

The »Culpability-Problem« and Indeterminacy of Choice – A Rat-Run Between Van Inwagen’s New Arguments For Incompatibilism

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1) Peter van Inwagen’s description of the problem

If it is not true that a human agent, when faced with a choice between mutually incompatible actions, is at least on some occasions *able and capable* to perform each of them, then the bad consequences of his choice are never his own fault, that is, he is then never to blame for them (= „Culpability Problem“). In his book ‘Thinking about Free Will’ (a collection of old and new essays on the topic),¹ Peter van Inwagen connects two plausible theses about what we usually call ‘free will’:

(1) The *first* plausible thesis is that we human agents, when faced with a choice between mutually incompatible actions, are at least on some occasions able and capable to perform each of them (= Thesis One)

(2) The *second* plausible thesis is that if the consequences of an action are to be attributed to an agent who decided to perform that action, there have to be occasions in which that agent was able and capable to perform each of the actions between which he was trying to decide, that is, the first thesis is then not only plausibly true but true. It is my firm conviction that it is right to assume such a connection between these two theses.

However, by invoking additional theses, van Inwagen goes on to describe a “dialectical” or even dilemmatic situation that has received special attention in the contemporary debate. These additional theses are, first, two theses about the concepts of determinism and indeterminism (where indeterminism is the negation of determinism and both form an exclusive contradiction):

(3) “*Determinism* is the thesis that the past and the laws of nature determine a unique future.” (199)

(4) “*Indeterminism* is the thesis that the past and the laws of nature do not determine a unique future.” (199)

* In working on this topic, I have benefitted from an ongoing exchange of ideas with Marco Hausmann. I thank him for this as well as for the translation of the text from German into English. I want to thank, further, Helen Beebee, Thomas Pink, Peter van Inwagen and others for thoughtful questions and objections that helped me to find and to (possibly) close gaps in the original argument.

¹ Peter van Inwagen: *Thinking about Free Will*, Cambridge UP 2017.

Additional are, in the second place, also the theses concerning two famous arguments according to which the Thesis One can neither be true if determinism is the case, nor be true if indeterminism (that is, the negation of determinism) is the case. However, a sentence that is incompatible with both members of an exclusive contradiction is impossibly true and, therefore, false.

The two famous and much discussed arguments that are part of van Inwagen's aforementioned theses are, on the one hand, the so-called "Consequence Argument" (according to which, if determinism is true, my actions are always logical consequences of inevitable conditions in the remote past together with equally inevitable laws of nature such that what I decide is not 'free' but also inevitable) and the so-called "Mind Argument" (according to which, if my decision were indeterministic, my action would not be the result of a controlled and free decision but a mere matter of chance).

The dilemmatic situation, therefore, is the following: Our main thesis (Thesis One) about our controlled ability to choose among at least two mutually incompatible actions has to be false, if none of the two arguments is refutable on plausible grounds. As van Inwagen puts it:

(5) "The seemingly unanswerable arguments for the incompatibility of Thesis One and *determinism* are in fact answerable; these arguments are fallacious" (200).

(6) "The seemingly unanswerable arguments for the incompatibility of Thesis One and *indeterminism* are in fact answerable; these arguments are fallacious" (200).

II) Are forms of determinism and indeterminism conceivable that might not be contradictory?

In what follows, I will not attack directly one of van Inwagen's "unanswerable arguments" (the Consequence Argument or the Mind Argument). Instead, I will focus on the distinction between determinism and indeterminism. I will distinguish between a stronger and a weaker form of determinism (between nomological and logical determinism) and I will argue, contrary to van Inwagen's contention, that the weaker form of determinism (and not the stronger form of determinism) is required for free and controlled decisions (decisions that are not a pure matter of chance). I conclude, given that the weaker form of determinism is, unlike the stronger form, compatible with indeterminism (as van Inwagen understands it), that van Inwagen's reasoning does not support the conclusion that Thesis One is impossibly true.

Let me use one of van Inwagen's remarks about his distinction between determinism and indeterminism as a starting point:

“There are seemingly unanswerable arguments that [...] demonstrate that Thesis One is incompatible with determinism. I allude, of course, to the various versions of the Consequence Argument, as it is known in the trade. And there are seemingly unanswerable arguments that [...] demonstrate that Thesis One is incompatible with indeterminism (this part needs a little work, since indeterminism does not imply that a *given person's* actions are undetermined; the work can be done)” (199).

