

Determinism

Hard Determinism

Compatibilism
Soft Determinism

Hard Incompatibilism

Soft Compatibilism

The Separability of Free Will and Moral Responsibility

In

Narrow Incompatibilism

Impo

Soft Incompatibilism

Valerian Model

Leeway
(Alterna

Source Incompatibilism
(Actual Sequence)

Two-Stage Model with Limited



The Separability of Free Will and Moral Responsibility

I propose four degrees of separation:

1. Separation of “Free” from “Will”
2. Separation of “Responsibility” from “Moral Responsibility”
3. Separation of “Free Will” from “Moral Responsibility”
4. Separation of “Free Will and Moral Responsibility” from “Punishment” - both Retributive and Consequentialist

The fundamental assumption of **two-stage models** for free will is that we can separate the concept “free” from the concept of “will” in order to better understand “free will,” as John Locke recommended we do to avoid verbal confusion. He said,

“I think the question is not proper, whether the will be free, but whether a man be free.”¹

The Analysis and Separability of Free Will and Moral Responsibility

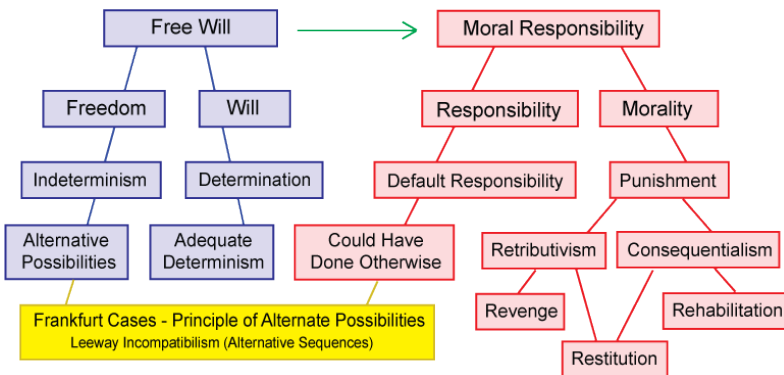


Figure 20-1. Separating Free Will from Moral Responsibility.

We must also separate “**moral responsibility**” from ordinary “responsibility” or simple accountability. If our intentions and decisions caused an action, we are responsible for it, but moral responsibility requires that the action has moral consequences. IMMANUEL KANT thought that only moral decisions can be free

¹ Locke (1959) s. 21.



decisions. MORTIMER ADLER's *acquired* freedom of *self-perfection* is the idea from Plato to Kant that we are only free when our decisions are for reasons and we are not slaves to our passions (making moral choices rather than satisfying desires).² We think that is an "ethical fallacy."

We must go even further and clarify the relationship between free will and moral responsibility. Some philosophers (e.g., JOHN MARTIN FISCHER, DERK PEREBOOM, and MANUEL VARGAS) deflect direct discussion of free will and study it only as the "control condition for moral responsibility."

Finally, we should explore the connection between **moral responsibility** and punishment, both backward-looking retributive punishment (revenge or restitution) and forward-looking consequentialism (re-education and rehabilitation).

The Separation of "Free" from "Will"

"Free Will" - in scare quotes - refers to the common but mistaken notion that the adjective "free" modifies the concept "will." In particular, it indicates that the element of chance, one of the two requirements for free will is present in the determination of the will itself.

Critics of "libertarian free will" usually adopt this meaning in order to attack the idea of randomness in our decisions, which they think could not help to make us morally responsible.

But some indeterminism, centered in "torn" decisions between moral and self-interested choices, can be seen as an act "of one's own free will." Indeterminism helps with a difficult decision, and the agent can take responsibility either way. This is the case of ROBERT KANE's Self-Forming Actions.

Despite the claim of some professional philosophers that they are better equipped than scientists to make conceptual distinctions and evaluate the cogency of arguments, in my view they have mistakenly conflated the concepts of "free" and "will." They (con)fuse them with the muddled term "free will," despite clear warnings from JOHN LOCKE that this would lead to confusion.

2 Adler (1961) p. 225.



Locke said very clearly, as had ancients like Lucretius, it is not the will that is free (in the sense of undetermined), it is the mind.

Locke strongly endorsed the ideas of Freedom and Liberty, but he thought it was inappropriate to describe the Will itself as Free. The Will is a Determination. It is the Man who is Free. “I think the question is not proper, whether the will be free, but whether a man be free.” “This way of talking, nevertheless, has prevailed, and, as I guess, produced great confusion,” he said. It has and still does produce confusion

In chapter XXI, “Of Power,” in his *Essay Concerning Human Understanding*, Locke calls the question of Freedom of the Will unintelligible. But for Locke, it is only because the adjective “free” applies to the agent, not to the will, which is determined by the mind, and determines the action.

“Concerning a man’s liberty, there yet, therefore, is raised this further question, Whether a man be free to will? which I think is what is meant, when it is disputed whether the will be free.”³

“This, then, is evident, That a man is not at liberty to will, or not to will, anything in his power.”⁴

Freedom of the will requires the randomness of absolute chance to break the causal chain of determinism, yet the conscious knowledge that we are **adequately determined** to be responsible for our choices.

Freedom requires some events that are not causally determined by immediately preceding events, events that are unpredictable by any agency, events involving quantum uncertainty. These random events create alternative possibilities for action.

Randomness is the “free” in free will.

In short, there must be a Randomness Requirement, unpredictable chance events that break the causal chain of determinism. Without this chance, our actions are simply the consequences of events in the remote past. This randomness must be located in a place and time that enhances free will, one that does not reduce our will and our actions to pure chance.

