

Negative Actions

Benjamin Mossel

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Abstract Some philosophers have argued that refraining from performing an action consists in actively keeping oneself from performing that action or preventing one's performing it. Since activities must be held to be positive actions, this implies that negative actions are a species of positive actions which is to say that all actions are positive actions.

I defend the following claims:

- (i) Positive actions necessarily include activity or effort, negative actions may *require* activity or effort, but never *include* the activity or effort which may be required.
- (ii) Unless it is, or was, at some time in P's power to Q, P does not refrain from Q-ing.
- (iii) Negative actions are *actions*, they are causings of negative facts.

Keywords Negative action · Refraining · Individuation

Introduction

Jeremy Bentham (1789) discussed negative actions in his *Principles of Morals and Legislation* in connection with the distinction which he makes between acts of commission and acts of omission. More recently, the subject became again actual in connection with the question whether causing harm by performing a positive action (killing) is per se morally worse than allowing the same harm to occur (letting die).

One of the first questions which arise with regard to negative actions is whether they are indeed actions. Ryle (1979), Thomson (1977, ch.15) and Mele (2003, ch. III 6.4) deny that they are. I shall argue that they are.

It has been suggested that negative actions consist in actively preventing oneself from performing the actions refrained from. Since activities are positive actions, this implies that negative actions are a special kind of positive actions. I deny this and shall argue that

B. Mossel (✉)
15 Haoren Street, Raanana 43574, Israel
e-mail: bmossel@netvision.net.il

all and only positive actions comprise activity. If this is right, no negative actions are active preventings. There is no overlap between positive and negative action.

Refrainings

Bentham (1789) pointed out that negative actions cannot be distinguished from positive ones by the presence of terms of negation in the expressions referring to them.

It is to be observed, that the nature of the act, whether positive or negative, is not to be determined immediately by the form of discourse made use of to express it. An act which is positive in its nature may be characterized by a negative expression: thus, not to be at rest, is as much as to say to move. So also an act, which is negative in its nature, may be characterized by a positive expression: thus, to forbear or omit to bring food to a person in certain circumstances, is signified by the single and positive term *to starve*.

This is clearly correct. Indeed, ‘forbear’ and ‘refrain’ are themselves grammatically positive terms. Furthermore, the same expression may refer both to positive and to negative actions. John’s obeying an order may consist in his marching 5 miles, which is a positive action, or in his refraining from talking, which must be classified as a negative action.¹ It appears that, as Bentham says, we cannot characterize negative action in terms of grammatical criteria.²

I suggest that negative action normally involves the intentional non-performance of a positive action. Not Q-ing is normally not a negative action, or an action at all, unless it is intentional.³ If P never thought about Q-ing, forgets to Q or is unaware of having an opportunity to Q, her not Q-ing is not an action. And it is not a negative action, unless Q-ing is a positive kind of action. Starving the dog is a negative action because feeding it is a positive action. But to refrain from fasting (i.e., to intentionally not to fast) is to perform a positive action, namely, to eat. In order to get a grip on negative action, we must first establish what makes an action positive.

Bentham characterizes the distinction between positive and negative actions as follows Bentham (1789):

By positive are meant such as consist in motion or exertion: by negative, such as consist in keeping at rest; that is, in forbearing to move or exert one’s self in such and such circumstances. Thus, to strike is a positive act: not to strike on a certain occasion, a negative one. Positive acts are styled also acts of commission; negative, acts of omission or forbearance.

¹ I’ll define the terms ‘negative action’ and ‘positive action’ shortly. In any case, on any acceptable definition of these terms ‘marching 5 miles’ must come out positive and ‘refraining from talking’ negative.

² Ayer (1952) points out that, in general, negative statements are not statements expressed by means of negations such as ‘not’, ‘no’, ‘nobody’, ‘nowhere’, ‘nothing’, etc. It may be possible to express the same statement by means of a grammatically negative as well as by means of a positive expression. For example, saying that no mountain is as high as Mt. Everest is equivalent to saying that Mt. Everest is the highest mountain in the world.

³ I shall later show that negative actions can be nonintentional. However, in that case they must have been level-generated by an *intentional* negative action.

This is only partly correct. A person who exemplifies some kind of negative action does not necessarily remain at rest. She may be actively occupied with other things. Nevertheless, I think that Bentham is on the right track. Activity forms part of all positive actions, and of positive actions alone. If a person who forbears to strike is engaged in other activities, these activities are not identical with, and do not form part of, her forbearing to strike. She does not perform these activities *in* forbearing to strike nor does she forbear to strike *by* performing these activities. She rather performs them *while* she forbears to strike. She *could* have remained at rest and have forborne to strike. But she could not have struck while remaining at rest. Positive actions consist in, or are level-generated⁴ by, bodily and/or mental activity, effort or tryings; negative actions are compatible with, but never *include* activity. One is not *engaged* in a negative action and this is why such an action allows one to do whatever else one has an opportunity to do. Negative action consists normally in intentionally not performing a positive action; and a positive action is an action which includes effort, trying or activity, no matter how small.

This activity consists normally, but not necessarily, in bodily movement. A weight lifter is active while he keeps a weight motionless above his head. Likewise, standing at attention does not involve movement but consists, similarly, in bodily and mental effort and is therefore a positive kind of action. The activity forming part of a positive action may be *purely* mental. To multiply numbers in one's head is, in contrast to a thought's or image's popping up, a positive action.

What is it to be active? I suggest that a person is active, if, and only if, she makes an effort, no matter how small, which consists in sustaining and controlling the bodily or mental events required for what she intends to do.

As I said, the activity which a person may display does not form part of a negative action which she is performing. Her negative action and her activity are independent of each other. She may be engaged in activity which is incompatible with her Q-ing but this activity will not make her not Q-ing intentional. Her intention not to Q forms a contingent addition to her activity, unless she engages in this activity *in order* to keep herself from Q-ing. I shall presently argue that even in that case her activity does not form part of her refraining from Q-ing.

Most negative actions can be described as refrainings. Abstainings, forbearings and intentional omissions are variants of refrainings. Letting something happen is normally also a negative action which can be defined in terms of refraining but not conversely. P's letting event E happen involves a process, normally not caused by P, which will issue, without interference, in E, where P *refrains* from interfering with that sequence's issuing in E. But refrainings cannot, conversely, always be described in terms of letting events happen. To refrain from talking is not to let things happen. I shall therefore start with a discussion of refrainings.⁵

⁴ Employing this term of Goldman's (but not his definition of it which is wider), I shall say that P's Q-ing level-generates her R-ing if, and only if, she R-s by Q-ing. And I shall say that P's Q-ing is a basic action if P does not perform an action R, such that her R-ing level-generates her Q-ing.

⁵ I shall later discuss negative actions which are not refrainings.

I shall first list the properties which P's not Q-ing must possess, in order to be a result of a refraining from Q-ing.

- (i) In order to refrain from Q-ing, one must intentionally not Q. People may keep themselves from falling asleep, from stumbling, yawning or trembling, and, consequently, not do these things, but one cannot refrain from doing these things. I shall argue that P's refraining from Q-ing requires that it was in P's power to Q. Since I cannot sneeze at will and since stumbling is not an exercise of my powers either, I do not refrain from sneezing or stumbling on occasions when I manage to prevent my doing these things.
- (ii) If P refrains from Q-ing, she intends not to Q and this intention causes her not to Q. Consequently, she might have Q-ed in the absence of this intention. ('Might' rather than 'would', because the absence of an intention not to Q does not entail the presence of an intention to Q. Furthermore, an attempt to Q may fail, even if one has the opportunity, the ability and the means to Q.) If it was in any case certain that she would not have Q-ed, then her intention not to Q is causally irrelevant to her not Q-ing, it is not intentional that she does not Q and, therefore, she does not refrain from Q-ing.

To say that a person's intention not to Q prevents her Q-ing when she refrains from Q-ing is not to say that, once this intention is in place, it is no longer in her power to Q. Her intention was not imposed upon her. She could have changed it and have Q-ed. It is just to say that when she refrained from Q-ing, her intention's being and staying in place was incompatible with her Q-ing. This again is not to say that one cannot intend not to Q and nevertheless Q. We do not always implement our intentions. It is just to say that *if* P refrains from Q-ing, her intention not to Q causes (in an appropriate way) her not Q-ing (which implies that *she* causes her not Q-ing).