Interestingly enough, in the case of his definition of indeterminism, van Inwagen thinks that “a little work” needs to be done in order to apply this thesis to the actions of a given person at a given time. In contrast, such a work is not required in the case of his definition of determinism: it seems that, if determinism is true, it is not necessary to apply determinism to the actions of a given person at a given time. Instead, according to van Inwagen, if determinism is true, it is automatically also true of the actions of a given person at a given time. Whereas, in the case of indeterminism, additional work needs to be done in order to apply indeterminism also to, for example, the actions of a given person at a given time. Van Inwagen has on numerous occasions already done this little additional work for the case of indeterminism, that is, he has described a form of indeterminism that applies to the decision to act of a given person at a given time. I shall now turn to one of these descriptions.

However, let me first suggest to call indeterminism as applied to the actions of a given person ‘personally localized indeterminism’ and to call determinism – as not applied to a person through additional work – ‘general determinism’.

My guiding question is the question whether, even granted that determinism and indeterminism as quoted above are contradictory, there is a form of general determinism that does not contradict a personally localized indeterminism as described by van Inwagen. That is to say, whether there is a form of general determinism that is not wholly incompatible with the conditions of a personally localized indeterminism as van Inwagen has specified them.

In general, my aim is to find a form of determinism, that is weak enough to not exclude a personally localized indeterminism and that is, therefore, weak enough to escape the unanswerable Consequence Argument, but that, on the other hand, is strong enough to escape in a way the Mind Argument according to which it seems that in the case of a personally localized indeterminism a person's decision has to be a mere matter of chance.

III) Personally localized indeterminism and its aporetic consequences for the possibility of controlled decision

Let me now turn to the “little work” that van Inwagen has already done and in virtue of which indeterminism gets applicable to the actions of a given person in a given situation of choice:²

Indeterminism with respect to “a *given person’s* actions”:

“Let us say that it is at a certain moment up to one whether one will do A or do B if one is then faced with a choice between doing A and doing B and one is then able to do A and is then able to do B.

And let us say that it is *at a certain moment undetermined* whether one will do A or do B if there is a possible world in which the laws of nature are the same as those of the actual world and whose state at that moment is identical with the state of the actual world at that moment and in which one will do A and a world satisfying those same two conditions in which one will do B.” (van Inwagen, *Thinking* p. 166; my italics)

The first part of this paragraph restates Thesis One according to which we human agents are at least sometimes, when trying to decide between mutually incompatible actions, able and capable to perform each of them:

Thesis One “On at least some occasions when a human agent is trying to decide between two or more incompatible courses of action, that agent is able to perform each of them.” (‘The Problem of Fr** W*ll’, in: *Thinking*, p. 197)

Thus, given that the agent is able and capable to perform each of the actions between which he is trying to decide, according to van Inwagen, it is only up to him which of the actions he is going to perform. The phrase “it is at a certain moment up to one whether one will do A or do B” indicates that the future action depends on the human agent who is trying to decide.

Thus, according to the first sentence of ‘A Promising Argument’, van Inwagen assumes two things with respect to an upcoming decision: *First*, he assumes that it is only up to the human agent what action he is going to perform (= being up to one whether one will do A or do B). *Second*, he assumes that the human agent is able and capable to perform each of the incompatible actions (= ability in the Relevant Sense³ to do each of them).

Note, however, that this is not strictly true according to van Inwagen’s own standards: For before someone has made a decision, it is, strictly speaking, not true that he is able to *do*

² ‘A Promising Argument’, in: Peter van Inwagen: *Thinking about Free Will*, Cambridge UP 2017, pp. 166-176.

³ See van Inwagen’s definition in his article ‘Ability’ in the same collection of essays (p. 225): “Someone is able in the Relevant Sense (is »able_{RS}«) to do something just in the case that that person is able to do that thing in the *strongest* sense of »able« such that, if one made a promise and did not believe that (did not have the belief that) one was able (in that sense) to keep that promise, that promise would be defective.”

each of the actions he is trying to decide between. Instead, it is at most true that he is able to *choose* (= to decide for) each of them. In fact, van Inwagen defines free will elsewhere as follows:

“x has free will =_{df} x must sometimes choose among two or more alternative courses of action and, on at least some of these occasions, x is able_{RS} [able in the Relevant Sense] to choose each of them.” (*Thinking*, p. 227).

