

# The Phenomenology of Agency and Deterministic Agent Causation

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## ABSTRACT

On one widespread conception, in any situation in which I am deliberating about what to do, I will have a number of distinct options for action or refraining from acting, and these options are genuinely available to me in a sense that requires the absence of causal determination by factors beyond my control. This libertarian conception reflects a core sense of freedom of the will. Some have argued that this ability is reflected in the phenomenology of many of our actions, and thus that the phenomenology of agency might be taken to support the view that we have free will in a libertarian sense. Others have suggested in addition that the phenomenology of agency at least prima facie conflicts with the influential state- or event-causal theory of action, championed by Donald Davidson (1963), among others. The phenomenology appears to reveal that in paradigm cases, actions are caused not solely by events or states, but are rather actively caused by agents themselves. The conclusion one might draw is that the phenomenology supports agent-causal libertarianism. I will argue that the phenomenology does not strongly support a libertarian conception of agency, but that together with further theoretical considerations it does substantiate agent-causation by contrast with state-causation or non-causation of action in paradigm cases of action. In accord with these claims, I explore the sort of compatibilist or determinist agent-causal theory defended by Ned Markosian (1999, 2010) and Dana Nelkin (2011).

On one widespread conception, in any situation in which I am deliberating about what to do, I will have a number of distinct options for action or refraining from acting, and these options are genuinely available to me in a sense that requires the absence of causal determination by factors beyond my control (e.g., van Inwagen 1983).<sup>1</sup> This conception reflects a core sense of freedom of the will. Some, such as Jean-Paul Sartre (1943; cf., Guignon and Pereboom 1995/2001), and

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more recently by Timothy O'Connor (2000), Terry Horgan (2007), Martine Nida-Rümelin (2007) have argued that this ability is reflected in the phenomenology of many of our actions, and thus that the phenomenology of agency might be taken to support the view that we have free will in a libertarian sense. Horgan and Nida-Rümelin, as well as others such as Tim Bayne and Neil Levy (2006), have suggested in addition that the phenomenology of agency at least *prima facie* conflicts with the influential state- or event-causal theory of action, championed by Donald Davidson (1963), among others. The phenomenology appears to reveal that in paradigm cases, actions are caused not solely by events or states, but are rather actively caused by agents themselves. Putting this together, the conclusion one might draw is that the phenomenology supports agent-causal libertarianism. I will argue that the phenomenology does not strongly support a libertarian conception of agency, but that together with theoretical considerations it does substantiate agent-causation by contrast with state-causation or non-causation of action in paradigm cases of action. In accord with these claims, I explore the sort of compatibilist or determinist agent-causal theory defended by Ned Markosian (1999, 2010) and Dana Nelkin (2011).

### Three Kinds of Libertarianism

Let's begin with libertarian free will. The claim to be evaluated is that the phenomenology of agency supports the view that we have capacity to freely will action, with the understanding that an action's being freely willed is incompatible with its being causally determined by factors beyond the agent's control. Here it's important to distinguish the three main versions of this libertarian position, since they potentially differ with respect to support from the phenomenology. In *event-causal libertarianism*, actions, conceived as agent-involving events – as agents acting at times – are caused solely by prior events or states, such as an agent's having a

desire or a belief at a time, and some type of indeterminacy in the production of actions by appropriate events is held to be necessary for the kind of free will required for moral responsibility (Kane 1996; Ekstrom 2000; Balaguer 2009, Franklin 2011).

According to *agent-causal libertarianism*, free will of the sort required for moral responsibility is accounted for by the existence of agents who as substances have the power to cause decisions without being causally determined to do so (Kant 1781/1787/1987; Reid 1788/1983; Taylor 1966, 1974; Chisholm 1964, 1976; O'Connor 2000, 2008; Clarke 1993, 2003; Griffith 2010). It is essential that the causation involved in an agent's making a free decision is not reducible to causation among events, and what ensures this is that the agent *fundamentally as a substance* has the power to cause decisions. Determinism is compatible with agent causation, but according to agent-causal libertarianism, for a decision to be free it's crucial that the agent not be causally determined to cause it.

A third conception is *non-causal libertarian* (Bergson 1889/1910; Ginet 1990, 1996, 2007; McCann 1998; Goetz 2008). Non-causal theorists, such as Carl Ginet, Hugh McCann, and Stewart Goetz endorse a non-causal requirement for free action; free actions, or at least free basic actions, are not caused at all. On Ginet's account, besides being uncaused, the key conditions for a basic action's being free are that it has an agent as a subject, and that it has an actish phenomenological feel. In place of such a phenomenological feel, McCann specifies that the action be intentional, and intrinsically and fundamentally so. According to Goetz, the action must satisfy a teleological requirement, and since McCann's intrinsic intentionality is teleological as well, these views are related.

In the present philosophical climate, event-causal libertarianism is typically regarded as *prima facie* the most attractive of these views. The idea of an uncaused event and the notion of a

substance-cause are regarded with suspicion. But as we shall now see, event-causal libertarianism faces serious objections, both phenomenological and theoretical.

