other hand, anyone who has taught Grice's analysis knows that it actually takes some time to get students to understand what exactly the analysis means. By contrast, even granting the point that "the original cause" is rare in ordinary language, the fact that it is used at least occasionally (by, for example, the Encyclopedia Britannica and BBC News – see note 15) indicates that it can be understood fairly readily.

Now what about the claim that my proposed analysis cannot bear the contextualist burden that I have assigned it? The concern here may be that it is not clear that "the original cause" is context-sensitive. However, it would be odd if this expression were not context-sensitive, given that definite descriptions in general appear to be context-sensitive. For example, David Lewis (1996) points out that when we say, "All the glasses are empty," we do not mean all the glasses in the world. So even granting that "the original cause" is unusual in ordinary language, we seem to have little trouble understanding it, and that understanding is likely to be contextualist – since most definite descriptions are understood contextually.

Finally, I want to consider an objection apt to be made by a hard determinist. The contextualist and the hard determinist agree that, when we reflect on the possibility that our actions are determined by events prior to our birth, we are less likely to assent to the statement that our actions are free. But while the contextualist claims that this is due to a shift in context. the anticontextualist maintains that we are changing our minds in light of relevant evidence.²¹ According to the anticontextualist, while it is true that we would judge in an ordinary context that our actions are free, this judgment must be discounted because it is based on an incomplete perspective: we are ignoring the relevant fact (or at least the likelihood) that our actions are determined. As applied to my analysis, then, the anticontextualist's claim is that (1a) "The original cause of Emma's raising her hand was Emma" is false even in an ordinary context. Granted, says the anticontextualist, a speaker in an ordinary context would think that (1a) is true, but that is only

because the speaker's perspective would be limited. The speaker would be ignoring the relevant fact that events prior to Emma's existence caused her to raise her hand.

Since the anticontextualist maintains that an ordinary utterance of (1a) is false, he will presumably say the same about ordinary uses of sentences such as (7) "The original cause of the burning of the house was lightning". That is, just as (1a) is false because something prior to Emma caused her to raise her hand and so Emma was not the original cause, likewise (7) is false because something prior to lightning caused the house to burn and thus the lightning was not the original cause. The question for the anticontextualist then is why we utter sentences like (7). One possibility is that, while what we say in uttering (7) is false, what we mean might very well be true. Here the objector can appeal to the distinction introduced by Grice between what is said and what is implicated, or, in the terminology of other theorists who follow Grice (such as Stephen Neale, 1990), the distinction between the proposition expressed and the proposition meant.²² On this view, the proposition strictly and literally expressed by an utterance of (7) is that the lightning was the absolutely first cause (in a noncontext-sensitive sense) of the house's burning. While this is false, the utterance conversationally implicates a related but possibly true proposition, for instance, that the lightning was the most salient (or the most relevant) of the earlier causes of the house's burning.²³ On this view, the proposition expressed by an ordinary utterance of (7) is not context-sensitive and is false, whereas the proposition meant is context-sensitive and may very well be true. As applied to free will, the claim is that in an ordinary context what is said by an utterance of (1a) or (1) is false, but what is meant is true.²⁴ This is a *hybrid* theory: it is anticontextualist at the level of what is said and contextualist at the level of what is meant. The hybrid approach can thus explain why we persist in uttering sentences such as (1a) or (7) which we know upon reflection to be literally false: the reason is that we thereby manage to convey something that is true. However, insofar as the hybrid theory is more complex, it has a disadvantage.

To avoid this extra complexity, the objector might wish to abjure the Gricean maneuver and instead to maintain that statements about "the original cause" mean just what they say. On this view, which we may call *pure anticontextualism*, what we mean and what we literally say by an utterance of (7) are identical and false, namely, that the lightning was the absolutely first cause (in a non-context-sensitive sense) of the house's burning. Similarly, the pure anticontextualist would hold that what is meant by an ordinary utterance of (1a) or (1) is just what is said, namely that Emma was the absolutely first cause (in a non-context-sensitive sense) of her raising her hand. The main difficulty with pure anticontextualism is that it fails to explain why we make statements about "the original cause" given that just a little reflection will show that these statements are false.

My reply to the anticontextualist, then, is twofold. Pure anticontextualism cannot explain why we frequently say that one thing is "the original cause" of another. The hybrid theory can explain this, but it adds a degree of complexity. Moreover, if the hybrid theory is correct, then contextualism is at least part of the truth about our ascriptions of free will: it is the truth about what we mean by these ascriptions.

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NOTES

- See Nagel (1986), p. 118, pp. 125–126; Fischer (1994), pp. 30–37.
- ² See for example Cohen (1988), (1999); DeRose (1995); Lewis (1996).
- When I say that an agent acts freely, I mean the sort of freedom that is relevant to free will. That is, the agent acted of her own free will.
- ⁴ See Loewer (1996); Loewer also argues that the indeterministic interpretations of quantum theory provide little help for libertarians.
- ⁵ As is acknowledged by proponents of such theories: see, for example, Clarke (1996), p. 19; Kane (1996), pp. 16–17.