3 Locke (1959) s. 22.

4 Locke (1959) s. 24.



(Determinists do not like this requirement.)

Freedom also requires an adequately determined will that chooses or selects from those alternative possibilities. There is effectively nothing uncertain about this choice.

Adequate determinism is the “will” in free will.

So there is also a Determinism Requirement - that our actions be adequately determined by our character and values. This requires that any randomness not be the direct cause of our actions.

(Libertarians do not like this requirement.)

Adequate determinism means that randomness in our thoughts about alternative possibilities does not directly cause our actions.

A random thought can lead to an adequately determined action, for which we can take full responsibility.

We must separate the “free” thoughts from the “willed” actions.

Our thoughts *come to us* freely.

Our actions *come from us* willfully.

The Separation of “Moral” from “Responsibility”

Responsibility for a willed action can be ascribed to an agent because the “adequately” determined will has started a new causal chain that includes the action and its foreseeable consequences.

But responsibility is not exactly the same as moral responsibility. It is merely a prerequisite for moral responsibility.

Responsibility is similar to accountability. Just as an action can be said to be a cause of its consequences, so the agent can be held accountable for the action.

Different moral codes, which are the business of ethicists, may have different degrees of moral responsibility for the same actions and its consequences.

We must separate “moral” from “responsibility.”



The Separation of “Free Will” from “Moral Responsibility”

From the earliest beginnings, the problem of “free will” has been intimately connected with the question of moral responsibility. Most of the ancient thinkers on the problem were trying to show that we humans have control over our decisions, that our actions “depend on us”, and that they are not pre-determined by fate, by arbitrary gods,⁵ by logical necessity, or by a natural causal determinism.

JOHN MARTIN FISCHER says that some philosophers want to relate these two very strongly:

“Some philosophers do not distinguish between freedom and moral responsibility. Put a bit more carefully, they tend to begin with the notion of moral responsibility, and “work back” to a notion of freedom; this notion of freedom is not given independent content (separate from the analysis of moral responsibility). For such philosophers, ‘freedom’ refers to whatever conditions are involved in choosing or acting in such a way as to be morally responsible.”⁶

The question of the existence of “free will” is an empirical and factual question about the nature of the mind. It does not depend in any way on the existence of “moral responsibility,” which is a question for ethics.

Manuel Vargas’ Question

Here is an example of the kind of problems caused by conflating free will with moral responsibility. MANUEL VARGAS follows JOHN MARTIN FISCHER in connecting free will to moral responsibility, then he wonders how and when children can suddenly acquire free will at a certain age. Vargas says:

“Consider the question of how we go from being unfree agents to free agents. This is a puzzle faced by all accounts of responsibility, but there is something pressing about it in the case of

5 This was Democritus’ reason for inventing determinism. See Chapter. 7.

6 Fischer (2005) p. xxiii



libertarianism. As children we either had the indeterministic structures favored by your favorite version of libertarianism or we lacked them. If we lacked them as children, we might wonder how we came to get those structures. We might also wonder what the evidence is for thinking that we do develop said structures. Suppose the libertarian offers us an answer to these questions, and the other empirical challenges I raised in the prior section. We would still face another puzzle. What, exactly, does the indeterminism add? What follows in this section is not so much a metaphysical concern as it is a normative concern. It is a concern about what work the indeterminism does in libertarianism, apart from providing a way to preserve our default self-image as deliberators with genuine, metaphysically robust alternative possibilities.”⁷

Children have free will from birth. It is part of their biological makeup. It is **moral responsibility** that they “come to get” at some age in their moral development as adults.⁸

We must separate “free will” from “moral responsibility.”

The Separation of both “Free Will and Moral Responsibility” from Retributive Punishment and Consequentialist Punishment

Liberal humanitarian thinkers who see that retributive punishment is sometimes cruel and unproductive should not argue that punishment is not “deserved” *because* free will does not exist.

There are excellent stand-alone reasons for preferring rehabilitation and education to retributive vengeance.

Some philosophers and many scientists argue that humans are just a form of animal. They decry human *exceptionalism*.

They say that humans lack free will *because* animals lack it. The idea of no free will in animals, that they are completely determined, was the old religious argument that God had given man the special gift of free will.

7 Fischer (2007) p. 148.

8 See Chapter 19.



Some philosophers say that animals lack moral responsibility, but humans have it. This is now being questioned in many socio-biological studies of animal morality.

Whether man - and higher animals too - have free will is an empirical scientific question.⁹ Whether they have moral responsibility is a social and cultural question.

The scientific question is being answered in the affirmative. Even the lowest forms of animal now are known to have *behavioral* freedom. That is to say, their actions are not **pre-determined**, not even **determined** reactions to external stimuli. They are stochastic beings that originate actions, as shown by MARTIN HEISENBERG.¹⁰

The social and cultural questions should not make free will depend on sensible arguments against vengeance and retributive punishment. This is to get the cart before the horse.

Equating free will with moral responsibility, then to use spurious arguments to deny free will, and thus to deny moral responsibility - in order to oppose punishment - is fine humanism but poor philosophy, and terrible science.

We must separate “free will and moral responsibility” from punishment, whether retributive or consequentialist.

Philosophers who call themselves “naturalist” especially like to make the argument that because humans are animals, and because animals are regarded as having no free will, that humans have no moral responsibility.

Naturalists do not separate free will and moral responsibility. Let's consider naturalism in the next chapter.

9 Balaguer (2009)

10 Heisenberg (2009) See Chapter 16.

