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Refraining, Agents, and Causation

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Refraining, Agents, and Causation

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Abstract

Refraining, Agents, and Causation

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I consider two versions of an argument against (so-called) negative action, both of which take it that causation is a defining feature of actions. The first asserts that when an agent refrains, her mental states do not cause the absence of an event; as such, the refraining does not qualify as an action. The second asserts that when an agent refrains, she does not cause the apparent results of her refraining, and so again, the refraining does not qualify as an action. The idea motivating the second argument appears to improve on the first, insofar as it allows for the agent to play a role in her actions. I argue that both accounts rely on a narrow conception of causation, framed in terms of a physical connection between cause and effect. This narrow conception does not appear to be justified, and the focus on physical connection causation leads both accounts to misconceive agency. Fortunately, there is available a broader conception of causation, which is both intuitively plausible and better able to capture the phenomenon.

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It is uncontroversial that an agent's intentional movements are actions. What is contentious is whether her refrainings are also actions. I argue that at least some refrainings are actions, and that a theory of action that does not accommodate these is incomplete.

I consider two versions of an argument against (so-called) negative action,¹ both of which take it that causation is "central to the concept of agency."² The first asserts that when an agent refrains, her mental states do not cause the absence of an event; as such, the refraining does not qualify as an action. The second asserts that when an agent refrains, she does not cause the apparent results of her refraining, and, as above, the refraining does not qualify as an action. The second argument appears to improve on the first, insofar as it allows the agent to play a role in her actions. I argue that both accounts employ a narrow conception of causation with the result that both accounts misconceive

¹ These are "the class of acts (if they *are* acts) which consist in the agent's intentional *non*-performance of some specifiable actions," and which are standardly thought to include (with varying levels of controversy and plausibility) refraining, omitting, and allowing, as well as "...*abstaining, postponing, shirking, neglecting.*" (G. Ryle, 'Negative Actions,' *Hermathena*, No. 115, 1973, p. 81).

² D. Davidson, 'Agency,' *Essays on Action and Events*, OUP, 2001, p. 53.

agency. Fortunately, there is available a broader conception of causation, which is both intuitively plausible and better able to capture the phenomenon. Once one sees that one need not adopt the narrow conception of causation, there is room to allow (at least some) refrainings are actions.

§ 1. Acting and Refraining

Agents differ from inanimate objects insofar as when an agent brings about a change *as an agent*, the change is not something that happens *through* her (as through a conduit) or *to* her (because of an external force acting on her). Agency is a capacity to guide one's behavior with an eye to the effect one aims to produce. An agent's actions are the exercises of her agency—an agent, unlike an object, can deliberate about her reasons for action, and act in light of the reasons they have. An explanation of an action will reference these reasons, and the agent's intentions in acting. An agent's actions are goal directed—they are done strategically, in order to get things the agent wants or make things that she thinks should happen, happen.

Many negative actions, such as refraining, appear to be similar to positive actions in many relevant respects. Consider the following case: Ashley sees an opportunity to

embark on an especially mischievous campaign: unscrewing and loosely reattaching the caps of all the salt shakers on the counter. She considers the various merits of the caps being loosened that speak in favor of her loosening them (a laugh at the expense of an unsuspecting patron who dumps salt all over his entrée), as well as the reasons that count against it (being thrown out of the restaurant). Ultimately, she decides to refrain, although she is sorely tempted.

Ashley's refraining bears a strong resemblance to the actions that would satisfy the descriptions above. Ashley deliberates about her reasons, and intentionally takes up a pattern of behavior that she judges best, which is explained with reference to what she hoped to secure. Nonetheless, despite her refraining's similarity to action in these relevant respects, there are some apparent dissimilarities that challenge their inclusion as such. One such potential dissimilarity is that agents typically intervene in affairs around them in order to secure something they don't already have. Though Ashley's refraining was directed at securing something she wanted by way of refraining from producing a change (not being kicked out of the restaurant), she *isn't* trying to get something she *doesn't* already have. This seems to suggest that her behavior doesn't have the right goal-directed character that we take it that actions have.

However, it is not clear that positive actions are always aimed at securing or obtaining something *new*. Nor is it clear that Ashley does *not* act in a goal-directed way just because she does not aim at a change—an agent may have a goal of maintaining a process that is already underway. But even if it does not make sense to say that she refrains strategically in order to secure something she already has, it *is* possible for her to refrain strategically in order to get something she does *not* already have. We can imagine a case in which an agent intentionally does not act in order to get something that they would not have gotten, had they acted.