This again implies that a person does not refrain from Q-ing, unless it is in her power to Q. Frankfurt denies this but I shall presently argue that unless one could have Q-ed, one does not refrain from Q-ing. One cannot refrain from jumping to the moon, because and only because one cannot jump to the moon. And a person who cannot swim may refrain from *trying* to swim but she cannot refrain from swimming. If P never has the ability, the opportunity and the means required for Q-ing, then, if she intends not to Q, her having this intention does not cause her not to Q and she does not, therefore, refrain from Q-ing.

A modification is required here. A person may refrain from Q-ing at time T, even if she cannot Q at T. The bridegroom who stands up his bride may at the time of the wedding be in a plane flying to a foreign country and be unable to take part in it, but we will not therefore deny that he intentionally absented himself from the wedding.⁶ In general, if P is unable to Q at T but he imposed this inability upon himself with the intention not to Q, then his inability to Q does not rule out his refraining from Q-ing. Ulysses refrained from visiting the Sirenes, even though he could not have visited them, because his inability was self-imposed. However, in order to refrain from Q-ing, P must at *some* time have had the option to bring it about that he Q-ed. The bridegroom who refrained from marrying must at some time have had it in his

⁶ I thank Professor Carolina Sartorio and the referee for making me aware of this possibility.

power to be present at the wedding and marry the bride. If he was abducted and kept locked up, then, even if he changed his mind and no longer wanted to marry, he did not refrain from marrying.

A person who refrains from Q-ing *chooses* not to Q. This is not to say that her not Q-ing is necessarily the outcome of deliberation. Refrainings can be just as spontaneous as positive actions. It is merely to say that, even though she could have Q-ed, she intentionally did not Q.

Danto (1966) believes that in order to refrain from Q-ing one must be free to Q or not to Q. That is, the existence of refrainings implies freedom of acting. Of course, one may deny that refrainings are existing events. But if they exist, then we are, at least sometimes, free to act or not to act. I shall return to this point.

- (iii) If P does not Q, her mental states do not by themselves determine whether she refrains from Q-ing. In order to refrain, it must be in her power to Q, and whether it is may not depend only on her mental states. If the battery of my car has been removed, then I cannot refrain from starting it. Negative actions are not mere episodes in our heads. Just as in the case of positive actions, what is internal, our intentions and beliefs, must make an external difference, even though this difference may be only potential. One does not refrain from Q-ing, unless one might have Q-ed in the absence of one's intention not to Q.
- (iv) P's causing event E entails that E occurs but her refraining from causing E does not entail that E does not occur. It merely entails that *she* does not cause E. Von Wright (1963) is of a different opinion. He correctly says that if a window is closed, then one cannot close it. To close a window is to bring it from an open state to a closed state. So if someone closes it, that person denies others the opportunity to close it. And if one cannot close it, then one cannot refrain from closing it either.

However, not all positive actions are like window-closings in this respect. I can feed the dog, even if it has already been fed. Feeding the dog is not necessarily bringing it from a state of being unfed to a state of being fed. My dog will happily eat a second portion. So I can refrain from feeding him, even if he has already been fed. Likewise, I can refrain from watering the lawn, even if it has already been watered or someone else is watering it. Indeed, I may refrain from watering it *because* it has already been watered or someone else is watering it. Performing an action does not necessarily destroy the opportunity for oneself or somebody else to perform the same action again. So P's refraining from Q-ing does not entail that Q is not done. It only entails that Q is not done by P.

- (v) Even if it is fully in P's power to Q, she cannot necessarily refrain from Q-ing. I am not thinking here of cases where P is forced to Q but rather of cases where it is only too clear that she will not Q. I cannot at this very moment refrain from fiddling on the roof. It is in my power to buy a violin, climb on the roof and fiddle there but no intention of mine not to do this is required in order to *prevent* my doing it. I can play with the thought of fiddling on the roof, or travelling to the South Pole, but unless Q-ing presents itself to me as a real option rather than a phantasy—which is to say that I have *some* reason to consider Q-ing—I do not refrain from Q-ing. This is not to say that I must be

actively keeping myself from Q-ing in order to refrain from Q-ing. I need not have conflicting attitudes towards Q-ing. I may consider Q-ing without feeling any urge to Q, and decide not to Q. If a person spontaneously refrains from executing a criminal order, obeying the order was not a fantasy for her but an option which stood out vividly in her mind. In this case, having been ordered to Q gave her *some* reason to Q, speedily overridden by stronger reasons to the contrary.

When I choose a shirt to wear, I do not normally refrain from wearing all my other shirts. Most probably, I do not even give a thought to my other shirts. Nor do I refrain from participating in all cruises whose trips I find advertised in the papers. Very few of the things which we do not do we refrain from doing. We have normally no reason to even consider doing them and need not form an intention not to do them in order not to do them.

- (vi) Must a person who refrains from Q-ing *believe* that it is in her power to Q? I think she must believe that she would have had, at least, some prospect of Q-ing if she had tried to Q. If I falsely believe that Q-ing is impossible for me, then Q-ing does not present itself to me for consideration; consequently, my not Q-ing is not a result of a refraining from Q-ing. I won't even intend not to Q, since we do not adopt intentions which we believe to be useless or superfluous, that is, intentions which we do not believe to affect what we are going to do. Unless I believe that trying to Q would have given me *some* prospect of Q-ing, I don't refrain from Q-ing.
- (vii) A person who refrains from attending a meeting may have formed the intention not to attend long before the meeting, but she did not refrain from attending it long before the meeting. So *when* does she refrain from attending? I suggest that she refrains at times when she could have attended the meeting and might have attended it if she had not formed the intention not to attend it.
- (viii) P does not refrain from Q-ing, unless she is aware of her not Q-ing at the time when she could have Q-ed. If she had forgotten the possibility of Q-ing or was asleep by that time, then she did not refrain from Q-ing.

Take the following case. John is invited in the morning for a party which is to take place in the evening but he decides not to go. In the evening he has forgotten the party and while it lasts he is asleep. Did he refrain from attending it?

It may seem that he did. He intentionally caused himself not to go by deciding not to go. However, one may ask, if he refrained, *when* did he refrain? He did not do so when he decided not to go. There was no party at that time. And while he was asleep he was not refraining. He was not keeping himself from going at that time. His intention not to go was not causing himself not to go at the time when he could have attended. So I conclude that he did not refrain from going to the party.

I agree, however, that someone talking later about the episode might say that John refrained from going and not talk wrongly. But I think that he would be talking loosely. In my view, P's refraining from Q-ing requires a preventing state of mind at the time when Q-ing was possible for P.

- (ix) How is P's refraining from Q-ing related to her intention not to Q and her not Q-ing? I suggest that it is different from both. In particular, it is different from

her not Q-ing. It is rather identical with her (intention's) causing, in a proper way, her not Q-ing. Both the intention and the not Q-ing form necessary parts of it. Refrainings are not non-events, they are causings of non-events. I shall discuss this claim later.

Summarizing my claims, P refrains from Q-ing at t if, and only if, she does not Q at t and:

- (x) Q-ing is a kind of action.
- (xi) It is or was in P's power to Q at t. That is, she had at some time the opportunity, the means and the ability to bring it about that she Q-s at t.
- (xii) P believes that at some time trying to Q would have given her a prospect of Q-ing.
- (xiii) P intends not to Q.
- (xiv) P does not Q *because* she intends not to Q. That is, her intention not to Q prevents her Q-ing at t.
- (xv) P is aware of her not Q-ing at t.
- (xvi) Q-ing was a real option for P at t. She had *some* reason to consider Q-ing.
- (xvii) P's refraining from Q-ing consists in the causing of her not Q-ing by her intention not to Q. This is to say that she causes herself not to Q.⁷

Finally, P's refraining from Q-ing is a negative action only if her Q-ing would have been a *positive* action. And Q-ing is a positive action if, and only if, it consists in, or is generated by, bodily and/or mental activity or effort.

Frankfurt Cases

Harry Frankfurt (1999) has argued that we can be morally responsible for our actions, even if we could not have behaved otherwise than we did. He thinks that this also applies to negative actions. We may refrain from Q-ing and be responsible for our not Q-ing, even if we could not have Q-ed. He gives the following example [p. 143]:

Suppose that there is someone with a powerful interest in having Stanley refrain from making any deliberate movements, who arranges things in such a way that Stanley will be stricken with general paralysis the moment he shows any inclination to move. Nonetheless, Stanley may keep himself still quite on his own altogether independently of this person's schemes. Why should Stanley not be morally responsible for keeping still, in that case, just as much as if there had been nothing to prevent him from moving had he chosen to do so?

