

A Compatibilist Account of the Epistemic Conditions on Rational Deliberation¹

Derk Pereboom, Cornell University

Journal of Ethics 12, 2008, pp. 287-307.

Penultimate Version

1. Deliberation and openness.

Whenever we deliberate about what to do, we at least typically believe that we have more than one distinct option for which action to perform, each of which is available to us in the sense that we can or could perform each of these actions. That is, when we deliberate, we believe in the “openness” of more than one distinct option for what to do. It is often argued that belief in openness of such a kind is actually required for deliberation, or at least for rational deliberation. For example, Peter van Inwagen writes: “if someone deliberates about whether to do A or to do B, it follows that his behavior manifests a belief that it is *possible* for him to do A – that he *can* do A, that he has it within his power to do A –

¹ This paper has benefited from discussion on the Second On-line Philosophy Conference, May 2007 – OPC2, and at the Free Will and Science Conference at Florida State University, January 2008. Thanks especially to Dana Nelkin and Joseph Campbell, my commentators at the OPC2, to Sarah McGrath, my commentator at FSU, for exceptionally helpful discussion. I am also grateful to Tomis Kapitan, Randolph Clarke, Al Mele, David Christensen, Tim Schroeder, Richard Holton, Fritz Warfield, Seth Shabo, Michael McKenna, Michael Robinson, Brad Weslake, Eddy Nahmias, and Benjamin Kelsey for valuable contributions either on OPC2, at FSU, or in private correspondence or discussion. Special thanks are due to Louis deRosset for splendid conversation and comments on several drafts. Research on this article was facilitated by a generous Visiting Fellowship in the Centre for Consciousness of the Research School of Social Sciences at the Australian National University, October – December 2005.

and a belief that it is possible for him to do B" (van Inwagen 1983, 155; cf. Kant 1795/1981, Ak IV 448; Taylor 1966, chapter 12; Ginet 1966).²

But some have argued that beliefs in this kind of openness would conflict with the truth of determinism in the sense that, in any deliberative situation, the truth of determinism would rule out the availability to us of all but one distinct option for what to do, and thus would rule out openness about what to do. So then a belief required for rational deliberation would be inconsistent with an evident consequence of determinism for one's actions, and if determinism were true, such a belief would be false. Thus Hector-Neri Castañeda remarks that if determinism were true, whenever we engaged in a process of deliberation, we would be making a false supposition: "we are, thus, condemned to presuppose a falsehood in order to do what we think practically" (Castañeda 1975, 135). Worse yet, a rational deliberator who believed determinism and its evident consequences for her actions would have inconsistent beliefs.³ Accordingly, this line of reasoning supports an incompatibilist position about the relation between believing in determinism and its evident consequences and the beliefs required for rational deliberation (Taylor 1966, Ginet 1966):

Deliberation-incompatibilism: S's deliberating and being rational is incompatible with S's believing that her actions are causally determined (by causal antecedents

² For discussions of this type of view, see Kapitan (1986); Searle (2001); Nelkin (2004a, 2004b); Coffman and Warfield (2005).

³ Van Inwagen makes the related claim that "anyone who denies the existence of free will must, inevitably, contradict himself with monotonous regularity," where 'free will' is understood as the ability on some occasion to perform an action and to refrain from performing it (van Inwagen 1983, 160).

beyond her control).

The contrary position is:

Deliberation-compatibilism: S's deliberating and being rational is compatible with S's believing that her actions are causally determined.

In what follows I will develop and defend a version of deliberation-compatibilism.

Here is a belief-in-openness condition on rational deliberation, proposed by Dana Nelkin, that would subserve deliberation-incompatibilism:

(I) Rational deliberators who deliberate about an action A must believe, in virtue of their nature as rational deliberators, that there exist no conditions that render either [her doing] A or not-A inevitable. (Nelkin 2004b, 217),

An agent who rationally deliberates about an action A would then believe that there exist no conditions that render either her doing A or not-A inevitable. But if she also believed in determinism and its evident consequences, she would believe that there do exist conditions that render either A or not-A inevitable. She would then have inconsistent beliefs. (Nelkin, as we shall see, goes on to challenge (I)).

It does seem plausible that when we deliberate about what to do, we typically presuppose that we have more than one distinct option for which action to perform, each of which is available to us in the sense that we can or could perform each of these actions. But the sense of 'can' or 'could' featured in such beliefs might not always or even typically be metaphysical. It might well be that in some such cases, it is epistemic, and in many others it is indeterminate between a metaphysical and epistemic sense. On certain epistemic interpretations, such beliefs would not conflict with a belief in determinism. When I am

deliberating whether to do A, supposing I correctly believe determinism is true, I would not know whether I will in fact do A since I lack the knowledge of the antecedent conditions and laws that would be required to make the prediction based on these factors, not to mention the time and wherewithal. So even if I believe that it is causally determined that I will not do A, I might without inconsistency believe that it is in a sense epistemically possible that I do A, and that I could do A in this epistemic sense.

A number of philosophers have developed the claim that the beliefs about the possibility of acting salient for deliberation are in some key respect epistemic (e.g., Dennett 1984, Kapitan 1986, Pettit 1989). But existing proposals of this kind have met with significant opposition. I will argue that the preferable position has it that there are two such compatibilist beliefs – or more precisely, compatibilist epistemic states, and that this dual proposal meets what are in effect two distinct strands in the incompatibilist objections to such proposals. One of these specifies an epistemic notion of openness for what to do, and the other is an epistemic condition on the efficacy of deliberation. Tomis Kapitan has argued for a requirement that, in effect, includes both these kinds of conditions (1986). Here I amend his account by responding to concerns for his version of deliberation-compatibilism.⁴

A different sort of deliberation-compatibilism incorporates compatibilist-friendly metaphysical readings of ‘it is within S’s power to do each of A and B,’ or ‘it is possible for S

⁴ I have defended incompatibilism about the relation between determinism and the sort of freedom required for moral responsibility, but compatibilism about many other features of agency and morality (Pereboom 2001). In particular, I have endorsed without elaboration Kapitan’s compatibilism about determinism and the beliefs required for deliberation (2001, 135-7). Here I present my more considered deliberation-compatibilist view.

to do each of A or B,' or 'S has the ability to do each of A and B'. One motivation for preferring the epistemic route instead is the threat of the consequence argument against any metaphysical interpretations of these claims, given determinism (for the consequence argument, see Ginet 1966, van Inwagen 1975, 1983). Another is that typical compatibilist metaphysical analyses of these notions are conditional on the following model:

S can do otherwise just in case if S had chosen otherwise, then S would have done otherwise.

