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On Free Will and on the Nature of Philosophy: Responses to Smilansky and Lurie

I am grateful to Saul Smilansky and Yotam Lurie for their papers on two chapters of my book, *Aristotle's Hand*.¹ Their papers are rich in comments and observations, and I have to be selective in my responses. I focus on the main criticisms they raise and on what I think are misunderstandings.

Response to Smilansky

Smilansky discusses the second chapter of my book, "Determinism and Free Will." Having an expert on the free will literature like Smilansky discuss this chapter is obviously an excellent opportunity to improve and clarify it. Moreover, Smilansky's view on free will is different from mine, and his paper is therefore mainly critical. Although I think that some of his criticisms rest on a misunderstanding, which I explain below, others do express significant philosophical differences.

In the third section of that chapter, "On the Nature of Free Will," I characterized a person's free actions as those that are influenced by considerations of reward and punishment, praise and blame. I also claimed that it is this responsiveness which is essential to free actions: we shouldn't look for any special 'internal' causal relation, mental or otherwise, that characterizes free action. Different free actions are done for different reasons and in different ways, some after careful deliberation, some on the spur of the moment, some without any thought but out of habit, and others in other ways. There is no uniform causal or mental description that applies to all these kinds of action. What *is* common to all is that *had* the person known that he would be punished or rewarded, praised or blamed in other ways than he thought he would be, he *would have* acted differently. This, I claimed, is what is essential to free actions. After discussing several implications of this characterisation, I continued in the fourth section of the chapter to show that *if* this characterisation is accepted *then* free will and determinism are compatible. Smilansky does not criticize this conditional compatibility but rather its antecedent, namely, my characterisation of free will.

Smilansky argues that unacceptable consequences follow from my position. On pages 42–45 of my book, I discussed and approved the following consequence. Standards of reward and

punishment, praise and blame change between societies. Accordingly, while one society might have standards that would be sufficient to deter a person from doing something, another society might have more lenient standards that would not suffice to deter him from doing it. It follows that this person acts freely according to the standards of the former society, but not according to those of the latter. A case I considered is that of the kleptomaniac, who could be deterred by the stricter punishments of a society different from the one in which he lives. Smilansky objects that this kleptomaniac, not acting freely in the society in which he actually lives, would have been free in the stricter society, a conclusion that he finds absurd.

However, this is not the conclusion that follows from my position. The conclusion is not that the kleptomaniac is actually not acting freely but *would have* acted so had he done exactly the same thing in the stricter society. The conclusion is that he is not acting freely according to the more lenient standards but *is* acting so according to the stricter ones. That is the most that can be said in response to the question, following his theft, ‘Did he then act freely or didn’t he?’ The classification of some kleptomaniacs as acting under compulsion and not freely was not introduced following a discovery about their true nature. It was following a decision on what are the appropriate sanctions for the offenses they tend to commit.

We can think of this position as follows. Normal human beings can exist only in a society; “man is by nature a political animal.”² Societies have to have norms of reward and punishments, which do vary between them but not arbitrarily or to any degree. Now some actions will be rendered voluntary by all these norms, some will be rendered voluntary by none (e.g., breathing), and yet others will be rendered voluntary only by some. These last actions, existing on that vague borderline, are free only according to some human standards, but not absolutely. Unlike the conclusion that Smilansky draws from my views, I find this one intuitive.

Smilansky’s misunderstanding, however, was partly my fault. On page 43 of my book, I had the interlocutor draw Smilansky’s conclusion as an objection to my position. I then did not distance myself from it but left my position ambiguous between the social relativity that my interlocutor and Smilansky ascribe to me and the relativity to standards that I have formulated in the previous paragraphs and also on pages 44–45 of my book. I hope that the discussion above clarifies my position.

Before we leave our kleptomaniac to his misdeeds, I'd like to consider Smilansky's description of the kleptomaniac's psychology. He provides a lively description of the kleptomaniac's frame of mind when desisting from theft due to a police officer standing at his elbow. In the "struggle between the irrational compulsions and the terrifying social fear no place seems left for a free and morally responsible agent," he concludes. However, I do not think that this irrationality and swirl of emotions are a sufficient reason not to consider a person free and morally responsible. Murderers and rapists almost invariably act irrationally and while caught in a swirl of emotions, but for all that they are considered free and culpable, something I am sure Smilansky would not wish to deny. If the kleptomaniac is not acting freely, it is not because of his irrationality but because our systems of reward, punishment, praise and blame cannot affect his behaviour.

Smilansky also characterizes my position as "deeply revisionist" and claims that it "comes with a very high potential price" (note 1). This price, he continues, is because "it is likely that people would not take kindly to being blamed, if they came to believe that they did not deserve to be blamed but were merely being blamed because of social usefulness." This, however, is not a consequence of my position. People deserve to be blamed if they wouldn't have done the wrong they did, had they known that they would be blamed or punished for it. Systems of praise and blame (which are always tailored to human nature) exist because of their social necessity, but they render only those actions free which are responsive to them. I don't think that people would feel injustice is done when someone is blamed for a wrong he did only because he thought he could get away with it. I therefore think my position is not revisionist in the way Smilansky thinks it is.

