

THE ACT OF CHOICE

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DOUBTLESS THE MOST QUOTED SENTENCE in the English free-will literature comes from Samuel Johnson: "Sir we *know* our will is free, and *there's* an end on't."¹ Later in Boswell's *Life* the point is developed in what we now think of as a distinctively Moorean way: "You are surer that you can lift up your finger or not as you please than you are of any conclusion from a deduction of reasoning."² Our knowledge of our own free will is more certain than any thesis of philosophy; so if it comes to a clash between the two, it is philosophy that should give way.

Despite the frequency with which Johnson's passage is quoted, I think that its true importance has been missed. For what is it of which we are so certain? I take it that the certainty of which Johnson speaks comes from an *experience* of free will. He says as much: "All theory is against the freedom of the will; all experience for it."³

Once we start to contemplate the experience of free will, much of the literature on it seems beside the point.⁴ Libertarians insist that a truly free will is one that is fundamentally uncaused; it is the true originator of action. But this is not to describe an experience; it is hard to

1. J. Boswell, *The Life of Samuel Johnson*, AD 1769, Ætat. 60 (Everyman Edition, p. 366). Compare Locke's comment that "I cannot have a clearer perception of any thing than that I am free" (letter to Molyneux, 20 Jan. 1693, in *The Correspondence of John Locke* Vol. IV [Oxford: Clarendon Press, 1979], p. 625).
2. AD 1778, Ætat. 69 (Everyman Edition, p. 833).
3. *Ibid.*
4. Though not all; in particular, there is a growing literature on the experience of free will. See for instance, E. Nahmias *et al.*, "The Phenomenology of Free Will", *Journal of Consciousness Studies* 11 (2004): 162–79, which also contains a very useful review of some of the twentieth-century psychological literature. For some earlier philosophical treatments see G. Strawson, *Freedom and Belief* (Oxford: Clarendon Press, 1986) and D. Velleman "Epistemic Freedom," *Pacific Philosophical Quarterly* 70 (1989): 73–79. There is also an interesting recent literature trying to elucidate ordinary intuitions empirically; but the questions asked so far do not enable one to distinguish what is believed on the basis of experience from what is believed for other reasons. See, for instance, E. Nahmias *et al.*, "Surveying Freedom: Folk Intuitions about Free Will and Moral Responsibility," *Philosophical Psychology* 18 (2005): 561–84; and S. Nichols and J. Knobe, "Moral Responsibility and Determinism: The Cognitive Science of Folk Intuitions," *Noûs*, forthcoming.

think what an experience of that would feel like. The libertarian thesis is itself a bit of speculative philosophy rather than the fundamental knowledge to which Johnson thinks speculative philosophy should defer.

The complaint here has been made before: Anthony Collins objects to those who appeal to vulgar experience to support libertarian views, “yet, inconsistently therewith, contradict the vulgar experience, by owning it to be an *intricate matter*, and treating it after an intricate matter.”⁵ By “intricate” I take it that Collins doesn’t mean simply complicated; there is nothing to stop the vulgar having complicated experiences. The real objection is to an account that invests vulgar experience with philosophical properties that are not the kind of thing that are, or perhaps even could be, experienced.

Choice, and how it differs from agency

Johnson is right to insist that we have an experience of freedom; and surely right to insist that we would need very good grounds before rejecting it as illusory. So we need to ask what the experience is an experience of. My contention in this paper is that it is primarily an experience of choice, and that choice is a real and under-explored phenomenon. It has of course been noticed; but most theorists who have made much of it have taken it as support for libertarianism.⁶ I argue that it provides no such support.

I say that choice is the primary ingredient in the experience of free will. But there is also what we may call an experience of *agency*. To see the difference, consider anarchic-hand syndrome. The unfortunate sufferer finds that one of their hands has taken on a life of its own, unbuttoning shirts that they have just done up, taking food from others’ plates, and so on.⁷ Clearly, this is a situation in which the sufferer loses

the experience of agency over the anarchic hand.⁸ But now consider their other, normally functioning hand, which frequently intervenes to try to stop the anarchic hand. Does the subject *choose* what to do with it? Sometimes they might: we could, for instance, ask them to choose whether to put their hand on their left knee or their right. But typically the functioning hand just does its job — buttoning the shirts, taking the right food, restraining the anarchic hand — with no choice being made. Insofar as the subject makes choices, these are at quite a different level: to wear the yellow shirt, to have the pasta rather than the rice, to join the Foreign Legion. In executing each choice the functioning hand does its part, but it would be unusual for the subject to choose what *it* does. Yet the subject retains agency over it.