In his article ‘A Promising Argument’ he gives a slightly weaker formulation of the “Free-will Thesis”: “[...] and it was then up to them which of these courses of the action they would pursue.” (166) This latter thesis can be true even in cases where the agent is, at time t_1 before making a decision, able to *choose* any of the incompatible courses of action, but becomes able in the relevant sense at time t_2 to perform the action he has chosen only after and *in virtue of* his decision. The upshot is that in cases where somebody is able to perform an action according to van Inwagen’s own standards, the *future* decision is already part of his *ability*, that is, van Inwagen does not speak of being able_{RS} tout court, but of being able_{RS} by making a choice or decision. Otherwise decision making would be pointless.

But the main difficulty with upcoming decisions in order to sufficiently ground culpability that van Inwagen goes on to describe in ‘A Promising Argument’ lies in the fact that on the one hand, according to the premises specified above, the first element (= being up to one whether one will do A or do B) entails personally localized indeterminism – a thesis van Inwagen calls incompatibilism:

“*Incompatibilism* If one is at a certain moment faced with a choice between doing A and doing B, it is then up to one whether one will do A or do B *only if* it is then undetermined whether one will do A or do B – and *necessarily* so.” (van Inwagen, *Thinking*, p. 167)

While on the other hand, one and the same personally localized indeterminism appears to exclude the second element of decision competence (= ability in the Relevant Sense to do each of them), according to van Inwagen’s Indetermination-Inability-Principle:⁴

New Indetermination-Inability-Principle “Where t_2 is a future moment and t_1 is a future moment earlier than t_2 : If one is now faced with a choice between doing A at t_2 and doing B at t_2 , and if, at t_1 , it will be undetermined whether one will do A at t_2 or do B at t_2 (and if this *would* then be undetermined whatever one might do between now and t_1), then one is not now able to do A at t_2 and one is not now able to do B at t_2 .” (170)

⁴ The same holds, a fortiori, with respect to van Inwagen’s “original Indetermination-Inability Principle”: “*The Indetermination-Inability Principle* If one is at a certain moment faced with a choice between doing A and doing B, and if it is then undetermined whether one will do A or do B, it is not then up to one whether one will do A or do B; in fact, one is not then able to do A *and* not then able to do B.”

Hence, according to van Inwagen, a decision competence that is allegedly free and justifies culpability imposes incompatible requirements and is therefore – as the article tries to demonstrate – impossible: Before a human agent decides what to do it has to be *undetermined* what she is going to do, if her decision between mutually incompatible actions is supposed to be only up to her (up to one whether one will do A or do B). However, she *cannot be able and capable in the relevant sense* to pursue the courses of action in question before she decides, if it is at that time undetermined what she is going to do.

What, then, is to be done?

IV) Decisions in a situation of personally localized Indeterminism

Let us first consider what, according to van Inwagen, is required for the truth of personally localized Indeterminism:

“let us say that it is at a certain moment undetermined whether one will do A or do B if there is a possible world in which the laws of nature are the same as those of the actual world and whose state at that moment is identical with the state of the actual world at that moment and in which one will do A *and* a world satisfying those same two conditions in which one will do B.” (166)

(a) There has to be an actual world in which a decision is upcoming at a given time. Let us call this world ‘temporal-choice-world’ or ‘TC-world’.

(b) Further, there have to be (at least) two possible worlds that are congruent with the TC-world up to that time and that, from this time on, differ from one another without contradicting their own past (congruent with the TC-world). I call them the possible A-world and the possible B-world.⁵

(c) Finally, in both of these possible worlds there have to be laws of nature that are the same in the A-world and in the B-world and that are, moreover, in accordance with the laws of nature of the TC-world.

Let us first consider the (at least) two possible worlds with the same past that, according to van Inwagen, have to be assumed given personally localized indeterminism.