Frankfurt concludes that there is no morally interesting asymmetry between actions and omissions.

⁷ xi-xvii do not form a minimal set of conditions. For example, xvi is implied by xv. If Q-ing had not been a real option for P, then her intention not to Q would not have prevented her Q-ing. She would not have Q-ed in any case.

I have claimed that a person who refrains from Q-ing at t must at some time have had it in her power to bring it about that she Q-s at t . Stanley cannot move, and, according to the story, his incapacity was not self-imposed, so, if I am right, he does not refrain from moving.

His keeping himself still probably requires effort and is, in that case, a positive action, so let us consider a different case. Jenny refuses a piece of cake because she wants to remain slim. Suppose her boyfriend, who is a neuro-scientist, and very keen on her remaining slim, has, unknown to her, hooked her up to a device which would have given her, the moment it senses any wavering in her refusal of the piece of cake, an electrical shock guaranteed to make her lose whatever interest she may have had in cake-eating. Suppose, furthermore, that she never wavered in her decision to refuse the cake, so that the device did not affect the actual course of events.

Under the circumstances, Jenny could not have eaten the piece of cake, even if she had intended to. Still, it may seem that she refrained from eating it. She freely decided not to eat it and her intention not to do so, rather than the device, which remained inert, caused her not to eat it. So it seems to be false that in order to refrain from Q-ing one must be able to Q. One may not be able to Q and still refrain from Q-ing.

This reasoning wrongly assumes that the performance of refrainings is determined by the refrainers' mental states and behaviour alone. We may assume that Jenny decided, intended, behaved, thought and felt with the device attached precisely as she would have done without it. But this does not imply that if she refrained without it, she also refrained with it. Our negative actions are not generated by our minds and bodies alone. If the battery of my car has been removed I cannot refrain from starting it, no matter what I feel, intend or do. Refrainings are *actions* (so I shall argue), episodes which, at least potentially, affect the world. Jenny's supposed refraining did not even potentially affect the world in any relevant way. If she refrained, and refrainings are actions, as I believe, then there are actions which remain without any result. I deny that there are such actions. No results, no actions.

Negative actions have, apart from what I see as their defining property, a property which sets them apart from positive ones and which I shall call their removability. One can cancel a person's negative action without affecting her body or mind in any way.

Take Peter in his cell in jail. The warden forgot to turn the key after he brought him food, so he could leave his cell. Peter is aware of this but he is afraid of the trouble which may ensue and refrains from utilizing the option. The warden soon realizes his oversight, returns and turns the key. The very moment he turns the key he puts a stop to Peter's refraining from leaving the cell. Peter may not have noticed the warden's action and believe that he is still refraining but he is not. Since he can no longer leave his cell, and this inability is not self-imposed, he no longer refrains from doing so. By turning the key, the warden put a stop to his refraining. And he did this without directly affecting Peter. Positive action has no parallel to this. One cannot put a halt to a person's willed activity without bodily or mentally affecting that person.

This may seem false. I can put a stop to a person's ball-playing by hiding his ball. However, every positive action has a core of activity, effort or trying. My claim is that one cannot stop this core-activity without bodily or mentally affecting the agent:

holding his body or convincing him to stop his activity. One can make a ball-player's activity pointless by taking the ball away but one will not necessarily stop it in this way. She may go on making ball-playing movements. In contrast, negative actions, lacking a core-activity, can be stopped without affecting the agent. One just has to make it impossible for the agent to perform the action she refrains from.

The fact that the presence of the device did not affect Jenny in a relevant way does not imply that if she refrained from cake eating without the device, she also refrained with it. The device formed a lock on her cake eating. Its presence annulled a condition necessary for her to refrain. The only reason why I cannot refrain from jumping to the moon, or, indeed, refrain from realizing my wildest phantasies, is that I *cannot* jump to the moon or realize my wildest phantasies. According to Frankfurt, Stanley was morally responsible for his omission to move since he deliberately prevented the movements [p. 143, line 7 from below]. However, he did not prevent his movements. One cannot prevent what is not going to happen in any case. He may have made what he took to be preventive efforts and thereby have prevented the threatening paralysis but he did not prevent his movements. I suggest that Jenny no more refrained from eating the cake than Stanley refrained from moving or Peter refrained from leaving his cell while it was locked. These people merely did not do what they could not do.

My referee invites me to comment on the following case.

The bridegroom discussed earlier [see p. 7] decides on his own to board a plane to Europe, thus missing his own wedding although he *could* not have attended it because, at the time of the planned wedding, he is on a plane to Europe. Now imagine that a neuroscientist had been closely monitoring his thoughts. Had the groom not decided on his own to board the plane, the neuroscientist would have intervened by planting the decision in his mind. In the actual scenario, however, he didn't have to intervene.

Prima facie this seems to be a case in which the groom refrains from attending his own wedding even though, given the presence of the neuroscientist, there was no time at all at which he could have attended it. On second thought, however, this case is no different from that of Jenny the prospective cake-eater or that of Peter the prisoner. The activity of the neuroscientist constitutes an anti-wedding lock. The groom simply (voluntarily) does not do what he cannot do. But he does not refrain from doing what he cannot do. He no more refrains from attending the wedding than Peter refrains from leaving his cell once it has been locked.

It might seem that the opposite position is also tenable. But mine has an important advantage over Frankfurt's. People seem to agree that one cannot refrain from jumping to the moon and I do not see how Frankfurt can explain their unanimity here. But it follows directly from my premises that jumping to the moon is impossible. What you cannot do (at any time), you cannot refrain from doing.

Refrainings and Preventings

When I refrain from Q-ing, I directly prevent my Q-ing by virtue of my intending not to Q, and my sticking to this intention. However, I do not *actively* prevent my Q-ing on such an occasion. To actively prevent an event is to engage in an activity

which is incompatible with the occurrence of that event. To prevent a car from sliding down a hill requires braking or pushing it in the opposite direction. To be sure, a person may prevent an event by refraining from doing something. One may prevent a quarrel by refraining from saying what one thinks. The person who refrained from saying what she thought indirectly prevented a quarrel but, presumably, she did not actively prevent her saying what she thought. I shall argue that even if P actively prevented her saying what she thought, say, by putting her foot in her mouth, this action was not identical with, did not form part of, and did not level-generate her refraining from saying what she thought. It rather *caused* (causally enabled) her not to say what she thought.

As I said, when I refrain from Q-ing, my intention not to Q prevents my Q-ing. To *actively* prevent one's own Q-ing is to do something positive which is incompatible with one's Q-ing, such as having oneself shackled to the mast (Ulysses) or pouring the whiskey in the toilet (an alcoholic). But refraining from Q-ing does not comprise activity. It is having, under the conditions listed above, the intention not to Q—where this intention causes one's not Q-ing in a proper way.

Even if it is granted that not *all* negative actions are active preventions, the thought that some of them are may seem plausible. No doubt, refraining *may* require a preventive effort. An alcoholic may have to make a great effort in order to refrain from drinking. Bruce Vermazen thinks therefore that there are two kinds of negative actions (Vermazen 1985, p. 103):

Positive actions are bodily movements; negative acts, when they are resistings or identical with positive acts, are also bodily movements; but simple negative acts, mere refrainings, need not be bodily movements at all.

I shall argue that even those refrainings which require a resisting or other kind of preventive effort are not themselves active preventings, resistings or positive actions of any kind. If a person makes a successful effort to refrain from Q-ing, the effort is neither identical with, nor part of, the refraining. Negative actions never are or include positive actions.

Admittedly, one may have to prevent one's Q-ing in order to refrain from Q-ing. We have a rich vocabulary for such cases: a person may keep herself from drinking, restrain herself from taking a drug, control her trembling, stifle her yawn, contain her impulse to shout, overcome her desire to scratch or suppress her desire to give this brat a box on the ears. In these cases, there is a bodily and/or psychological disposition or urge to Q and a bodily or mental effort, that is, a positive action, is required to overcome this urge. I suggest, first, that a person who successfully resists her disposition to Q, need not refrain from Q-ing or perform any negative action whatsoever. She may perform a positive action, fighting her disposition, this being all she does. And, second, even if she does succeed in refraining from Q-ing, the effort made in order not to Q is not identical with, is not included in, and does not level-generate her refraining. It rather causally enables her to refrain.

