Free Will, Alternative Possibilities, and Responsibility:
An Empirical Investigation

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Nowadays what one finds many philosophers taking for granted is that Frankfurt has shown PAP to be false. This surprises me, because I have never found Frankfurt’s argument against PAP convincing.\(^1\)

—Carl A. Ginet

Introduction

Moral responsibility (MR) and free will (FW) have been topics of a considerable amount of research in philosophy. More specifically, philosophers have argued whether or not the responsibility of an agent’s actions are contingent upon the agent’s having the ability to do otherwise than she actually does. Libertarians hold that the truth of hard determinism undermines this very ability. This brings to the vanguard an important question, namely, can we still be responsible for our actions if hard determinism is true? In this paper, I explore what many libertarians take to be the implications for MR given the truth of hard determinism, arguing ultimately that a libertarian conception of FW is required for MR. That is to say that MR requires alternative possibilities. In doing so, I will consider what many take to be the most formidable opponent—Frankfurt-style counterexamples (FSCs)—to the principle of alternative possibilities (PAP).

It should be noted that my account is significantly different from most contemporary accounts for MR and libertarian FW in that I have sampled a group of people in order to see where their intuitions fall pertaining to alternative possibilities and FSCs. I will, then, appeal to that empirical data to build, bolster, and defend my argument. Hence, this will get us closer to achieving reflective equilibrium in matters concerning FW.\(^3\)

So, to be clear, I will attempt to demonstrate that hard determinism is inconsistent with our intuitions about FW and MR, arguing ultimately that a libertarian account of FW does more to accommodate these intuitions than do deterministic frameworks. I will appeal to empirical data to accomplish this task. More plainly put, I will argue—as a necessary condition for FW and thus, MR—that agents must have alternative possibilities genuinely accessible to them. I hope to show that deterministic frameworks undermine this condition and libertarian frameworks accommodate it in a more complete way.

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\(^1\) This paper has benefited substantially from comments and criticisms of Dr. Garrett Pendergraft, and Peter Zuk. Thank you.


\(^3\) Reflective equilibrium is the method of working back and forth, taking into account our intuitions about particular areas of inquiry, and revising them whenever necessary so that we might achieve acceptable coherence among them. When that coherence is reached, this method succeeds and we arrive at reflective equilibrium.
Free Will, Alternative Possibilities, and Responsibility

The Problems

The philosophical quarrel over FW revolves around two dominant positions: hard determinism and libertarianism. Determinists hold that our actions are brought about by a chain of causal events. That is, how we act, choose, and will is determined by past factors. Libertarians, on the other hand, hold that FW requires the accessibility of a range of alternative possibilities from which we choose and is thus incompatible with determinism. It is a requisite of libertarian FW that we choose from a range of alternative actions.

To support their arguments, the proponents of each side have employed numerous sub-arguments to demonstrate the incompatibility of FW and determinism. Arguably, the strongest argument for incompatibilism is the consequence argument, which reads as follows:
1. There is nothing we can now do to change the past.
2. There is nothing we can now do to change the laws of nature.
3. There is nothing we can now do to change the past and laws of nature.
4. Our present actions are the necessary consequence of the past and the laws of nature.
5. There is nothing we can now do to change the fact that our present actions are the necessary consequences of the past and the laws of nature.
6. Therefore, there is nothing we can now do to change the fact that our present actions occur.

Many incompatibilists accept this conclusion because of the fact that it does not, in any way, depend on the truth of determinism. This particular argument simply outlines some implications of determinism.

By now, one should have a pretty clear picture of the debate. We have briefly explored what proponents of each side of the argument hold. We have also taken a look at one argument for incompatibilism—the consequence argument—that does not rely on the truth of determinism but rather relies on a plausible inference, the transfer principle which we see in premise 5 of the argument derived from premises 3 and 4. However, we have not seen an argument yet for either side of the issue (hard determinism or libertarianism). In what follows, we will see an argument for FW and its relation to MR.