### The Phenomenology of Agency

First, many agree the phenomenology of agency lends support to a view of action according to which in the paradigm case, the agent could have acted otherwise from how she in fact did.

Horgan endorses this claim:

Normally, when you do something, you experience yourself as *freely* performing the action, in the sense that it is *up to you* whether or not you perform it. You experience yourself not only as generating the action, and not only as generating it purposively, but also as generating it in such a manner that you *could have done otherwise* (Horgan 2007, 189).

On one natural interpretation, this phenomenology is libertarian. But let me note that there is a dispute in the experimental philosophy literature as to whether this phenomenology is libertarian or compatibilist. The studies of Eddy Nahmias and his colleagues have ruled in favor of the compatibilist option (Nahmias, Morris, Nadelhoffer, and Turner, 2006; Nahmias and Murray 2010), while a recent survey by Oisín Deery, Shaun Nichols, and Matt Bedke (2013) supports the libertarian alternative.

Second, a number of philosophers contend that the phenomenology of agency is agent-causal rather than state- or event-causal. According to the Davidsonian model of agency, action is caused by mental states or events, and not fundamentally by agents as substances (Davidson 1963). As David Velleman illustrates:

There is something the agent wants, and there is an action that he believes conducive to its attainment. His desire for the end, and his belief in the action as a means, justify taking the action, and they jointly cause an intention to take it, which in turn causes the corresponding movements of the agent's body. Provided that these causal processes take their normal course, the agent's movements

consummate an action, and his motivating desire and belief constitute his reasons for acting (Velleman 1992, 461).

To some this state-causal picture at least initially appears to be mistaken. John Bishop, for instance, remarks:

Intuitively, we think of agents as carrying out their intentions or acting in accord with their practical reasons, and this seems different from (simply) being caused to behave by those intentions or reasons (1989, 72).

Velleman allows that borderline cases of action, such as weak-willed action, count as action without the agent participating in it, but what he calls *full-blooded action* is at odds with the state-causal model:

In full-blooded action, an intention is formed by the agent himself, not by his reasons for acting. Reasons affect his intention by influencing him to form it, but they thus affect his intention by affecting him first. And the agent then moves his limbs in execution of his intention: his intention doesn't move his limbs by itself. The agent thus has at least two roles to play: he forms an intention under the influence of reasons for acting, and he produces behavior pursuant to that intention (Velleman 1992, 462).

These remarks are in accord with the ancient Stoic theory of action (Inwood 1985). On that view, a mature human agent normally has the power to freely and voluntarily assent to, dissent from, or suspend judgment with regard to any proposal for action suggested by her motivational states. Its source is the rational and ruling part of the soul—the *hegemonikon*. In the Stoic theory, no matter what one's motivational states, a mature human agent can keep herself from deciding in accord with them. Thus, even if, all things considered, the net force of her motivational states strongly favors an irrational or immoral proposal for acting, she can nevertheless dissent from this proposal, and thus not act on it. In this conception, the agent has an independence of all of her motivational states, and cannot be identified, for example, with the collection of its states. Given these specifications, it is not unnatural to identify the agent that exercises this executive control with the agent, fundamentally as substance. Crucially, a further feature of the Stoic theory is that

in order for a decision to take place, this agent in fact *must* exercise this executive control. With only the causal efficacy of the various motivational states in place, we don't yet have a decision. Rather, a decision doesn't come about until the agent makes up her mind and brings it about.

The concern for the inadequacy of the state or event-causal theory of agency plausibly gains support from the phenomenology of agency. Suppose you raise your arm and clench your fist. Horgan remarks:

You experience your arm, hand, and fingers as being moved by *you yourself* – rather than as experiencing their motion either as fortuitously moving just as you want them to move, or passively experiencing them as being caused by your own mental states. You experience the bodily motion as generated by *yourself* (Horgan 2007, 187).

This phenomenological report accords with Velleman's claim about full-blooded actions. Note also that it conflicts with event-causal libertarianism on responsibility for full-blooded actions, for the reason that given this account of the phenomenology, there is no action unless the agent *per se* generates it, and it's also intuitive that the agent would be responsible for such an action precisely by playing this role.

Nida-Rümelin (2007) adduces an additional claim about the phenomenology that would count against the state-causation view. On her account, when we actively do things over moderately extended periods of time, such as playing pieces of music or even just raising an arm, the phenomenology is as if one's being active throughout the process. It's not like merely experiencing a causal connection between one's intention and a bodily change. Nida-Rümelin writes: "When a person experiences herself as actively raising her arm she does not thereby have an experience with the following content: I have an intention to raise my arm and the intention causes my arm to go up" (2007, 259). Horgan elaborates on this point. He argues that in the case of raising one's arm and clenching one's fist, it's not as if the phenomenology involves "first

experiencing an occurrent wish for your right hand to rise and your fingers to move into clenched position, and then passively experiencing your hand and fingers moving in just this way,” or first experiencing this occurrent wish “and then passively experiencing a causal process consisting of this wish’s causing your hand to rise and your fingers to move into clenched position” (Horgan 2007, 186). Such a feature of the phenomenology of agency would be *prima facie* at odds with a state-causation view, and would nicely be accommodated by the agent-causal alternative. All of these considerations give rise to a *disappearing agent* objection to state or event-causal theories of action, or at least of full-blooded action (Hornsby 2004a and b; Steward 2012).