Billy, for example, lives in a building with an extremely high-tech security system. When a visitor is in the elevator, the system checks to see if Billy is home. If she is not home, or if she is sleeping, the system turns the visitors away. If she is home and awake, the security system asks Billy to accept the guests by saying ‘accept,’ or turn them away by saying ‘deny.’ If she is home, awake, and does not respond, the system treats the visitors as intruders and sounds the alarm. When the system asks her to approve or deny an unwanted pesky suitor, Billy realizes she can have the unwanted suitor arrested if she manipulates the security system into sounding the alarm by intentionally remaining silent. Unlike Ashley, whose restraint achieves something that Ashley already

has, Billy's refraining is done in order to bring about a specific change in her environment that she could not have secured if not for her refraining—the alarm would not have gone off if she had spoken.

Billy's case can also be used to demonstrate a way in which a second apparent difference between refraining and positive action may be dismissed. One might think that positive actions produce changes in an agent's surroundings, but when one refrains, the event that appears to be the result of the refraining would have been produced equally by the refraining as it would by the agent's simply not having been present. When Casey takes command of a runaway trolley and decides she cannot justify redirecting the trolley towards the one even for the sake of four, she takes herself to be *doing something* by refraining from turning the track—to have authored the outcome. But it nevertheless seems to be the case that, regardless of how Casey feels about her contribution, the trolley's continuing on the track towards the four would have happened if she hadn't been present at all. It seems that Casey's refraining does not explain the resultant event—the trolley's running over the four—the processes already underway do, and they would have explained the state of affairs in the same way, had Casey not been present to refrain.

The same is true of Ashley's case (indeed, Ashley had *aimed* at not producing any changes).

However, it would be a mistake to think that what distinguishes positive and negative actions is whether or not a change *in the environment* follows an agent's acting or refraining. As established earlier, agents can act (positively) in order to maintain a state of affairs, or to prevent a change in a process currently under way, just as well as they can refrain from disrupting a sequence of events. Further, in Billy's case, it simply isn't true that the result would have been achieved equally by Billy's not being present as it would be by Billy's refraining. In order for Billy to see to it that her unwanted suitor is arrested, she must be present in order to manipulate the security system into sounding the alarm. Billy's act of refraining is strategic and deliberate, is aimed at bringing about a change in the state of affairs, and actually is followed by a change in her environment that would not be produced in her absence— it is a result of her intentional refraining that the alarm goes off, and the police are alerted.

§ 2. A's mental events cause A's actions

We have seen that refraining can have the same goal-directed character that many positive actions have, and that at least some refrainings can bring about changes in the environment that would not be affected if not for the agent's being present to refrain.

An explanation for the way in which negative actions differ from to positive actions (such that would challenge their inclusion as 'actions') might instead be put, not in terms of actual changes produced, but in terms of the relationship between an agent's intentions and her action³ such that the agent's mental states cause her actions.⁴ What are caused by an agent's mental states, on this account, are only ever bodily movements:

"...mere movements of the body... are all the actions there are. We never do more than move our bodies: the rest is up to nature."⁵ Thus the change that we would be looking for to be caused, if there is an action, is just an event of an agent's moving her body in a particular way.

On this account of action, when Ashley decides *not* to loosen the caps and thereby does not do it, her decision not to act does not *cause* a non-event or an event of nothing

³ D. Davidson, 'Agency,' *Essays on Action and Events*, OUP (2001), p. 53.

⁴ D. Davidson, 'Actions, Reasons, and Causes,' *The Journal of Philosophy*, Vol. 60:23, pp. 685-700.

⁵ D. Davidson, 'Agency,' *Essays on Action and Events*, OUP (2001), p. 59.

happening, or even an event that is her not acting—it does not cause anything at all. As Bach writes, “... to prevent an event from occurring is not to cause the event of its non-occurrence—and it seems that the absence of an event cannot have a cause.”⁶ If, as Davidson and Bach claim, for an agent to act is for her mental states to cause her actions, or the events that she brings about through her actions, then it is clear that we should deny that instances of refraining are actions, since Ashley’s and Billy’s mental states do not produce either.⁷

Bach is correct to reject refraining for these reasons—we should not claim that an agent’s mental states cause her ‘not doing something.’ However, neither should we accept that an agent’s mental states cause her actions, or even the events that are her actions.⁸

⁶ K. Bach, ‘Refraining, Omitting, and Negative Acts,’ in T. O’Conner & C. Sandis (eds.) *Companion to the Philosophy of Action*, Wiley-Blackwell (2010), p. 4.

