Can't We All Just Be Compatibilists?: A critical study of John Martin Fischer's *My Way*

John Perry

Stanford University

§1 INTRODUCTION

I admire Fischer's the theory of moral responsibility that John Fischer develops in *My Way*; indeed I think it is largely correct, and the "largely" is mainly precautionary, expressing my feeling that no one gets everything right.[1] But my main aim in this study is not to praise his theory of moral responsibility, but to (try to) bury the "semi" in "semi-compatibilism". I think Fischer gives the Consequence Argument too much credit, and gives himself too little credit. In his book, *The Metaphysics of Free-will*, Fischer gave the CA as good a statement as it will ever get, and put his finger on what's wrong with it.[2] Then he declared stalemate rather than victory. In my view, Fischer's view amounts to sophisticated compatibilism. It would be nice to be able to call it by its right name.

In *My Way* Fischer emphasizes that there are two routes to the incompatibilism of determinism and freedom. One is the view that freedom requires creativity, self-control, spontaneity, authorship of one's own actions, or ultimate responsibility for one's own actions, of some sort that is incompatible with determinism and so requires some form of indeterminism. Some authors feel the free act itself must not be determined; others that there must at least be some undetermined action involved in getting to the mind set, the desires and commitments, that cause the free act. I'll collectively call the attempts to marshal the intuitions on which these views are based into arguments the "Spontaneity Argument for Incompatibilism", SA for short. Fischer argues convincingly the

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[1] John Martin Fischer, *My Way: Essays 0n Moral Responsibility* (New York: Oxford University Press, 2006).

[2] John Martin Fischer, *The Metaphysics of Free Will: An Essay on Control* (Cambridge, Mass.: Blackwells, 1994).

intuitions mainly amount to a *dislike* of determinism, a *wish* that it not be so; he goes over the SA with great care and finds it wanting in all its versions.

The second route to incompatibilism is via the Consequence Argument, CA for short. I'll assume the reader is familiar with the CA, by which I'll mean any of a number of arguments inspired by Peter Van Inwagen[3] and Carl Ginet[4], that purport to derive the conclusion that if determinism is true we are not able to do anything other than what we will do, because to do so we would either have to change the past or violate the laws of nature, and we cannot do either of those things.

In *The Metaphysics of Free Will* Fischer develops his own version of Consequence Argument, which turns on two principles, the fixity of the past and the fixity of the laws of nature:

FP: For any action *Y*, agent *S* and time *t*, if it is true that if *S* were to do *Y* at *t*, some fact about that past relative to *t* would not have been a fact, then *S* cannot at *t* do *Y* at *t (p. 62)*.

FL: For any action *Y*, agent *S* and time *t*, if it is true that if *S* were to do *Y* at *t*, some natural law which actually obtains would not obtain, then *S* cannot do *Y (p. 62)*.

He considers two compatibilist strategies for evading the Consequence Argument. The first is Lewis's Local Miracle Compatibilism, which rejects FL[5]. The charm of Lewis's approach eludes me; I think FL is just fine. The second he calls "Multiple Pasts Compatibilism". This view is basically the one I recommend. I don't like the name, so I'll call it MPC, but think of it as "Maximally Plausible Compatibilism". Fischer gives a rather good explanation and defense of MPC, and can find only a pathetically weak argument against it. With victory in his grasp, he calls a draw, and this leads him to the

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[3] Peter van Inwagen, "The Incompatibility of Free Will and Determinism," *Philosophical Studies* 27 (1975), pp. 185-189.

[4] Carl Ginet, "Might We Have No Choice?" in Keith Lehrer (ed.), Freedom and Determinism (New York: Random House, 1966): 87-104

[5] David Lewis, "Are We Free to Break the Laws? *Theoria* 47 (1981): 113-121.

crucial step of putting the "semi-" in "semi-compatibilism," as a way of getting on with thinking about moral responsibility without resolving the "theoretical stalemate."