A related but distinct disappearing agent objection targets the event-causal libertarian’s claim to secure moral responsibility by way of her theory. Critics of libertarianism have argued that if actions are undetermined, agents cannot be morally responsible for them. A classical presentation of this concern is found in Hume’s *Treatise of Human Nature* (1739/1978: 411). There he argues, more specifically, that if an action is uncaused, it will not have sufficient connection with the agent for her to be morally responsible for it. Some objections that reflect the Humean concern are called luck objections (Mele 2006), for the reason that they attempt to show that on the libertarian view at issue whether the action occurs is a matter of luck – good or bad, and thus it is not sufficiently in the control of the agent for her to be morally responsible for it. I think the objection in this family that reveals the deepest problem for event-causal libertarianism is this other disappearing agent objection:

Consider a decision that occurs in a context in which the agent’s moral motivations favor that decision, and her prudential motivations favor her refraining from making it, and the strengths of these motivations are in equipoise. On an event-causal libertarian picture, the relevant causal conditions antecedent to

the decision, i.e., the occurrence of certain agent-involving events, do not settle whether the decision will occur, but only render the occurrence of the decision about 50% probable. In fact, because no occurrence of antecedent events settles whether the decision will occur, and only antecedent events are causally relevant, *nothing* settles whether the decision will occur. Thus it can't be that the agent or anything about the agent settles whether the decision will occur, and she therefore will lack the control required for moral responsibility for it (Pereboom 2004, 2007, 2014; O'Connor 2008).

The concern raised is that because event-causal libertarian agents will not have the power to settle whether the decision will occur, they cannot have the role in action that secures the control that moral responsibility demands.

From the libertarian perspective, it appears that what would need to be added to the event-causal libertarian account is involvement of the agent in the making of her decision that would allow her to settle whether the decision occurs, and thereby have the control required for moral responsibility in making a decision. Agent-causal libertarianism proposes to satisfy this requirement by reintroducing the agent as a cause, not merely as involved in events, but rather fundamentally as a substance. If the agent were reintroduced merely as involved in events, the disappearing agent objection could effectively be reiterated. Thus what the agent-causal libertarian introduces is an agent who possesses a causal power, fundamentally as a substance, to cause a decision – or more comprehensively, as O'Connor (2009) specifies, “the coming to be of a state of intention to carry out some act” – without being causally determined to do so, and thereby to settle, with the requisite control, whether this state of intention will occur. My sense is



that the disappearing agent objection counts decisively against event-causal libertarianism as an account of moral responsibility, and O'Connor (2009), for example, agrees.

### Error theories

One possible route to countering the apparent implications of the phenomenology of agency is by appeal to error theory. One might hypothesize that it's only by virtue of inaccuracy in the phenomenology that we are led to believe that state- or event-causal accounts of action are insufficient, and also to believe that we can do otherwise in a way that is incompatible with the agent's being causally determined to act. I will argue that while the aspect of the phenomenology of agency that supports libertarianism may be inaccurate, the aspect that corroborates the insufficiency of the state-causal theory of action is not plausibly in error.

Let's begin with the phenomenology of being able to do otherwise. One concern is that while the pure, i.e., belief-independent, phenomenology of agency may not be in error, there are certain associated beliefs we commonly form that are false. Given that beliefs can cognitively penetrate the phenomenology, the resulting impure phenomenology may in error. In particular, one might argue that the pure phenomenology of agency does not represent an agent as being able to do otherwise. Rather, we represent ourselves this way by a belief we naturally form. Hume (1739/1978: 408-409) suggests that a belief of this type results from the fact that if after performing an action we then attempt to refrain, we succeed, and assuming that the circumstances on the second occasion haven't changed, we infer that we could have done otherwise the first time around. (Hume thinks the circumstances have in fact changed: on the second occasion we're motivated by trying to show that we're free.) This might then be reported as a feature of the phenomenology of agency. But on this account, while the pure

phenomenology reveals the consideration of alternatives and the decision to act, it doesn't also feature the sense that one could then have acted differently.

Spinoza proposes an explanation as to why the belief that one could have acted differently is natural but mistaken. He contends that we believe we are free only because we are ignorant of the causes of our actions; “experience itself, no less than reason, teaches that men believe themselves free because they are conscious of their own actions, and ignorant of the causes by which they are determined...” (Spinoza 1677/1985, 496). On this proposal, phenomenology apt to generate a belief that we could have done otherwise would be just the same if our decisions were instead causally determined and we were ignorant of enough of their causes. It is in fact highly plausible that we are ignorant of some of the causes of our actions. For example, people weigh moral and self-interested reasons differently – some more selfishly, others more altruistically. But these tendencies, while they often make a crucial difference to decision, are typically not evident to introspection. Neural causes of action are also not evident to introspection, although it is clear that they exist. Given the likelihood of such ignorance, the phenomenology does not offer greater epistemic support for the belief that we have an indeterministic ability to do otherwise than for the hypothesis that we lack this ability and we are ignorant of some of the causes of our actions (cf. Wykstra 1984). For this reason, the phenomenological evidence for the belief that we could have done otherwise is weak. Add to this, as Horgan points out (forthcoming, 20), that “there is no strong scientific evidence, at least none that educated laypersons know about – to suggest that neural activity that directly subserves human deliberation, decision, and action is subject to any significant degree of causal indeterminacy.” All of this gives us reason to take seriously a theory that does not feature the indeterministic ability to do otherwise.