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4 It should be noted here that there is at least one other fairly popular position—compatibilism. The view of the compatibilist is that determinism and free will are, at least on some level, compatible.
6 Ibid.
7 Among the going views are the garden of forking paths argument, self determination, the causal chain argument and versions of the transfer principle.
8 Kane 2005, pp. 23–24. While this argument is taken to have problems of its own, it is employed to demonstrate some sort of force to the incompatibilist picture. It shall serve as an apparatus in forthcoming discussion.
9 Ibid., p. 25.
The Principle of Alternative Possibilities and its Foes

The principle of alternative possibilities (PAP) is based on the natural thought that a person is morally responsible only if she is able to do other than she actually does. It is formally presented as follows:

PAP: A person S is morally responsible for performing a given act A only if she could have acted otherwise.¹¹

This principle suggests that a person is not responsible for those actions that she could not have avoided. This position, it would seem, is a natural one to endorse. However, the view that MR requires alternative possibilities has faced a well-known and formidable problem, namely, Frankfurt-style counterexamples. The thought behind FSCs is just this, that there can be, in some possible world relatively close to our own, a situation in which an agent has no genuinely open alternative possibilities, and yet we would take that person to be morally responsible for her doing A. The language of FSCs is as follows:

Suppose someone—Black, let us say—wants Jones to perform a certain action. Black is prepared to go to considerable lengths to get his way, but he prefers to avoid showing his hand unnecessarily. So he waits until Jones is about to make up his mind what to do, and he does nothing unless it is clear to him (Black is an excellent judge of such things) that Jones is going to do something other than what he wants him to do. If it does become clear that Jones is going to decide something else Black takes effective steps to ensure that Jones decides to do, and that he does do, what he wants him to do. Whatever Jones’s initial preferences and inclinations, then, Black will have his way….

Now, suppose that Black never has to show his hand because Jones, for reasons of his own, decides to perform and does perform the very action that Black wants him to perform.¹²

Frankfurt is trying to demonstrate that since the agent acted as he would have acted if there were some alternative possibilities, then he is just as responsible as he would be if Black had not been present to deny those alternative possibilities. The perceptive strength of FSCs has led many philosophers to re-work their accounts of MR. In what follows, we will briefly look at some of those re-workings.

Flickers of Freedom

In light of the aforementioned problem that FSCs pose, some philosophers employ arguments that they believe indicate the presence of alternative possibilities in FSCs and thus, they hold that Frankfurt has not created a situation in which alternative possibilities are not present. The flicker theorist is going to


argue that although an agent S in an FSC cannot do anything but actualize A, surely she has alternatives in that she can initiate (albeit not complete) the choice to do other than A. This, then, would be the “flicker of freedom” (and thus alternative possibilities) present in all FSCs. So, if the flicker theorist is correct then it would appear that FSCs do not create a situation where genuine alternatives are denied. Here, the flicker theorist seems to have drastically weakened the perceived force of FSCs.

I submit that the reasoning displayed above has moved too hastily. While I do concede that it points to something interesting (the presence of alternative possibilities in FSCs) I am not convinced that this weakens FSCs. Fischer claims that the alternative possibility present in the flicker theorist’s account is not “significantly robust” enough to ground MR. Fischer appears to me to be correct. If MR is to be grounded by alternative possibilities, this certainly does not seem to be the requisite kind of alternative possibility. Fischer argues that if alternative possibilities are going to ground MR, they need to be of a robust kind. That is, they would have to go far beyond a mere “flicker” of freedom. I agree with Fischer. This is not to say that the flicker of freedom theory is completely spoiled. Rather, it is to say that if the flicker theorist wishes to ground MR in a flicker of freedom, there is much to be desired.

**Fischer on Control**

In light of the problem that the flicker theorist faces, Fischer formulates his account of MR based on control. Fischer makes the distinction between two sorts of control: guidance control and regulative control. He argues that the former is sufficient as the requisite sort of control for MR. That is to say, insofar as an agent possesses guidance control, she remains an appropriate candidate for our MR ascriptions. This, however, is inordinately deflationary. Surely we can conceive of a situation in which an agent has guidance control and yet seems to be lacking as an appropriate candidate for our MR ascriptions.