It seems plain to me, given the above mentioned conditions for a personally localized indeterminism that the TC-world has to be identical with *a* possible world but that, at a time

⁵ Every reachable possible world (from the perspective of somebody’s decision), is, strictly speaking, a whole sheaf of possible worlds that have, as a common feature, the alternative that is reachable from that perspective. For in one and the same maximally consistent possible world, there are many localities of indeterminism that are independent from the locality of indeterminism in question.

prior to the decision, it is undetermined (in the sense of van Inwagen's definition of indeterminism) to which one of these (possible worlds) the TC-world is identical. For, given personally localized indeterminism, this depends on how the human agent is going to decide: if he decides to perform action A, the TC-world is identical to the possible A-world; if he decides to perform action B, the TC-world is identical to the possible B-world. It is, therefore, undetermined whether the TC-world is the possible A-world or the possible B-world. But is it, at least, not undetermined that the TC-world is *either* the possible A-world *or* the possible B-world? That is, is it true that the TC-world is the possible B-world, if it is *not* the possible A-world, and that it is the possible A-world, if it is *not* the possible B-world?

It seems to me that this doesn't follow – at least as long as a personally localized indeterminism as described by van Inwagen is in place. For as things presently stand at the TC-world nothing excludes that the TC-world is the possible A-world. Further, nothing excludes that the TC-world is the possible B-world. Consequently, nothing excludes that it is not the possible A-world and, likewise, nothing excludes that it is not the possible B-world. In fact, the TC-world *might*, as things stand prior to the decision, neither be the possible A-world nor the possible B-world and, instead, a different possible world – depending on how someone would decide in a situation of personally localized indeterminism.

In fact, van Inwagen appears to admit in a footnote that when an agent is trying to decide in a situation of personally localized indeterminism there might be much *more* possibilities than only the possibilities that the agent is taking into account in his decision; therefore, much more possible worlds might be compatible with the past of the TC-world than only the A-world and the B-world:

“None of the three propositions »Sally is now faced with a choice between doing A and doing B«, »It is now up to Sally whether she will do A or do B«, »It is now undetermined whether Sally will do A or do B« entails that Sally will either do A or do B. It might be, for example, that at a certain point in her life Sally was faced with a choice between becoming a physician and becoming a concert pianist, that it was then up to her whether she would become a physician or a pianist, that it was then undetermined whether she would become a physician or a pianist – and that she eventually decided to pursue neither of those vocations and became a journalist.” (‘A Promising Argument’ p. 166 n. 2).

It follows that even after an agent has, in the course of making her decision, *excluded* one of the alternative courses of actions – A or B – there might still be an indeterminacy with respect to a whole range of alternative courses of actions. We are, therefore, entitled to assume that, when it comes to a decision between A and B, personally localized indeterminism is *more closely focused* on alternative courses of action that have *not* been excluded than on alternative courses of actions that have been excluded. It makes a difference for Sally's

decision making, whether she contrasts all possibilities that come in question only with the possibility to become a physician, or whether she contrasts them with all possibilities she wavered between before eventually excluding one of them. If it is legitimate to assume something along these lines without contradicting the conditions of personally localized indeterminism, it implies that excluding alternative courses of action according to certain principles *narrows* the range of remaining options. These remaining options are then according to that principles, despite of a personally localized indeterminacy of choice as a whole, *closer* to the choice of the agent *than other* options. That is, the possible worlds that according to personally localized indeterminism have to be compatible with the TC-world, might have *different degrees of closeness* with respect to an agent at a certain time in the actual world, without thereby contradicting the conditions of personally localized indeterminism.

David Lewis has described this difference of closeness or nearness between possible worlds as “degree of similarity” between possible worlds and he has tried to defend it against the charge of obscurity (*Counterfactuals* p. 50 sqq.). Building on this concept of degrees of similarity, he has in turn developed a concept of “comparative possibility”. In what follows, I feel inspired by this concept of Lewis’, without having the opportunity to discuss it further.

“It is more possible for a dog to talk than for a stone to talk, since some worlds with talking dogs are more like our world than is any world with talking stones. It is more possible for a stone to talk than for eighteen to be a prime number, however, since stones talk at some worlds far from ours, but presumably eighteen is not a prime number at any world at all, no matter how remote.” (Lewis, *Counterfactuals*, p. 52)

We can therefore say with respect to a given locality of personally localized indeterminism in the TC-world: that, if a person is wavering between alternatives, then, depending on what kind of principles that person refers to in order to exclude alternatives, *different* possible continuations of the TC-world are *more possible* than the excluded ones.