Another particular difficulty Smilansky finds with my position is that, according to him, it cannot justify blaming the criminals rather than society in case the lenient sanctions of the latter are insufficient to deter the former from performing their crimes. According to the standards of that society these criminals are not acting freely, and it might be seen as its fault that it did not enforce stricter sanctions that would have deterred the criminals.

Sometimes indeed a society should be blamed for not enforcing satisfactory sanctions, but irrespective of that, let us consider an instance in which Smilansky's description applies. I think looking at the details will vindicate my position. Suppose that the punishments, disapproval, and social sanctions in our society do not suffice to deter a particular person from acting violently towards family and friends. Perhaps if we had inflicted on him severe

physical punishment this would have been effective, but we are of course not interested in that since we regard such measures as inhumane. We then indeed do not consider him a free agent but an irrevocably corrupt person. We might arrest him because he is a threat to his environment, we might even put him in an appropriate ward: we try not to *correct* but to *control* him. It is not that we think he is blameless; on the contrary, we think of him as someone who has lost some of his dignity, for human dignity lies also in human freedom.

Smilansky also raises a general worry concerning my analysis of free action. He grants that determinism is compatible with a distinction “between people who can and those who cannot be influenced by social incentives.” He argues, however, that this is insufficient as a vindication of compatibilism. Compatibilism, he maintains, comes in two versions: apart from the one just mentioned there is another one, which claims—if I understood him correctly—that *responsibility* is compatible with determinism, and this kind of compatibilism he wishes to deny. We need to acknowledge, he writes, “that the compatibilist form of life is deeply unjust, because *ultimately* no one can be responsible for the sources of her motivation and concomitant actions” (*italics added*).

With this criticism, we arrive at a discussion of conceptual analysis in general and the question whether my account of free actions can be considered a correct analysis of the concept. In my book I proceeded as follows. I started from the common practice, both in daily life and in legal discourse, of classifying some actions as done freely and others as unfree (done under duress, for instance). I tried to specify the criteria that guide our application of this concept of acting freely, and I found them in responsiveness to considerations of praise and blame, reward and punishment. (For the sake of the following argument, we can assume I have succeeded in doing that.) Is this enough for claiming that I gave a correct analysis of the concept?

Undoubtedly, apart from the criteria we use to apply a concept, we often have all sorts of pictures or assumptions about additional properties that the things to which the concept applies have. These pictures and assumptions, although playing no role in the application of a concept, might occasionally be mentioned in explaining it. However, because they play no such role, if they are discovered to be mistaken then this is no obstacle for the continued use of the concept. If the pictures or assumptions are what made us interested in the concept, the concept might indeed drop out of use; but not because it is incoherent but because it is no longer of interest.

How is it with free action and Smilansky's idea of 'ultimate responsibility'? According to Smilansky, this idea *cannot* play any role in the actual application of the concept of free action. Smilansky has argued that whether or not we are determinists, this idea is in fact incoherent.³ We are, he has maintained, acting under the *illusion* that our actions are free. Since an illusory, incoherent idea cannot be what determines the actual applications of a concept, Smilansky has to concede that our actual identifications of actions as free are independent of this idea of ultimate responsibility. His 'ultimate responsibility' belongs to a picture that may accompany his use of the concept, but is not part of the criteria used to apply it. Moreover, Smilansky agrees that the practices of reward and punishment, praise and blame are essential to society and should be maintained. So according to him, the 'ultimate responsibility' idea does not play any conceptual role in the application of the concept of free action, it is incoherent, and the concept shall continue to be used despite the idea's incoherence. All this seems to indicate that the incoherent 'ultimate responsibility' idea is irrelevant and should be dismissed, while the concept of free action should and will be maintained.

We come across this idea of 'ultimate responsibility' only in philosophical contexts. Reflecting on our concept of free actions and attempting to reconcile it with various views of causality and responsibility, some philosophers have been misled to conceive the incoherent idea of an uncaused cause for which we are still responsible. Perhaps this is a natural illusion, the way the sea on the horizon cannot but look higher than the seashore – although the illusion does not occur in Plato or Aristotle. Yet be that as it may, it is a *philosophical* illusion, playing no role in our practice, an idle wheel that turns nothing. The illusion that should be exposed is not one involved in our concept of free action, which is coherent and indispensable, but the one in some philosophical reflections on that concept.

Response to Lurie

Lurie discusses the last chapter of my book, "On Philosophy." In it, I characterized philosophy as contributing not to knowledge but to understanding. I continued to describe two ways in which this can be a significant contribution, and Lurie thinks that these are incompatible. After summarizing my views, I explain why I disagree.

Philosophical inquiries are conceptual. Philosophers do not predict or expect new observations or experiments to verify their claims. Sometimes – for instance, when reflecting on some scientific theory – they engage with concepts and theories that scientists have forged

in an attempt to explain various observations and experiments, but their own reflections are not hostage to further empirical discoveries.