⁷ K. Bach, ‘Actions are not Events,’ *Mind*, Vol. 89:353, p. 116, 120.

⁸ Davidson argues that A’s mental states cause A’s actions. However, actions appear more accurately characterized as a relationship between the agent and the effects she produces, such that the object of the action is not the action itself but the effect produced (J. Bishop, ‘Agent Causation,’ *Mind* New Series, Vol. 92:365 p. 71). Bach rejects Davidson’s depiction of the relationship between mental states and actions, but nonetheless maintains that there is a causal relationship between the agent’s mental states and the *results* of her actions: “actions are not events, but are instead instances of a certain relation, the relation of bringing about...” (‘Actions are not Events,’ *Mind*, Vol. 89:353, p. 114).

First, the considered account of action is limited in terms of what it is able to recognize as actions—the episodes of agency— because it assumes that an account of action explains (always and only) the event of an agent’s moving her body. As Hornsby writes, though agents *usually* bring about events, and bringing about an event *is* an action, the fact that there are events that are actions doesn’t demonstrate that *all* episodes of agency will be events.⁹ Episodes of agency—actions— are identified by whether or not an agent does something intentionally,¹⁰ and it is possible for an agent to do something intentionally *without* there being an action that is a positive performance of ‘her intentionally doing that thing.’¹¹ An account that is only in the business of explaining events of A’s moving her body will not be able to capture the episodes of A’s agency in which there is no positive performance because she intentionally does not move.

⁹ J. Hornsby, ‘Agency and Actions,’ in H. Steward & J. Hyman (eds.), *Agency and Action*, CUP (2004) p. 16-18.

¹⁰ J. Hornsby, ‘Agency and Actions,’ in H. Steward & J. Hyman (eds.), *Agency and Action*, CUP (2004) p. 4, 19.

¹¹ J. Hornsby, ‘Agency and Actions,’ in H. Steward & J. Hyman (eds.), *Agency and Action*, CUP (2004) p. 5. Examples of ‘intentionally doing something’ without their being a ‘positive performance type action’ would be: intentionally allowing one’s partner (perhaps out of spite) to continue on his way to a party without a housewarming gift, or refraining from taking another glass of champagne from a tray. This may be contrasted with instances of forgetting to grab a suitcase from the trunk, or leaving it behind because one is distracted, which are *unintentional* acts (and so not genuine actions).

Second, an account that explains action in terms of *psychological events inside the agent causing events that are the agent's actions* does not capture the phenomenon it sets out to explain. The account claims that A's actions are the events caused by A's mental states or psychological events (her beliefs, desires, decisions, or intentions), or that the action is the relation between A's mental states or events and some event—either way, "...the relation of bringing about is reducible to a relation between a pair of events, one of which causes the other."¹² It then attempts to explain action in terms of a causal interaction between the two. But if what A does as an agent is not always a positive performance, and so doesn't cause an 'event that is her action,' the account is left without an event to explain. It then concludes that because there was no event, there was no action.¹³ Worse, even when there *is* an event to explain, the standard story gives us the wrong explanation for the action: we want to know *why* A did what she did, not *how it happened that* she did what she did.

Finally, the attempt to explain action as a causal relationship between psychological events and events external to the agent reduces the role of the agent to

¹² K. Bach, 'Actions are not Events,' *Mind*, Vol. 89:353, p. 120.

¹³ J. Hornsby, in 'Agency and Actions,' H. Steward & J. Hyman (eds.), *Agency and Action*, CUP (2004), p. 6.

nothing more than the location of a causal connection. What we wind up identifying as intentional actions on this account are things that happen *through* an agent, but that are not done *by* the agent—the story leaves the agent out entirely. If a story of action is to explain actions as episodes of exercises of agency—episodes of an agent’s attempting to effect the world around her—the agent must figure prominently in the account of her actions as the author of these actions. An account in which she does not feature reduces the agent’s role in her own actions to that of the host of a causal event.

§ 3. A causes the results of her actions.

An account in which an *agent*, not her mental states, does the causing will presumably be better suited to capture the phenomenon of agency. Alvarez and Hyman, insofar as they deny that agency can be explained in “terms of a causal relation between events,” endorse such an account.¹⁴ They argue that what an agent causes are not her actions but the *results* of her actions. An action is *an agent’s causing of an event* (A moves her arm), the result of which is *the event so caused* (a movement of A’s arm). It may seem as though this account should be able to accommodate negative actions: while

¹⁴M. Alvarez and J. Hyman, ‘Agents and Their Actions,’ *Philosophy* Vol. 73, p. 226.

it may seem counterintuitive to say that one's mental states could cause the event of 'one's not doing something,' if what *A* causes are the *results* of her actions, then, plausibly, one could cause the result of one's refraining.