However, it is evident that it is *not* the case that the two or more possible worlds that have to be possible continuations of a decision between alternative courses of actions in the TC-world (according to van Inwagen’s conditions for a personally localized indeterminism) have to be *equally* possible worlds with respect to the locality of personally localized indeterminism and the adopted principles, by which the person proceeds in making her decision. Instead, they *might* have (and I hasten to add that this is plausible to assume) different degrees of possibility and, therefore, different degrees of *closeness* or *nearness* with respect to their connection to the TC-world in a given situation of personal localized indeterminism.

As the foregoing reasoning has shown, somebody who is faced with a choice between explicit alternative courses of actions in a situation of personally localized indeterminism might well retain a whole range of different and mutually incompatible courses of action such that, even if personally localized indeterminism holds, it is up to her which of them she is going to pursue – and this, even after she has excluded *one* or more of the alternative courses of action between which she has to decide. The fact that a human agent in the course of decision making *excludes* just one out of several possibilities according to adopted principles of decision does not imply that she has also decided what she is going to do instead. She rather has to decide, in addition, *for* a certain action within the range of remaining possible actions. I want to maintain, however, that, depending on which exclusions had already been carried out, the range of possible actions may be more closely focused on the remaining possibility A, or more closely focused on the remaining possibility B, without thereby contradicting the conditions of the originally assumed personally localized indeterminism.

If it is admitted that, when a human agent is faced with a choice in a situation of personally localized indeterminism, *some* of all alternative courses of action that come into question might be *closer* to the choice of the agent *than other* of these alternative courses of action (without thereby contradicting the conditions of this form of indeterminism), then it must also be admitted that only one of these alternative courses of action might, according to certain principles, be *closer* to the choice of the agent *than any other* of these alternative courses of action – and this depending on which exclusions the agent carries out. We may say that such a course of action is, according to the adopted principles of decision, *the most possible* course of action for a certain agent.

What we have seen so far is that, depending on what principles a person adopts in a situation of personally localized indeterminism in order to exclude apparently reachable alternatives, *some* of the remaining alternatives are, according to that principles, closer and, therefore, *more possible* than the excluded ones. And if this is compatible with the conditions of personally localized indeterminism, then it is also compatible with those conditions that after a series of steps, according to the same principles, exactly one of the possible continuations is *the most possible* according to these principles. The claim, then, is that there are certain requirements for a decision to be a decision according to *rational* principles:

- (a) the whole sequence of exclusions has to be guided by the same principles.
- (b) the same principles according to which an excluded alternative is less favorable than the others support consistently the finally chosen alternative as the reachable

alternative that fits better with these principles than any other apparently reachable alternative.

(c) the principles enable the deciding person to map the abilities and general goals that person ascribes to him- or herself onto the alternatives between which he or she has to decide.

Of course, these are only three necessary conditions for principles of a decision qualifying as rational. A decision that has been made according to principles that fulfill at least these three characteristics of rationality can be called, because of these characteristics, a ‘rationally bridged decision’ with respect to the life of the deciding person up until before the decision. Taking it all together, the conditions of personally localized indeterminism according to van Inwagen would not exclude that exactly one of the possible continuations of the TC-world is the most possible for the deciding person according to a rationally bridged decision of her’s.

V. The most possible course of action according to rational principles: Aquinas’ idea of a rational consilium of free decisions

In the late 13th century, Aquinas has, pretty much in the same spirit, put forward a thesis about a faculty of reason he called “libera electio humana”, that is, free decision or free choice of human beings. What I want to highlight is this: the upshot of Aquinas’ reasoning lies in the fact that, not unlike van Inwagen’s view, a free decision presupposes a form of *indeterminism* with respect to alternative courses of action. That is, Aquinas agrees that there is only a free or culpable decision, if an agent overcomes a situation of indeterminacy by deciding in favor of exactly one of the alternatives.

