

*Freedom of the Will and the Concept of a Person***Introduction**¹

- Strawson and Ayer have misappropriated the term “person”. It is not just a mind/body union as this applies to the higher animals who aren’t persons². This is a (possibly innocent) misuse of language.
- No problem ought to be of greater interest to philosophers than who we essentially are.
- The criteria for being a person (at least those of most philosophical interest) are not those of distinguishing humans from other species³.
- Some humans may not be persons, so the sets of humans and persons are not co-extensive. However, we do presuppose, maybe wrongly, that the characteristics of personhood are uniquely human.
- It is characteristic of humans (and therefore a presumed characteristic of persons) that they have second-order desires (ie. desires for desires).
- Second-order desires: wanting to be different with respect to our motivation. Ie. “reflective self-evaluation”.

Section I - (Desires)

- The statement “A wants X” is compatible with lots of statements to the effect that A doesn’t know that he does, or that he “really” doesn’t want X.
- So, we don’t have a simple distinction between first and second level desires.
- Frankfurt accepts a broad range of desires, including those of which we are unconscious or are deceived about.
- However, he only accounts as desires that are *willed* those that move to action.
- The “will” is not, therefore, co-extensive with first order desire – only with those desires that did, do or will motivate to action (but the will is identical with at least one first order desire).
- Effective desires are those which move (or will, or would move) all the way to action.
- The will is not co-extensive with what the agent *intends* to do, as intentions may be overridden by stronger desires.
- There are two kinds of second order desire (wanting to want X).
 1. A “precious” situation where the agent univocally wants not to X (ie. not a desire that his will should be other than it actually is). He doesn’t want his first order desire to be effective, but merely wants the desire itself⁴.
 2. Where there is a desire on the agent’s part for a will that is effective. The agent wants more than an inclination – he wants an effective desire, one that moves him effectively to act. He wants “to X” to be his will.
- Frankfurt gives an example that decides between these two cases. If someone wants to be motivated by the desire to concentrate on his work, then, if his second

¹ We could have done with an abstract! Why is Frankfurt writing this paper?

² But, isn’t Strawson really interested in identity and arguing against Locke’s idea that personal identity equates to memory?

³ Indeed. We are interested in the most “humane” characteristics.

⁴ Either for the thrill of it all, or (in Frankfurt’s example) where someone wants to experience (say) what it’s like to desire something, without actually wanting that desire to be effective. He doesn’t actually want to experience the thing desired (Frankfurt’s example is of a psychologist wanting to know what it’s like to be a drug addict, without ever wanting to take drugs himself).

Freedom of the Will and the Concept of a Person

order desire is case (2) he must necessarily already have a first-order desire to do so. However, a first-order desire is insufficient for case (2), as that desire might not be effective – it may be trumped by another desire (even though it may remain amongst his desires). It is this “when the chips are down” situation that distinguishes between the two cases.

- Frankfurt does recognise a genuine case (2) where a second order desire may not imply a present first order desire. If I want my will to conform to another’s (I want to want what someone else wants, eg. for reasons of hero-worship) then this may possibly be a genuine case (2) – because I want my desired desire to be effective - even though I don’t know what it is I desire to desire (I may not know what my hero’s desires are). Frankfurt doesn’t pursue the matter here⁵.

Section II – (Persons and Wantons)

- The above “case (2)” second order desires are dubbed “Second-order Volitions” by Frankfurt. They apply when an agent wants a desire to be his will (rather than case (1) situations where someone merely wants a desire).
- According to Frankfurt, it is having **Second-order Volitions** that makes a person⁶.
- A **wanton** is defined as an agent with no second-order volitions (even though they have first-order desires and even second-order desires of the “case 1” type). Wantons are consequently not persons⁷.
- Wantons don’t care about their wills. All animals and very young children, and some adults, are wantons.
- Wantons may have rational faculties of a high order, but aren’t concerned with the desirability of their desires, or with what their wills ought to be.
- In asserting that personhood resides in the will rather than in reason, Frankfurt is far from suggesting that irrational creatures can be persons, because only a rational being can become aware of his will and have second-order volitions.
- Frankfurt gives the examples of the drug addict who struggles but fails to beat his craving and the one who’s happy in his situation. The former is a person, the latter a wanton (presumably other things being equal), “in respect of his wanton lack of concern, no different from an animal”.
- It’s important to note that a wanton may have conflicting first order desires. He just doesn’t care which one wins out.
- Frankfurt suggests that a wanton has no identity other than his first-order desires. He appears to be using (non-)personal “identity” in a sense different from the individuating sense used normally (and by Locke).
- According to Frankfurt, if your first-order desire says “do X” and your second-order desire says “don’t do X”, then if you do X you do it unwillingly, not of your own free will.

⁵ The situation doesn’t sound very plausible, in that my second order desire might change on learning what my hero’s desires actually are.

⁶ This seems rather arbitrary to me, and Frankfurt admits that he has been arbitrary in excluding agents with second-order desires, but no second-order volitions, from the category of persons (he’s done this to make simpler the argument to follow). With respect to his definition of personhood, what about it being a forensic concept involving responsibility? What about “legal persons”?

⁷ Are only self-confessed sinners persons? Ie. those who want their wills to differ? Is God a person? It appears not from a later comment (see next page).

Freedom of the Will and the Concept of a Person

- Frankfurt expatiates further on wantons. The wanton may not be satisfied, since one of two conflicting desires wins out and leaves the other unsatisfied⁸.
- Frankfurt denies that second-order volitions are necessarily *moral*, and also allows persons to be *capricious* in their second-order volitions. The important thing about second order volitions is that they be *preferences*, not that they be well-founded.
- The wanton is neither a winner nor a loser in the struggle of his desires, as he has no stake in the conflict.