Alvarez and Hyman nonetheless reject 'so-called negative actions' as actions during their discussion of basic actions. Basic actions are a class of actions that are not done by way of doing some other action. Only bodily movements in the transitive sense will be basic actions, where 'the transitive sense' is the sense in which a bodily movement is an action of *A*'s, as in *A moves her arm* (This is in contrast to the intransitive sense, which conveys the sense in which a bodily movement is an event, as in *A movement of A's arm*).

Alvarez and Hyman acknowledge that negative acts appear to present an example of basic actions that are not bodily movements in the transitive sense. They consider a few examples of negative actions, focusing on the following: *A burnt the sauce because she forgot to take it off the hob*. Is *A's burning the sauce* an action of *A*'s? First, they establish that *A's forgetting* (an omission) is not an action. An action is the causing of an event by an agent; when one forgets, one does not cause an event but rather fails to cause

an event. Because, they write, ‘not doing something is not doing something,’ A’s omission is not an action at all, let alone a potential basic action.

It is easy to agree with them here, if only because one would not have believed that forgetting was an action in the first place. While in some sense it is true that agents may bring things about through forgetting, agents do not deliberate about whether or not to forget, or opt to forget in light of reasons that favor forgetting. Forgetting is not something one does intentionally, voluntarily, strategically or for considered reasons. We might suggest a substitution: *A burnt the sauce because she refrained from removing it from the hob*. But Alvarez and Hyman would likely not grant that refraining is a way that an agent can cause events either. They had dismissed forgetting on the grounds that A does not *cause* something if A does not *do* something. It seems they would reject refraining on similar grounds, arguing that when A *intentionally* does not *do* something, then she is *intentionally* not *causing* something, and conclude that refraining is not an action, either.

Could Alvarez and Hyman allow that *burning the sauce* a basic action of A’s? The result of A’s burning the sauce (that the sauce is burnt) is not a consequence of another act by A: it is not a consequence of an act of forgetting, since, as above,

forgetting is not an action of A's, nor is a consequence of A's refraining from removing it from the heat; and if it is not a consequence of anything else A does, then it appears to satisfy the criteria for a basic action. If 'burning the sauce' is a basic action, then there are basic actions that are not bodily movements (transitive). More importantly, for our purposes, if A's burning the sauce is a basic action, then it is a negative action—it is an instance of refraining, for instance, or allowing, depending on how the example is specified—and if so, then there can be 'negative acts' that are actions.

Alvarez and Hyman grant that failing to prevent an event (burning the sauce) *is* something more than failing to cause an event (forgetting), since 'an event (e) occurred' may follow from A failed to prevent e, but not from A failed to cause e. After all, one could potentially ask, when A refrains from preventing e and e occurs, whether *A caused e*—but we cannot similarly ask this when *A fails* to cause e.

In any case, Alvarez and Hyman think one can just as plausibly concede, of some negative action, that 'it was something A did without conceding that it was an action'—*without* conceding that it was the *causing* of e.¹⁵ In order for this to be true, however, it must be true that negative actions cannot be the cause of some event. I argue that there is

¹⁵ M. Alvarez and J. Hyman, 'Agents and Their Actions,' *Philosophy*, Vol. 73, p. 241.

no reason to accept this limited conception of causation, and so no reason to accept this limited conception of agency.

§ 4. Agency and Causation

There are two features of Alvarez and Hyman’s account worth highlighting, beginning with the way they understand agency. For Alvarez and Hyman, “an agent [is] someone or something that makes things happen” which is to “... exercise the power to cause an event of that kind to occur.”¹⁶ This is a capacity had by anything that exerts a causal power, whether or not it displays any of the other features discussed above that seem to be inherent to agency. The difference between a human agent and a volume of acid isn’t that one is an agent and the other is not—they are both agents, according to Alvarez and Hyman, in virtue of their capacity to exercise causal power. Though the human agent “can choose whether or not to exercise the power it has,” it is not her