As I have already said, if one refrains from Q-ing, then Q-ing is a type of action. One cannot refrain from something's occurring to one. But one may keep oneself from S-ing without the S-ing in question being an action. One may keep oneself from sneezing, falling asleep, stumbling, yawning or trembling, but one cannot refrain from doing these things. A person who exerts herself in order to prevent the

occurrence of an untoward mere event performs an action which, if her exertion is successful, is incompatible with the occurrence of that event. But such actions are not refrainings. They are simply positive actions.

Still, even if Q-ing is an action, it may happen that a person must make an effort in order not to Q. An alcoholic's effort may result in her refraining from drinking. I suggest that in that case the effort is causally prior to, rather than part of, the refraining.⁸ The alcoholic may keep herself from drinking by struggling with her desire to drink, but she does not *refrain* by struggling with her desire. The object of her struggle is to adopt the intention not to drink and/or to keep this intention in place, in spite of her desires to the contrary. What else could it be directed at? Surely not at muscle-flexings. This struggle is not part of her intention but rather causally enables her to entertain and keep fast to her intention and both the intention and her refraining are the causal upshots of the struggle. The effort is integral to her keeping herself from drinking but not to her refraining. She could conceivably have refrained from drinking without making an effort (even though, under the circumstances, this was impossible for her) but it is inconceivable that she could have kept herself from drinking without making any effort. To keep oneself from doing something *is* to make an effort. So the refraining is not identical with her keeping herself from drinking.

The alcoholic's struggle may have taken place long before a particular refraining from drinking of hers took place. She had herself hospitalized a year ago in order to get rid of her habit and never drank a drop of alcohol since. At least in this case, it is clear that her subsequent refrainings from drinking are not identical with the effort which she invested in order not to drink but are rather effects of it. I suggest that even if she struggles *while* she refrains, her refraining is an effect of her struggle.

Indeed, there is no relevant difference between keeping oneself from Q-ing and keeping someone else from Q-ing. To keep someone else from Q-ing is to perform an action which causes that person not to Q. Likewise, to actively keep oneself from Q-ing is to engage in an activity R, possibly purely mental, so that one's R-ing causes (or causally enables) oneself to stick to one's intention not to Q and thereby to one's not Q-ing. This activity forms part of one's keeping oneself from Q-ing, but not of one's refraining from Q-ing. That is, refrainings are never preventings, resistings or cases of actively keeping oneself from doing something.

Nor are they ever level-generated by positive efforts. The existence of a causal relationship between the struggling and the refraining rules out not only their identity, but also the existence of a level-generational relationship between the two. Q-ing by R-ing is incompatible with the existence of a causal relationship between the Q-ing and the R-ing (Goldman 1970: 23). The struggling is a positive action, the refraining a negative one; and the former causes the latter. This again is to say that the agent overcomes her desire to Q by struggling against it and this causally enables her to stick to her intention not to Q.

This becomes even clearer if we compare, on the one hand, the relationship between a person's actively keeping herself from Q-ing and her refraining from Q-ing with the relationship between a person's forcing herself to R and her R-ing. A person may force

⁸ This is not to say that the effort is necessarily temporally prior. It may last for as long as the refraining lasts.

herself to read a boring chapter by making a mental effort or by putting her feet in ice-water. In that case, her reading is clearly not identical with, or level-generated by, whatever she did in order to read the chapter. Her effort is not the means by which she reads, but rather the means by which she enables herself to stick to her intention to read. People who are not blind do not read by doing something else. And just as a person may force herself to do something, she may force herself not to do something.

The connection between refraining and active preventing can therefore be summarized as follows:

- (xix) Unless a person feels a psychological or bodily urge to Q, she need not and does not actively prevent her Q-ing, or keep herself from Q-ing, in order to refrain from Q-ing.
- (xx) If her not-Q-ing does require active preventive action, there are two possibilities: the prevented Q-ing would, or would not, have been an action. In the latter case, she performs only a positive action and does not refrain from Q-ing or perform a negative action of any kind.
- (xxi) Even if, on some occasion, P both actively prevents her Q-ing *and* refrains from Q-ing, her refraining is not identical with, or level-generated by, her preventing. Her struggle against the urge to Q (which level-generates her preventing her Q-ing) consists in an effort and is a positive action; her refraining is a negative action, and the former causes the latter. Positive action consists in, or is level-generated by, activity, whereas negative action is effortless, even though it may require an effort to *enable* oneself to perform a negative action. Consequently, no actions are both positive and negative.

Bennett on Negative Action

It is characteristic of negative actions that, not comprising activity, they allow you to do most anything else, whereas positive actions restrict one's options. This gives truancy its attraction. You cannot attend the lessons and at the same time go to the movies, but you can refrain from attending the lessons and go to the movies.

Jonathan Bennett (1994, 1995, ch. 6) defines negativity in terms of this characteristic. Denying that there are negative actions, he speaks of negative facts. In order to clarify the difference between negative and positive action-facts, Bennett employs Ven-diagrams, inside which each point represents a proposition attributing to an agent some absolutely specific way of moving which she could have exemplified at time *t*. If a person walks to the North at *t*, the points which represent the tokens of this kind of action occupy only a small part of the surface of the diagram. Nearly the whole of it will consist of points which represent propositions describing possible movements of hers which are incompatible with her walking northwards, such as movements made in her driving southwards or in her playing chess at home. The surface outside that small part of the diagram which contains the points consistent with her walking northwards represents therefore the proposition that she did not walk northwards. According to Bennett, a proposition to the effect that P does not Q corresponds to a negative fact if the surface containing the points which correspond to her not Q-ing is vastly larger than that which represents her Q-

ing. According to this proposal, it is a negative fact that I do not scratch my head now since it is compatible with vastly more possible movements of mine than I could have exemplified in scratching my head.⁹ This can also be formulated, more simply, as follows: the proposition that I scratch my head now corresponds to a positive fact, and the proposition that I don't to a negative fact, because the first conveys much more specific information than the second. Ascriptions of positive actions are much more informative than ascriptions of the matching negative ones.

The question is whether lack of specificness is a defining property of negative action or merely a wide-spread characteristic of it which can be explained by whatever is its true defining property. In most cases Bennett's proposal has the same implications as mine. Since negative actions do not involve activity, they normally allow their agents to do vastly more things than positive ones. However, in some cases Bennett's proposal and mine yield different results. It does not seem that refraining from moving my tongue gives me vastly more options for action than moving my tongue does. I can do practically anything while I move my tongue. There may even be more things which I can do while moving my tongue since talking requires tongue movement. But denying that moving the tongue is a positive action contradicts one of the intuitions which it is the task of a theory of negative action to explain, namely the intuition that bodily movements, if they are actions, are positive actions. We can also imagine a paralytic who cannot do anything, not even breathe on her own, apart from one thing: move her index finger up and down. This patient's refraining from moving this finger gives her less options of acting than her moving it does, namely, no options at all. Still, it is implausible that her affliction turns her moving her finger into a negative action. Denying that it does is consistent with my proposal, and I think with our intuitions, but not with Bennett's proposal.¹⁰ Furthermore, his proposal does not distinguish between mere not doings, such as my not fiddling on the roof right now, and refrainings. So, if it is to give an account of refrainings, it must be supplemented by a principle which allows us to distinguish between intentional and nonintentional negative facts concerning action, whatever an intentional fact may be. Finally, Bennett concedes that his proposal cannot be applied to mental acts since such acts do not involve movements. But my proposal can easily be applied to mental acts, such as multiplying two numbers in one's head, since they involve activity, this in contrast to refraining from executing such a multiplication or a thought's popping up, which do not.

My proposal explains *why* Bennett's criterion for negative action yields, in most cases, intuitively correct results, but it cannot be seen from his criterion why only

⁹ Bennett's proposal cannot be extrapolated to negative facts in general. That the Vesuvius does not erupt now would seem to be a negative fact, but there are not vastly more possible states of the universe which are compatible with its not erupting than with its erupting (if there are more at all). Still, his proposal might be capable of extrapolation to restricted dominions of discourse. Restricting oneself to colours, something's not being blue might be held to be a negative fact because it is compatible with its having vastly more colours than its being blue allows. Likewise, in the domain of numbers, a number's not being zero could, for a similar reason, be held to be a negative fact. Negativity would then depend on the domain of discourse. In a domain containing only equal quantities of blue and red objects, not being blue would not be a negative fact (nor a positive one).