What about the aspect of the phenomenology that is at odds with the pure state or event causation of action? We should agree at the outset that Horgan and Nida-Rümelin are right to point out that in our doings the phenomenology is an active one. But here again we might propose to draw the distinction between pure and impure phenomenology. On the Humean side, Hume himself argued that introspective phenomenology reveals no state-independent subject or agent, and many, including Kant, have found this persuasive (Hume 1739/1978: 251-253; Kant 1781/1787/1987). This might cast doubt on whether the phenomenology of agency features settling by a state-independent agent. True, it's natural to believe that when you decide to move to Tampa rather than staying in Burlington it's not that the decision is caused just by the Tampa-favoring beliefs and desires, but rather that you as agent settle which way to decide in the light of those reasons. But it may be that the language we use to report such beliefs is misleading us by suggesting a mistaken metaphysics of self. Descartes argues that there is only a conceptual distinction between *res cogitans*, the thinking subject, and the attribute of thought (Descartes 1985: 215-16; *Principles of Philosophy* I: 63-64). The idea is that the subject/predicate form gives rise to the belief that the substance/property distinction is exclusive, and when applied to 'I think' or 'I do' -type thoughts, this occasions the belief that there is an exclusive distinction between the self and its states. But in actual fact, this is an illusion; there is no self independent of states, considered generally.

However, despite all of this, in paradigmatic circumstances of deliberation, it does seem that I, and not my states, settle which decision is made. One possibility is that this is really a belief, and at least not pure phenomenology. In the next section I'll argue that it's also a reasonable belief, given that it's clear that I can settle which decision is made in circumstances of

motivational equipoise. It may then also be phenomenology, but impure because cognitively penetrated by this reasonable belief.

### Event/State- Causal Solutions

One might attempt to solve the disappearing agent problem for agency and the related difficulty for moral responsibility within the event-causal framework by providing an account of the role of the agent in event- or state-causal terms. Such a view aims to explicate the distinctive role of the agent in action by certain core desires or standing preferences, with which the agent, in its role in acting, can plausibly be identified. Velleman endorses a position of this sort. On his proposal, the role of the agent is played by a *desire to act in accord with the reasons* (Velleman 1992: 478-79), and this attitude is sufficient to constitute the role the agent has in acting:

Although the agent must possess an identity apart from the substantive motives competing for influence over his behavior, he needn't possess an identity apart from the attitude that animates the activity of judging such competitions. If there is such an attitude, then its contribution to the competition's outcome can qualify as his – not because he identifies with but rather because it is functionally identical to him (Velleman 1992, 480).

Is a desire to act in accord with the reasons really suited to the role that intuitively the agent must have? One might first of all object that this desire won't account for the active causation that Nida-Rumelin and Horgan highlight. A further concern is that it does not satisfy the settling role in action that the agent intuitively has. This potential problem for Velleman's proposal can be illustrated by the phenomenon of torn decisions, which Mark Balaguer defines as follows:

*A torn decision:* a decision in which the agent (a) has reasons for two or more options and feels torn as to which set of reasons is stronger, that is, has no conscious belief as to which option is best, given her reasons; and that (b) decides without resolving the conflict – that is, the person has the experience of “just choosing” (Balaguer 2009, 72).

Balaguer illustrates with an example (2009, 72, 80):

Ralph is deciding whether to stay in Mayberry or move to New York. Favoring the move to New York are his desire to play for the Giants, and his desire to star on Broadway. Favoring staying in Mayberry are his desire to marry Robbi Anna, and his desire to manage the local *Der Weinerschnitzel*. Suppose Ralph makes the torn decision to move to New York – he just decides to move to New York.

The worry for Velleman's proposal is this. In the case of torn decisions it can't be a desire to act in accord with the reasons that settles which decision occurs, since the reasons are in equipoise. But still, it's clear that the agent – Ralph in Balaguer's example – can still settle which decision occurs. Thus in such cases the role of the agent can't be played by a desire to act in accord with reasons.

For the same reason, this account appears to fall short of an answer the disappearing agent objection for event-causal libertarianism when it is applied to torn decisions. In Kane's example of the businesswoman who is torn between stopping and helping the assault victim for moral reasons and speeding on to work for self-interested reasons (1996,: 182-3), the desire to act in accord with the reasons can't settle which of the two possible decisions becomes actual. Thus given Velleman's functional account of the agent, the businesswoman herself can't settle which option becomes actual, and so she as agent intuitively can't be morally responsible for the actual decision, whichever it turns out to be.