Let us suppose that Sally (a fairly bright young woman) joins an organization that she takes to be a pious one. Further, we can suppose that this organization actually harbors some nefarious intentions (Here, we may say that such an intention is to brainwash all of its members, particularly in areas of literature selection). Sally has fallen prey to this organization and is brainwashed for a span of four years. After four years, the opprobrious organization no longer sees Sally as a valuable asset and she is removed from the organization. Two days after she is removed from the organization she longs for some reading.

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14 Many philosophers have tried to modify FSCs in such a way where the intention in question will be intervened. However, the flicker theorist suggests another point in time where such a flicker of freedom is present at an earlier time in the deliberation of the agent.
15 Fischer 1995, p. 140.
16 Ibid.
17 Ibid., p.132. Fischer makes this distinction with a car example. He says that unbeknownst to the driver, their car is such that it cannot turn left. It is the case that the driver wants to turn right. He states that “insofar as he has the power to guide the car to the right” he has guidance control. Further, the power to guide the car in a different way would be regulative control. Since Fischer uses the term “regulative control” as the type of control that has to do with alternative possibilities, I may use these terms (alternative possibilities and regulative control) interchangeably from here on out.
material. She goes to the book store and wants to purchase a book B (which happens to be published by
the opprobrious organization’s printing press) and she does so.\textsuperscript{18}

Clearly, Sally has guidance control over her purchasing power.\textsuperscript{19} Also, she selects from a wide range
of books. It seems here, though, that we would not want to ascribe to her the MR for this selection. One
might be inclined to ascribe the MR for her purchase to the leader of the opprobrious organization (due
to the brainwashing). Fischer holds that one can “have guidance control without regulative control.”\textsuperscript{20} While
this may be true, it too, much like the flicker of freedom approach, is not “robust” enough to ground MR.
Guidance control does not seem to be sufficient by itself to ground our MR ascriptions. It is most natural
to suppose that although these two sorts of control can be separated, we would need both sorts of control
to be present in order to ground MR.

The Dilemma Defense

As a final attempt to rescue MR from the perceived force of FSCs we will look at the dilemma
defense.\textsuperscript{21} The basic thought behind the dilemma defense is that FSCs beg the question. Proponents of the
dilemma defense claim that FSCs do one of two things: they assume determinism or they assume
indeterminism.\textsuperscript{22} FSCs run into trouble on the former claim because they would obviously beg the
question.\textsuperscript{23} Further, philosophers who have employed the dilemma defense say that if we assume the
latter, there could not exist such a sign (say a furrowed brow\textsuperscript{24}) that could indicate to Black the intention
of Jones.\textsuperscript{25}

With regard to the first claim that FSCs assume the truth of determinism and thus beg the question, it
is not clear that they do this. In his essay “Frankfurt-Style Counterexamples and Begging the Question,”
Stewart Goetz holds that the presence of Black is irrelevant.\textsuperscript{26} He states that it is something else that

\textsuperscript{18} I am indebted to my colleague Peter Zuk for sparking the idea to employ such an example here.
\textsuperscript{19} One might require the demonstration that Sally is weakly reasons-responsive here. We can see here that Sally and
her mechanism of action have been determined in her actual sequence. Further, Sally is such that the actual manner
in which her mechanism responds to reasons is appropriately sensitive to reason, in a way that if different reasons
were present, she would act differently than she does because her mechanism would respond in a different way.
\textsuperscript{20} Fischer 1995, p. 133.
\textsuperscript{21} It should be noted here that these are not the only three attempts for such an endeavor. Some posit that “source
incompatibilism” (Leon and Tognazzini 2010), with sourcehood as a condition for MR provides an interesting
response.
315–36.
\textsuperscript{23} It is clear that the issue at hand is whether or not causal determinism holds. To assume the truth of this claim and
to attempt to build an argument for the very claim you are assuming the truth if is viciously circular and thus begs
the question.
\textsuperscript{24} Fischer 2010.
\textsuperscript{25} This is because under and indeterministic framework it could very much be the case that Jones exhibits some
behavior—a furrowed brow—that indicates what he \textit{usually} does. However, he would still be able to choose not to
act in an otherwise normal fashion.
\textsuperscript{26} Goetz, Stewart. “Frankfurt-Style Counterexamples and Begging the Question.” \textit{Midwest Studies in Philosophy} 29,
makes Jones unable to choose otherwise in FSCs, namely, the laws of nature. I am not sure that this is the case, but it certainly does muddy the waters of the discussion for the proponents of the dilemma defense.