Roderick Chisholm and van Inwagen have argued quite convincingly that such analyses are implausible (Chisholm 1964, van Inwagen 1983, 114-26). A related claim, for which I will argue, is that openness is a categorical and not a conditional notion. The idea is that to deliberate rationally, it must be open in some sense that the actions I deliberate about are actions that I perform, but not merely on the supposition that some condition is satisfied. Opting for an epistemic condition can realize this desideratum. A deliberation-compatibilism that avoids metaphysical readings of these claims, and instead advocates epistemic conditions, is thus in some respects advantageous.

Such epistemic requirements are proposed by traditional deliberation-compatibilists as necessary conditions on rational deliberation. But such compatibilists do not intend them merely as necessary conditions. Suppose, for instance, that a deliberation incompatibilist proposed (I) as a supplement to some compatibilist necessary conditions. The compatibilist would not respond by saying that because his conditions were intended only as necessary, his position has not been challenged. Rather, deliberation-compatibilists

maintain that together with some other uncontroversial necessary conditions, their necessary conditions will ordinarily be sufficient for rational deliberation. For it is essential to their case that in ordinary situations, rational deliberation is possible, and that therefore sufficient conditions for rational deliberation are in place. Consequently, if an example were to show that the deliberation-compatibilist's conditions, together with the uncontroversial necessary conditions, are not sufficient for deliberation, the position would face a serious challenge.

However, to defeat deliberation incompatibilism, all that is strictly required is a deliberation-compatibilist sufficient condition for rational deliberation that is not also a necessary condition.⁵ Such a condition would show that an agent can deliberate while believing determinism and its evident consequences and being rational, which would be enough to defeat deliberation-incompatibilism. This sort of sufficient condition could be extracted from a single counterexample that featured a deliberator who was rational and believed the evident consequences of determinism. But suppose, for instance, that the satisfying this sufficient condition required highly sophisticated cognitive skills that only a very few agents possess. To preclude the claim that most of us would be in some respect irrational if we deliberated and believed the evident consequences of determinism, we would need a sufficient condition that a broader range of agents can fulfill. But this does not go so far as to motivate the view that the deliberation-compatibilist sufficient condition for rational deliberation should also be necessary for it. So what is going on?

In the dialectic between the opposing parties, the incompatibilist first proposes that

⁵ Thanks to David Christensen and Sarah McGrath for pressing this point.

there is a necessary belief-in-openness condition on rational deliberation. The compatibilist responds by agreeing, but then arguing that this necessary condition can be understood in a compatibilist way. But the idea that the openness condition is necessary for rational deliberation remains unchallenged, even though it might be. Perhaps the traditional deliberation-compatibilist is also thinking that all possible rational deliberators in fact fulfill certain sufficient compatibilist conditions on rational deliberation, and as a result, satisfying any specifically incompatibilist conditions is superfluous. I will proceed on the supposition that the provisional goal is to provide compatibilist necessary conditions on rational deliberation that, together with other uncontroversial necessary conditions, are sufficient for rational deliberation, while keeping in mind that achieving this goal is not required for defeating deliberation-incompatibilism.

How should deliberation be characterized for the purposes of this discussion? E. J. Coffman and Ted Warfield (2005, 28), who cite Searle (2001, 14) and van Inwagen (2004, 217), argue that to join the issue with key participants in the debate such as van Inwagen and Searle, we should adopt the following characterization: “to deliberate is to try to choose what to do from among a number of incompatible courses of action under certain conditions.”⁶ But in addition, Coffman and Warfield contend that Searle and van Inwagen conceive of deliberation as occurring “after reasons for various actions have been weighed and evaluated,” and this is how they propose deliberation be understood for the purposes

⁶ For discussions of when options for action are mutually incompatible or mutually exclude one another, see van Inwagen (1983), p. 240; and Coffman and Warfield (2005), p. 26. I intend “distinct actions’ to be equivalent to ‘mutually incompatible actions.’

of this discussion (2005, 28). A concern about this proposal is that it seems to leave too little to count as deliberation. Perhaps it leaves the forming of an all-things-considered judgment about what it is best to do from among distinct alternatives, and the forming of an intention to act from such alternatives. But these functions are not obviously aspects of deliberation, and even if they are, we ordinarily think of deliberation as involving more than this. What we in fact think of as central to deliberation *is figuring out what to do from among distinct alternatives by considering and evaluating reasons.*⁷ So what if we now, for the purpose of this discussion, characterize deliberation as follows?

(D) S deliberates just in case S is engaged in an active mental process whose aim is to figure out what to do from among a number of distinct, i.e., mutually incompatible, alternatives, a process understood as one that can (but need not) include the weighing and evaluating of reasons for the options for what to do.

Coffman and Warfield are concerned that the issue with van Inwagen and Searle will not be joined on a characterization that involves more than they specify. However, the relevant quotation Coffman and Warfield (2005, 27) cite from van Inwagen is: “serious deliberation occurs when one is choosing between alternatives and it does not seem to one (once all the purely factual questions have been settled) that the reasons that favor either alternative are clearly the stronger” (2004, 217). This characterization of serious deliberation seems consistent with the following: all the purely factual questions have been settled, and it does not seem to the agent at this point that the reasons clearly favor either alternative. What

⁷ Figuring out what to do essentially involves an epistemic dimension that is practical in a more robust sense than is essentially involved in, say, merely trying to find out what one will do.

isn't settled yet is how the agent thoughtfully weighs the reasons against one another in determining what to do. For example, an agent may fully understand the moral reasons that stopping and helping the stranded motorist has going for it, and the prudential reasons that favor getting to work on time. But now she needs to establish how she would thoughtfully weigh these reasons against each other, as a key part of the process of figuring out what to do -- and all of this amounts to serious deliberation. Their quotation from Searle is: "there is the gap of rational decision making, where you try to make up your mind what you are going to do. Here the gap is between the reasons for making up your mind, and the actual decision that you make" (2001, 14). It's consistent with this quotation that the gap is between the noting or apprehending of reasons and the actual decision, and that what happens in the gap is the weighing of the reasons.