Laura Ekstrom presents an account of this event- or state-causal type as well, but one that highlights certain kinds of general preferences instead (Ekstrom 2000, 2003). She proposes it as an account of moral responsibility, but we can also test it as an account of what would seem to be missing the state-causal theory of agency. By her specification, a decision for which an agent is morally responsible must result by a normal causal process from an undefeated authorized general preference of his, where such preferences are non-coercively formed or maintained, and are caused but not causally determined by considerations brought to bear in his deliberation. In

Ekstrom's picture, these conditions on the formation of such preferences intuitively tie them to who the agent is, and thus, as in Velleman's proposal, have the functional role of the agent (Ekstrom 2000, 2003). But does it solve the disappearing agent problem for moral responsibility in the case of torn decisions? Suppose again that Kane's businesswoman can either decide to stop and help the assault victim for moral reasons, or else decide to speed on to work for self-interested reasons, and these reasons are in motivational equipoise. In addition, she, like most people has both moral and self-interested undefeated authorized general preferences. Let's suppose that these preferences are in motivational equipoise as well, so that now the decision would not only be torn, but in this sense meta-torn. But, intuitively, the businesswoman can still settle which way the decision goes. Imagine that she decides to stop and help. We can now ask: with all of this motivational equipoise in place, what was it that settled that her moral reasons and her moral preference would be causally efficacious? It seems that Ekstrom can only say that this occurred without anything about the agent settling that it did, since the extent to which the agent is involved at this point is exhausted by the reasons and the general preferences, which by hypothesis are in motivational equipoise.

Crucially, in this case the general preferences, formed as Ekstrom specifies, do not make it intuitive that the agent settles which decision occurs, as would be required if she is to be morally responsible for her decision. For the same reason the account can't solve the disappearing agent problem for the state-causal theory of agency either. These preferences, given that they are in motivational equipoise, can't settle which decision is made, so these preferences can't play the functional role of the agent to settle which decision is made. Yet it's intuitive that agents can settle which decision is made given torn-decision situations of this sort, and so the account falls short.

### Non-Causal Theories

Let's now consider whether the plausible phenomenological and theoretical considerations can be accommodated by a non-causal theory. One of the earliest and greatest of the non-causal views, that of Henri Bergson (1889/1910), is deeply phenomenological in character. Bergson in fact maintains that the phenomenology of conscious agency constitutes the whole story of conscious agency, with no remainder. In short, his position is that although actions occur in time, the time of agency as revealed in the phenomenology does not resolve into the kinds of (extensive) magnitudes required for the applicability of causal laws. Any attempt to theorize about conscious agency will involve invoking physical concepts that do not in fact apply to it, but are merely metaphorical, and thus causal conceptions of conscious agency are merely metaphorical as well. Conscious agency, and the mental more generally, are *sui generis*, and as they really are they are not subject to theorizing, and are not causal in nature. This independence of causality, on Bergson's account, allows actions to be freely willed.

One might propose that a view of this sort yields a solution to the problem disclosed by the disappearing agent objection. What needs to be added to the event- or state-causal account is involvement of the agent so that she can settle which decision occurs, and, at least on libertarian views, thereby be its source in a way that allows for moral responsibility. Here the agent-causal libertarian thus appeals to substance-causation and its instantiation by agents. But at this point one might contend, as Ginet does, that a non-causal position fares at least as well. In his view, an agent's agent-causing simple mental acts would have no advantage over her *simply performing* such acts, where 'performing' can be analyzed non-causally – in terms of the agent's being the subject of the act and an actish phenomenological feel (Ginet 1990). Such an account has the *prima facie*

advantage of avoiding an appeal to substance causation, whose legitimacy is controversial. Here, in outline, is Ginet's resulting position on free action (1997, 2007):

- (i) Every action either is or begins with a simple mental action, a mental event that does not consist of one mental event causing others.
- (ii) A simple mental event is an action if and only if it has a certain intrinsic phenomenological quality, that is, an "actish" quality
- (iii) A simple mental event's having this intrinsic actish phenomenological quality is sufficient for its being an action, but not for its being a free action.
- (iv) A simple mental free action must, in addition, not be causally necessitated by antecedent events (1996), and not even probabilistically caused by antecedent events (2007).

The objection I will now set out for Ginet's account, and for non-causalist accounts generally is that their advocates use *prima facie* causal language to express the purportedly non-causal relation, and that either causation is being invoked, or if it is not, the problem for agency and for moral responsibility remains unsolved (Pereboom 2014, ch. 2). Ginet remarks, for instance:

[Making] It was up to me at time T whether that event would occur only if I *made it the case that it occurred* and it was open to me at T *to keep it from occurring* (2007, 245).

But now against Ginet we might object that the making-relation is just the causal relation (and the same is true for the keeping-from-happening relation). After all, isn't causation fundamentally just *making something happen* or *producing something*? Randolph Clarke specifies, for example:

An event that nondeterministically causes another brings about, produces, or makes happen that other event, though it is consistent with the laws of nature that the former have occurred and not have caused the latter (Clarke 2003, 33).