¹⁶ M. Alvarez and J. Hyman, ‘Agents and Their Actions,’ *Philosophy* Vol. 73, p. 221. They take their understanding of causality from Anscombe, who writes “...causality consists in the derivativeness of an effect from its causes... Effects derive from, arise out of, come of, their causes” (Anscombe, *Causality and Determination*, p. 136). Makin spells this out further, saying that for an event to be ‘derived’ from its cause is for there to be a causal route connecting the cause to the effect. For A to cause something is for A to have exerted some influence over affairs such that she generates the change (S. Makin, ‘Causality and Derivativeness,’ *Royal Institute of Philosophy Supplement*, Vol. 46, pp. 59-71).

capacity for choice that makes her an agent. They write, “The possession and exercise of the power to make something happen—such as to make a lump of zinc dissolve—is sufficient to make the volume of acid an agent.”¹⁷

The second important feature is the way they understand causation. Alvarez and Hyman say that it is possible, depending on how ‘bringing about an event’ is cashed out, that negative as well as positive actions can be the causing of events.¹⁸ Nonetheless, their dismissal of negative action on ‘not doing is not causing’ grounds appears to assume that A is only *causally responsible* for an event (i.e., is what explains the production of the event) when A causally generates the event (i.e., when A bears a relationship to the event such that there is a physical connection between the relata).¹⁹

¹⁷ M. Alvarez and J. Hyman, ‘Agents and Their Actions,’ *Philosophy* Vol. 73, p. 245.

¹⁸ M. Alvarez and J. Hyman, ‘Agents and Their Actions,’ *Philosophy* Vol. 73, p. 241.

¹⁹ This understanding of the causal relationship is, according to Schaffer, often cashed out in terms of either the transference of a property (like energy) between the cause and the effect, or in terms of ‘propagating’ processes (J. Schaffer, ‘The Case for Negative Causation,’ in Hitchcock (ed.), *Contemporary Debates in Philosophy of Science*. Basil Blackwell (2004), p. 203). Alvarez and Hyman assume that causing implies that an agent’s activity is what directly explains the change in properties that the results reflects (positive causation), and deny that it is possible for an absence of an event to serve as a cause (negative causation). With this conception of causation in place, their refusal to acknowledge negative causation is not a matter of stubbornness or ignorance. An absence isn’t anything, after all, and if causation is a relation between cause and event, and, if nothing cannot be the relata in a relation, then an absence cannot be the relata in a causal relation.

There is reason for us not to accept that causation must be construed so narrowly. An account of agency that has this understanding of causation built into its explanation of action once again leaves us without a way to explain Billy's contribution to the production of an event by way of refraining, *in terms of* her having contributed to the event. Worse, if we require that there be a generative connection between the cause of an event and the event, then many instances of seemingly positive actions that take advantage of an absence in order to produce their results may turn out not to be actions, either. If an opening of a trap door in the wall allows a spring-loaded novelty boxing glove to uncoil and connect with Brian's face, it seems natural to say that the opening of the door allowed the spring-loaded glove to connect with Brian's face. And if the trap door was opened because Derek opened the trap door, we may want to say that Derek caused Brian to be punched in the face with a novelty boxing glove. But in order for Derek to have caused Brian to be punched in the face, the absence of a barrier has to cause the spring to uncoil. Thus a positive performance (removing the barrier) creates an absence, and absence explains the spring's uncoiling.

If causal responsibility requires positive causal generation of the effect, then Derek does not cause anything more than that the door is opened since there is not a

continuous ‘positive’ process connecting Derek’s movement to the uncoiling of the spring. The removal of the impediment does not itself cause the spring to do anything—the door just gets out of the spring’s way, and the spring’s uncoiling is caused by the physical forces that compel it to uncoil when unimpeded. If we only cause what we causally generate, then we will not cause the results of our refrainings or our withholdings—but it will also turn out that we do not cause a lot of the things we think we do, even when we act positively to achieve that result (as when Derek acts).

If we thought that an account of action should capture these episodes of agency as well, we might think that the correct avenue of response would be to say that Alvarez and Hyman inaccurately describe the phenomena, insofar as they claim that agents bring things about only when they ‘exercise a power’ such that they generate the change.²⁰

Luckily, there is room to argue that you can be causally responsible for an event without having generated the change that is that event. Often, claims about causation²¹

²⁰ Alvarez and Hyman have company in asserting this: Bennett writes, “Someone does something only if he causes (determines, makes) some object or objects to have some property or properties.” (‘Action, Reason, and Purpose,’ *Journal of Philosophy*, Vol. 62:4, p. 85); Armstrong similarly writes that “every causal situation develops as it does as a result of positive factors alone.” (‘The Open Door’ in H. Sankey (ed.), *Causation & Laws of Nature*, Dordrecht: Kluwer Academic Publishers (1999) p. 177).