¹⁰ Warren S. Quinn (1989, p. 362) and Daniel Dinello (1971, 193–4) give further counterexamples to Bennett's thesis.

positive actions include activity. Indeed, he denies this. His proposal implies that ‘he moves’ comes out negative and ‘he does not move’ positive (Bennett 1995: 96 ff.). This is because the information provided by ‘he does not move’ is much more specific than that provided by ‘he moves’. In my view, this creates havoc for whatever intuitions we bring to the notion of a negative action or a negative fact.

It seems to me that Bennett’s proposal does not provide us with a constitutive property of negative action, but rather with a contingent characteristic which can normally, but not always, be seen to follow from what I take to be its constitutive property.

Rescher and Brand on Refrainings and Preventings

Nicholas Rescher distinguishes between two different modes of inaction (Rescher 1970: 248).

The one is refraining: When sitting at my desk writing I may refrain from scratching an itching mosquito bite—that is I “hold myself back” or “keep myself from” doing a certain action.¹¹ This sort of keeping oneself from doing something that is at issue in refraining is importantly different from a second type of inaction which may be illustrated as follows. When sitting at my desk writing, there is an endless number of things I am not doing: reading the newspaper, chatting with a friend, driving a car, etc. But these nonactions are not doings of any sort. I am not somehow active in keeping myself from doing them. And thus, unlike refrainings, they are not actions at all. There is a critical difference between doing not-X, which is an action, and not-doing X, which need not be.

On this view, action requires activity and refraining is a special kind of activity. Rescher reaffirms this when he says that ‘an action must have the aspect of physical activity, either positively by way of doing or negatively by way of refraining’ (Rescher 1970: 248). Refraining is an activity, albeit a special one.

A similar, but more elaborated proposal has been made by Myles Brand (1971: 45–46). Brand first distinguishes, like Rescher, between refraining from Q-ing and merely not Q-ing.

The policeman who keeps his arm at his side and does not shoot the fleeing youth refrains from shooting him. The man asleep on the couch does nothing at all with respect to answering the telephone ringing in the bedroom. That it is not the case that a person performs an action is necessary, though not sufficient, for both refraining from performing the action and doing nothing at all with respect to performing the action.

The difference between refraining from performing an action and doing nothing at all with respect to performing an action is that, basically, refraining is itself a kind of action, but doing nothing at all is just doing nothing at all.

¹¹ It is surely not accidental that Rescher chooses an example where the person who refrains from performing an action feels an urge to perform that action. That is, his example is not representative for refrainings in general.

Having thus distinguished between ‘refraining’ and merely ‘doing nothing at all’, Brand proceeds to create the concepts which he needs for his definition of ‘refraining’. The first is that of ‘causally preventing’ which he defines as follows: Brand (1971: 48)

Event e_1 causally prevents event e_2 from occurring if, and only if:

- (xviii) e_1 occurs,
- (xix) the date of e_1 is not later than the date of e_2 ,¹²
- (xx) it is causally impossible that e_1 occur and e_2 occur, and
- (xxi) e_1 is causally relevant to e_2 .

According to Brand, one event is causally relevant to another if one of the two is either causally necessary or causally sufficient for the other.¹³ (xxv) is meant to prevent our having to say that e_1 causally prevents e_2 in cases where the occurrence of e_2 is causally impossible for reasons unconnected with the occurrence of e_1 .

Next, Brand defines the notion of a person’s causally preventing an event from occurring:

- (xxii) S causally prevents e from occurring if and only if there is some action Q that S performs, such that S’s Q-ing causally prevents e from occurring.

With the help of these concepts, Brand defines the concept of refraining. S refrains from Q-ing if, and only if:

- (xxiii) it is not the case that S Q-s, and
- (xxiv) there is some action that S performs, R, such that S R-s in order that S’s R-ing prevents S’s Q-ing.¹⁴

He gives the following example:

The patrolman refrains from shooting the fleeing youth when he keeps his hand by his side in order that his keeping his hand by his side prevents his shooting the fleeing youth.

Idiomatically, we would simply say that he refrains from shooting the fleeing youth *by* keeping his hand by his side.

An important consequence of this analysis is that in constructing a calculus of action-locutions, one need only be concerned with actions and not separately with refrainings.

¹² Presumably, Brand means by ‘the date of e_2 ’ the time at which e_2 would have happened if e_1 had not occurred.

¹³ Given this definition of causal relevancy, if e_1 causally prevents e_2 , e_1 is not causally relevant to e_2 but rather to the non-occurrence of e_2 .

¹⁴ Brand (1971) feels that freedom of acting should not be built into the definition of ‘refraining’. Consequently, he does not require that a person who refrains from Q-ing can Q. This has the strange implication that one may refrain from playing the violin, even if one does not have a violin at one’s disposal and does not have the ability to play the violin.

The last remark is addressed to von Wright who, in his *Norm and Action*, deals separately with the logic of forbearings and that of doings.

I deny that negative actions are a special kind of positive actions, or are level-generated by positive actions, and I shall show that Brand's account of refrainings is wrong.

Brand's definition of 'preventing' is acceptable but, given this definition, refraining from Q-ing does not consist, in his example or ever, in actively preventing one's Q-ing. If a person refrains from Q-ing, she does not normally perform a positive action which makes it impossible for her to Q. Unless the patrolman craved for the youth's blood, he did not *have* to keep himself from shooting him or to actively prevent his shooting him, in order to refrain from shooting him. A person who refrains from Q-ing does not normally struggle with an urge to Q. He need not *feel* an urge to Q. Since a neighbour of mine never returns my greetings, I refrain from greeting him. But when I see him, I have no inclination, let alone a craving, to greet him. So I need not keep myself from greeting him.

Presumably, the patrolman did not actively prevent his shooting the youth. There is no reason to think that he would have shot him if he had not kept his hand at his side. He might have shrugged his shoulders and lit a cigarette and still have refrained from shooting him. Obviously, he would then not have moved his hand in order to prevent his shooting the youth but in order to light his cigarette. His lighting a cigarette would not have been instrumental or causally relevant to his not shooting the youth, unless it formed the means by which he suppressed a craving to shoot him.¹⁵ Indeed, the patrolman could have raised his gun and pointed it at the youth, and still have refrained from shooting him. Clearly, in that case he would not have performed any positive action which prevented his shooting him.

Presumably, the patrolman did not *keep* his hand at his side but rather let it rest at his side. He did not exert himself the way one may have to exert oneself in order to keep oneself from sneezing or yawning or from doing what one craves to do. And letting his arm rest at his side, if it was intentional, was just as much a negative action and, indeed, a refraining (from moving it) as his refraining from shooting the youth. But no positive action of his prevented his moving his arm. If Brand is right, all refrainings are higher level actions. But refraining from moving one's arm, at least, is not. The idea that refraining from Q-ing necessarily involves actively preventing one's Q-ing is false.

Resher and Brand rightly suggest that one should distinguish between refraining from Q-ing and merely not Q-ing. Not to Q is not necessarily to refrain from Q-ing, even if it is in one's power to Q. However, it is a mistake to draw this distinction in terms of whether or not the agent actively prevents her Q-ing. I suggest that it must be drawn along different lines: refrainings are intentional, mere nondoings are not. If a sleeping person does not answer the telephone, she does not intentionally not answer it and this is why she cannot be said to refrain from answering it.

The relationship between a person's refraining from Q-ing at *t* and her activity at *t* is different from what Brand's and Rescher's analyses suggest. First, she *need* not be active at *t*. A person may lie totally relaxed on a sofa, not a muscle contracting, and

¹⁵ Brand says: 'I can refrain from raising my hand by putting it in my pocket, by sitting on it, or by keeping it at my side' [Loc. cit., pp. 49-50]. The impression is created that a struggle with the hand is involved which, if left to its own devices, would fly off and rise. But a person who does not suffer from a rare nervous illness does not have to struggle with her hand when she refrains from raising it.

refrain from getting up. And *if* a person who refrains from Q-ing at *t* actively R-s at *t*, then her R-ing need not make it impossible for her to Q. Not only may it be false that P R-s *in order* not to Q, but her R-ing may in fact be compatible with her Q-ing. I refrain from smoking now, but my present activity, typing this sentence, is compatible with my smoking. I can smoke and type at the same time. It is not only false that I type, or do anything at all, *in order* not to smoke, but none of my present activities makes it in fact impossible for me to smoke.