So far, then, on my proposed characterization of deliberation (D), the issue still appears to be joined with Searle and van Inwagen. Moreover, (D) has the virtue of characterizing deliberation more naturally than it is on Coffman and Warfield's suggestion.

2. An epistemic openness requirement.

One way that compatibilists have responded to the deliberation-incompatibilist by claiming that rational deliberation requires only a belief in an epistemic kind of openness – for example, a belief that one has more than one option for what to do relative to what one believes, presumes, or knows. Kapitan, for example, contends that minimally rational deliberation requires a presumption of open alternatives, and

(PC) an agent presumes that his φ -ing is an open alternative for him only if he presumes that if S is any set of his beliefs then his φ -ing is contingent relative to S .
(Kapitan 1986, 240)

Nelkin also considers an epistemic thesis, with the change that the options be consistent with what the agent knows:

(K) Rational deliberators [about which action to perform] must believe, in virtue of their nature as rational deliberators, that they have multiple alternatives from which to choose, where those alternatives are each consistent with what they know.
(Nelkin 2004b, 221)

However, Nelkin argues that there do seem to be possible instances of rational deliberation that are counterexamples to (K), and she cites the following case of Clarke's (this would also be a counterexample to (PC)):

Imagine that Edna is trying to decide where to spend her vacation this year. She mentions this fact to her friend Ed, who, as it happens, is in possession of information that Edna does not yet have. Ed knows that Edna will soon learn that she can, with less expense than she had expected, visit her friend Eddy in Edinburgh. And given what Ed knows about Edna and her other options, he knows that after she learns of this opportunity, she will eventually decide to take it. However, Ed is a playful fellow, and he doesn't tell Edna all of this. He tells her only that he knows that she will eventually learn something that will persuade her to spend her vacation with Eddy in Edinburgh. [Edna] knows, let us suppose, that whenever Ed says

anything of this sort, he is right. She believes then, with justification, that she will spend her vacation in Edinburgh. (Clarke 1992; Nelkin 2004b, 221-2)

This seems indeed to be a counterexample to (K) (and, *mutatis mutandis*, to Kapitan's (PC)) considered as a requirement for rational deliberation; it also appears to be a counterexample to Carl Ginet's claim that "it is conceptually impossible for a person to know what a decision of his is going to be before he makes it" (1962, 50-1).

However, one can know a proposition without being certain of it -- where to be certain of a proposition is to have a degree of confidence or credence in it of 1.0 -- and one can believe a proposition without being certain of it. I propose that if an agent is not certain that she will do A, then (with a qualification to be discussed later) she can deliberate about whether to do it. However, if an agent is certain that she will do A, then although she might still seek the best reasons for doing A, she cannot deliberate about whether to do it. Since the aim of deliberation is to figure out what to do from among distinct alternatives, deliberation's aim has been accomplished if the agent is already certain of what she will do.⁸ Also, if an agent is certain that she will not do A, she cannot deliberate about whether

⁸ Kapitan raises an apt concern for the 'knows'-version of the epistemic openness requirement, which, according to him favors the 'believes'-version: "I may, for instance, believe I will not fly to Copenhagen tomorrow and thus I do not deliberate about so doing, yet I may not know what I believe (perhaps some unforeseen emergency will call me to Copenhagen). The action is impossible relative to what I believe and so does not appear open to me, though it is contingent with respect to what I actually know" (1986, 239). What I mean by certainty is a credence of 1.0, and I don't have in mind an epistemic notion of certainty that builds in knowledge. Consequently, my claim is not undermined by the sort of concern Kapitan raises.

to do it either, since it is then absolutely ruled out for her that A will be what she figures out to do.

Clarke suggests that for there to be a point to Edna's deliberating, "it is not necessary that she reopen the question of what she will do," or "that she suspend her belief that she will visit Eddy in Edinburgh" (1992, 108-9). He gives two reasons for this. One is that in deliberating she attempts to discover reasons for and against that alternative. But if that is the sole point of the mental process, it won't count as deliberation on the characterization I've adopted. The other is that she hasn't yet formed the intention to go to Edinburgh, and that deliberation can produce this intention. Supposing that she knows she will go to Edinburgh, deliberation can produce an intention to go if she is not yet certain that she will. However, given that deliberation is figuring out what to do from among distinct alternatives, it seems that nothing that would count as deliberation could have this effect if she is already certain that she will go. If an agent is certain of what she will do, she cannot also still figure out what to do. And the process of figuring out what to do would not have the role of producing an intention to do A in a case in which the agent is already certain that she will do A. For instance, the weighing of reasons for and against in this situation would not have the role of producing an intention in such a case. Rather, at least typically, the agent would simply just form the intention, independently of further deliberation.

Taking into account Clarke's counterexample, Nelkin considers the following alternative to (K):

(C) Rational deliberators must believe... that they have multiple alternatives from which to choose, where those alternatives are each consistent with what they are certain of (Nelkin 2004b, 222)

Against this, she argues that (C) purchases immunity from examples such as Clarke's at the cost of explanatory power, for it cannot explain why we cannot deliberate about some kinds of options despite our lack of certainty that they are options we might realize:

...as far as (C) allows, there is a very large number of things that can count as deliberative alternatives. And, yet, there are circumstances in which we seem unable to deliberate in certain situations, precisely because we lack deliberative alternatives. (C) does not have the resources to explain these, since it rules out so little in the way of deliberative alternatives. For example: we seem to be unable to deliberate about whether to jump out of window from a high floor and float on the air currents, despite perhaps lacking certainty about whether this is possible (perhaps we do not rule out a "miracle" or even a perfect sequence of wind gusts). (Nelkin 2004b, 222)

Nelkin's claim is that there are circumstances in which we lack certainty about whether an option for action is available to us, but yet we cannot deliberate about whether to perform it. One gloss on this claim is that absence of certainty will not, together with uncontroversial necessary conditions for rational deliberation, be sufficient for it. In this sense, absence of certainty cannot explain our inability to deliberate here. So what does?

At this point in the discussion I suggested (in correspondence) an alternative epistemic openness condition (which Nelkin discusses in 2004b, 222-4). Here is a revised

version:

(S) In order to deliberate rationally among distinct actions $A_1 \dots A_n$, for each A_i , S cannot be certain of the proposition that she will do A_i , nor of the proposition that she will not do A_i ; and either (a) the proposition that she will do A_i is consistent with every proposition that, in the present context, is settled for her, or (b) if it is inconsistent with some such proposition, she cannot believe that it is.⁹

First, what exactly is it for an option for action to be consistent with a proposition that, in the agent's context of deliberation, is settled for her? In particular, what is it for a proposition to be settled for her? Here is my proposal:

(Settled) A proposition is settled for an agent just in case she believes it and disregards any doubt she has that it is true, e.g., for the purpose of deliberation.

