

## Carl Ginet on Frankfurt Cases: A Reply to Zachary Loutensock

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In his paper “Ginet’s Argument Against Frankfurt Cases,” Zachary Loutensock defends Harry Frankfurt from the criticism of Carl Ginet and raises three troubling issues for the latter. The purpose of this critical notice is to demonstrate the existence of some plausible replies to Loutensock; section 1 introduces the debate, 3, 4, and 5 each deal with a distinct objection, and 6 concludes. While I do not propose that Ginet’s intuitions are correct, I hope to demonstrate that his argument can nevertheless withstand Loutensock’s concerns.

### 1. Frankfurt and Ginet

In his paper, “Alternate Possibilities and Moral Responsibility,” Harry Frankfurt undoubtedly mounts the most famous challenge to the principle of alternate possibilities (henceforth PAP): a supposedly intuitive doctrine that exonerates agents of moral responsibility in situations where they could not have done otherwise. Questioning the principle, Frankfurt seemingly presents cases in which—with no ability to do otherwise—an

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agent is still intuitively responsible for their actions. Consider the following example:

Black wants Jones to kill Smith (call the act itself K). He waits until Jones is about to decide whether to do K, ready to intervene and force his hand if he chooses not to. In actual fact, Jones decides to do K of his own volition, and Black does not need to interfere. (Frankfurt 835–6)

It seems intuitive that Jones' decision to K is an exercise of free will, and K is hence a free action. But Jones could not have done otherwise, seemingly contradicting PAP. Ginet takes issue with this, however, elucidating the problem with a paraphrase similar to the following:

Black wants Jones to do K *by* a specific time (call it t3). If Jones has not done so by a given point in the acceptable window (say t2) then Black will intervene. As it is, Jones performs K at an even earlier time (t1) and Black is not needed. (Ginet 405–7)

Ginet suggests that Jones is evidently guilty in the temporally more-specific case (he is to blame for killing Jones *at* t1) but argues that he is not guilty in the temporally less-specific case (he is not to blame for killing Jones *by* t3 as he could not have done otherwise). Notice here that Ginet's argument for PAP is not from scratch, but a defense of the principle within the framework of Frankfurt cases. Ginet simply aims to demonstrate that the intuition behind PAP can be kept alive by evaluating the cases along temporal lines.

Ginet does, however, worry that Frankfurt-defenders may close this temporal gap by stipulating that the time at which Jones performs K and the time at which Black would force him to do so are one and the same. In this case, Ginet suggests that Black would act upon the absence of a causally sufficient prior sign (call it S). Thus, if the sign is present, it is causally inevitable that Jones will do K; if the sign is not present, then Black knows that he must intervene. Ginet proposes three principles in order to better furnish our understanding of 'could have done otherwise' in such cases (408):

- (A) Jones could have prevented S
- (B) Jones knew or should have known how he could prevent S

- (C) Jones knew that if he did not prevent S, then he would be unable to prevent K

Ginet then presents Frankfurt-defenders with a dilemma: if all three principles are true, then in line with the temporal approach, Jones is not responsible for doing K but is responsible for allowing S to take place. On the other hand, if a single condition is false, then Jones could never have avoided S. As such, the basis of Frankfurt's intuition "is either a failure to distinguish a more from a less specific state of affairs or else an argument that begs the question" (414).

## 2. Is there a Problem with Condition (A)?

Loutensock (3) argues that condition (A) is question-begging. Whether or how this is the case is not important as it is inconsequential even if true. As I have already mentioned, Ginet is not trying to argue for PAP from scratch; instead, he means to account for Frankfurt cases within the PAP framework and illuminate the motivating factors behind the intuitions which arise. There is thus nothing wrong with assuming PAP—in fact, it would be peculiar if Ginet did not.

## 3. Is there a Problem with Condition (C)?

Loutensock's attack on (C) is more threatening. He notes that were (C) false, there seems little reason as to why it should prevent Jones from avoiding S—breaking Ginet's dilemma. An immediate retort may be that, while this is true in the strictest possible sense, it would appear that Frankfurt cases have been spared on a morally redundant technicality. While Jones may know how to prevent S and is able to do so, it would seem odd for him to avoid S without any idea as to where it leads. Even if Jones chose to do so, most people would feel it wrong to maintain that he should be praised for this decision.

Loutensock has a reply for this. He argues that "it must still be necessary that the sign takes place *after* the decision to kill Smith, because Frankfurt says that Jones must make the decision for his own reasons and . . . not by some cosmic chance" (Loutensock 5). But it's not clear that Frankfurt does think this nor that it is necessary for Frankfurt cases to work. While Frankfurt does discuss Jones acting for his own reasons when examining threats and coercion, this constraint is not present in Frankfurt cases as we have come to know them. As Frankfurt himself stresses:

So he [Black] waits until Jones is about to make up his mind what to do, and he does nothing unless . . . Jones is going to decide to do something other than what he wants him to do. If it does become clear that Jones is going to decide to do something else, Black takes effective steps to ensure that Jones decides to do . . . what he wants him to do. (Frankfurt 835)

It is perfectly plausible then that S is not something “as simple as Jones winking” or “getting in his car to kill Smith” (Loutensock 2, 4). Certainly, it seems somewhat bizarre that these things should suffice to make K causally unavoidable. It is more likely that S is something like a brain state that Black can observe *prior* to the decision being made. In which case, we are back to the start; while Loutensock is correct that—again, in the strictest possible sense—(C)’s falsity does not make K inevitable, it does nevertheless back the Frankfurt-defender into a corner. Jones may avoid the brain state, but the reasons for which he does this will have nothing to do with the case at hand.

#### 4. Why Expansion is Not a Problem

Loutensock dubs his final objection to Ginet “the expansion problem.” Essentially, he suggests that Frankfurt cases can be expanded backward (temporally speaking) in order to encompass S. That is, Black will now force S to take place if Jones does not, rendering “Ginet’s conditions arbitrary” (Loutensock 7). This can be done by means of a sign prior to S (call this S-1), and then expanded to a sign prior to S-1 (call it S-2), and so on indefinitely. In essence, Black was ready and willing to have a hand in every single part of the causal chain culminating in K, but, as it happened, Jones did it all himself. The problem for Loutensock arises when we consider this causal chain. Two possibilities exist:

- (1) The chain really does continue back indefinitely; every sign (S-n) causally determines the next ((S-n)+1). As Loutensock says, “Black has always had a presence in Jones’ life” (ibid.).<sup>1</sup>
- (2) There is a natural origin point of the causally sufficient chain (call it O) before which every

<sup>1</sup> Note that Loutensock tacitly suggests that signs prior to Jones’s decision are possible here, contradicting his argument concerning condition (C).

sign (O-n) merely makes the next one ((O-n)+1))  
probable.

Accepting (1), it would appear that our universe is causally determined and, as such, Jones could not have acted freely either way. Alternatively, Loutensock could select (2), but this would open up the opportunity for Jones to do otherwise and defeat his point. As such, expansion would seem not to be a problem.

### 5. Concluding Remarks

In sum, Loutensock mistakes Ginet's approach, misconstruing his paper as a comprehensive argument for PAP when it is better interpreted as a defence of the PAP-intuition. Condition (A) is, therefore, not question-begging. Similarly, while it may have interesting implications for the way in which PAP is read, his attack on (C) does not lend sufficient support to Frankfurt. Finally, expansion is not a problem for Ginet and instead leads the Frankfurt-defender into a troubling dilemma. Overall, I contend that Loutensock's reply to Ginet is insufficient to discredit his intuitions regarding Frankfurt cases.

## Works Cited

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