And Ginet, just before the remark quoted above, writes:



To suppose it is possible for there to be indeterministic causation is to suppose that causation does not reduce, Humean fashion, to universal regularity but is rather a brute relation among particular events, a relation of *production*, a relation that may be impossible to specify in non-synonymous terms (Ginet 2007, 244).

The challenge for the non-causalism of Ginet's account is that when he says "I made it the case that the event occurred," this is equivalent to "I caused the event to occur," for the reason that saying that A caused B is really just to say that there a relation of production from A to B.

David Lewis advocates a different characterization of causation that also compromises the non-causalism of the views under consideration:

We think of a cause as something that makes a difference, and the difference it makes must be a difference from what would have happened without it (Lewis 1986,).

But Ginet's [Making] would seem to be close to equivalent to: It was up to me at some particular time whether that event would occur only if at that time I made it the case that it occurred, and at that time I made the difference as to whether it would occur. Then, on a difference making account of causation, the event's occurring and its being up to me whether that event would occur involves my causing it.

This objection can also be directed against McCann's theory (1998, 180), on which an agent's exercise of active control has two essential features. Any basic action must be:

- (a) a spontaneous, creative undertaking on the part of the agent, and
- (b) intrinsically intentional. The intentionality of a basic action is a matter of its being intrinsically an occurrence that is meant, by the individual undergoing it, to be her doing.

The provision that the basic action is a spontaneous, creative undertaking is suggestive of the agent's making it the case that the basic action occurs, which also risks invoking the causal relation. The same would seem true for the specification that the basic action features intrinsic intentionality. It seems plausible that McCann's conditions (a) and (b) could not be satisfied if

the agent neither makes the basic action occur nor makes the difference whether it occurs. How could an action be a spontaneous and creative undertaking on the part of the agent, or an agent's doing, without her making it happen or making the difference whether it will happen? But if it's specified that the agent has a making-happen and a difference-making role, the account would appear to be causal after all. Objecting to McCann's view, Clarke contends: "Where intentionality is divorced from an appropriate causal production, it does not seem that it can, by itself, even partly constitute the exercise of active control" (2008; 2003, 20-21), and this seems right to me.

### Deterministic Agent Causation

Given the phenomenological and theoretical considerations canvassed thus far, it makes sense to explore a version of agent causation compatible with the causal determination of action (Markosian 1999, 2010; Nelkin 2011). On such a view, as on the libertarian version, agency (or at least full-blooded agency) is accounted for by the existence of agents who as substances have the power to cause decisions, and it is essential to (such) agency that the causation involved in acting is not reducible to causation among events, and what ensures this is that the agent, fundamentally as a substance, has the power to cause decisions or intention-formations. But by contrast with the sort of agent-causal theory advocated by agent-causal libertarians, it's acceptable if in the exercise of their agent-causal power agents are in general causally determined by factors beyond their control.

Nida-Rümelin (2007) argues that full-blooded agency, understood as involving active causation of intention, rules out such causal determination. I think the phenomenology of agency

indicates otherwise. An example of Susan Wolf's, which she uses to show that deserved praise is compatible with causal determination, can be used to make this point:

Two persons, of equal swimming ability, stand on equally uncrowded beaches. Each sees an unknown child struggling in the water in the distance. Each thinks "The child needs my help" and directly swims out to save him. In each case, we assume that the agent reasons correctly -- the child *does* need her help -- and that, in swimming out to save him, the agent does the right thing. We further assume that in one of these cases, the agent has the ability to do otherwise, and in the other case not (Wolf 1990, 81-2).

Imagine being the second swimmer. You turn to see the child struggling in the water.

Immediately you actively form an intention to jump in and save the child. The phenomenology is as of being causally determined by the perception of the circumstances to actively form this intention. On a more complete account, you would be causally determined by that perception and features of your character to actively form the intention.

Ned Markosian argues (2010) that agent causation can solve all of the compatibilist's problems. In my view it solves one – the problem it potentially shares with event-causal libertarianism – but not the other, which is pressed by the manipulation argument against compatibilism (Taylor 1974; Ginet 1990; Pereboom 1995, 2001, 2007; 2014; Kane 1996; Mele 2006; Todd 2012). The disappearing agent argument shows that in order for agent to settle which of two options for action becomes actual, an agent who does not reduce solely to states or events is required. The manipulation argument shows that even if this requirement is satisfied, the agent cannot be morally responsible (in the basic desert sense). One might think of these requirements as two aspects of the sort of control required for moral responsibility. On the one hand, agents need settling control, and this kind of control might be spelled out in such a way as to make it compatible with determinism (for a contrary view, see Steward 2012). But for moral responsibility they also need an aspect of control that's precluded by determinism, and

depending on one's predilections, this might amount to the control required do otherwise is the "all in" sense, or the control required to be the ultimate source of one's actions.