- One apparent dissimilarity is that the necessary condition for knowledge in (5) itself mentions knowledge, while the necessary condition for free will in (2) does not mention freedom. But this difference is inessential. Some versions of the skeptical puzzle use a necessary condition which does not mention knowledge. For David Lewis (1996) the conditional would be: "If Tom cannot *eliminate the possibility* that this animal is a cleverly disguised mule, then he does not know that it is a zebra." Moreover, some versions of the puzzle about free will employ a condition which does mention freedom, such as: "If Emma did not freely choose the mental states which led to her raising her hand, then she did not raise her hand freely." See for example Strawson (1994).
- ⁷ Lewis writes: "If you are a contented fallibilist, I implore you to be honest, be naive, hear it afresh. 'He knows, yet he has not eliminated all possibilities of error.' Even if you've numbed your ears, doesn't this overt, explicit fallibilism still sound wrong?" (Lewis, 1996, p. 550).
- ⁸ Henceforth by "context" I mean the speaker's context. Or, in David Kaplan's terminology: context of utterance rather than circumstances of evaluation.
- ⁹ Obviously other skeptical hypotheses would work too: robot zebras, holograms, etc.
- According to the contextualist, this is not quite correct. To be precise we have to say that knowledge attributions become false, and then become true again. Philosophers have often remarked on their inability to remain skeptical in ordinary contexts. Hume writes:

Most fortunately it happens, that since reason is incapable of dispelling these clouds, nature herself suffices to that purpose, and cures me of this philosophical melancholy and delirium, either by relaxing this bent of mind, or by some avocation, and lively impression of my senses, which obliterate all these chimeras. I dine, I play a game of back-gammon, I converse, and am merry with my friends; and when after three or four hour's amusement, I wou'd return to these speculations, they appear so cold, and strain'd, and ridiculous, that I cannot find in my heart to enter into them any farther. [*Treatise*, I, 4, 7, Selby-Bigge, p. 269]

- This criticism of Lewis's theory is made by Rieber (1998).
- Peter Unger (1984, pp. 54–58) briefly considers a contextualist approach to free will and determinism. Unger's approach is different from mine in two main ways. First, he does not actually endorse contextualism about free will. Rather, he tentatively endorses the "hypothesis of semantic relativity" with respect to free will (as well as to several other philosophical problems), according to which there is no objective answer to the question of whether contextualism or its rival (which Unger calls "invariantism") is true. Second, while I propose an analysis of free will which explains the contextualism,

Unger does not. It may also be useful to distinguish my approach from Richard Double's. Double takes seriously, as I do, our apparently conflicting intuitions about free will. But while I argue that they can be consistently explained by a contextualist theory, Double argues that it is "impossible to provide a consistent free will account" (Double, 1991, p. 97). In his later book, the hypothesis is tentatively put forward that free choice is "logically incoherent" (Double, 1996, p. 104), but this is tempered by the claim that "no free will theory can be shown to be best" (Double, 1996, p. 156). As Double points out (1996, p. 100), this skepticism about discovering the truth about free will is similar to Unger's position.

- See also Clarke (1996, p. 19). On the other hand, Ginet (1990) argues that not all acting is causing: a simple mental action does not consist of causing something.
- Here I assume for simplicity that if a proposition is salient then it is true.
- Some more examples: The *Encyclopaedia Britannica*'s entry for "Boniface IX" [vol. 2, p. 362] reads, in part:

pope from 1389 to 1404; he was the second pontiff to rule in Rome during the Western Schism (1378–1417). Created cardinal deacon early in life and cardinal priest by Urban VI in 1385, he succeeded Urban, whose disputed election was the original cause of the rupture between Rome and Avignon over legal claimants to the papal throne.

Tocqueville writes in Democracy in America:

The President, who exercises a limited power, may err without causing great mischief in the state. Congress may decide amiss without destroying the Union, because the electoral body in which the Congress originates may cause it to retract its decision by changing its members. But if the Supreme Court is ever composed of imprudent or bad men, the Union may be plunged into anarchy or civil war.

The original cause of this danger, however, does not lie in the constitution of the tribunal, but in the very nature of federal governments. [Tocqueville, 1946 (1835), p. 152]

Finally, a quotation from BBC News Online:

Professor Peter Duesberg, of the University of California at Berkeley, has argued that it is impossible to confirm HIV leads to Aids, and says drugs may be the original cause of the disease. (http://news2.thls.bbc.co.uk/hi/english/health/newsid_761000/761979.stm)

¹⁶ It might be claimed that statements of the form "A is the original cause of B" are literally false but conversationally implicate something true. I consider this view in Section VII.

- Some might object that in an ordinary context an utterance of (1a) "The original cause of Emma's raising her hand was Emma" would be odd or puzzling, and therefore that (1a) is not true unless the context provides a contrast with "original" or creates a presumption that there might be some other cause at work. I agree that in a perfectly ordinary context in which there is no thought of something other than Emma causing the raising of her hand, (1a) would sound somewhat odd, but I do not think that in such a context (1a) would fail to be true. Notice that the analysandum (1) "Emma raised her hand freely" would also seem peculiar in an ordinary context. So the fact that it would be odd to utter (1a) absent some special context is actually a point in favor of the analysis: the analysans and analysandum are alike in this respect. And in neither case is the peculiarity of the utterance a sufficient reason to infer that the statement fails to be true. In both cases it seems preferable to say that the utterance is true but inappropriate – perhaps because it violates a pragmatic rule such as Grice's maxim of relevance. See Grice (1989, pp. 3-57). Grice discusses "voluntary" on pp. 4-5 and "of his own free will" on pp. 14-16.
- Frankfurt of course does not endorse the "original cause" analysis.
- Watson adds, however: "It is this intuition to which the libertarian finds it so difficult to give content" (Watson, 1987, p. 282).
- ²⁰ Cf. Hawthorne (2001, pp. 71–72).
- For an analogous objection to epistemological contextualism, see Feldman (1999). For a reply, see Cohen (1999, pp. 80–82).
- See Grice (1989). Grice introduced the notion of implicature in lectures in 1967.
- The implicature might be generated by a flouting of one of Grice's Maxims of Quality, namely, "Do not say what you believe to be false." See Grice (1989), p. 27.
- ²⁴ Compare Rysiew (2001), which locates the context-sensitivity of knowledge ascriptions in what is meant rather than what is said.

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