**FSCs: An Empirical Investigation**

The coming discussion in this section will explain the methodology and the limitations of my study. Additionally, it will contain an argument central to the debate on FW and MR.

**Methodology**

It is most natural to believe that we hold individuals responsible for their actions because they have chosen that action from a range of alternatives. But it has been said that FSCs get the brunt of their force from their ability to bring out an intuition that an agent is morally responsible without the presence of alternative possibilities. But what if this weren’t so? What if Frankfurt got it wrong? That is to say, what if we actually do not have this intuition?

In light of these questions, I created and administered a survey on three scenarios. These three scenarios were similar to FSCs. In the first scenario, participants were presented with an agent with genuinely open alternative possibilities. In the second scenario, participants were presented with an agent without alternative possibilities and no intervention takes place. In the third scenario, participants were presented with an agent without genuinely open alternative possibilities and some intervention takes place.

I used a phenomenological approach in administering the survey. That is, I did not mention any information about FSCs before administering the surveys in the hope that I could best capture each participant’s intuitions organically. Those participants who responded “yes” to the question “Is team Red’s star player responsible/praiseworthy for making the shots?” were then asked to rate the degree to which the agent was responsible. I took that data and quantitatively analyzed it. The findings are listed in the appendix.

**FSCs and Our Intuitions**

In what follows, we will focus on the statistics for the overall group (those who have studied FW and those who have not studied FW). Further, I will focus on the apparent discrepancy between scenario I and scenario II. Originally, I believed that the attribution of responsibility in scenario II would be removed. This was not the case. There was a 98% attribution of responsibility in scenario I and a 90% attribution of responsibility in scenario II. It would appear, prima facie, that Frankfurt’s counterexamples do exactly

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27 See the appendix for the exact surveys used.
28 It should be noted that I did ask participants to identify themselves as “those who have formally studied FW” and “those who have not formally studied FW.” I assume that those who identified as having studied FW are familiar—to some degree—with FSCs.
29 There were some limitations to my data sample. The first is that I was able to collect only 111 surveys. I threw 5 surveys out on the ground that they did not comply with the directions given (Namely, respondents had responded “yes” to some scenario without assigning some degree of responsibility). Also, a time constraint limited the order in which I arranged the scenario packets. Perhaps the varying arrangements of the scenarios might have yielded different results.
what he says they do. However, there is something interesting between scenario I and scenario II. We must not move too quickly to the conclusion that Frankfurt is in the clear.

You see, for those responsibility attributions in scenario I, 44%\(^{30}\) of the “yes” respondents held the agent to the 4\(^{th}\) degree of responsibility and another 40% held the agent to the 5\(^{th}\) degree of responsibility. This means that the remaining 16% or so held the agent to the 3\(^{rd}\) degree of responsibility or lower. When looking at scenario II it is immediately noticeable that only 18% of the “yes” respondents held the agent to the 4\(^{th}\) degree of responsibility and another 15% held the agent to the 5\(^{th}\) degree of responsibility. This means that the remaining 67% or so held the agent to the 3\(^{rd}\) degree of responsibility or lower.

Although it may be concluded that FSCs do what Frankfurt said they would,\(^ {31}\) there is more explanation to be desired. Frankly, why such a vast discrepancy in the degrees of responsibility between scenario I and scenario II? I posit that it is due to one of two things. The first thing that might be said is that the respondents were wrongly attributing responsibility to the agent. What I suggest, however, is that if determinism is such that it truly eliminates the robust alternatives needed for FW, we are not as responsible as we thought we were. Responsibility seems to be greatly diminished given the truth of determinism. What can be derived here is that full responsibility requires FW and thus the presence of alternative possibilities genuinely accessible to us. Our intuitions tell us that if determinism is correct then we are never fully responsible for anything. Furthermore, if it is the case that we can never be fully responsible under a deterministic framework, then the sorts of punishments given to criminals and the like are highly inappropriate. Traditional theories of punishment use responsibility to ground punishment. We punish an agent because we believe she deserves it.\(^ {32}\) But if it is the case that she is not fully responsible for bringing about a certain set of circumstances (which would be the case if hard determinism is true), how can she be an appropriate candidate for desert?

