

A Compatibilist Account of the Beliefs Required for Rational Deliberation¹

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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 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 this sort of openness is actually required for deliberation, or at least for rational deliberation (Kant 1795/1981, Ak IV 448; Taylor 1966, chapter 12; Ginet 1966; van Inwagen 1983, 153-61).²

But according to some, such beliefs in openness would conflict with the belief that determinism is true for the reason that, in any deliberative situation, the truth of determinism would evidently rule out the availability to us of all but one distinct option for what to do, and

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² Peter van Inwagen writes: “one cannot deliberate about whether to perform a certain act unless one believes it is possible for one to perform it (1983, 154); and “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 – and a belief that it is possible for him to do B” (1983, 155). For discussions of this type of view, see Kapitan 1986; Searle 2001; Nelkin 2004a, 2004b; Coffman and Warfield 2005).

thus would evidently rule out openness about what to do. So then the content of a belief required for rational deliberation would be inconsistent with an evident consequence of determinism. Then an agent who believed that determinism was true, and had the beliefs required for rational deliberation, would have inconsistent beliefs. This line of reasoning supports an incompatibilist position about the relation between the belief that determinism is true and 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 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 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)). Randolph Clarke agrees 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 perform each of these actions, where ‘can’ has a metaphysical reading. But he also contends that deliberation need not have such a presupposition, and that there are alternatives that are uncontroversially compatible with belief in determinism that supply what is required for deliberation (2003, 112-7; 1992). I think that Clarke is right about this – and many others have agreed (e.g., Dennett 1984, Kapitan 1986, Pettit 1989). But existing proposals for salient beliefs consistent with belief in determinism have met with significant opposition. I contend that the preferable position has it that there are two such compatibilist beliefs – or more precisely, 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.³

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 to

³ 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.

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 the metaphysical readings of these claims, given determinism (for the consequence argument, see Ginet 1966, van Inwagen 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 has argued quite convincingly that such analyses are implausible (1964). In addition, as I shall contend, openness would seem to be 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.

These epistemic requirements are proposed by the deliberation-compatibilist 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 be seriously challenged.

How should deliberation be characterized for the purposes of this discussion? Coffman and 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.”⁴ 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 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*

⁴ 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.’

*to do from among distinct alternatives by considering and evaluating reasons.*⁵ 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 (2205, 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 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

⁵ Figuring out what to do essentially involves an epistemic dimension that is practical in a more

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 is still appears to be joined with Searle and van Inwagen. Moreover, (D) has the virtue of characterizing deliberation more naturally.

2. An epistemic openness requirement.

One way that compatibilists have responded to the deliberation-incompatibilist on this issue is 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 $_$ -ing is an open alternative for him only if he presumes that if S is any set of his beliefs then his $_$ -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

robust sense than is essentially involved in, say, merely trying to find out what one will do.

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.⁶ Also, if an agent is certain that she will not do A, she cannot deliberate about whether 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 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

⁶ 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.

this intention. Given that she knows she will go to Edinburgh, deliberation can produce an intention to go if she is not yet certain that she will. But first, given that deliberation is figuring out what to do from among distinct alternatives, 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 intention to do it be produced as a result. Second, setting aside my definition, 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).⁷ Here is a revised version:

(S) In order to deliberate rationally among distinct actions $A_1 \dots A_n$, for each A_i , S must not be certain of the proposition that she will do A_i , nor of the proposition that she will not do A_i ; and the proposition that she will do A_i must be consistent with every proposition that, in the present context, is settled for her

Note first that condition (S) does not specify that our rational deliberator actually believe, even

⁷ That earlier (S) also required rational deliberators to believe that it is epistemically possible that they perform the actions about which they deliberate. David Christensen argued (in conversation) that I should consider dispensing with that requirement, for the kind of reason that Coffman and Warfield (2005, 37) advocate – these conditions should not require too much cognitive sophistication for rational deliberation. It turns out that the version of (S) without the

dispositionally, that the proposition that she does A1 be consistent with every proposition that, in the present context, is settled for her. The idea is to avoid, if possible, requirements that demand serious cognitive sophistication, as Coffman and Warfield have counseled (2005, 37). Here one can advance this goal by not requiring beliefs about what is settled, and instead demanding only that the proposition that the agent performs an action about which she deliberates is as a matter of fact consistent with what is settled for her.

But 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.

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, nor 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. But I am unable deliberate about whether or not to float out of the window, even though I am not certain that I will not do so. However, the proposition that I will is inconsistent with a proposition that is settled for me, since for the purposes of deliberation I do disregard any doubt I have that I will not float out of the window (because I

belief-in-epistemic possibility component can play its role in my account.

disregard any doubt I have that I cannot float out the window).⁸

I am also unable to deliberate, for example, in another type of case, which will play a crucial role in the development and defense of my overall position. Here is the example: 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. So (S) together with (Settled) can explain why I cannot deliberate in these cases.

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 $_$ -ing is an open alternative for him only if he presumes that if S is any set of his beliefs then his $_$ -ing is contingent relative to S .