“Human beings [unlike things of nature] have an intellectual form and an inclination of the will resulting from understood forms, and external acts result from these inclinations. But there is this difference [in contrast to the inclination of natural things], that the form of a thing of nature is a form individuated by matter, and so also the inclinations resulting from the form are determined to one thing, but the *understood* form is universal and includes many individual things. And so since actualities regard singular things, and none of them exhausts the potentiality of the universal, inclinations of the will remain indeterminately disposed to many things.”⁶

⁶ “in homine invenitur forma intellectiva, et inclinatio voluntatis consequens formam apprehensam, ex quibus sequitur exterior actio: sed in hoc est differentia [sc. in contrast to the inclination of natural things], quia forma rei naturalis est forma individuata per materiam; unde et inclinatio ipsam consequens est *determinata ad unum*, sed forma intellecta est universalis sub qua multa possunt comprehendi; unde cum actus sint in singularibus, in quibus nullum est quod adaequet potentiam universalis, remanet inclinatio voluntatis *indeterminate se habens ad multa*” (*Quaestiones disputatae De malo*, qu. 6 *Respondeo*. Transl.: Aquinas, *On Evil*, Translated by Richard Regan, S.J. and Edited with Introduction and Notes by Brian Davies, O.P., Oxford 2003: Oxford University Press).

That is, according to Aquinas, a human being, when making a potentially *free* decision, has to overcome a certain indeterminacy of his will (= voluntative indeterminism). For the will of such a human being is by necessity “*indeterminately disposed to many things*” which cannot all be realized simultaneously. Therefore, a human being, when he is deciding freely (= culpable and not necessarily determined), has to overcome *always* a situation of voluntative indeterminism in favor of one alternative course of action by taking operative steps. This overcoming of voluntative indeterminism of free decision, which does not advance by necessity, takes place, according to Aquinas, in virtue of a rational *consilium* which involves intellect and will in two different respects. On the one hand, it involves intellect and will with respect to the performance of a concrete act of the will (= *exercitium*) and, on the other hand, with respect to the object or the precise content of action on which the will is directed (= *specificatio*).

(*Translation*) “Therefore, in order to show that the will is not moved necessarily, we need to consider the movement of the will both regarding performance (*exercitium*) of the will’s act and regarding specification of the act, which is by the object.”⁷

In both respects in which will and intellect are involved in a rational *consilium*, there is, according to Aquinas, a procedure that, though not necessarily, realizes unambiguous determination. With respect to the performance of a concrete act of the will, Aquinas calls this process “*libertas exercitii*”. With respect to the determination of the content of action, Aquinas calls this process “*libertas specificationis*”.

Both special modes of execution of intellect and will which Aquinas describes in great detail are meant to *explain* how and why it is *possible* that, in the course of deliberation, a voluntative indeterminism with respect to alternative courses of action is overcome not by necessity but determinately, that is, *determinately according to rational principles*. As we have already seen, it is the human agent that, because of his decision, builds a rational bridge to the reachable alternative that is the most compatible with his or her past according to rational principles.

If indeterminism is therefore overcome by both modes of execution (*et quantum ad exercitium actus, et quantum ad determinationem actus, qui est ex obiecto*) according to rational principles, then the will of a person is rationally *self-moved* (i.e. not moved by an

⁷ „Sic ergo ad ostendendum quod voluntas *non ex necessitate* movetur, oportet considerare motum voluntatis *et quantum ad exercitium actus, et quantum ad determinationem actus, qui est ex obiecto.*“ (*Quaestiones disputatae De malo*, Qu.6, *Respondeo* . Transl.: Aquinas, *On Evil*, Translated by Richard Regan, S.J. and Edited with Introduction and Notes by Brian Davies, O.P., Oxford 2003: Oxford University Press.

additional will of other things) with respect to his performance and tends, on the other hand, to an object of will which it pursues not necessarily.

Thus, the mark of rational principles for a decision is, also according to Aquinas, that the person consistently proceeds from indeterminate will and relevant consilium to a decision and a determinate will. It is only true to say that it is the *same* will at the beginning of the decision that determines itself further to a determinate will because the principles that guide the procedure are rational. The principles according to which other possibilities are excluded are not only at each step consistently the same, they are at each step of the decision rationally coherent with respect to the pursued goal.

I cannot expand on this, but Aquinas explains the possibility and conceivability of this in much more detail. What matters is Aquinas's thesis that from a situation of voluntative indeterminism of choice, pretty much like van Inwagen's personally localized indeterminism, a self-determined path may lead to exactly one most possible action relative to the person.