Second, clause (b) is required by the following consideration, raised by Sarah McGrath:¹⁰

Suppose that A_i is inconsistent with some proposition that is settled for me in the present context but the inconsistency is extremely unobvious and would require a great deal of thought and reflection to recognize. I deliberate about whether to do A_i and in the course of doing so I recognize the inconsistency. I therefore move on to consider alternatives to A_i . Wouldn't this be an instance of successful rational deliberation? Plausibly, one need not be logically omniscient in order to rationally

⁹ Or, more elegantly but less transparently stated, instead of (a) and (b), simply: if the proposition that she will do A_i is inconsistent with some proposition that she in the present context regards as settled, she cannot believe that it is.

¹⁰ McGrath made this point in her commentary at the Florida State University conference. The version I presented on that occasion featured (S) without (b).

deliberate. And the process that leads to recognition of inconsistency might, it seems, be rational deliberation.

What McGrath argues seems correct to me. I can rationally deliberate about whether to do A even if in fact my doing A is inconsistent with a proposition I regard as settled in that context. But it is crucial that I then not believe that it is inconsistent; if I did believe this, it's intuitive that I couldn't rationally deliberate about whether to do A. The right notion of belief to suppose here is dispositional, as opposed to requiring an occurrent belief (cf. Coffman and Warfield 2005, 26).

Condition (S) together with (Settled) plausibly delivers the desired result for cases like Clarke's and cases like Nelkin's. Edna is not certain of the proposition that she will go to Edinburgh, or of the proposition that she will not go to Edinburgh. Moreover, there is no proposition she believes and about which she disregards any doubts she has that is inconsistent with either of these propositions. As a result, that she performs either of these actions is consistent with every proposition that is settled for her in the present context. But I am unable to deliberate about whether or not to float out of the window, even though I am not certain that I will not do so. For since for the purposes of deliberation I do disregard any doubt I have that I will not float out of the window (because I disregard any doubt I have that I cannot float out of the window), the proposition that I will is inconsistent with a proposition that is settled for me in the present context, and I believe this, at least in a dispositional sense.¹¹

¹¹ As we shall see, an epistemic deliberative efficacy condition can also handle this example, but there are other cases, like the one in the next paragraph, that demand an epistemic openness condition as well. In Nelkin's example, floating counts as an action because we're

I am also unable to deliberate, for example, in another type of case, which will play a crucial role in the defense of my overall position. I am unable to deliberate about whether or not I will now drop everything to become a mercenary in Africa, despite not being certain that I will not do so. But my dropping everything to become a mercenary in Africa is inconsistent with a proposition I believe and about which in the present context I disregard the doubts I have, i.e., that I will not now drop everything to become a mercenary in Africa, and again I believe this, at least in a dispositional sense. So (S) together with (Settled) can explain why I cannot deliberate in this context.

Kapitan plausibly contends that an epistemic condition on openness should not require consistency with all of the agent's beliefs – for instance, not with all of those that are merely dispositional in the present context (1986, 239). For this reason, in his

(PC) an agent presumes that his ϕ -ing is an open alternative for him only if he presumes that if S is any set of his beliefs then his ϕ -ing is contingent relative to S he places the restriction 'contingent relative to S ' within the scope of the attitudinal operator 'presumes.' A reason to refrain from this sort of move is to avoid requirements that demand excessive cognitive sophistication, as Coffman and Warfield have counseled (2005, 37). But perhaps the cognitive sophistication countenanced by placing "every proposition that, in the present context, is settled for her" within the scope of the attitudinal operator will not be unduly excessive, since even animal deliberators are sensitive to inconsistency, and, in addition, the conditions under discussion are for rational deliberation.

imagining the agent having a body mass that requires that she wiggle her legs to float.

To support his placement of the attitudinal operator, Kapitan adduces a case in which at 10 a.m., Mr. Hawkins, having decided to take his son bowling at 3 p.m., acquires the belief that he will take his son bowling then. He takes it as settled and asks his secretary to remind him of his commitment at 2:30. At 2:29 p.m., temporarily overlooking his earlier resolve, he deliberates about playing golf at 3 p.m. But at 2:29 he still believes that he will not play golf at 3.00. For one can forget something one believes without ceasing to have that belief. When Hawkins is reminded by the secretary at 2:30 of his commitment, he does not acquire a new belief. Instead, his attention is refocused upon a belief he already has (Kapitan 1986).

It isn't clear to me that at 2.29 Hawkins still believes that he will not play golf at 3.00. But even if we concede that he still does, (S) together with (Settled) can explain why at 2.29 he can deliberate about playing golf at 3.00. For at 2.29 he is definitely not certain that he will not play golf at 3.00, and it is clearly not settled for him that he won't. In particular, he does not disregard any doubts he has about the proposition that he won't. Playing golf at 3.00 is thus consistent with what is settled for him at 2.29, and explains why he can deliberate as he does. So this case does not force the condition that requires the additional cognitive sophistication.

3. Belief in the efficacy of deliberation is required in addition.

If (S) together with (Settled) all by itself provided a successful compatibilist account of rational deliberation – a compatibilist necessary condition, that together with the uncontroversial necessary conditions, are sufficient for rational deliberation -- then agents

who satisfy (S) and believe that determinism and its evident consequences are true should be capable of rational deliberation. In particular, they should be able to deliberate without having inconsistent beliefs. Against this, there is a type of situation, first brought to our attention by van Inwagen, in which an agent who satisfies (S) would be incapable of rational deliberation. He illustrates it with the following example:

...imagine that [an agent] is in a room with two doors and that he believes one of the doors to be unlocked and the other door to be locked and impassable, though he has no idea which is which; let him then attempt to imagine himself deliberating about which door to leave by (1983, 154)

About this example, Nelkin remarks, to my mind correctly: “while it seems that I can deliberate about which door to decide to try to open and even which door handle to decide to jiggle, it also seems that I cannot deliberate about which door to open” (cf. Kapitan 1986, 247). But I am neither certain that I will open door # 1, nor that I will not, and the same for my opening door #2; and my opening door #1 is consistent with what is settled for me in the sense specified, as is my opening door #2. Thus this example poses a threat to (S) together with (Settled) as a compatibilist account for beliefs required for deliberation.