We might then ask, what is the point in such reflections? People usually understand what they mean when they use this or that word, and if some word or concept is insufficiently clear, they consult a dictionary, not a philosopher. One answer is that we often have wrong pictures or assumptions on what our concepts involve; exposing these can be valuable in various ways, and this is something a philosopher can do.

In my response to Smilansky, for instance, we saw how some have thought that an idea of ‘ultimate’ responsibility, which might be incoherent, is involved in our descriptions of some actions as done freely. This conviction has brought some people to conclude that we are not ‘ultimately’ responsible for what we do, a conclusion they thought should or might have significant practical consequences. By contrast, I tried to show there that this idea is not involved in our identification of these actions and that it is redundant, an idle wheel that does no work. The idea of ‘ultimate’ responsibility has caused intellectual distress, which, often together with some related ideas – the apparent incompatibility of free action and determinism, for instance – has preoccupied philosophers, theologians, and others over the generations. The philosophical work, if done properly, should relieve us from this distress. In this sense, it is a kind of philosophical, intellectual therapy. Herein lies one significant value of philosophy.

This value does not render philosophy quietist, despite Lurie’s claims to the contrary. Quietism is a calm acceptance of things as they are without attempts to resist or change them. Considering the above free-action discussion, philosophical reflection indeed did not bring us to dismiss or change our view of some actions as free; however, it did bring us to resist and try to change the way people often *reflect* on free action and responsibility. Moreover, when this approach is *practiced*, certainly no calm acceptance is exhibited by any of the discussants! So no Quietism here.

I also described in my book an additional value of philosophy, this time a contribution to science. Conceptual misunderstandings of the kind mentioned above exist also among scientists, and their elimination can open up new scientific possibilities. One historical example I gave was that of Descartes’ realization of the relative nature of motion: bodies move relative to each other, and there is no meaning to absolute motion.⁴ This realization made possible the developments of a variety of physical theories, among them, much later,

Einstein's relativity theories. Descartes' realization was of a conceptual nature, relying on no contingent empirical fact or any specialist knowledge, and yet it opened up new horizons to scientific inquiry. I think the possibility and even need for such additional conceptual contributions, in physics, psychology, and elsewhere, still exist. Herein lies an additional significant value of philosophy.

This kind of contribution to the sciences does not reduce philosophy into their handmaid, as Lurie suggests. Conceptual, theoretical, and empirical work are here bound together, including in some of the most important breakthroughs in the history of science. I don't think this diminishes in any way the significance of philosophy.

Is there any tension between the two contributions? I don't think so. Both are conceptual in nature, exposing misleading pictures and unjustified assumptions. When philosophy engages with scientific investigation, this can have constructive results, leading to new theoretical possibilities; while such constructive results do not often follow when misleading pictures are eliminated from our reflections on our ordinary concepts. (A mixture of the two contributions may also occur, as I think is the case with some philosophical criticisms of recent work in cognitive psychology and neuroscience.) This difference, however, is no reason to see any incompatibility between the two contributions.

Perhaps Lurie thought that there is such an incompatibility because of a misunderstanding of a passage in my book. He quotes me as saying, on page 130, that philosophy's value is mainly therapeutic. He apparently took me to mean there that this is true of philosophy generally. However, as a rereading of that passage would show, I was talking at that place about the philosophical resolution of the sceptical dream argument and of the alleged incompatibility of free will and determinism. My claim was not on philosophy's contribution generally.

Lurie concludes with a remark on the value of philosophy as traditionally practiced. I maintained in my book that conceptual confusions have brought philosophers to construct a variety of metaphysical theories, which, once the confusions are eliminated, are eliminated with them. These are constructions whose substance is the mist of misunderstanding, and they disappear once it is dispersed. Lurie, however, suggests that these constructions might still be of interpretative significance, broadening our understanding and making sense of the world.

The metaphysical theories of Plato, Descartes, and others have certainly played a pivotal role in the development of civilization. And philosophical systems have also contributed in a variety of other ways to our conceptions of ourselves and of nature. This I did not challenge in my book. On the contrary, these contributions are the very reason a critique of metaphysics justifies the intellectual effort it requires. Interpretations are part of human nature and of culture, and with them come misinterpretations. And from the Pre-Socratics on, philosophers have developed a variety of metaphysical theories that involved misinterpretations and misunderstandings. The philosophical effort to demolish these misconstructions is necessary precisely because of the philosophical tendency to construct them. For only in this way can we get a clear view of both man and world.

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¹ *Aristotle's Hand: Five Philosophical Investigations* (Jerusalem: The Hebrew University Magnes Press, 2013).

² Aristotle, *Politics* 1.2.1253a2. Jowett's translation.

³ S. Smilansky, *Free Will and Illusion*. Oxford: Oxford University Press, 2000; Smilansky, "Free Will, Fundamental Dualism, and the Centrality of Illusion," in R. Kane (ed.), *The Oxford Handbook of Free Will*. 2nd ed. (Oxford: Oxford University Press, 2011), 491–507.

⁴ R. Descartes, *Principia Philosophiae* (Amsterdam: Elzevir, 1644), book II, sections 13 and 24.