The point is quite general. There will be periods for any agent when they make no choices at all. Walking home, enjoying the spring weather and watching the people it brings out, I might have no need to make a choice. Yet I have the experience of acting; I am not being borne along on anarchic legs. Even when I do make a choice — to cross

Neuropsychologia 29 (1991): 1113–27. For an accessible review see S. Della Sala, “The Anarchic Hand” *Psychologist* 18 (2005): 606–09. Della Sala suggests that the syndrome stems from damage to the part of the brain (the secondary motor area, or SMA) that controls action on the basis of “internal” drives. This leaves the hand at the mercy of the part that responds to “external” visual cues. The struggle between the two hands, and the agent’s sense that the hand is out of control, result from unilateral damage, i. e., damage to the SMA in just one hemisphere, which controls just one hand. In cases of bilateral damage, where both SMAs are affected, the result is utilization behavior. Here patients show a compulsive urge to use the objects they see, but without the sense of loss of control: “The patient spotted the [experimenter’s] wallet, started to take out all the credit cards and other things, such as the national insurance number, reading it aloud. The experimenter asked: ‘Whose wallet is it?’ ‘Yours,’ replied the patient, a bit baffled by the question, but carrying on ransacking it.” (*Ibid.*, p. 608)

8. Though this might be coupled with the knowledge that in some sense the actions are their own: “Of course I know that I am doing it,” says a patient of Marcel’s: “It just doesn’t feel like me.” See A. Marcel, “The Sense of Agency,” in J. Roessler and N. Eilan (eds.), *Agency and Self-Awareness* (Oxford: Oxford University Press, 2003), 48–93, at p. 79. Note too that anarchic hand syndrome does not undermine ownership; those who suffer from it still think of the hand as theirs, unlike those suffering from *alien* hand syndrome. (See *ibid.*, pp. 76–77.) For further discussion of the differences see Della Sala, *op. cit.*

5. *An Inquiry Concerning Human Liberty* (Second Edition, 1717), p. 30.

6. See for instance A. Donagan, *Choice: The Essential Element in Human Action* (London: Routledge and Kegan Paul, 1987), esp. Chs. 9 and 10; R. Kane, *The Significance of Free Will* (New York: Oxford University Press, 1996).

7. S. Della Sala *et al.*, “Right-sided anarchic (alien) hand: a longitudinal study,”

the road now, whilst there is no traffic, or to stay on this side where the trees smell better — this does not increase my sense of agency.

So the experience of choice is not the same as the experience of agency. We shall need to return to the issue of agency later, but my main focus is on choice. And my first proposition is that choice comes *when the question of what to do arises*. Often in our day-to-day activities that question never arises at all. "Operations of thought," wrote Whitehead, "are like cavalry charges in a battle — they are strictly limited in number, they require fresh horses, and must only be made at decisive moments."⁹ The point applies, *a fortiori*, to choice. Provided that we are experienced actors, the question of what to do need not arise, not even in difficult or challenging situations. Gary Klein, in his study of various kinds of experts (nurses, fire commanders, missile operators, etc.), writes:¹⁰

We asked people to tell us about their hardest cases, thinking that these would show the most decision making. But where were the decisions? The commander sees a vertical fire and knows just what to do.... He never seems to decide anything. He is not comparing a favorite option to another option, as the two-option hypothesis suggests.

He is not comparing anything.

Experienced actors frequently just know what to do. Klein argues that they use a number of methods to arrive at this knowledge, of which the most important involves a form of stereotyping: new situations are recognized as similar to situations that have been encountered before, and so the actor knows what to do on the basis of what worked in the past. Standardly, then, the question of what to do does not arise. When it does, this is because some special feature obtains. The situation may be in some way novel, so that our stereotypes do not fit it. Or it may be especially significant, so that we pay special attention

9. A. N. Whitehead, *An Introduction to Mathematics* (New York: Holt, 1911), p. 61, quoted in J. Bargh and T. Chartrand, "The Unbearable Automaticity of Being," *American Psychologist* 54 (1999): 462–79, p. 464.

10. G. Klein, *Sources of Power* (Cambridge: MIT Press, 1998), p. 16.

even when our stereotypes do apply. Or we may simply have been prompted to think about it. Under any of these circumstances our acts will be preceded by choices.