What’s more, if an agent believed determinism and its consequences, then in any deliberative situation she would believe that all but one option for what to do was closed off; “locked and impassable,” so to speak (although she would ordinarily not have a belief about which one was not closed off). If in the example one cannot deliberate about which door to open, and one believed determinism and its consequences, then it seems that one would never be able to deliberate about what to do. A compatibilist account would need to

explain why rational deliberation is not possible in the two-door case, but nonetheless possible for the determinist.

Kapitan (1986, 247) suggests, and Nelkin agrees, that this case indicates that rational deliberation requires a belief in the efficacy of deliberation: rational deliberators must believe that for each of the options for action under consideration, deliberation about it would, under normal conditions, be efficacious in producing the choice for that action and the action itself. The key insight is that it is not the absence of a belief in openness that would preclude deliberation about which door to open. Rather, what precludes such deliberation is that given the agent's belief that one of the two doors is locked, if she is rational she will believe that her deliberation would not ultimately be efficacious for her opening of one of the doors.

Nelkin then correctly points out that condition (S) does not capture a requirement of a belief in the efficacy of one's deliberation. However, deliberative efficacy is plausibly distinct from openness – having more than one option from which to choose. So it makes sense for (S) to stand as a compatibilist condition designed to cover openness. But now the question is this: is a distinct and plausible compatibilist condition available for capturing the belief-in-deliberative-efficacy requirement? If so, then we needn't think of (S) as having to bear the compatibilist's burden of answering the two-door problem, but only as accounting for openness, since the issue of deliberative efficacy raised by this problem would be addressed by a distinct condition.

So how might the compatibilist belief-in-deliberative-efficacy condition be formulated? Kapitan's first attempt is the following:

(PE) an agent presumes that his φ -ing is an open alternative for him only if he presumes that he would φ if and only if he were to choose to φ . (Kapitan 1986, 234)

A concern for this proposal is that deliberative efficacy is a causal notion (as Kapitan himself notes, 234). Causation is unidirectional, here from deliberation to choice and then to action, and, for instance, not from action back to choice. But in (PE) the relation between choice and action is bidirectional – it is expressed biconditionally. Moreover, the causal nature of efficacy should be explicit, while the biconditional characterization does not satisfy this desideratum.

More recently, Kapitan (1990, 437) has provided an alternative formulation of a belief-in-deliberative-efficacy condition, which specifies that the agent have a belief of the following form: that she would perform A at t were he to undertake A-ing at t, and she would refrain from A-ing at t were he to undertake not to K at t. Again, I think that the causal nature of deliberative efficacy should be explicit in the condition, while in this formulation it is not. A further concern is that, as Nelkin persuasively argues, the key belief is not in efficacy between an undertaking to perform an action, such as a choice, and the action itself, but rather in efficacy between the agent's deliberation on the one hand, and her action on the other (2004b). One might imagine a case in which my deliberation could not produce a choice because it is psychologically impossible for me to make that choice, but nonetheless if it were made, it would result in action. Then, intuitively, deliberation would not be efficacious. (At the same time, there are aspects of Kapitan's new formulation that I want to retain, as will become clear.)

Clarke suggests the following belief-in-deliberative-efficacy requirement (without

endorsing it – he is not committed to the claim that deliberation requires any beliefs about one’s abilities) (1992, 103):

(CF’) In order to deliberate, an agent must believe that there are at least two distinct actions, A and B, such that (i) were she to choose to A (B), she can A (B) on the basis of that deliberation.

We might specify that ‘on the basis of’ should be read causally – (i) would then be interpreted as ‘were she to choose A, her deliberation can (also) cause her to A.’ In addition, Clarke speculates that an agent must, at most, believe that

(ii) if she finds better reason to do A (B), she can decide to A (B) and (iii) if there is better reason to A (B), she can find it.

I think that this is close to a correct requirement. But I’m not convinced that in order to deliberate about whether to do A or B, an agent must believe that if there is a better reason to A, she *can* find it. For it seems that an agent can deliberate about whether to A if she only believes she *might* be able to find a better reason to A if there is one – I would not be surprised if this situation were more common than one in which the agent believes that she actually can find the better reason if there is one. Moreover, suppose someone asks me to choose between one of two doors, behind one of which there is a prize which I would win if I chose that door. I know that there is a reason to choose one door over the other – there is a prize behind that door, and not the other – but I also believe that the reason is not accessible to me. Nonetheless, I can engage in an active mental process whose aim is to figure out which of the two doors to select, even if in the end I make my selection depend on flipping a coin. So I can deliberate, given the characterization of deliberation we’re

working with, about which door to choose, even though I believe that if there is a better reason to choose one over the other, I cannot find it.

Assuming that the pre-decision result of deliberating about whether to do A1 or A2 is judging which it would be best to do, here is my proposal for a condition for belief in deliberative efficacy:

(DE) In order to rationally deliberate about whether to do A1 or A2, where A1 and A2 are distinct actions, an agent must believe that if as a result of her deliberating about whether to do A1 or A2 she were to judge that it would be best to do A1, then, under normal conditions, she would also, on the basis of this deliberation, do A1; and similarly for A2.

A few points of clarification: first, 'on the basis of' is again to be read causally. Second, it might at times be that the immediate result of deliberation is something other than judging that it would be best to do something. Perhaps we sometimes fix on an option for action as preferred without judging it best. Or when an agent judges doing A1 and A2 to be equally good, with no other options under consideration, the immediate result of deliberation can feature the outcome of a tie-breaking procedure, like the flip of a coin. (DE) could be made more precise to allow for such alternative immediate results.

Third, I will again assume that a dispositional notion of belief is the right one for this condition. Another possibility is the weaker alternative of *rational commitment* that Nelkin suggests: "if the agent reflected on it, she would believe that her alternatives are open and her deliberation efficacious."¹² In the case of rational commitment, by contrast with

¹² On OPC2.

dispositional belief, it's open that there is no actual belief to *retrieve*; instead the belief might first arise by way of agent's reflection. Perhaps mere rational commitment to deliberative efficacy is enough for rational deliberation.