If P refrains from Q-ing and R-s instead, then, even if her R-ing *is* incompatible with her Q-ing, it need not be true that she R-s *in order* not to Q.¹⁶ If Peter refrains from doing his homework and goes to the movies instead, he does not necessarily go to the movies in order to prevent his doing his homework. Probably, it is the other way around: he refrains from doing his homework in order to go to the movies. In general, if P refrains from Q-ing and R-s instead, there are three possibilities: P may R in order not to Q; P may not Q in order to make it possible for herself to R; or she may do neither in order to do the other. The first possibility is realized if I go to a lecture with my wife in order to keep myself from drinking at the pub; the second is realized if Peter refrains from doing his homework in order to be able to go to the movies; and the third is realized if I refrain from taking whiskey from the tray and take vodka instead.

If a person refrains from Q-ing and R-s at the time, her refraining from Q-ing cannot be redescribed in terms of, or reduced to, her R-ing and its causal implications. My refraining from smoking is an independent and contingent addition to the actions in which I am engaged. It is a disputed question whether negative facts, properties, and events can be reduced to the presence of positive facts, properties and/or events which are incompatible with the facts, properties and/or events which do not obtain or occur. Whether or not they can, the occurrence of negative actions cannot be reduced to that of positive ones. The performance of a negative action of mine is not entailed by a complete list of my positive actions. My present activities preclude both my fiddling on the roof and my washing the dishes, but do not entail that I refrain from fiddling on the roof, which indeed I do not, or refrain from washing the dishes, which I do. My typing this text does not entail my having intentions not to do some of the things which I could have done but in fact do not. A theory of positive action does not by itself provide or include a theory of negative action.

Negative Actions and Causation

- (i) In this section, I shall discuss causation of, or by, negative actions and causings, one of whose relata, or both, are negative events.

I have claimed that when a person refrains from Q-ing, she intends not to Q and this intention prevents her Q-ing, i.e., causes her not to Q. But what exactly does such an intention cause? I do not believe that it causes a negative event which is her not Q-ing. There are no negative events. Events are changes; and the non-occurrence of a change is not itself a change. In a world without change, there are no events.

¹⁶ Brand needs the requirement that P R-s *in order* to prevent his Q-ing so as to guarantee that it is intentional that P does not Q. Without this requirement, his assumptions would imply that one refrains from Q-ing whenever one's activity makes it impossible for one to Q—which is clearly false.

It does not follow that there are no negative actions. Actions, including negative ones, are events. Negative actions are not non-changes. Merely not-Q-ing is not an event, but refraining from Q-ing is. When I refrain from Q-ing, a change occurs: I adopt or acquire an intention not to Q and the adoption or acquisition of an intention is an event, whether it is an intention to Q or an intention not to Q. ‘Negative’ does not mean the same when we speak of mere events and of actions. ‘Negative event’ simply means the nonoccurrence of a change; a negative action is not the mere nonoccurrence of an action, but a *causing* of such a nonoccurrence. Negative actions are not nonoccurrences but causings of nonoccurrences. Negative events do not exist, but negative actions exist.

- (ii) If negative actions are causings of nonoccurrences, and negative events do not exist, then it may seem that they are not causings of anything. However, even though there are no negative events, there are negative facts. If a person does not Q, it is a fact that she does not Q. I suggest that if a person refrains from Q-ing, her intention not to Q causes it to be a fact that she does not Q; and her refraining is this intention’s causing this fact.

Demos (1917) and the later Russell (1948: 121–126) denied that there are negative facts.¹⁷ In their view, negative propositions are rendered true (if they are true) by true positive propositions. For example, the proposition ‘John is not at home’ is entailed by a positive proposition stating where John is. According to Russell, a list of all true positive propositions (plus the proposition ‘these are all the true propositions’) entails all true negative propositions. It follows, on this view, that *all* the facts can be reduced to positive facts.

I doubt whether all true negative propositions are entailed by true positive propositions.¹⁸ Even if they are, it still does not follow that there are no negative facts. If a fact can be reduced to other ones, it does not cease to be a fact. That the existence of a table can be reduced to that of the molecules of which it is composed and their relationships, does not imply that tables do not exist. To reduce a fact, object or concept is not to obliterate it.

All that is required for its being a fact-that-p is that ‘p’ is true. That is, all true propositions are matched by facts. If P does not Q, then it is a fact that P does not Q.

- (iii) It could be denied that a person’s refraining from Q-ing *includes* her intention not to Q, as I believe. It might rather be a not Q-ing *caused* (in a proper way) by such an intention. On this suggestion, refrainings from Q-ing would, in the spirit of the causal theory of action, be not-Q-ings with a particular causal

¹⁷ Russell initially upheld the existence of negative facts. See Russell (1918).

¹⁸ That there is not now a smell of rotten eggs in this room is not implied by whatever positive facts obtain inside or outside this room (It is implied by the absence of H₂S molecules in this room but the absence of such molecules is itself a negative fact).

Even the fact that John is not at home is not entailed by the mere fact that he is at his office. We must also employ the fact that John is not at the same time at two different places. But this is a negative fact. Richard M. Gale’s account of the truth-conditions of ‘Jones did not play hockey yesterday’ is as follows:

‘There is some positive event-sortal Q, such that Jones instantiated Q yesterday and Q is incompatible with playing-hockeyness’. Examples of kinds of Q which would render this true are: lying-in-bedness, working-around-the house-ness, etc. See Gale (1970: 206–217; 1976: 117).

However, the fact that lying in bed is incompatible with playing hockey is itself a negative fact. It is to say that one cannot at the same time lie in bed and play hockey.

history. I suggest that negative actions are causings of negative facts, rather than negative facts caused in a special way. P's refraining from Q-ing consists in her intention-not-to-Q causing, in some special way, the fact that she does not Q, rather than in the mere fact (caused by such an intention) that she does not Q. If that is right, both the intention and the fact that P does not Q are integral to the refraining. And in that case, refrainings are positive events.¹⁹

- (iv) Searle distinguishes between intentions *prior* to acting and intentions *in* acting. The first cause the intended actions, the latter form part of these actions. My intention prior to my driving to the supermarket causes me to drive to the supermarket, my intentions in driving to that place (my intention to complete my action, my intention to turn this corner, to overtake this car, etc.) form part of this action of mine. I think Searle's distinction is useful and suggest that it also applies to intentions not to Q when one refrains from Q-ing.

Suppose I had myself hospitalized a year ago in order to get rid of my drinking habit and when I finished the treatment I firmly intended never to drink a drop any more. Today I was offered a drink at a party but, remembering my intention, I refrained from drinking. My refraining today was certainly caused by the treatment and the ensuing intention never to drink any more but was not identical with this intention's causing my not drinking. My refraining did not start a year ago, it took place today when I was offered a drink and rejected the offer. The intention which I adopted a year ago caused me today to adopt the specific intention not to take this drink. The latter intention formed *part* of my refraining today which was identical with its causing my not drinking; the intention which I formed a year ago caused my refraining today and was an intention prior to this refraining, the intention of today was an intention *in* refraining.

- (v) People discussing the causal efficacy of negative events commonly distinguish a single problem: can nonoccurrences, absences, be causes? And the answer is often negative ('nothing can come from nothing.'). This is a legitimate question, but it is different from the question whether refrainings can be causally effective. I find it hard to see why my intention's not to Q causing me not to Q cannot have effects. Surely, the intention, being a positive event, can have effects in addition to my not Q-ing, and these effects are also effects of my refraining from Q-ing.
- (vi) My definition of 'refraining' assumes that a positive state or event (an intention) can cause a negative fact, that is, prevent an event. But what does it *mean* to say that it does? According to Phil Dowe (2001: p. 221):

A prevented B if A occurred and B did not, and there occurred an x such that

(P1) there is a causal interaction between A and the process due to x, and

(P2) if A had not occurred, x would have caused B.

To illustrate: 'the father's grabbing the child prevented the accident' is true in virtue of the fact that the father grabbed the child, the accident did not occur, and there was a causal process-the child's running towards the road-where (P1)

¹⁹ If a set of events contains one or more positive events, then the concatenation of these events is a positive event. A change must occur for the concatenation to exist.

the father interacted with that process by grabbing the child, and (P2) had the father not grabbed the child, that process would have caused an accident.

In this case, says Dowe, the father's grabbing the child *quasi-caused* the non-occurrence of the accident.