This distinction I am drawing between the acts that we choose to perform, and those that we perform without choice, suggests some kind of two-level system. One level is that of automatic heuristic-based responses. These are fast, cognitively economical, typically very limited in scope. We pick up on a certain cue and respond to it. The second level involves conscious consideration and choice: it is slow, demanding, but more flexible. Though the details are contentious, such an approach has become increasingly influential in psychology, and I do indeed presuppose it here.¹¹ But I shall not do anything to defend or elucidate it; things have reached the point where the main questions can only be answered by empirical psychology.

In contrast there is much philosophical work to be done in elucidating the notion of choice. I suggest three central features. First, choice is an act.¹² It requires time, concentration, a certain amount of effort — which helps explain how we can resent having to make a choice.¹³ We can choose (a higher order choice) whether to choose, and when. We can put off a choice, perhaps to gain more information, or perhaps

11. For a good overview see K. Stanovich, *The Robot's Rebellion* (Chicago: University of Chicago Press, 2004), Ch. 2. For some application to the experience of action (though not specifically choice) see P. Haggard and H. Johnson, "Experiences of Voluntary Action," *Journal of Consciousness Studies* 10 (2003): 72–84. They stress the idea that even automatic actions can be brought under conscious control, a feature that I shall be discussing later.

12. This feature of choice has been well emphasized by Thomas Pink in *The Psychology of Freedom* (Cambridge: Cambridge University Press, 1996). In subsequent work, though, he has taken this to militate in favour of libertarianism; not the conclusion I want to draw. See *Free Will* (Oxford: Oxford University Press, 2004), Ch. 7.

13. The effort is real and undermines our ability to do other things; see R. Baumeister *et al.*, "Ego-depletion: Is the Active Self a Limited Resource?," *Journal of Personality and Social Psychology* 74 (1998): 1252–65, at pp. 1256–58. For general discussion of the effort involved see T. Bayne and N. Levy, "The Feeling of Doing," in N. Sebanz and W. Prinz (eds.), *Disorders of Volition* (Cambridge: MIT Press, 2006). For a nice discussion of the costs of excessive choice see B. Schwartz, *The Paradox of Choice* (New York: HarperCollins, 2004).

just because we are reluctant to make it. Or we can bring a choice forward, convinced that we already know enough, keen to make it, or keen to get it over with.¹⁴

Second, choice is not determined by our prior beliefs and desires. It is quite compatible with a given set of beliefs and desires either that we choose one way or that we choose another. That, of course, is part of what makes choice an action: we are not pushed along by our beliefs and desires.

Third, choice has effects. Once the question of what to do arises, choice is typically *necessary* for action. In order to move to action, we need to make a choice about what to do. The other psychological states that we might have, in particular, our beliefs and desires, are not, on their own, enough. Just as they do not determine our choices, they do not determine our actions, either. In contrast, choice typically is enough. Once the question of what to do has arisen, choice is not just necessary but *sufficient* for action: it gives rise to an intention, and the intention leads to the action.

It is our ordinary experience that provides us with evidence of these effects. It is merely evidence, defeasible in many ways that we shall examine shortly. But in this it is parallel to so many other mundane cases. We have matches, kindling, plenty of oxygen. Is this enough to give us a fire? No. One of the matches needs to be struck. Our evidence for this is simple: typically we don't get a fire without striking a match, and we do get a fire if we do. Likewise for choice. Once the question of what to do has arisen, if we don't choose we don't move; once we do choose, we do.

I say that these effects are typical, not that they always obtain. In some cases, even when the question of what to do has arisen, an act of choice will not be necessary for action: automatic actions will take over. Conversely, an act of choice will sometimes not be sufficient for

14. Note that there is no regress here. I am not saying that choice is an act, and that every act requires a prior choice. I am only saying that (normally) a choice is required for every act for which the question of what to do arises. We do not normally choose whether to choose. We virtually never choose whether to choose whether to choose. I return to this issue below.

us to act in the way chosen. Automatic tendencies can override an intention arrived at by deliberate choice; or the intention might be forgotten; or one might change one's mind. Such considerations need not worry us any more than the observation that fires can be started by sparks hitting a match that no one has struck, or that matches can be damp, or badly made, or can blow out.¹⁵

Can we say more about what choice *is*? I doubt that we can say much more at the level of conceptual analysis—or conceptual elucidation, as we might better put it, since there is no question of reduction. But we can say a great deal more about how choice fits in with our ideas of free will. We surely should not say that choice is a necessary condition for free will. Most automatic actions, actions that are not chosen, are nonetheless free. Indeed, I think that, as with most philosophically interesting concepts, attempts to give necessary and sufficient conditions for free will are bound to be flawed. Compatibilists—those who argue that free will is compatible with determinism—made a grave error when they took on the task of giving an analysis, especially since the concept answers to so many different concerns.¹⁶