Now notice that (DE) is not met by the agent in the two-door situation, but it is satisfied by someone in an ordinary deliberative situation in which she believes that determinism is true and that she therefore has only one possibility for decision and action - but she doesn't know which. If she believes that one of either

(i) doing A1 on the basis of deliberation

and

(ii) doing A2 on the basis of deliberation

is such that she cannot do it because determinism is true, but she doesn't know which, she can still meet condition (DE). For she might still believe that if she were to judge doing A1 best, she would still do A on the basis of deliberation, and similarly for A2.

(DE) could be made more precise in a further respect. Nelkin suggests that one can deliberate about whether to do A while only believing that deliberation *might* be effective.¹³ Kapitan points out that I might be aware of my occasional weakness of will, akrasia, and this does not keep me from deliberating. In my definition, there is already wiggle room of the sort required to respond to these concerns: it specifies that "under normal conditions, she would also, on the basis of this deliberation, decide to do A1, and do A1..."¹⁴ Wiggle-

¹³ In her commentary on this paper for OPC2.

¹⁴ On OPC2.

room is needed for certain types of non-optimal functioning, and akrasia is perhaps the most significant of these in the present context. But it might be better to revise (DE) by making explicit mention of akrasia. Another possibility for revision involves substituting 'might' for 'would'; so that the condition would include: "on the basis of deliberation, she *might* do A1..." But this condition could not handle a slightly altered version of the two doors case, one in which I am aware of a 1/1000 chance that the locked door will spontaneously become unlocked (Louis deRosset has suggested such probabilistic two-doors examples in conversation). Even then it seems that I could not deliberate about which door to open, despite my believing of each that I might open it, as a result of deliberation.

Kapitan (in correspondence) proposes an efficacy condition (as a suggestion, without endorsing it) that allows for some appropriate wiggle room:

At t1, S presumes that his A-ing at t2 is open only if S presumes at t1 that (i) it is more likely than not that he would A at t2 were he to undertake A-ing at t2, and (ii) it is more likely than not he would refrain from A-ing at t2 were he to undertake refraining from A-ing at t2.

But it seems to me that this condition is challenged by a case of the sort that deRosset suggests – here one door will do. Imagine that you believe that the probability of the door being unlocked is .51. I think that here one cannot deliberate about whether to open it, even though you presume that it is more likely than not that you would open the door if you were to undertake doing so, and it is more likely than not that you would refrain from opening the door if you were to undertake refraining from opening it. At the same time, it's

also clear that if you believe that the probability of the door being unlocked is .99, you can deliberate about whether to open it. Many ordinary cases of deliberating about whether to do something fit this model (more or less). So between .51 and .99 there would seem to be a threshold range. Understanding the structure of this threshold would advance the cause of a more precise formulation of (DE).

4. Both the epistemic-openness condition (S) and the belief-in-deliberative efficacy condition (DE) are needed.

One might venture that because (DE) yields the right result for van Inwagen's two-door example, and since this example features an absence of openness, no epistemic openness condition is required in addition to (DE). But this is incorrect – both sorts of conditions are required. For an agent might satisfy (DE) in a case in which she cannot deliberate because an epistemic openness condition is not satisfied. I cannot deliberate about whether I will now drop everything to become a mercenary in Africa. But my so deliberating does satisfy (DE), since I believe that if as a result of my deliberating about whether I will now drop everything to become a mercenary in Africa, I were to judge that it would be best to do so, then I would also, on the basis of this deliberation, do so; and similarly for refraining from this course of action. So (DE) all by itself is incomplete. But in this example (S) together with (Settled) is not satisfied. For my now dropping everything to become a mercenary in Africa is inconsistent with a proposition that I believe and about which in the present context I do disregard the doubts I have, i.e., that I will not now drop everything to become a mercenary in Africa, and I believe this. The moral is that (DE)

needs to be supplemented by an epistemic openness condition; and I am recommending (S) together with (Settled).

A number of deliberation-compatibilists have suggested that the “no belief in ability” thesis provides a sufficient account of what is required for deliberation here:

(NB) In order to rationally deliberate among alternative actions $A_1 \dots A_n$, where $A_1 \dots A_n$ are distinct actions, it must be the case that S does not believe of any among $A_1 \dots A_n$ that she can't perform it¹⁵

One might contend that (NB) adequately specifies the openness required for rational deliberation, and since it demands even less of an epistemic commitment on the part of the agent than (S) together with (Settled), it should be preferred. But first, a deliberative-
efficacy belief would still be required to handle the two-door case, since there the deliberator does not believe that she can't open door #1, and she does not believe that she can't open door #2. So (NB) cannot explain why she cannot deliberate in this situation, while (DE) can. Thus, one might propose (NB) together with (DE) as the complete account. However, I don't believe that I cannot now drop everything to become a mercenary in Africa, so (NB) does not explain why I cannot deliberate about this. And, as we have just seen, (DE) can't explain this inability either. However, (S) together with (Settled) can: crucially, although I do not believe that I cannot now drop everything to become a mercenary in Africa, it is settled for me that I will not. Consequently, of the accounts we've canvassed so far, only (S) together with (Settled) and (DE) can explain why I cannot

¹⁵ Coffmann and Warfield (2005, 38) note that a “no belief in ability” thesis is endorsed by Bok (1998, 110), Clarke (1992, 110), Kapitan (1986, 235-41), Pettit (1989, 43), Searle (2001); Taylor (1966, chap. 12), and Waller ((1985, 49).

deliberate in both the mercenary and the two-door cases.

Furthermore, it might be argued that (DE) is deficient, since an agent might satisfy it even though he cannot deliberate due to his being convinced that doing so would be ineffective since he believes, specifically, that he cannot judge it best to do A.¹⁶ I am convinced that in the present context it would be psychologically impossible for me to judge that it would be best for me now to drop everything to become a mercenary in Africa on the basis of deliberating about whether to do so, as a result of which I am unable to deliberate about whether to do so. Still, my so deliberating satisfies (DE). But at this point (S) together with (Settled) can again be brought to bear. In this case (S) together with (Settled) is not satisfied, and this can explain why I cannot deliberate here, even though (DE) cannot.