Desert is not the only thing we lose. If determinism is true then we would also lose some degrees of praise and blame. If an agent herself is not fully responsible for bringing about a certain set of circumstances, how can she remain an appropriate candidate for praise and blame for that set of circumstances? The hard determinist must provide some response to these questions, keeping in mind however, that it is not merely partial responsibility, partial praise, and partial blame that we are seeking. When we ascribe one of these things to an agent we do so because we take her to be fully responsible, praiseworthy, or blameworthy. Here, it can be said that the only way an agent can maintain her status as an appropriate candidate for such ascriptions is if she acts as she does after choosing from robust alternative possibilities that are genuinely accessible to her. This brings us to my modified version of PAP, which reads as follows: mPAP: An agent S is fully morally responsible for an act A only if she chose A from robust alternative possibilities genuinely accessible to her.\(^ {33}\)

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\(^{30}\) Please refer to table 3 in the appendix.

\(^{31}\) I certainly do not endorse FSCs. However, by virtue of the empirical data collected, it seems that we can proceed with this concession.

\(^{32}\) Kane 2005, 75.

\(^{33}\) The language of “genuinely accessibility” is borrowed from Fischer (1995). Fischer holds that the only alternatives that are genuinely accessible to an agent are those that are an extension from the actual past.
I take this, along with regulative and guidance control, to be sufficient conditions for FW. Here, it is not enough for the hard determinist to simply show that an agent is responsible for an action A under mPAP. Rather, he must show that S is fully responsible for A to remain an appropriate candidate for our responsibility, praise, and blame ascriptions. The experimental data suggests that this is not possible within a deterministic framework.

Objections

It may be said that my account is insufficient insofar as I do not provide a positive argument for the reliability of intuitions. The thought here is that if I do not provide a positive argument for the reliability of intuitions and I use the data collected—which is based on intuitions—to build my argument, then if it is the case that our intuitions are indeed unreliable, the entire argument has been razed. However, I hold that my account is a desideratum explanation of the data. If FSCs did what they are taken to do, we should have expected no shift in the data at all, but there was.

Those who reject the counterexamples would be ignoring the data that purport that subjects are still responsible. Those who think that the counterexamples work decisively are ignoring the data that purport that responsibility is diminished. What I submit is an attempt to explain and account for this shift. Here I open the door to my two opponents to explain away the data, but until they do my account suffices as a desideratum explanation of the data. It could be that nothing follows from this, but the burden would be on the opponents of my account to provide positive argument that deems intuitions ultimately unreliable.

So the thought that my theory leaves us wanting only holds weight if this account is taken to be a positive argument for the reliability of intuitions. I hold that this account is largely a desideratum explanation of the data which leads us to arrive at mPAP as a sufficient candidate to explain away the data.

Conclusion

At some length, we have explored the ongoing debate on MR and FW. We have looked at PAP, which many take to be a natural belief. Also, we have seen Harry Frankfurt’s attack on PAP which attempts to show that an agent can still be responsible for actions without alternative possibilities accessible to her. Some philosophers have denied the purported strength of FSCs. However, these alternatives face problems of their own.

The amalgamation of these things led us to an empirical quantitative analysis of our intuitions about our responsibility ascriptions (specifically between scenarios I and II). What we found was that there was a vast discrepancy between the degree of responsibility in scenario I and the degree of responsibility in scenario II. I suggested, as an explanation of this discrepancy, that there is a sense of diminished responsibility given the truth of hard determinism (and thus the elimination of alternative possibilities). Further, I have argued that this diminished sense of responsibility, praise, and blame, is not enough for an agent to remain an appropriate candidate for such ascriptions. This led to the development of a modified PAP—namely, mPAP—that the hard determinist must work against. If this cannot be done, then so much the better for FW and mPAP. However, this, at best, is a first approximation and although it may seem to accommodate a large number of our intuitions (thus getting us closer to reflective equilibrium), there may be much to be desired as far as an irrefutable argument against FSCs.
APPENDIX

Scenario I:

Dr. Bookman, a scientist with a severe gambling problem, wants team Red to beat team Green. Since team Green is favored, he does not have to worry about team Red covering the spread. He just needs them to win. With one second left to play, down by one point, team Red’s star player (a 95% free-throw shooter) is fouled and team Green calls a timeout to try to “ice” the shooter. After the timeout, team Red’s star player shoots and makes both free-throws.