§2 FATALISM

To think about the fixity of the past, I'm going to digress for a moment and consider a fatalistic argument that turns only on some version of that principle. Before doing that, I want to make some assumptions explicit. I think of these as common sense assumptions, doubted, to be sure, by some philosophers and some scientists, but only because they are too clever by half. There is just one temporal sequence of events; there is no temporal branching in the actual world. If the car goes right, that's what happens; there is not some other concrete possible world just like the actual world except that we are not in it, where the car goes left instead, and there is not some actual branch of our world, in which it does. That is, the temporal sequence of events can be represented as a single line.

I assume that we can usefully construct abstract objects in some way or another to serve the purposes of propositions. Sets of Stalnaker- style possible worlds[6] would do fine, as would various alternatives. Let's assume that these propositions have the classic properties. If P is true, ~P is false, and vice-versa; every proposition is true or false; none are both true and false. Let's assume that propositions do not change truth-values, and to remind ourselves of this, I'll use tenseless verbs to identify the propositions, and to attribute truth-values. So instead of "the proposition that Nixon was inaugurated in 1975" I'll say "the proposition that Nixon *be* inaugurated in 1975." This is the proposition I express now when I say he was inaugurated then, and it is the one someone might have expressed in 1962, after Nixon retired from politics the first time, by saying "Nixon will be inaugurated in 1976." And I won't say that this proposition *is* true, or *has* the truth-value true, but rather that it *be* true, or *have* the truth-value true.

Next, let's assume that propositions are *made* true by what happens in the world; at least a lot of them are, the ones we think of as contingent; that is, there are truth-makers and false-makers for these propositions. Consider the proposition that Nixon was inaugurated President in 1975. Someone might claim -- *someone* no doubt *has* claimed --- that the various events that led to his inauguration in 1975 happened *because* it be true

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[6] Robert Stalnaker, *Inquiry* (Cambridge, Mass.: MIT Press, 1984).

that he be inaugurated; events unfold to meet the needs of the class of true propositions. But I assume it goes the other way around; the proposition that Nixon be inaugurated in 1975 is true because events unfolded the way they did; among other things, back in the days when that was a necessary condition for being inaugurated, Nixon got more votes than Humphrey in enough states to gain more than half of the electoral college.

This means that in addition to being true or false, (many) propositions have a relation to events; the events up to a certain time *make* the proposition true, or make it false, or leave it open for later events to determine.

Now consider a simple fatalistic argument, which relies *only* on the fact that we cannot change the past and concludes we cannot do anything about the future. Assume, for the sake of argument, that Governor Richardson of New Mexico will win the Democratic nomination, win the election, and be inaugurated as President in 2009. Then the proposition that Richardson be inaugurated in 2009 have the truth-value true. On this assumption, when I now, in early 2007, say, "Governor Richardson will be inaugurated in 2009" I say something true. So it is true now that Richardson will be inaugurated in 2009. But then, there is nothing Senator Clinton can do next year in Iowa or New Hampshire or anywhere else to prevent Richardson's inauguration. For at the time of those primaries it will have been true in the past, at least for a year, since early 2007, that Richardson be inaugurated in 2009. And there is nothing Hillary can do, to change the past. Conversely, if Richardson is not going to be inaugurated, then by similar reasoning that's already true, and there is nothing he can do in the primaries to bring about his inauguration.

This argument misapplies the common sense principle that one cannot change the past. What one cannot to do is change the truth-value of a proposition that has already been made true or false. Clinton can do nothing to change the fact that Bush was inaugurated in 2004. Even Bush cannot now do anything to change this fact. We can try to put it out of our minds, but we can't put it out of our past. But this doesn't mean that one can do nothing to effect the truth-value of propositions that haven't yet been made true or false. If she works hard, continues to raise vast amounts of money, doesn't put her foot in her mouth, and keeps Bill under control, Hillary can (probably) prevent Richardson from getting the nomination and so bring it about (with the help of others, no doubt) that the conditions for making the proposition that Richardson be inaugurated in 2009 are not fulfilled.

What does our fatalist argument show us about control over the future, freedom to act and refrain from acting in various ways, and the like? Nothing. It at most *reminds* us that we now have no control over the past.

Of course, what it reminds us of is a real limitation on us. If we have a plan for making the world better, say by traveling back in time and preventing the use of the butterfly ballots in Florida that misled so many people who wanted to vote for Gore into unintentionally voting for someone else, we won't be able to pull it off. It doesn't *show* us anything about our control over the future beyond that which we presumably already knew and were prepared to live with.