VI. Sameness of Laws of Nature with a Potential Difference of Principles of Choice

This brings me to the second condition of personally localized indeterminism according to van Inwagen, that is, to the question whether it is consistent, in my view, (if exactly one world among many possible continuations of the TC-world may be the most possible according to rational principles for a person that has to make a decision) that at least two of the possible worlds that are possible continuations of a decision that was made in a situation of personally localized indeterminism in the TC-world (the A-world and the B-world) may have the same laws of nature as the TC-world.

I think that this requirement can be fulfilled, if it is denied that a past state of the world together with a conjunction of all laws of nature entails *every other* state of the world. As we have seen at the beginning, this thesis is equivalent to the thesis of *nomological* determinism as defined by van Inwagen: the thesis that *everything* that takes place follows entirely from an arbitrary state of the past solely together with the laws of nature. Even though, in my view, nothing that ever happens is a contradiction of the laws of nature or, as they say, 'violates' a law of nature, it does not follow, assuming a past state, that it is *implied* solely by a law of nature. – Instead, there might be *other* rules or *other* true generalizations without exception, according to which something in the world occurs or happens – other principles, that is to say, that are *not* laws of nature.

According to personally localized indeterminism as van Inwagen describes it, a controlled decision has to be *indetermined*, at a time before that decision, only with respect to facts of the past and laws of nature of the TC-world. This is obviously consistent with *a general determinism in a weaker sense* according to which that decision is determined with respect to *all* relevant principles for the future decision making progress. These principles, however, need neither be facts of the past nor laws of nature, nor need they be ‘unavoidable’ for the agent that is about to make that decision. It is not unavoidable for me that I regard something as ‘good’ or ‘right’ according to certain principles what according to other principles is sometimes regarded as ‘bad’ or ‘wrong’. The general (logical) determinism that I want to uphold is the thesis that the future is determined by *all* principles that, starting from a given past state of the world, play a part in the proceeding of the history of the world.

In my view, the principles that play a role in the thesis of such a general determinism need not be laws of nature. True generalizations that are not laws of nature might *differ* among worlds with the same past and laws of nature as the TC-world. And there might be exactly one of those worlds in which these true generalizations are, all things considered, maximally rational and favorable for all human and other rational beings that have to make decisions and conform to *Thesis One* of the “Culpability Problem”. According to Leibniz, to just mention one famous example which matters with regard to the philosophy of freedom, such a possible world would not only be the ‘best’ of all possible worlds, but also identical to the actual world, in which a rational determinism is consistently conceivable with the culpability of persons that make rational decisions – at least according to Leibniz.

It seems, therefore, that the conditions of a personally localized indeterminism, as van Inwagen specifies it, can be combined with a weak determinism of the general sort that includes rational principles of decision (or other true generalizations that are up to us). For these rational principles might be consistent with the same laws of nature, regardless of which alternative course of action is pursued.

VII. General Determinism and the Ability to Decide Otherwise

Thus, it seems that we can claim in general – without contradicting ourselves – that at a certain time t_1 in the TC-world personally localized indeterminism holds and there are more than one alternative courses of action (= more than one possible continuations of the present) that are all up to the agent that is about to make a decision. And this, even though only one of these alternative courses of action is the *most* possible for the person in question according to

rational principles of decision; *and* that, further, a rational person might be able and capable, due to a *consilium* according to rational principles that begins after t_1 , to determine the most convenient course of action, that is, the course of action that, according to such a rational *consilium*, appears to be the most advisable. If it is legitimate to uphold the thesis that several worlds in the situation of personally localized indeterminism that are subject to a decision of a person are *possible*, but only one of them is *rationally* the most possible for the person according to rational principles of decision making, then a weak form of *general* and logical (that is, neither temporally nor personally specified) determinism might hold – if we consider all principles (rational as well as non-rational) that are relevant for what will take place. If so, there is no reason to believe that a person that in general sticks to rational principles and consequently makes a rational decision this time too should not prefer the most possible world according to rational principles – and this, even if God repeatedly causes the TC-world to revert to the time of decision.