In general, he suggests, (i) a negative event can quasi-cause a positive event, or (ii) another negative event, and (iii) a positive event can quasi-cause another positive event, or (iv) a negative event. An example of (i) is: the absence of rain quasi-caused the withering of the crop. This is to say that there was no rain, the crop withered, and if rain had fallen, it would have interfered with the crop's withering. (ii) is even simpler. The non-occurrence of A quasi-causes the non-occurrence of B if neither A nor B occur and A would have caused B. And a positive event A quasi-causes a positive event B if there is an event C, such that A quasi-causes C and C quasi-causes B. For example, the sinking of the ship loaded with wheat quasi-caused the deaths of many people in the country of its destination. In this case, the sinking quasi-caused a shortage of wheat in that country and the shortage of wheat quasi-caused the deaths. Finally, an illustration of a positive event A's quasi-causing a negative event is Dowe's example of the father's preventing an accident by grabbing the child.²⁰

Dowe denies that quasi-causation is a form of causation, but he does believe that it provides a causal explanation of the quasi-caused events. I believe that what he calls quasi-causation is simply a species of causation.

I agree that there are some reasons to think that negative facts cannot have effects. Did the absence of rain cause the failure of the crop? It seems that the radiation of the sun and the evaporation of available moisture fully explain the drying up of the crop without mentioning the absence of rain. The fact that no rain fell does not lie on the causal path leading to the withering of the crop. The sun did all the work.

However, there are also arguments on behalf of quasi-causings being causings. One of these is as follows. We must assume that the crop would have succeeded if (sufficient) rain had fallen. If it would have failed in any case, say, because the seeds were inferior, the absence of rain neither caused nor quasi-caused its failure. If (sufficient) rain had fallen, there *would* have been a causal path leading from it to a flourishing crop. But this is to say that the relationship between the absence of rain and the withering of the crop supports the counterfactual 'if there had not been a lack of rain, then the crop would not have withered'. And according to not a few philosophers, given two distinct contingent facts, this is what (roughly) *defines* a causal relationship between them. Furthermore, the lack of rain is what John Mackie calls an INUS condition for the withering of the crop (Mackie, p. 62). The absence of rain is not sufficient for the withering of the crop but it forms a necessary part of a sufficient condition for its withering which consists of the unrelenting radiation of the sun plus the absence of rain. Each part was necessary for the withering and together they were sufficient (but not necessary). So, according to Mackie, the absence of rain caused the withering of the crop just as much as the radiation of the sun did.

²⁰ Dowe (2001, pp. 221–223) treatment of quasi-causings is substantially the same as Bruce Vermazen's discussion of causings of (or by) negative events.

Furthermore, there is a functional relationship between the quantity of rainfall and the weight of the crop and this relationship is doubtlessly causal. Any given quantity of rain causes so and so much crop to grow. If half the normal rainfall causes, say, half the normal crop to grow, and one thousandth of the rainfall causes one thousandth of the crop, why should it be denied that zero rain causes a zero crop? Zero rain is simply the limiting case of a series of diminishing quantities of rain. Since all the members of this series cause some crop to grow, it is implausible that in the limit the relationship between the quantity of rain and the size of the crop should cease to be causal.

Next, quasi-causation has all the typical properties of causation. First, it is transitive. If A quasi-causes B, and B quasi-causes C, where A, B and C may be either positive or negative events, then A quasi-causes C. For example, if the sinking of the ship quasi-caused a lack of food and the lack of food quasi-caused deaths, then the ship's sinking quasi-caused these deaths.²¹ Then quasi-causing is asymmetric. The absence of rain quasi-caused the withering of the crop, but the withering of the crop did not quasi-cause the absence of rain. It is false that a flowering crop would have quasi-caused rain to fall. Furthermore, event A may quasi-cause events B and C, without either B or C quasi-causing the other. The absence of rain may quasi-cause the crop to wither and wild animals to die, without either of these events quasi-causing the other. This, again, is what we would expect if quasi-causation is a kind of causation. Finally, we have seen that quasi-causation supports counterfactuals in the same way as causation does. If there had not been an absence of rain, i.e., if rain had fallen, then the crop would not have withered. So taking quasi-causation to be a species of causation does not require modification of the basic characteristics of causation.

If we admit fact-causation, we can simply say that the fact that no rain fell caused it to be the case that the crop withered. Bennett (1988: ch. 3 and ch. 9 and, in particular, pp. 139–142) feels that facts are in general (i.e., also where only positive facts are involved) preferable to events as relata in causation: event-causation, he says, should be banned from philosophy (Bennett 1988: ch. 3 and ch. 9 and, in particular, p. 142).

Finally, the following also makes it desirable to acknowledge the causal efficacy of negative facts. If negative facts cannot be causes or effects, scientists are often mistaken in their descriptions of what takes place. It is widely believed that the impact of a large meteorite on earth caused the disappearance of large reptiles; and nobody, as far as I know, has suggested that there is something conceptually wrong with this belief. But the fact that there are no longer dinosaurs is a negative fact, so this belief is wrong if quasi-causation is not causation.²² Nor can we say that a hole in the ozone-layer (local absence of ozone) causes increased ultra-violet radiation on earth or that lack of oxygen may cause death. Many very common causal propositions turn out to be strictly false if negative facts are not allowed to be

²¹ It does not seem that there are stronger reasons to doubt the transitivity of quasi-causation than there are to doubt the unexceptional transitivity of regular causation.

²² The death of the last dinosaur was a change and therefore a positive event. But this event entailed the subsequent absence of dinosaurs. And it would be strange if the impact of the meteorite caused the death of the last dinosaur, but not the state of the world entailed by its death.

causes or effects. But scientists hardly give a thought to whether the facts which they describe as causes or effects are positive or negative and, apparently, they don't run into conceptual difficulties because of this. I suggest that the 'quasi' in 'quasi-causation' is superfluous and that we can avoid unnecessary complication by abolishing it. Dowe (2001, p. 225, line 7 from above) himself concedes that people may have strong intuitions that cases of quasi-causation are cases of genuine causation; he also says that it does not matter for practical purposes if we treat quasi-causation as causation (Dowe 2001, p. 225, line 9 from above).

I return to negative actions. If quasi-causings are a species of causings, then negative actions are causings, as positive actions are. They consist in P's intention not to Q causing, in a proper way, the fact that P does not Q. Furthermore, negative actions have effects: namely, the facts caused by the intentions which prevent the relevant actions (over and above their non-occurrence) and facts caused by the non-occurrence of these actions. If John insults George by refraining from inviting him to the party, then his intention not to invite him causes the absence of an invitation which, in turn, causes George's feeling insulted. And therefore we are entitled to say that John's refraining from inviting George caused George to feel insulted.

Negative Action and Level-Generation

Negative actions can level-generate, or be level-generated by, other (negative) actions. Let us remind ourselves of the analysis of level-generation. To say that Peter killed George by shooting him is to say that Peter shot George, the shooting caused George's death, and the killing is Peter's causing George's death. 'John prevented a quarrel by refraining from saying what he thought' can analogously be analysed as follows: John refrained from saying what he thought, his refraining caused the absence of a quarrel, and his preventing a quarrel was his refraining's causing the absence of a quarrel.

This is an example of *causal* level-generation but level-generation involving negative actions may, like positive level-generation, be non-causal. For example, a member of parliament may express her dissatisfaction with the government's policy by abstaining from voting. In this case, the abstaining does not cause events which are integral to her expressing her dissatisfaction, but is rather *identical* with her expressing her dissatisfaction.

All we need in order to make level-generation involving negative actions fully analogous to that involving positive actions is a definition of basic negative action. This is also simple. P's Q-ing, whether positive or negative, is a basic action if P does not perform an action R, whether positive or negative, such that R level-generates her Q-ing. Refrainings, abstainings and intentional omissions are normally basic actions since, *n'en déplaise* Brand, they are normally not level-generated by other actions of their agents. Most often one does not refrain by doing something else but directly.²³

²³ It may happen that a person refrains from doing one thing by refraining from doing another. One may, for example, refrain from meeting someone by refraining from opening the door.

Not all negative actions are basic. Even though one does not normally refrain from Q-ing by doing something else, and in particular not by actively preventing one's own Q-ing, one may do things by refraining. A member of parliament may express her dissatisfaction with the government by refraining from voting, one may insult a person by not inviting him, disobey by not abstaining from drinking, or prevent a quarrel by holding one's tongue.