Nonetheless there are characteristic features of free will, and an account that leaves any of them out will be inadequate. Choice is such a feature. Ask students to imagine a time when they have exercised their free will, and they will almost always imagine a case in which they made a choice. Yet, as I shall argue shortly, the standard compati-

15. Some skeptics go further, arguing that choice is never necessary or sufficient for action. Daniel Wegner, for instance, argues, in *The Illusion of Conscious Will* (Cambridge: Harvard University Press, 2002), that choice is epiphenomenal. It seems to me that the burden of proof is very much against such a position: one would need very good argument to deny the efficacy of choice. I briefly sketch what I think wrong with Wegner's argument in a review of his book in *Mind* 113 (2004): 218–21. For some fuller, like-minded responses see E. Nahmias, "When Consciousness Matters," *Philosophical Psychology* 15 (2002): 527–42; and T. Bayne "Phenomenology and the Feeling of Doing," in S. Pockett, W. Banks, and S. Gallagher (eds.), *Does Consciousness Cause Behavior?* (Cambridge: MIT Press, 2006), 169–85.

16. On this see W. Lycan, "Free Will and the Burden of Proof," in A. O'Hear (ed.), *Minds and Persons* (Cambridge: Cambridge University Press, 2003), 107–22.

bilist accounts of free will give no space for choice. To that extent then the standard accounts are inadequate.

Moreover, their inadequacy in this dimension gives one explanation of why incompatibilism can look so attractive. If I am right that choice is not determined by one's prior beliefs and desires, then there is an important sense in which, phenomenologically, it is not determined. It is very easy to move from this to the idea that one's choices are not determined *at all*; and hence to the idea that, if one's phenomenology is accurate, determinism is wrong. But that move is mistaken. Even if one's choices are not determined by one's beliefs and desires, it does not follow that they are not determined at all. Which takes us back to our opening point: our experiences might reveal something about our psychology, but they will not reveal the ultimate causal structure of the world.

The difficulty, if one accepts that choice is not determined by belief and desire, is to say why it is not just arbitrary—why choosing does not amount to mere picking.¹⁷ But that is for later. Let us start by seeing how it is that the standard compatibilist accounts have no place for choice.

Compatibilism and choice

It is sometimes said that standard compatibilist accounts leave the agent out of the picture; where the agent should be, we get a passive vessel. This is what drives some to libertarianism. I will not be driven so far, but I think that there is something in the charge. The problem is clearest with desire-based accounts, those stemming from Hobbes, who, very roughly, took freedom to consist in the ability to get what one desires. His model of choice is that of the scales:¹⁸

The objects, means, &c. are the weights, the man is the scale, the understanding of a convenience or inconvenience is the pressure of those weights, which incline

17. For the contrast see E. Ullman-Margalit and S. Morgenbesser, "Picking and Choosing," *Social Research* 44 (1977): 757–85.

18. Hobbes, *Collected English Works* Vol. V, p. 326.

him now one way, now another; and that inclination is the will.

Here we can see clearly the sense in which the decision-making process is passive: there is nothing more to the process of decision than letting the weight of one's desires for the various options press upon one. Indeed it is tempting to think that the decision machinery has no role at all. But that would be a mistake. To press the analogy: scales need to be true if they are to weigh fairly. The point then is not that the scales have no role; it is rather that they fail to *do* anything, they make no *discretionary* contribution to the output. This is the sense in which the inputs *determine* the output: once we know that the scales are true, we know how the scales will move simply by knowing the weight of the objects put upon them. Things are parallel on the simple Hobbesian model of action. Assuming that the agent is well-functioning, their actions will be determined by the force of the inputs, where these are their understanding of the utilities of the various options. There is no place for an independent contribution from an act of choice. There is just the risk of malfunction.

The same is true when we turn to the other main class of compatibilist models and add in a more substantial role for deliberation and belief. Such accounts characterize freedom as consisting in one's ability to get one's actions into line with one's beliefs about what is best.¹⁹ So we might invoke a four-stage model that characterizes a typical exercise of freedom of the will unfolding as follows:

- (i) deliberating: considering the options that are available, and their likely consequences; getting clear on one's own desires, and one's own prior plans and intentions; seeing how the options fit in with these desires and plans; establishing pros and cons.

19. Frequently they also require that one's beliefs be true, or that one have the ability to get true beliefs—that one be, in John Martin Fischer's phrase, responsive to reasons. I don't think that this affects the substance of what I am arguing here.