There are pitfalls to formulating a genuinely deterministic notion of agent causation. Markosian's own proposal, I think, faces a problem which Nelkin points out (2011, 94), one that is evident in how he envisions it answering a manipulation argument against compatibilism. In his example, Tom is caused to steal by alien neuroscientists manipulating his brain. COMTAC is the compatibilist theory of agent causation:

Suppose the compatibilist endorses COMTAC. Then she can point out that there are two possible ways of filling out the details of Tom's story. Either the aliens alter Tom's brain in such a way that the resulting person causes his own action of stealing, or not. If the aliens succeed in bringing it about that Tom causes his own action when he steals, then it is no longer implausible to say that Tom is morally responsible for his action (and hence is acting freely). For in that case, Tom is a cause of his action. We will no doubt also want to criticize the aliens for changing Tom from an honest person into a thief, but we can at the same time say that the resulting individual is a bad person who performs a morally wrong action. And although a standard compatibilist can say some similar things without appealing to the idea of agent causation, she (the standard compatibilist) cannot say the one thing that makes this response on the part of the proponent of COMTAC especially powerful: that even though there is a causal chain (involving the manipulative aliens) leading from outside of Tom to his action, there is also another causal chain leading to Tom's action *that originates with Tom himself*, and this is the reason why he is responsible for what he does (Markosian 2010, 395).

The problem for Markosian's view, as I see it, is that the agent-causal stream is not causally deterministic and not compatible with the causal determination of the agent, for the reason that the agent in making his agent-causal contribution is not caused at all, and hence not causally determined. Such agent-causal contributions thus threaten to be outside of the natural causal order. In this respect, Markosian's theory is similar to Kant's (Pereboom 2006), and does not meet the desiderata I have in mind.

As Nelkin (2011, 91) suggests, a compatibilist or determinist agent-causal theory can be

formulated in accord with O'Connor's proposal for the nature of the agent-causal power. I think this is the advisable route to take. In setting out his view, O'Connor recruits Fred Dretske's (1993) distinction between structural and triggering causes. To illustrate, the structuring cause of the explosion is the process by which the bomb is constructed, while its triggering cause is the lighting of its fuse. On O'Connor's conception, reasons are structuring causes of a decision by virtue of structuring the propensities of the agent-causal power, the exercise of which results in the decision, while the agent-as-substance, in her exercise of this structured power, is its triggering cause. The outcome of the causal structuring by reasons is the alteration of the propensities of the agent-causal power toward a range of effects. O'Connor views the relation between the propensities and the effects as fundamentally probabilistic, but this feature of the account can be modified:

... [An] agent-causal power is a structured propensity towards a class of effects, such that at any given time, for each causally possible, specific agent-causal event-type, there is a definite objective probability of its occurrence within the range (0,1), and this probability varies continuously as the agent is impacted by internal and external influences... [T]he effect of influencing events is exhausted by their alteration of the relative likelihood of the outcome, which they accomplish by affecting the propensities of the agent-causal capacity itself (O'Connor 2009,).

The core of O'Connor's account is that the reasons structure the agent-causal power by changing the objective and determinate probabilities of its propensities toward effects – toward intention-formations and decisions. On a deterministic version of this account, the influencing events will structure the propensity of the agent-cause toward a class of effects. But the structuring is such that the resulting propensity in conjunction with further circumstances of deliberation and decision will issue in the probability of the agent's triggering any alternative being either 1 or 0.

What happens, on this deterministic conception of agent causation, when an agent makes a torn decision? Given this view, the agent's settling which decision is made will not reduce to

causation by events, and so the phenomenology and the theoretical advantage are secured. How could the agent's settling the torn decision nevertheless be deterministic? One option is that the agent as substance has the power to *just decide*, that is, to *just settle* in the case of a torn decision, and in a particular instance how that power is exercised will be causally determined. Crucially, how that power is exercised won't be causally determined just by virtue of how the reasons structure the propensities of the agent-causal power. It's reasonable to propose that the exercise of the power to just decide will instead be determined by neural states that are distinct from those that underlie the agent's processing of reasons, but are nevertheless included in the states on which the agent-causal power supervenes.

In contrast, Helen Steward (2012) argues that settling which action occurs is essential to agency and action, and that settling is incompatible with determinism:

If determinism were true, the matters in question would already be settled, long before it even occurred to me that I might, by acting, settle any of them. And surely it is a condition of being truly able to settle something that it has not already been settled in advance of one's potential intervention. If determinism were true, then, I would not be able to settle matters that it is essential for me to be able to settle, if I am to be an agent.

And so, if determinism were true there could not be agents and there could not be actions

(Steward 2012: 39)

Steward agrees that there is a notion of settling that is not committed to the absence of causal determination: "one might perhaps speak, for instance, of the fall of the third domino's having settled that the fourth would fall, even in a context in which one took it for granted that the fall of the fourth was already guaranteed by the fall of the first (or indeed by events and circumstances occurring long before the fall of the first)..." (2012: 41). Steward calls this a weak conception of

settling, by contrast with the strong indeterministic notion that she links with action and agency. She then argues against the weak conception on the ground that it is insufficient for action (2012: 41-69). But it seems that her argument restricts the determinist to a state or event-causal theory of action, and such an account crucially features “the disappearance of the agent” (2012: 62-69). This seems correct to me, but an account of settling that invokes deterministic agent causation is not addressed, and my sense is that such an account can resist Steward’s counterarguments.