Now consider this principle , FP for the *fixity* of the *past*, from Fischer's *The Metaphysics of Free Will.*[7]

> For any action *Y*, agent *S* and time *t*, if it is true that if *S* were to do *Y* at *t*, some fact about that past relative to *t* would not have been a fact, then *S* cannot at *t* do *Y* at *t.*

I can see nothing plausible about FP, because the use of "cannot" rather than "will not" in the last clause is gratuitous. Suppose at *t* I want on balance to scratch my head, and there is nothing affecting whether I scratch my head at *t* that turns on anything except my own wants a nanosecond before. If I were to refrain from scratching my head at *t*, it would be because I didn't want to scratch my head a *t* a nanosecond before. This does not mean that if I deliberate about whether to scratch my head, the fixity of the past, properly understood, limits my freedom in any way. I can't do anything to change the past, but to scratch my head I don't have to change the past. I merely have to move my arm to my head and scratch. The "cannot" in the consequent is unmotivated. The most we can get is the harmless FP*

> FP*: For any action *Y*, agent *S* and time *t*, if it is true that if *S* were to do *Y* at *t*, some fact about that past relative to *t* would not have been a fact, then *S will* not at *t* do *Y* at *t.*

FP* is harmless, because it does not contain the word "cannot".

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[7] Fischer, *The Metaphysics of Free Will*, 62.

§3. FISCHER AND MPC

Fischer's MPC distinguishes between a causal and a non-causal version of FP:

> FPc: For any action *Y*, event *e*, agent *S*, and time *t*, if it is true that if *S* were to do *y* at *t*, *S* would thereby initiate a casual sequence issuing in the non-occurrence of some event *e* which actually occurred in the past relative to *t*, then *S* cannot do *Y*.
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> FPnc: For any action *Y*, event *e*, agent *S*, and time *t*, if it is true that if *S* were to do *Y* at *t*, some event *e* which actually occurred in the past relative to *t* would not have occurred, then *S* cannot at *t* do *Y* at *t*.

FPc seems fine to me, it captures the limitation of which the fatalist argument reminds us. Our plan to improve the future by traveling to the past and changing the butterfly ballots is utterly impractical. There is nothing gratuitous about the "cannot" in the last clause of FPc.

FPnc seems false, for just the reasons given above in considering the fatalist argument. Fischer says, however, that it

> ...does seem very attractive...If the past is fixed in the sense specified by (FPc) why not *also* suppose that it is fixed in the sense specified by (FPnc)? That is, *if* it is extremely plausible to think that we cannot initiate backward-flowing causal chains that issue in something different from what occurred in the actual past, why not *also* think that we cannot now do anything which is such that if we were to do it, the past would have been different from what it actually was?)[8]

The answer is because there are good reasons to accept FPc, but there are no good reasons to accept FPnc. To deny FPc would be to give up the principle that one cannot change the truth-values of propositions that have already been made true, and all that comes with it. To deny FPnc requires only that we refrain from making a gratuitous replacement of "will not" with "cannot" in the last clause. The denial of FPc would require us to abandon our basic metaphysical assumptions about time and causality. The denial of FPnc does not

[8] Fischer, *The Metaphysics of Free Will*, 79.

require this, and protects intuitive judgments of what one can and cannot do. So there are very good reasons to accept FPc and deny FPnc.

The worry about FPnc is the "back-tracking conditional" or "backtracker":

> if it is true that if *S* were to do *Y* at *t*, some event *e* which actually occurred in the past relative to *t* would not have occurred

So what reasons are there to suppose that if my doing something I'm not going to do requires the truth of a backtracker, I can't do it? The truth of a backtracker does not require that anyone changes the past, or can change the past. It merely says that what happens at a given time depends on how things are up to that time, so if something else happened, things would have been different. For example, there was a big wind outside last night. I was worried that the big lop-sided pine tree by the garage might fall. In fact it didn't fall. It seems reasonable for me to conclude, whether or not I am a determinist, that if it had fallen, that would have been because the root system is weaker than it is, or the wind was stronger than it was, or the tree had grown more lop-sidedly than it in fact had or in some other relevant way things were different than they in fact were. That is, it seems reasonable to accept a backtracker. If I am not a determinist, or give up FL, then I won't be *forced* to accept a backtracker. I could attribute my good luck in the tree not falling to a miracle, either at the time the wind hit, or before. But even if I am not a determinist, in the case of the tree, it's probably most reasonable to accept a backtracker.