Section III – (Freedom of the Will)

- A person has freedom of the will only insofar as he has second-order volitions.
- Supra-human beings (if any) with necessarily free wills are not accounted persons.
- Frankfurt asks what *sort* of freedom is freedom of the will? What *problem* is addressed?
- Does freedom mean doing what you want? This captures some of what it is to *act* freely, but entirely misses what it is to *will* freely.
- We suppose animals have freedom of action, but not freedom of the will. So, freedom of action isn't sufficient⁹ for freedom of the will
- Nor is freedom of action necessary for freedom of the will, for, if you don't know one's freedom (to act) is curtailed, one's will may be as free as ever.
- Freedom of the will is not concerned with the relation between desires and actions, but with desires themselves.
- But, Frankfurt thinks that comparing freedom of the will with freedom of action is both useful and natural. The analogy is "acts we want to perform" versus "the will¹⁰ we want to have".
- Freedom of the will is securing conformity of the will to second order volitions.
- Unwilling addicts are not free, but are still persons. Wantons lack free will, since they have no second-order volitions at all.
- Frankfurt admits that people are more complex than his simple sketch suggests.
- For instance, second-order desires may conflict and, if unresolved, may leave us with no second-order volitions. Since this leads the agent with no preference as to which first-order desire should be his will, this destroys the agent as a person. He either has no will at all, or his will operates without his participation. He's like the unwilling addict, a helpless bystander to the forces that move him, but in a different way¹¹.
- We can have volitions of higher order than the second. Frankfurt thinks this "humanisation run wild" also leads to the "destruction of the person"¹².
- In this situation, decisive identification with some first-order desire means we no longer need worry about higher order desires. Just acknowledge the second-order volition (to want this desire) and don't go to higher levels.
- Conformity of the will to higher-order volitions comes more naturally / easily to some than to others. Some have to struggle to achieve freedom of the will.

⁸ Hence, Schopenhauer's "parallelogram of forces" approach to the will, being all first order, is wanton.

⁹ So, Frankfurt sides with Bramhall and his spiders, against Hobbes.

¹⁰ Need to review just what Frankfurt means by "the will".

¹¹ Says Frankfurt. This isn't terribly useful, as the unwilling addict is still a person.

¹² This almost looks like a reductio ad absurdum of Frankfurt's view.

*Freedom of the Will and the Concept of a Person***Section IV – (The Advantages of Frankfurt’s Theory)**

- Frankfurt claims his account shows why we’re reluctant to allow freedom of the will to inferior species.
- His theory also accounts for why freedom of the will is desirable. Frankfurt’s explanation is because of the satisfaction, rather than frustration, of second-order (or higher-order) volitions.
- You have the satisfaction of having a will of your own, as against being a passive bystander merely observing the forces moving you.
- Freedom both to do¹³ what we want and to want what we want to want is all the freedom that’s conceivable.
- Frankfurt now considers whether other theories meet these basic conditions of acceptability (explaining our refusal of free will to animals and our treating free will as desirable). He thinks they don’t.
- Chisholm claims that human freedom entails the absence of causal determinism, ie. a miracle. A free agent is an unmoved mover. But, this doesn’t distinguish between human and animal freedom.
- There is no experiential difference between someone miraculously initiating a causal chain and someone in whom no such causal breach occurs.
- Does freedom of the will (in part) explain moral responsibility? Frankfurt thinks that one can be morally responsible for what one has done when one’s will was not free at all¹⁴.
- Chisholm’s account of free will might have no actual instances (eg. if it was found that there is always a sufficient cause for any brain event).
- Free will implies that we are free to make any first-order desire our will. A person with a free will could have made his will other than he in fact did.
- Frankfurt thinks this has no bearing on moral responsibility, which states that an agent performed the act freely, of his own free will. However, acting of your own free will does not imply that your will is free¹⁵.
- As an example, which I find very confusing, Frankfurt considers a third kind of addict – the willing addict (as distinct from the unwilling and wanton addicts). Frankfurt claims that this addict’s will isn’t free, for his desire to take the drug will be effective regardless of whether he wants this desire to constitute his will¹⁶. Yet, says Frankfurt, our addict takes the drug freely, of his own free will.
- Frankfurt thinks that the willing addict’s first-order desire is over-determined, both physiologically and because the addict wants to be addicted, and that this helps us to understand what’s going on in the situation¹⁷.

¹³ But who’s free to do all that he wants? This is presumably not the point at issue.

¹⁴ So, it’s only when one’s action was free that one is exculpated? Probably, though Frankfurt also argues that one can be morally responsible even when one couldn’t have acted otherwise than one did. See *Alternate Possibilities and Moral Responsibility*.

¹⁵ It strikes me as a bit odd to say that you’re doing something of your own free will when your will isn’t free. Why not simply say “of your own will”.

¹⁶ I don’t understand this – ex hypothesi, he does want this desire to constitute his will, otherwise he wouldn’t be so happy about his addiction. Can he not want desire for the drug to remain his will and still remain a willing addict? The willing addict can, however, turn from a willing to an unwilling addict?

¹⁷ This all sounds confused. His will is outside his control, yet he has made “his will” (which will?) his own.

Freedom of the Will and the Concept of a Person

- Frankfurt claims that his account of freedom of the will is neutral with respect to determinism. He thinks it conceivable that it's causally determined that a person is free to want what he wants to want, and hence causally determined that he has free will. This is only apparently paradoxical, he says.
- Frankfurt also allows multiple responsibility for actions. The agent and some other agency may be jointly (even morally) responsible – he sees a difference between full and sole responsibility. If another has calculatedly inveigled the willing addict into his addiction, both are fully responsible, says Frankfurt.
- Finally, Frankfurt considers that there are various means whereby free will may arise: chance, natural causes or some unspecified third way.