²¹ M. Strevens, ‘Mackie Remixed,’ in J. Campbell (ed.), *Causation and Explanation* (2007), p. 2.

and action²² assume that to be the cause of an event is to have made a difference to the occurrence of that event. Schaffer argues that instead of requiring that causes bear some physical relation to event (which cannot account for negative actions, or, indeed, any chain reaction that involves an absence or a disconnect) we should conceive of causation in terms of counterfactual dependence (of the sort championed by Lewis): of events (or absences) on other events (or absences): *c* causes *e* if and only if *c* and *e* occur, and if *c* doesn't occur, then *e* doesn't occur. This improves on the 'physical connection' theory insofar as it is able to capture all of the instances of causation that that theory can capture, as well as some that it cannot. Something may be causally responsible either by way of by way of negative causation (when the causing is done by an absence²³, disconnection or a prevention), or by way of positive causation (when the causing is done by interference or existence). Thus we need not presuppose that a physical connection between cause and effect is always or exclusively the way in which effects are causally produced.²⁴

²² J. Hornsby, 'Agency and Actions,' in H. Steward & J. Hyman (eds.) *Agency and Action*, CUP, 2004.

²³ What Schaffer calls "absence causation" in 'Disconnection & Responsibility,' *Legal Theory* Vol.18, p. 400.

²⁴ J. Shaffer, 'Causation by Disconnection,' *Philosophy of Science*, Vol. 67:2, pp. 285-300. Here, Schaffer is concerned with the possibility of physical negative causation, but says that his claims apply to agent causation as well. He concludes his paper by arguing that positive causation shares with negative causation that whether they occur makes a difference as to whether or not the effect occurs. So, your pulling a trigger and firing a bullet causes someone to die because your movement makes the difference between the bullet remaining in the barrel and it being lodged in

If it is the case that causal responsibility is possible by way of both negative and positive causation, then the absence of the impediment *can be* causally responsible for the spring's uncoiling; and Derek, who provides the absence necessary for the spring to uncoil, is causally responsible for Brian's getting punched when he opens the door. So if causation need not be understood narrowly, and an agent's negative actions *can* cause the results of that negative action, then it might seem that there is no reason why Alvarez and Hyman's account cannot accommodate negative actions.

According to Strevens, "The simple counterfactual account's most notorious difficulty is its handling of cases of *preemption*, that is, cases in which, had the actual cause *c* not caused *e*, some other "backup" cause would have done so."²⁵ If we wanted to argue that Ashley and Casey's refraining were actions by way of invoking a counterfactual theory of causation instead of a physical connection theory of causation, then we would not be successful (without some additional fancy footwork, of the sort offered by Mackie and Lewis). However, this problem for counterfactual causation

someone's heart, and that their heart is damaged makes a difference as to whether or not their brain is starved of oxygen or not.

²⁵ Strevens, M. 'Mackie Remixed,' in J. Campbell, M. O'Rourke, & H.S. Silverstein (eds.), *Causation and Explanation, Topics in Contemporary Philosophy* Vol.4, MIT Press (2007) p. 93.

appears to not be a problem for Billy, because no other ‘backup’ cause could produce the effect that she produces with her refraining. Thus, we can allow that Ashley and Casey are not genuine cases of agent-causation, given a counterfactual theory of causation, without agreeing that no cases of refraining are genuine cases of agent causation.

§ 5. Refraining, Agents, and Causation

Thus an account of action that is in the business of explaining how it is that agents cause things to happen will accommodate *some* ways in which they do so by way of refraining. If to act is to cause a result, and to cause a result is to be what explains the result’s occurrence, then when an agent’s deliberate refraining contributes to the production of an effect such that she secures something she would not have secured if she were not present or if she had acted, then her refraining is an action. Not *all* refrainings will turn out to be actions—Ashley’s refraining does not cause anything to happen, and so her refraining doesn’t explain the occurrence of any results. Nor does this show that whenever an agent refrains and there is a change, that she is causally responsible for that change. When Casey refrains from turning the trolley, it seems she still does not cause the death of the four—the trolley would have continued down the track the way it did

when she refrained in the same way it would have had she not been present at all. Billy's refraining is a strategic control over the outcome—her refraining explains the alarm going off. It seems that, so understood, Billy's refraining is an action.

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