If I am a determinist, I have no option. And if I am a determinist, the backtracker will keep on backtracking. If the root structure had been different, that would be because the ground in which the roots grew was different, or the pattern of water the tree received was different, or the people that repaired the sewer had cut more of the roots than they did. And whichever of those possibilities would explain the difference in the root structure would itself have an explanation. And this backtracking will go right back to the Big Bang, or the Moment of Creation, or just keep on going forever if there is no beginning of time. That is sort of weird to think about. It can induce a certain dizziness or ennui. It may seem depressing. Many of us, myself included, at least in certain moods, don't *like* determinism. But there is no reason to suppose that such a backtracker is false. Its being true does not involve any person, or any tree, having the power to change the past. If the

tree fell, the past would have been different, but the tree's falling would not have brought about a change in the past.

Fischer moves on to consider a number of examples that seem to argue in favor of accepting FPc while rejecting FPnc. His own example involves an old sea-dog, who goes sailing if and only if he hears a favorable weather report. He hears a bad report. He is all ready to go; intuitively, he could go sailing, but doesn't, because, having heard the weather report, he doesn't on balance want to. Can't we say both that the old sea-dog can go sailing, but won't; if he were to go sailing, that would be because he wants to, which would have been because he heard a favorable weather report, and so on? That is, can't we accept both of the following?

> The old dog could have gone sailing (although he didn't); his boat was ready, he was ready, etc.
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> If he had gone sailing, something about the past would have been different than it actually was; his desires relative to sailing in foul weather would have been different than they were, or he would have misheard the weather report, or the report would have been different...

But Fischer says,

> ...it is not absolutely evident that the backtracking conditional [that is, the second statement] is true....one might be attracted to the view that if the agent had acted otherwise, then he would have had to be acting out of character in some way (but the past would have been just the same as the actual past)... in light of this view it certainly is not evident that we have an *uncontroversial* case of the joint truth of a can-claim and its paired backtracker.[9]

I take it that "acting out of character" here doesn't just mean that the old sea-dog, perhaps because of something he ate, or a sudden whim, or a strong desire to sail at whatever the cost induced by an ugly situation at home to which he will have to return if he doesn't spend the afternoon sailing, acts out of character in the ordinary sense in which people do this fairly often --- as for example when I sit down and grade term papers the minute I

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[9] Fischer, *The Metaphysics of Free Will*, 82.

receive them, which I've done once or twice in forty years of teaching. My acting out of character in those cases no doubt had an explanation; perhaps I had some yard work to do, and grading the papers was the only acceptable excuse for putting off the yard work. But that's not what "acting out of character" means here. It means acting in a way that is not explained by the past and the laws of nature --- whether deterministic or merely probabilistic.

The possible position that one might be attracted to that makes it less than "absolutely evident" that we should give up FPnc, amounts then to this. If we believe that the old sea-dog could have gone sailing, although he didn't, we must believe that if he had gone sailing the past would have been just like it was. Why would anyone believe that? I can't see any reason to think this, except being convinced of incompatibilism. But since it is a premise of the CA that is in question, this conviction, if rational and worthy of consideration, must come from elsewhere. And of course it does. It comes from the SA, the argument that appeals to intuitions of creativity, spontaneity and the like. But Fischer dismantles these arguments quite effectively. There is no *reason* left to accept FPnc, and no reason, given the masterful job Fischer has done showing us that accepting FPnc is necessary to accepting the CA, not be embrace MPC. How does this amount to a stalemate?

