

O'Neill's *Towards Justice and Virtue* (Cambridge UP, 1996) is slim indeed; but though Lovibond says less to vindicate her universalism, she has much more, and more interesting, things to say about the nature of moral agency.

Secondly, we might worry that Lovibond has forgotten 'the characteristically modern idea of morality as a zone of *contention*' (p. 63): whose practices, and which rationality, are we to take on board? In the final part of the book, she approaches this worry from a markedly postmodern direction. Her doubt follows from the account of 'seriousness'. Since our seriousness always stands in doubt, the danger is that we shall seek to *prove* this by refusing to tolerate competing versions of practical reason, that is, the competing versions that are, however inarticulately, embodied by other persons. In postmodern terms, does the quest for reason not so much mask as *embody* a determination to dominate others who disagree? What Lovibond rescues from these critiques is finally the modesty that becomes agents who cannot be sure of their 'seriousness', who must always be open to the possibility of reasonableness in even (to them) quite jarring identities and claims, who cannot always be certain that what they resolve to do will prove vindicable in the space of reasons.

In sum, the great strength of Lovibond's book lies in tackling important questions of human agency that have not been well served, even in the diversity of modern virtue ethics. It seems to me that she spends too much time on meta-ethical questions about which by her own arguments little useful can be said, and not as much time as one might like on how we might gain access to the ethical 'space of reasons' that her 'realism' is supposed to undergird. Finally, while one may doubt how much is gained from engaging postmodern critiques of universalist reasoning, Lovibond retains an admirable moral and political sense of the issues underlying those esoteric debates. This is a book that deserves attention and rewards reflection.

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*Living Without Free Will.* BY DERK PEREBOOM. (Cambridge UP, 2001. Pp. xxiii + 231. Price £35.00.)

Several recent authors, notably Galen Strawson, Bruce Waller, Richard Double and Saul Smilansky, have defended the claim that human beings lack free will and moral responsibility, and have explored the claim's consequences. In this elaborately yet cautiously argued book, Pereboom joins their ranks. He is alone, however, in maintaining that our shortcoming is a merely contingent fact: he allows that we might have been undetermined agent causes, and so free and responsible agents.

The first of Pereboom's seven chapters weighs in on the ever more intricate discussion of Frankfurt's case against the incompatibility of determinism and moral responsibility. Pereboom argues that while no version of the principle of alternative possibilities is free from counter-examples, the incompatibility may yet stand by virtue of an independent causal-history principle which precludes a responsible action's being determined by a process that traces back to causal factors beyond the agent's control. In the fourth chapter, Pereboom makes his case for such a principle, arguing in detail against a variety of compatibilist strategies. Sandwiched between

these chapters is a consideration of the prospects for an indeterminist account of freedom and responsibility. Pereboom argues that an agent-causal account of the right sort is both necessary and sufficient for free will (ch. 2), but contends that it is very implausible to suggest that we satisfy it (ch. 3).

His argument for the empirical implausibility of agent-causal accounts of human free actions is essentially this: (1) the statistical laws of quantum mechanics extend to all complex physical systems, including human organisms, and give complete explanations for the behaviour of all such systems. (2) Hence the physical aspects of all human actions should individually fall within the range of permitted possibilities and collectively converge upon the frequencies of outcome types predicted by these laws [from (1)]. However, (3) if human organisms are agent causes, there is a causal factor that is independent of all statistical physical laws. So (4) the pattern of outcomes of agent-caused actions would probably diverge, in the long run, from the frequencies predicted by quantum mechanical laws [from (3)]. Therefore (5) human organisms are not agent causes.