Is team Red’s star player responsible/praiseworthy for making the shots?

YES or NO

If yes, how responsible/praiseworthy is he?

Not very responsible/praiseworthy

fully responsible/praiseworthy

1 2 3 4 5
APPENDIX

Scenario II:

Dr. Bookman, a scientist with a severe gambling problem, wants team Red to beat team Green. Since team Green is favored, he does not have to worry about team Red covering the spread. He just needs them to win. With one second left to play, down by one point, team Red’s star player (a 95% free-throw shooter) is fouled and team Green calls a timeout. Unbeknownst to anyone in attendance, Dr. Bookman sneaks down to the floor and attaches a microchip to the ball that can monitor and control the ball’s movement. If the motion of the ball suggests that it is on the verge of a miss, the mechanism will intervene and guide the ball in to the hoop. On the other hand, if the motion of the ball suggests that it is on the verge of a make, Dr. Bookman’s microchip mechanism will not intervene. It will merely monitor—but will not affect—the ball’s motion. Now suppose that when the occasion arises, team Red’s star player shoots and makes both free-throws without any “help” from Dr. Bookman’s mechanism.

Is team Red’s star player responsible/praiseworthy for making the shots?

YES or NO

If yes, how responsible/praiseworthy is he?

Not very responsible/praiseworthy

fully responsible/praiseworthy

1 2 3 4 5
APPENDIX

Scenario III:

Dr. Bookman, a scientist with a severe gambling problem, wants team Red to beat team Green. Since team Green is favored, he does not have to worry about team Red covering the spread. He just needs them to win. With one second left to play, down by one point, team Red’s star player (a 95% free-throw shooter) is fouled and team Green calls a timeout. Unbeknownst to anyone in attendance, Dr. Bookman sneaks down to the floor and attaches a microchip to the ball that can monitor and control the ball’s movement. If the motion of the ball suggests that it is on the verge of a miss, the mechanism will intervene and guide the ball in to the hoop. On the other hand, if the motion of the ball suggests that it is on the verge of a make, Dr. Bookman’s microchip mechanism will not intervene. It will merely monitor—but will not affect—the ball’s motion. Now suppose that when the occasion arises, team Red’s star player shoots both free-throws and the ball’s motion on both free-throws suggested that the ball was on the verge of a miss. So Dr. Bookman’s mechanism intervened resulting in two made free-throws.

Is team Red’s star player responsible/praiseworthy for making the shots?

YES      or      NO

If yes, how responsible/praiseworthy is he?

Not very responsible/praiseworthy

| 1 | 2 |
---|---|

fully responsible/praiseworthy

| 3 | 4 | 5 |
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APPENDIX

Total Number of Participants: 106

Table #1

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<th>Scenario II</th>
<th>Scenario III</th>
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<td>Those that have formally studied FW (FSFW)</td>
<td>19.81% (85 of 106)</td>
<td>19.81% (85 of 106)</td>
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<td>81.19% (21 of 106)</td>
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Table #2

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<td>Overall yeses</td>
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<td>98.11% (104 of 106)</td>
<td>90.57% (96 of 106)</td>
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<td>Overall nos</td>
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<td>1.89% (2 of 106)</td>
<td>18.87% (20 of 106)</td>
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<td>4.76% (1 of 21)</td>
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<td>NFSFW yeses</td>
<td>98.82% (84 of 85)</td>
<td>98.82% (84 of 85)</td>
<td>19.09% (18 of 85)</td>
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<td>NFSFW nos</td>
<td>1.19% (1 of 85)</td>
<td>1.19% (1 of 85)</td>
<td>71.11% (67 of 85)</td>
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Table #3 (Degree of Responsibility)

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<td>FSFW (in percents %)</td>
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<td>NFSFW (in percents %)</td>
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REFERENCES