If P Q-s by R-ing, her Q-ing is negative or positive, according to whether her R-ing is negative or positive. This can be seen as follows. If a higher level action includes activity, i.e., is positive, this activity forms part of, or is identical with, the basic action which generates it. The activity involved in turning on the light is the activity involved in flipping the switch, and the activity involved in flipping the switch is the moving of the finger. So if a basic action is negative, i.e., does not include activity, actions generated by it do not include activity either. Consequently, they are also negative actions. All actions generated by a positive basic action are positive and all actions generated by a negative basic action are negative actions.

Goldman (1970: pp. 47–48) takes a different view. He says that a student who protests against the establishment by not leaving the faculty building performs a positive action by performing a negative one. I suppose he believes this because protestings are *normally* positive actions, consisting in shouting, tyre-burning or writing a letter to the editor. But *kinds* of actions cannot, in general, be characterized as positive or negative. Most kinds of higher-level action include both positive and negative act-tokens. Normally, protesting, insulting, killing and destroying are positive actions, but one can protest by not leaving a building, insult by not inviting, kill by starving and destroy a garden by not watering it. In such cases, the protesting, insulting, killing or destroying are negative actions.

So the actions generated by a given basic action are either all negative or all positive. A given action-tree²⁴ contains only positive actions or only negative ones. However, negative action-trees may have positive effects and positive action-trees may have negative effects. Starving a person causes hunger and not answering a letter may cause grief. On the other hand, positive actions may cause negative facts. Keeping oneself from trembling or stumbling are positive actions which result in the nonoccurrence of these events.

We saw that the main distinction between refraining from Q-ing and merely not Q-ing consists in only the former being intentional. Not all negative actions are intentional and therefore not all of them are refrainings. Negative higher-level actions may, just as positive higher-level actions, be nonintentional. If Peter refrained from shutting off the gas, thereby causing the death of a parrot, then, if he was unaware of the bird's presence, his causing its death was an unintentional negative action. So his causing its death was generated by, but was not itself, a refraining. Higher-level negative actions may be nonintentional, because negative actions may, like positive ones, have nonintended effects.

Refrainings are necessarily intentional but, as I said, this does not hold of negative actions in general. A not Q-ing which results from a negative action does not necessarily differ from a mere not Q-ing in that the former is intentional and the

²⁴ An action-tree is the set of actions generated by a given basic action. I borrow this term from Goldman.

latter is not. The former is either intentional or level-generated by an intentional negative action, whereas the latter is neither. The distinction between negative actions and mere not doings parallels that between positive actions and doings which are not actions. One acts, whether positively or negatively, if, and only if, *something* is intentionally done, or not done, in performing that action.

Are Negative Actions Actions?

Prima facie, refrainings, abstainings, intentional omissions, etc., seem to be actions. Apart from their defining characteristic, they have all the characteristics of positive actions and we talk about them *as if* they are actions. First of all, they are ascribed only to agents, i.e., to beings capable of acting. Rocks and patients suffering from locked-in syndrome cannot act, and therefore not refrain from acting. Then, they are either intentional or level-generated by intentional actions; they are voluntary and people normally have reasons for them.

Furthermore, we are responsible for our negative actions: they may be judged blamable or praiseworthy, wicked or saintly, justified or unjustified, sensible or stupid, rational or irrational. Some philosophers believe that causing harm by refraining from acting is *per se* just as blamable as actively causing that harm. And, finally, negative actions have causes and effects and level-generate further negative actions.

Negative actions are also consistent with current theories of action, and especially with the causal theory. If Mary wants her hair to remain dry and therefore refrains from taking a shower, then she refrains from showering *because* she wants her hair to remain dry. There is a causal nexus between the want and the refraining, just as there is such a nexus between our wants and the positive actions which they cause; and causalists may say that it was intentional that she did not shower because her not showering was caused, in a proper way, by her desire to keep her hair dry and her belief that her hair would remain dry if she did not shower. The possibility of waywardness also exists. If Mary's desire and belief brought on an attack of epilepsy, then they caused her not to shower and her hair to remain dry, but it was not intentional that she did not shower. Showering was no longer an option for her (and her incapacity was not self-imposed with the intention not to shower), so she did not refrain from showering.

Indeed, deviancy is simpler to explain for negative actions than for positive ones: if an agent's intention not to Q causes her to lose the ability, the opportunity or the means to Q, then it causes her not to Q but not to refrain from Q-ing.

Ryle (1979: pp. 107–109) denies that refrainings are actions and he defends this claim by listing the action-properties which positive actions typically have but negative actions lack: negative actions aren't characterizable as skillful or clumsy, efficient or inefficient; we do not use implements for their performance; we do not, normally, perform them by doing something else; negative actions, such as keeping a secret, may last for a life-time; there is no limit to the number of negative actions one may be doing at the same time; their performance is not excluded by, and does not exclude, whatever else one may be doing; and nothing observable happens as part of a negative action.

I deny that negative actions suffer from all these deficiencies, nor do I agree that, to the extent to which they do, they disqualify them from being actions. First, I have shown that negative actions may level-generate or be level-generated by other (negative) actions. Furthermore, refrainings are indeed not normally done by doing something else, but positive actions are not necessarily done by doing something else either: so even if it were true that no negative actions are done by doing something else, this would not necessarily disqualify them from being actions. Then, positive actions, such as writing a book or building a cathedral, may also last a lifetime and be compatible with the performance of practically all other feasible actions as well. And, finally, biologists observe avoidance behaviour, and other kinds of negative behaviour, and employ these observations in their theories of animal behaviour.²⁵

However, even if Ryle's list of "defects" applied to all negative actions, and to negative actions alone, all that would have been shown is that negative actions are different from positive actions, which is something I fully believe. Unless it is also shown that their specific characteristics disqualify them from being actions, nothing has been done in order to show that they are not actions. It is true that negative actions have, as Ryle says, a certain hollowness. But as long as it has not been shown that actions are necessarily concrete and substantive, this does not prove that they are not actions.

We do not have a generally accepted analysis of the concept of an action and this is what we need in order to be able to exclude or admit negative actions as actions. However, (intentional) actions have one characteristic which we may all acknowledge: they are exercises of our power to affect the world the way we want to affect it. Negative actions are no less exercises of this power than positive actions. By refraining from acting, one may topple a government, prevent a disaster, upset people or save a life.

Furthermore, admitting negative actions to the realm of action does not require modification of the way we talk about actions. We *already* talk about them as if they are actions. Indeed, we must modify our talk if we disqualify them as actions and take this seriously. In order to recognize negative actions as actions, one may have to give up cherished metaphysical assumptions, but this may not be too high a price to pay for preserving the unity of our talk about the way we intentionally affect the world.

Alfred R. Mele is a more recent opponent of negative actions. According to him, alleged negative actions are either positive actions or they are not actions at all (Mele, pp. 146–154). He gives a number of examples in which people cause themselves not to move their bodies by actively preventing their making movements. Since their keeping themselves immobile involves effort and trying, I agree with his claim that these examples exemplify positive, rather than negative actions.

More threatening to my claims is Mele's case of Cyd who has decided to protest against the slate of candidates by not voting in the election. On election day, she goes about her business as usual, driving to her office, doing her work there, eating

²⁵ Sometimes the *suppression* (the authors' italics) of movement is a significant feature of an animal's behavioral repertoire (as when an organism freezes upon detecting a predator) (Allen and Bekoff (1997), ch. 3).

lunch, etc. By the time she leaves, the polls are closed. Is not-voting among her actions? asks Mele.

He denies this and I agree. It is not even an event. However, he asks the wrong question. What he should have asked is whether her causing herself not to vote is an action of hers. Presumably, Mele would also deny this. The reasons which he gives for his claim are, first, that she does not try not to vote and, second, that intuitively, not-doings are not actions because actions *are* doings. I agree that she does not try not to vote. This is what *makes* her intentional not-voting a negative action. If it is believed that tryings form a necessary part of all actions, then there are no negative actions. But then one makes this true by definition.

Some authors have an aversion to regarding not doings as actions because they feel that there are too many things which we do not do. I have never understood why one should be greatly bothered by the number of entities that one admits to exist. One need not feed them. A metaphysics with less entities is, admittedly, more elegant than one with more. But elegance is just one consideration.

Furthermore, there *are* not that many negative actions. To accept negative actions is not to admit all not-doings to the realm of action. Not-doings are not negative actions but, at best, results of negative actions, and they are results of negative actions only if they are either intentional or generated by intentional negative actions. We perform much less negative actions than positive ones. Nearly none of our not doings are results of actions.

I conclude that negative actions are actions or, at least, that it is permissible to regard them as such.

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