§4 Regulative Control and Frankfurt Cases

Fischer calls what the CA shows we lack "regulative control". Without assuming that regulative control amounts to any more than nothing --- what I take the consequence argument to show --- we seem to know this about it: the principle FPnc which we have no reason to accept for the concept of "cannot do" must by definition apply to regulative control. I'll call the relevant reformulation FP[RC]nc:

> FP[RC]nc: For any action *Y*, event *e*, agent *S*, and time *t*, if it is true that if *S* were to do *Y* at *t*, some event *e* which actually occurred in the past relative to *t* would not have occurred, then *S does not at t have regulative control over Y* at *t.*

To have had regulative control over an action I did not do, like standing up a moment ago, it has to be the case that the backtracker is false. If I had stood up a moment ago, that would have been because I wanted to or needed to, neither of which was true. So I didn't have regulative control over standing up. I'll say my standing up *backtracked.* Only if an action we don't do doesn't backtrack do we have regulative control over it.

So regulative control is whatever control we don't have if determinism is true, (and probably if it isn't true, too) with respect to actions we could do, but don't do. Now, just as "fool's gold" does not denote gold, but something someone might mistake for it, perhaps "regulative control" doesn't denote a type of control. If that's all it is, just another name for nothing, perhaps not much harm can come from giving it a misleading name, maybe it's a worthwhile dialectic trick to get people past the bogy of determinism.

But regulative control appears to play more of a role in Fischer's dialectic than this interpretation permits. Frankfurt cases[10] are a pillar of Fischer's theory of moral responsibility. Fischer (more or less) equates what the Frankfurt cases show we don't need for moral responsibility with what the CA shows we don't have, that is, regulative control. This doesn't seem right to me. The CA doesn't show us anything; it at most reminds us that strategies that involve changing the past or violating the laws of nature are not going to work. The Frankfurt cases, on the other hand, do show that something is not needed for freedom and moral responsibility that we might have thought was required. While Fischer draws the right lessons from the Frankfurt cases, I think he mislabels it when he says that what they reveal is that we don't need regulative control.

Let's start with Locke's case of the guy in a locked room[11]. Call him Jones. Assume Jones wants to sit and read his paper rather than go for a walk. The intuition is that he does this freely, even though he couldn't have done otherwise. But he could have tried to do otherwise. At some the point in the execution of his plan when he tried to open the door, he would have been stopped. In the corresponding Frankfurt case, things are taken further. Jones is stopped at the get-go. When he shows any signs of lessening of

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[10] Harry G. Frankfurt, "Alternate Possibilities and Moral Responsibility," *Journal of Philosophy* 66 (1969): 829-39.

[11] John Locke, *Essay Concerning Human Understading*, 5th edition (London: 1706): Book II, Chapter xxi.

resolve to sit and read the paper, a device is triggered in his brain that short-circuits the development of a change in plans. In the case in which he doesn't show any sign of lessening of resolve, and the device isn't triggered, the intuition is that he is morally responsible for sitting and reading the paper, or at least for not *trying* to do something else. If the headline in the paper was "By leaving this room now you can keep John Perry from being brutally beaten in the next room," and he didn't even think about trying, but just sat there, I would resent his indifference. If I knew about the device, I would check to see if it kicked in or not. If it did, he would be off the hook. But if it didn't kick in, he just sat there, under the impression he could intervene, and didn't give it a thought, I'd be pretty disgusted with him.

Now consider the difference between mere Jones, sitting in a room with an unlocked door who would rather read than leave, Locke's Jones, with the door locked, and Frankfurt's Jones, with the implant. The first can decide to leave and can leave. The second can decide to leave, but can't leave. The third can neither leave nor even decide to. But all of them can do voluntarily and with (some) moral responsibility just what they do in fact do, sit there and read. So the things that the first two didn't do but could have done, and the third fellow didn't do and couldn't have done, are not requirements for sitting there and freely, intentionally and voluntarily reading his paper. That's what the Frankfurt cases show.

These cases are important because there is some inclination to define or analyze doing an action A voluntarily in terms of having the ability to refrain from doing A, and doing something else that amounts to not-A instead. As I read the Frankfurt cases, they show that this analytic strategy in unsound. Frankfurt's Jones voluntarily sat and read his paper, even though he couldn't have done otherwise, and couldn't even have decided to try.