At the end of my paper, I would like to look back on the two elements that, according to van Inwagen's thesis, are required for a culpable decision. As he puts it in the first sentence of 'A Promising Argument':

„Let us say that it is at a certain moment up to one whether one will do A or do B if one is then faced with a choice between doing A and doing B and one is then able to do A and is then able to do B.“ (166)

How, then, can we reconcile a general determinism in the weak sense (as indicated above) with these two elements, „being up to one whether one will do A or do B” on the one hand and „being then able to do A and able to do B” at the time of decision? For, according to van Inwagen, these elements could not both be true given that the first element implies personally localized indeterminism and given that personally localized indeterminism is incompatible with the second element, that is, with the ability to perform each of the incompatible courses of action.⁸

Following Aquinas, we can hold with respect to the first element that exactly one course of action depends only on a self-determined decision of the agent (and is, therefore, *a fortiori* up to him under conditions of personally localized indeterminism), namely the course of action that, due to an exerted *consilium*, is the most possible for the agent according to rational principles of choice. And this holds, while the other alternative courses of action do not only depend on the agent, but are influenced by factors that are outside of his control. Thus, we can say in this sense (following Aquinas) that it is 'up to one' whether one will

⁸ See 'The Problem of Fr** W*ll', in: *Thinking*, p. 197.

perform that course of action that conforms to the possible world that is most possible according to rational principles. If it is only up to him whether he will choose the action that conforms to the possible world that is most possible according to rational principles, then it is also only up to him whether he will *not* choose the action that conforms to the possible world that is most possible according to rational principles. For this depends only on whether someone sticks to the same rational principles in the given case, as she proves to have done in numerous other cases. But this would not be a matter of the choice she's faced with. Taking it all together: it is up to her whether she will choose the action in question or an alternative course of action.

With respect to the second required element, namely being able in the Relevant Sense to perform each of the alternative actions, there is no longer any reason to believe that in a situation of personally localized indeterminism there can be *no* ability in the Relevant Sense. In fact, the only reason van Inwagen cites in favor of his view is that a person sufficiently informed about the problem of indeterminacy of decision could not be sure, before his decision, how he or she is going to decide. As van Inwagen argues, such a person, if faced with a decision (e. g. with a decision between keeping silent about the transgression of a friend in a public consultation, or not), could not promise with certainty to do something:

“Am I in a position to promise you that I will keep silent? – knowing, as I do, that if there were a million perfect duplicates of me, each placed in a perfect duplicate of my present situation, forty-three percent of them would tell all and fifty-seven percent of them would hold their tongues? [...] I do not see how I could be in a position to make it. But if I believe that I am able to keep silent, I should, it would seem, regard myself as being in a position to make this promise” (169).

However, it should be obvious by now that, if we assume that the conditions of personally localized indeterminism hold together with the weak form of determinism that I want to uphold, that one of these alternative decisions conforms to the possible world that is most possible according to rational principles. I could, therefore, now be *sure* that, if my upcoming decision stays conform with rational principles I'm used to apply, I will do what in that situation is the most possible according to rational principles. Therefore, I can legitimately be sure that I am *able* in the Relevant Sense to keep silent (if it is that what seems to conform with the principles I usually hold to be rational) and that I am, therefore, in a position to make such a promise in advance: All perfect duplicates of me placed in a perfect duplicate of my present situation would, to one hundred percent, always make the same decision according to these principles. If so, however, there is no reason to exclude the *possibility* that, before making definitely a decision, one and the same person may be able to

perform each of the alternative actions between which he or she is supposed to be going to decide (in a culpable way).

Note, that this would not be the case, if the principles which I adopt in my upcoming decision would be arbitrary ones. For in being careless or inattentive in adopting principles of my decision or changing them step by step in course of making up my mind, there would not be a consistently *most* possible of all the possible worlds in the range of my choice. It is plain, therefore, that van Inwagen's *New Indetermination-Inability-Principle does not hold*:

„Where t_2 is a future moment and t_1 is a future moment earlier than t_2 : If one is now faced with a choice between doing A at t_2 and doing B at t_2 , and if, at t_1 , it will be undetermined whether one will do A at t_2 or do B at t_2 (and if this *would* then be undetermined whatever one might do between now and t_1), then one is not now able to do A at t_2 and one is not now able to do B at t_2 .“ (170)

For before starting at t_1 to exclude reachable alternatives, it is only true (as a general rule) that somebody who sticks to rational principles of decision making can expect that there is exactly one most possible world according to that principles – and this, even though from before t_1 up to the decision van Inwagen's conditions for a personally localized indeterminism hold.