One might think that the epistemic openness and belief-in-deliberative-efficacy requirements are not really distinct either because the former can absorb the content of the latter, or vice-versa. There is a general reason to think that this is not so. Efficacy of deliberation is a matter of deliberation's causal efficacy in producing choice and action. For this reason, the content of the belief in a belief-in-deliberative-efficacy requirement is appropriately expressed in hypothetical or conditional form: to deliberate rationally, I must believe that if my deliberation has such-and-such an immediate result, I can produce, on the basis of this deliberation, choice and action corresponding to this result. By contrast, as Kapitan in effect argues, openness is plausibly not conditional: it's not that each of several

¹⁶ Clarke suggests this line of argument in correspondence.

options for what to do must in some sense be possible for me on the supposition that some condition is satisfied (Kapitan, 1986, 241). Consider, for instance, the following proposal for a conditional epistemic-openness requirement:

(CO) In order to rationally deliberate about whether to do A or B, the agent must believe that if she chose A she would do A, and if she chose B, she would do B.

Suppose Ricky believes that as a matter of psychological fact he could not choose to jump into the sea (say, to save a drowning child), but he also believes that if he actually did choose to jump into the sea, he also would have jumped. Here it seems intuitive that it is not epistemically open for Ricky that he jump into the sea. But his jumping into the sea satisfies (CO). Any conditional epistemic-openness requirement might be challenged by a similar argument (Chisholm 1964; Lehrer 1968; van Inwagen 1983, 114-26; van Inwagen considers variants for 'chose' that include 'willed' 'tried' 'set himself' or 'wanted,' without any improvement in the prospects for a conditional analysis, 115). The moral is that the content of the epistemic-openness requirement is appropriately expressed in categorical terms. Since the epistemic conditions on deliberative efficacy and openness plausibly differ in logical structure, there is reason to believe that the content of one cannot be absorbed by the other.

5. Objections.

As noted, Coffman and Warfield (2005, 40-1) express a concern about certain epistemic conditions on deliberation requiring too much by way of conceptual or cognitive sophistication. For instance, they take one existing proposal, the 'belief in counterfactuals

about choices' thesis,¹⁷ to task for requiring the deliberator to handle counterfactuals. Here is their formulation of this proposal:

(BCC) S deliberates among some different courses of action only if S believes of each of those actions that she would perform it if she were to choose to perform it.

They object as follows:

BCC entails that one deliberates only if one has the cognitive ability to handle counterfactuals. This seems excessive: it seems that there could be creatures that deliberate yet lack the cognitive ability to handle counterfactuals (which perhaps involves something like the ability to "mentally simulate" the obtaining of certain conditions and subsequently make a judgment about a distinct proposition's truth value under those "mentally simulated" conditions). Certain higher non-human animals may be deliberators that lack the ability to handle counterfactuals. Small children may also be deliberators who lack the ability to handle counterfactuals.

(2005, 40-1)

First of all, it is rational deliberation for which we are testing conditions, and the rationality of deliberation itself plausibly requires some cognitive sophistication. Now indeed, the belief-type specified by (DE) would involve the ability to cognitively process subjunctive conditionals. The conditionals at issue are not counterfactual, exactly, since they don't involve suppositions that are contrary to fact, but rather suppositions of various unrealized options for action (one of which may turn out to become factual). This may be significant,

¹⁷ As Coffman and Warfield point out, this thesis is endorsed by Kapitan (1986, 241) and Bok (1998, 112-3).

for the reason that it may be more likely that young children and animals can simulate unrealized options for action -- even as such -- than for them to represent suppositions as contrary to fact. However, it is plausible to hold that if the deliberators at issue have cognitive abilities at all (and are not merely stimulus-response mechanisms, for example), one would expect them to have the ability to handle subjunctive conditionals. The reason is this: all cases of deliberation plausibly exhibit causal reasoning at a rudimentary level that involves the ability to handle subjunctive conditionals. A cat might well be in a mental state that we could represent as "if I jumped to the left, that mouse would get away, but if I jumped to the right, it would be trapped against the wall." To be sure, the cat does not have the means to report these conditionals linguistically, but mental simulation and non-linguistic or non-conceptual representation might well suffice. So it may well be that even causal reasoning at a rudimentary level involves the ability to handle subjunctive conditionals, and young children and deliberating animals have such a capacity for causal reasoning.¹⁸

Coffman and Warfield have an argument in reserve: "even if every actual deliberator has the cognitive sophistication BCC requires for deliberation, it seems possible that there be a deliberator that lacks such sophistication (2005, 41). However, it might well be impossible to deliberate without thinking of oneself as causally efficacious in realizing various options for what to do -- as in the cat example just cited -- and it might well be impossible to think of oneself as causally efficacious in this way without being able to

¹⁸ For a general defense of animal cognition, see Kornblith (2002), esp. Chapter 2, pp. 28-69.

handle the sorts of subjunctive conditionals this example features.

Notice that unlike other proposed epistemic openness conditions (S) together with (Settled) does not require the agent to have the concept of consistency.¹⁹ It says that for every Ai about which she deliberates, either the proposition that she does Ai is in fact consistent with every proposition that, in the present context, is settled for her – it does not require that she then believe this -- or if it is inconsistent with some such proposition, that she *not* believe this.²⁰

Coffman and Warfield take the “no belief in ability” theses to task for ruling out what they call “double-minded deliberation,” that is, deliberation about an alternative which one both believes one has, and one believes one does not have (2005, 37). Here is their formulation of this thesis:

(NBI) S deliberates among some different courses of action only if S does not believe of some of those actions that she can’t perform them.

They argue that the possibility of double-minded deliberation rules out proposals according to which the deliberator must lack a belief that he does not have the alternative at issue. But note first that (S) together with (Settled) does not rule out one kind of double-

¹⁹ Coffman and Warfield (2005, 38) formulate the “belief in epistemic possibility” thesis as follows:

S deliberates among some different courses of action only if S believes of each of those actions that her performing it is consistent with certain other propositions she believes,
citing Dennett (1984), Jones (1968, 260), Kapitan (1986, 241), and Mele (2002, 906-7).