Kapitan puts the restriction 'contingent relative to S ' within the scope of the attitudinal operator 'presumes.' Alternatively, one might leave the relevant restriction outside the scope of the attitudinal operator, but then independently restrict the relevant class, as I do by specifying it as what "is settled for her." My main reason for opting for an external reading of the attitudinal operator is to avoid requiring excessive cognitive sophistication, as Coffman and Warfield advise (an issue to be discussed in section 5). But perhaps the cognitive sophistication countenanced by

⁸ As we shall see, an epistemic deliberative efficacy condition can also handle this case, but there

following Kapitan and placing “every proposition that, in the present context, is settled for her” inside 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.

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.

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

is another kind of example that requires an epistemic openness condition as well.

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 my opening door #1 is consistent with what is settled for me in the sense specified above, 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 impassible,” so to speak (even though she would (typically) 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.

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 (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: 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 -ing is an open alternative for him only if he presumes

that he would _ if and only if he were to choose to _ . (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. 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 choice and 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, decide to do A1, and 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 be that the immediate result of deliberation is often something other than explicitly judging that it would be best to do something – perhaps instead we sometimes fix on an option for action as preferred without explicitly judging it best. Animals and small children might fix on an option as preferred with the use of demonstrative concepts. (DE) could be made more precise to allow for an immediate result of this sort.

Third, what notion of belief is at work here? I will assume a dispositional notion of belief is enough (cf. Coffman and Warfield 2005, 26). 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.”⁹ In the case of rational commitment, by contrast with 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. Is mere rational commitment sufficient for

⁹ On OPC2.

rational deliberation? Perhaps; but it may be that our notion of rational deliberation is not sufficiently determinate to allow us to decide the issue.

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) deciding to do A1 on the basis of deliberation

and

(ii) deciding to do 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).

(DE) could be made more precise in a crucial respect. Nelkin suggests that one can deliberate about whether to do A while only believing that deliberation *might* be effective.¹⁰ 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...”¹¹ Wiggle-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.

¹⁰ In her commentary on this paper for OPC2.

¹¹ On OPC2.

Still, here again we should be wary of requiring too much cognitive sophistication on the part of rational deliberators (Coffman and Warfield 2005, 37), so I will try to do without this revision.

Another possibility for revision is: “under normal conditions, on the basis of this deliberation, she might decide to do A1, and she might do A1...” But the resulting condition cannot handle a slightly altered version of the two doors case, in which one is aware of a 1/1000 chance that the locked door will spontaneously become unlocked -- Louis deRosset has presented such probabilistic two-doors examples in conversation with me. Even then it seems that it is not possible to deliberate about which door to open, despite one’s believing of each that one might open it.

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 an agent 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, decide to do so, and 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 not consistent 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. 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 it¹²

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. But as we have just seen, (DE) can't explain this inability either. However, (S) together with (Settled) can: 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 deliberate in both the mercenary and the two-door cases.

¹² 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).

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.¹³ 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. My now dropping everything to become a mercenary in Africa is inconsistent with a proposition for 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. So (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

¹³ Clarke suggests this line of argument in correspondence.

plausibly not conditional: it's not that each of several 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 chooses A she can do A, and if she chooses B, she can do B.

Suppose that an agent believes that as a matter of psychological fact, she could not choose to kill A, but she also believes that if she actually did choose to kill A, she could kill A. Then it seems intuitive that it is not epistemically open for her that she kill A. But she would satisfy (CO).

Any conditional epistemic-openness requirement might be challenged by a similar argument (Chisholm 1964). Hence, 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, we have good reason to believe that the content of one cannot be absorbed by the other.

5. Objections.

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,¹⁴ to task for requiring the deliberator to handle counterfactuals. Here is their formulation of this

¹⁴ As Coffman and Warfield point out, this thesis is endorsed by Kapitan (1986, 241) and Bok (1998, 112-3).

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)

Note first that 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, 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 the actual examples 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.¹⁵

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 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.¹⁶ It says that for every

¹⁵ For a general defense of animal cognition, see Kornblith (2002), esp. Chapter 2, pp. 28-69.

¹⁶ Coffman and Warfield (2005, 38) formulate the “belief in epistemic possibility” thesis as

Ai about which she deliberates, the proposition that she does Ai is consistent with every proposition that, in the present context, is settled for her. It does not require that she believe that these propositions be consistent with what is settled for her.¹⁷

Coffman and Warfield take “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, 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-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

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).

¹⁷ 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.

proposed conditions are intended as requirements on rational deliberation.¹⁸

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 must not be certain of the proposition that she will do A_i , nor of the proposition that she will not do A_i ; and the proposition that she will do A_i must be consistent with every proposition that, in the present context, is settled for her.

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

¹⁸ 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).

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, decide to do A1, and 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, one that incorporates (I) can be resisted. It might well be that when we rationally deliberate we usually 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, in a metaphysical sense, perform each of these actions, and in most cases the specific content of this belief would conflict with a belief in determinism. But when we rationally deliberate, (S) together with (Settled), and (DE), or something close, also hold, and retaining the beliefs that these conditions specify, while relinquishing those that conflict with determinism, is enough for rational deliberation.

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