There are two weaknesses in this argument. First, the vague (3) and its implication (4) are not clearly true. Imagine that some conscious reasons-guided systems 'magnify' microphysical indeterminacies in such a way that several significantly different outcomes are physically possible. Then further suppose that agent-causal power emerges when conscious reasons-guided systems achieve a requisite threshold of complexity. Such power might be shaped by states (such as the agent's reasons for acting) that embody the magnified quantum indeterminacies, so that agent-causal actions would be expected to reflect the physical probabilities in the long run. Agent-causal theorists have not typically thought of agent causation as being shaped by determinate probabilities that ultimately stem from impersonal factors, but I do not see why they cannot accept this.

A second weakness in Pereboom's argument concerns (1). It is entrenched orthodoxy within contemporary philosophy of mind to suppose that dynamical laws encapsulating the results observed for small-scale microphysical systems suffice to explain systems of any complexity whatsoever. So premising a conclusion on (1) is not *dialectically* weak.

Nevertheless its widespread acceptance rests on a reductionist article of faith, blithe acceptance of which is at odds with the cautious scepticism regarding over-generalization that is characteristic of mature physical science. Well established physical theory leaves it an open question whether human mentality and agency involve ontologically emergent capacities that interplay with fundamental physical forces. And I suppose that Pereboom himself would agree that the anti-emergentist view flies in the face of our own experience.

In the final three chapters, Pereboom argues that much of morality and other facets of human life which we care deeply about survive the denial of free will and moral responsibility. Here he draws upon the authors cited above in defending this claim with some care. I shall remark critically on a few only of his points.

Pereboom notes that the value we place upon human persons rests in part on an appreciation of their achievements. One might worry that abandoning the view that persons ultimately bear some measure of responsibility for their achievements would

drastically undercut this aspect of our valuation. Pereboom's response is weak: in practice, we greatly value persons for traits such as appearance and athletic ability which we do not suppose them to control directly. And even where we do think they are responsible for the achievement, we recognize that it reflects a character which, given the role of upbringing, 'to a large extent ... is not their own doing' (p. 196). The qualification is surely crucial, yet Pereboom concludes, vaguely, that all this suggests that even if we lack responsibility altogether, our achievements can still be our own 'in a diminished sense'.

Pereboom also considers reactive attitudes. Concerning indignation, he suggests that it has analogues, such as moral sadness and concern for the other, that lack the false presupposition of responsibility (p. 200). Here I merely register doubt about his suggestion that a systematic replacement of indignation by these 'analogues' would leave intact our attitudes towards other adult persons. Concerning love, he plausibly questions both the claim that our love for others rests on our belief that they are free agents, and likewise the value we place on the freely willed character of their love for us. But against this, we regard it as of value that the character and commitments expressed in the mature love of others towards us should be features which are to an appreciable extent self-made.

Finally, Pereboom closes his book with a section in the Stoic tradition on the *advantages* of his 'hard incompatibilism', and concludes 'If we did in fact relinquish our presumption of free will and moral responsibility, then, perhaps surprisingly, our lives might well be better for it'.

I wonder whether I am alone in finding curious the following state of the no-free-will camp: Saul Smilansky holds that free will and moral responsibility are impossible, yet regards their absence as a cause for great regret; this author argues for the seemingly more bitter conclusion that while we might have had them, we just do not – only to call in the end for a modest celebration.

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*Punishment, Communication, and Community.* By R.A. DUFF. (Oxford UP, 2001. Pp. xx + 245. Price £40.00.)

Three fundamental ideas animate this important and provocative book. The first is the idea, more familiar in common sense thought than in philosophy, that punishment is addressed to moral wrongdoing. The second is that punishment is essentially communicative. This is an idea which Duff and others have put forward before, but receives its most careful and developed treatment here. The third is that punishment is only warranted in circumstances in which the miscreant is, in some appropriate sense, a member of the community which is inflicting it. The three ideas are meant to be related: punishment is an occasion on which a community speaks to one of its members about a moral wrong that person has done.

In bringing these three ideas together, Duff does not mean to offer a general account of the nature of punishment. Instead he offers an account of when a certain sort of society – a liberal community, as he calls it – is entitled to punish one of its