However, all three of our characters lack regulative control over leaving the room or even trying to leave the room. Frankfurt's Jones has no less regulative control over these things than the other two characters. That is, the action of trying to leave the room backtracks in all three cases. If the first guy had left, it would have been because he wanted to. If Locke's Jones had tried to leave, it would have been because he wanted to. If Frankfurt's Locke had decided to leave, it would have been because no device had been implanted, or the implanted device failed.

So, to reiterate, the Frankfurt case shows that his Jones doesn't need what the other two have, in order to sit there voluntarily reading his paper. But this thing that they have, and he lacks, isn't regulative control over any of the things he and they don't do, for they have no more regulative control over these things than he does. What they do have is the ability to do something else. Jones can leave. Locke's Jones can get up and try to open the door. Frankfurt's Jones can't to either of those things. He can't even change his mind about what he wants to do. So what the Frankfurt cases show is that *that* isn't needed. To do A voluntarily, one need not have the ability to do not-*A*, or even to change one's mind about what one wants to do.

Isn't this ability that Frankfurt's Jones lacks, to even change his mind, similar to something none of us have, in virtue of determinism? Since the past and the laws of nature have conspired to put all of our Joneses in the state where they want to sit there and read, aren't they all really in the same state as Frankfurt's Jones? Fischer doesn't say this, but I think this ideas can be suggested by the connection he makes between what Frankfurt's Jones doesn't have and "regulative control." But what Frankfurt's Jones lacks, and the others have, is the ability to change his mind, not regulative control. Most of us most of the time are actively contemplating all sorts of alternatives to any action we intend to do that has significant consequences, or requires much effort. I need to walk the dog. I intend to walk the dog. The time for walking the dog is here. I need to get up out of my comfortable chair if I'm going to walk the dog. Quite involuntarily, various considerations begin to occupy my mind. Didn't the dog walk a lot yesterday? Would it suffice to sit in my chair and toss the ball down the stairs --- fetching the ball up and down the stairs provides quite a bit of exercise, doesn't it? Isn't it about to rain? Do dogs really need exercise? And so on. These things flash before my mind quite involuntarily, but their doing so is part of what it is to have the ability to change one's mind. I can seize on any of these excuses, use it as a spur for rethinking the whole plan of walking my dog, and perhaps end up changing my mind. This is what Frankfurt's Jones can't do, that the other Jones can do. At some early stage, the process of thinking of alternatives to sitting there and reading, seizing on one of them, starting to contemplate the pros and cons, and so forth will be aborted by the implanted device. This is an important lack of ability, a disability even, and one with consequences for moral responsibility. But it has nothing to do with regulative control.

So the Frankfurt cases seem to show that it does not need to be true, for a person to do A freely, voluntarily, and with (some) moral responsibility, that they could have done otherwise. That is, I can do A with the sort of freedom that brings moral responsibility with it, even if I can't actually do anything else but A.

All three of our Joneses can sit there and read the paper. They have the ability to do this. It's not a completely trivial ability. A fourth Jones, whose vision is not good enough to read print used in the newspaper, or whose balance is so bad he falls off the chair, or who has an irresistible itch in some part of his body that requires standing up for efficient scratching, would not have this ability. The difference between the three Joneses and the fourth Jones is the presence of good enough vision to read, good enough balance to stay seated, and absence of irresistible itches. These are, as Fischer says, facts about the actual sequence.

This is the lesson that Fischer draws from the Frankfurt cases. Since moral responsibility for what one actually does does not require one to have the ability to do otherwise, look for the conditions of moral responsibility for what one does in the actual sequence: why did he do what he did?

§5 TRANSFER PRINCIPLES

Incompatibilists appeal to two transfer principles, the transfer of powerlessness and the transfer of non-responsibility; basically, for our purposes:

> TP: If the past up until *t* and laws of nature settle that *S* will later do *A*, and *S* had no power over events up until *t* and has no power over the laws of nature, then *A* cannot do (has no power to do) other than *A*.

> TMR: If the past up until *t* and laws of nature settle that *S* will later do *A*, and *S* had no moral responsibility over events up until *t* and has no moral responsibility for the laws of nature, then *S* has no moral responsibility for doing *A*.