One might think of settling by an agent as a kind of difference-making. Carolina Sartorio (2013) proposes an event-causal compatibilist account of the sort of difference-making required for moral responsibility, which can be tweaked so as to yield a deterministic agent-causal account of the kind of settling required for agency. On Sartorio’s account, moral responsibility requires difference-making in the sense that the agency-involving actual sequence leading to the action makes an agent responsible for the action only if the absence of that actual sequence would not have made the agent responsible for the action. More generally, she holds that moral responsibility is a causal notion, and that causes, conceived as events, make a difference to their effects in that they make a causal contribution to their effects that is unparalleled by their absences (Sartorio, forthcoming). This is so even if, as in cases of pre-emptive causation, the effects would have occurred in the absence of their actual causes. Note that this conception of difference-making does not require that the agent be able to do otherwise, and for this reason it is not threatened by causal determination. Following this lead, the advocate of deterministic agent causation can propose:

(S-AC) An agent settles whether an action occurs only if she agent-causes it, where the absence of her agent-causing the action would not have caused that action.

Put in terms of David Lewis's (1973/1986) semantics for counterfactuals, the idea is that an agent settles whether an action occurs only if she agent-causes it and in the closest or most similar possible worlds in which she does not agent-cause the action the absence of the agent-causing would not have caused that action. By analogy with Sartorio's condition, (S-AC) does not require that the agent be able to do otherwise, and for this reason can hold of an agent even given causal determination.

A deterministic account of agent causation might be dualistic or physicalistic. If it is physicalistic, it will not reduce the agent-causal power to underlying event-causal powers. Rather it will be nonreductively physicalistic, physicalistic in the sense that agent-causal power is necessitated by the underlying physical event-causal powers without the need for an emergence law. Emergence laws are invoked when higher level property instances are causal powers that might result in contraventions of microphysical laws that can ideally be discovered without taking into account any higher level properties—henceforth, *ordinary* microphysical laws (Pereboom 2011, 145-47). O'Connor provides an illustration of this idea; "If, for example, the multiple powers of a particular protein molecule were emergent, then the unfolding dynamics of that molecule at the microscopic level would diverge in specifiable ways from what an ideal particle physicist . . . would expect by extrapolating from a complete understanding of the dynamics of small-scale particle systems." (O'Connor 2009, 195). On this picture, if C were an instance of an emergent property, C could then cause E with the result that ordinary microphysical laws would be contravened. As Clarke explains, such a capacity of an emergent property instance to contravene the ordinary microphysical laws would not be necessitated by a base that includes ordinary laws alone (Clarke 1999, 309). The base would require, in addition, a fundamental emergence law. Suppose, for example, that the capacity for contravening the



ordinary laws in a particular way is part of an emergent property's essential nature. An instance of such a property would then not be necessitated by a base that includes only the ordinary laws (Pereboom 2011).

While conceiving libertarian agent-causation may, as O'Connor suggests, invoke an emergence law, it doesn't seem that deterministic agent-causation would need to do so. On the supposition that the lower-level laws, say at the physical or biological level, are deterministic, it would be no surprise if the laws governing action were also deterministic. The agent-causal power would be new relative to the underlying biological causal powers, but biological causal powers are also (arguably) new relative to microphysical causal powers. On the supposition that lower-level causal powers are all powers to cause by virtue of states or events, the agent-causal power is different in that it is a power to cause by virtue of a substance. There may be some mystery here, but it's not clear that emergence would solve it. We'd need to see the objection first.

But on one alternative conception, proposed for example by Jonathan Lowe (2008) and Richard Swinburne (2013), the general fundamental sort of causation is substance causation, and this is to be preferred to the essentially Humean event-causal alternative. In Lowe's view, an event-causal sentence, such as "the explosion caused the collapse of the bridge" is correctly cashed out as the more fundamental "the bomb caused the collapse of the bridge" (Lowe 2008, 5). Event-causalists familiarly endorse the reverse, and they claim that substances cause effects only in virtue of events involving these substances. But according to Lowe, causing is a kind of doing, and only substances qualify as doers in the relevant sense. Events, by contrast, can only happen and therefore cannot cause. (Lowe 2008, 4, 165). Given a physicalistic version this view, agent causation supervenes only on yet more substance causation, and the problem is solved.

## Conclusion

The phenomenology of agency supports attributing to ourselves the libertarian ability to do otherwise and agent- by contrast with state-causation of action. While the belief that we have this kind of libertarian free will can be explained away as erroneous, the claim that we are agent-causes is required by our ability to make torn decisions. Deterministic agent causation accords with these verdicts, and it is arguably a physicalistically respectable position. The view has both compatibilist and hard determinist versions. I prefer the hard determinist one (Pereboom 1995, 2001, 2014), but that's another issue.

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