²⁰ That said, I suspect that a good case can be made that all rational deliberators will be sensitive to consistency and inconsistency, even if they need not have the concept ‘consistency.’ Kornblith (2006) points out that animals and young children have sensitivity to logical notions, but may well lack corresponding concepts.

minded deliberation, where the agent believes that one of the two alternatives is not available to her, and that it is available to her, but it is not settled for her that it is not available to her. Still, they do rule out double-minded deliberation about A if it is settled for the agent that she lacks one of two alternatives. But such double-minded deliberation arguably fails to qualify as rational, and the proposed conditions are intended as requirements on rational deliberation.²¹

The force of Coffman and Warfield's concerns about requiring too much cognitive sophistication is tempered by the fact that only a sufficient deliberation-compatibilist condition is required to defeat the deliberation-incompatibilist. We might then reframe the content of (S) and (DE) to comprise the main components of a sufficient condition for rational deliberation. Note first that that these conditions specify only sophistication available to a very broad range of agents. They would thus be satisfiable by this broad range of agents, and if they were correct, this broad range would be capable of rational deliberation in a world they knew to be deterministic without false or inconsistent beliefs. Moreover, note that the concern about inconsistency applies only to those agents who believe determinism and its evident consequences. It is highly plausible that agents who lack the ability to handle subjunctive conditionals, or who lack facility with the concept of consistency, would be incapable believing that determinism is true. The sufficient

²¹ Thanks to Louis deRosset for this point. One might add that if the deliberation-incompatibilist's concern is that deliberators who believe that determinism is true will have inconsistent beliefs, and the deliberation-compatibilist proposes belief-conditions that avoid such inconsistent beliefs, it is dialectically questionable for the deliberation-incompatibilist to object that the compatibilist proposal fails to allow for deliberation that involves inconsistent beliefs. See also Neil Levy's discussion of this issue (2006).

condition would leave it open that these unsophisticated agents must have false beliefs when they deliberate, but this does not seem especially worrisome. I also doubt that they clearly must have false beliefs, since it's plausible that the 'could' in their beliefs about what they could do is not determinately metaphysical.

6. Final words.

In summary, rational deliberation plausibly requires satisfaction of both an epistemic-openness condition and a belief-in-deliberative-efficacy condition. My proposed epistemic-openness condition is:

(S) In order to deliberate rationally among distinct actions $A_1 \dots A_n$, for each A_i , S cannot be certain of the proposition that she will do A_i , nor of the proposition that she will not do A_i ; and either (a) the proposition that she will do A_i is consistent with every proposition that, in the present context, is settled for her, or (b) if it is inconsistent with some such proposition, she cannot believe that it is.

together with

(Settled) A proposition is settled for an agent just in case she believes it and disregards any doubt she has that it is true, e.g., for the purpose of deliberation.

While (S) together with (Settled) does not also yield a compatibilist account for the supposition that one's deliberation be efficacious, deliberative efficacy is sufficiently different from openness to warrant a separate condition. I propose:

(DE) In order to rationally deliberate about whether to do A_1 or A_2 , where A_1 and A_2 are distinct actions, an agent must believe that if as a result of her deliberating

about whether to do A1 or A2 she were to judge that it would be best to do A1, then, under normal conditions, she would also, on the basis of this deliberation, do A1; and similarly for A2.

(S) together with (Settled), and (DE) appear not to be vulnerable to objections that have been raised against other compatibilist proposals for the beliefs required for deliberation, and this in turn provides reason to think that a deliberation-incompatibilism, for example, a version that incorporates condition (I), can be successfully resisted.

References

- Bok, H. (1998). *Freedom and Responsibility*, Princeton: Princeton University Press.
- Castañeda, Hector-Neri (1975). *Thinking and Doing*, Dordrecht: D. Reidel.
- Chisholm, R. (1964). "Human Freedom and the Self," The Lindley Lecture, Department of Philosophy, University of Kansas, 1964; reprinted in *Free Will*, Gary Watson, ed., Oxford, Oxford University Press, 1982.
- Clarke, R. (1992). "Deliberation and Beliefs About One's Abilities," *Pacific Philosophical Quarterly* 73, 101-13.
- Coffman, E. J., and Warfield, T. (2005). "Deliberation and Metaphysical Freedom," *Midwest Studies in Philosophy* 29, 25-44.
- Dennett, D. (1984). *Elbow Room*. Cambridge: MIT Press.
- Jones, D. (1968). "Deliberation and Determinism," *Southern Journal of Philosophy* 6, 255-64.
- Frankfurt, H. (1971). "Freedom of the Will and the Concept of a Person," *Journal of Philosophy* 68, pp. 5-20.
- Ginet, C. (1962). "Can the Will be Caused?" *The Philosophical Review* 71, 49-55.
- Ginet, C. (1966). "Might we have no Choice?" in *Freedom and Determinism*, Keith Lehrer, ed. New York: Random House.
- Kant, I. (1785/1981). *Grounding for the Metaphysics of Morals*. J. Ellington, tr. Indianapolis: Hackett.
- Kapitan, T. (1986). "Deliberation and the Presumption of Open Alternatives," *The Philosophical Quarterly* 36, 230-51.
- Kapitan, T. (1996). "Modal Principles in the Metaphysics of Free Will." *Philosophical Perspectives* 10, 419-46.
- Kornblith, H. (2002). *Knowledge and its Place in Nature*. Oxford: Oxford University Press.
- Kornblith, H. (2006). "Reply to Bermudez and Bonjour," *Philosophical Studies*, 127, 337-49.
- Lehrer, K. (1968). "Cans Without Ifs," *Analysis* 29, 29-32.

- Levy, N. (2006). "Determinist Deliberations," *Dialectica* 60, 453-59.
- Mele, A. (2002). "Review of John Searle's Rationality in Action." *Mind* 111, 905-9.
- Nelkin, D. (2004a). "The Sense of Freedom," in *Freedom and Determinism*, J. Campbell, M. O'Rourke, and D. Shier, eds., Cambridge: MIT Press, 105-34.
- Nelkin, D. (2004b). "Deliberative Alternatives," *Philosophical Topics* 32, 215-40.
- Pereboom, D. (2001). *Living Without Free Will*. Cambridge, Cambridge University Press.
- Pettit, P. (1989). "Determinism with Deliberation," *Analysis* 49, 42-4.
- Searle, J. (2001). *Rationality in Action*. Cambridge: MIT Press.
- Taylor, R. (1966). *Action and Purpose*, Englewood Cliffs: Prentice Hall.
- van Inwagen, P. (1975). "The Incompatibility of Free Will and Determinism," *Philosophical Studies* 27, pp. 185-99.
- van Inwagen, P. (1983). *An Essay on Free Will*, Oxford: Oxford University Press.
- van Inwagen P. (2004) "Van Inwagen on Free Will," in *Freedom and Determinism*, J. Campbell, M. O'Rourke, and D. Shier, eds., Cambridge: MIT Press, 213-30
- Waller, B. (1985). "Deliberating about the Inevitable," *Analysis* 45, 48-52.