In *My Way* Fischer provides an intricate and to my mind convincing account of the various moves and counter moves that have developed in the discussion of TMR. The bottom line is Fischer's own version of it, which amounts to this:

NRC:

If:

(1) The past up until some time *t* prior to the time of *A* and the laws of nature settle that *S* will do *A*; and

(2) *S* is morally responsible neither for events up until *t* nor for the laws of nature; and

(3) Between *t* and the time of *A* there is no process of decision making of the sort that grounds moral responsibility, or there is but there are also factors that destroy or impair this distinctive process in a way that eliminates moral responsibility; then

(4) *S* will do *A*, but *S* will not be morally responsible for doing *A*.

Fischer argues that NRC accounts for the examples provided by advocates of TMR that are truly convincing cases of non-responsibility, for these are examples in which events unfold with no characteristic human intervention of the sort that we ordinarily take to ground moral responsibility. At the same time, it allows us to stick to our intuitive judgments of lack of moral responsibility in cases in which there is such intervention.

Fischer's principle is the natural expression of his strategy, of finding the differences between cases in which we do and cases in which do not hold an agent morally responsible for the actions he performs in the nature of the actual causal sequence that leads to the actions. This strategy is supported by the lesson of the Frankfurt cases, that an agent is morally responsible for what he does on the basis of his own desires, wants, deliberations, and the like, in the absence of intervening demons, psychic or external, that actually play a role in his doing it, even if such demons might prevent him from doing anything else.

When we consider TP, it seems to me we need to take a similar perspective. The fact that a person can do A at a certain time depends on facts about the person "in the actual sequence." After all, what else could it depend on? How do we actually, when language isn't "on a holiday," make judgments about whether a person can do something or not, whether it is within his or her power to do it or not? For example, buying a Prius is

now something that is within my power. It's something I *can* do. The dealer would give me enough for my old Plymouth for a down payment, and would loan me the rest. With a little scrimping, plus what I'll save on gas, my income will be adequate to handle the payments. I am over 18, and so according to law have the right to sign the relevant legal papers. I have a car, know how to drive it, know where the dealer is. I have a free afternoon. I know English, which is the language the dealer uses. There is nothing stopping me from buying a Prius except my own preference to spend the afternoon fishing, my habits of sloth and indifference, a certain laziness, fondness for my old Plymouth, and an aversion to cleaning it out in the manner which would be required. One fact about me, in the actual sequence, is that I have all of the abilities required to make the movements of hands, foot and mouth necessary to buy a Prius given the wider circumstances in which I find myself. Another fact about me is that I have a set of preferences so that I won't do it, at least not today. This exactly the situation, the sort of facts in the actual sequence, the words "can buy a Prius" and "has the power to do buy a Prius" are designed to describe. A strategy exactly parallel to Fischer's with regard to moral responsibility, a strategy that finds a person's abilities in facts about them in the actual world --- the only one, after all, where one can find facts about anything --- provides a more reasonable alternative to TP.

Fischer's *My Way*, and his other writings, provide all the nails needed to hammer down the lid of the coffin of incompatibilism ---- as well as the hole to bury the coffin in and the spade to cover it with dirt. Can't we get the "semi" out of "semi-compatibilism"?

REFERENCES

Carl Ginet, 1966. "Might We Have No Choice?" In Keith Lehrer (ed.), *Freedom and Determinism*.New York: Random House:: 87-104

John Martin Fischer. 2006. *My Way: Essays 0n Moral Responsibility.* New York: Oxford University Press.

[1] John Martin Fischer. 1994. *The Metaphysics of Free Will: An Essay on Control.* Cambridge, Mass.: Blackwells, 1994.

Harry G. Frankfurt. 1969. "Alternate Possibilities and Moral Responsibility." *Journal of Philosophy* 66: 829-39.

Peter van Inwagen. 1975. "The Incompatibility of Free Will and Determinism," *Philosophical Studies* 27 .

David Lewis. 1981. "Are We Free to Break the Laws? *Theoria* 47: 113-121.

Robert Stalnaker. 1984. *Inquiry*. Cambridge, Mass.: MIT Press.

John Locke, 1706. *Essay Concerning Human Understading*, 5th edition. London: 1706.