

Negative acts?

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'Negative act' is a phrase used in more than a single way. Sometimes we employ it to show that we disapprove an action – speaking like this we could say, for instance, that theft is a negative act (or a negative action). Other times the phrase could be used in opposition to 'affirmative action' or 'positive action', to point out that the result of an action does not help a discriminated group of people but worsens their situation instead.

I will not consider such uses of this phrase here. In fact, I will leave aside all the uses which could lead to value judgements. 'Negative', in other words, will be used here as a neutral term, in the same way in which it is used in logic, when we speak, for example, of 'universal negative judgements'.

I think that the main problem regarding negative acts, as it has become more and more apparent in the philosophical debates of the last decades¹ is whether or not, and in which way, we could speak of something like a negative act. This is also going to be my problem in what follows. In search of an answer, I first want to briefly look at a few candidates to the title of 'negative acts': failing to do something, omitting to do something, avoiding something and refraining from doing something.

In the second part of my paper I will take a different route, by considering some examples of verbal actions and investigating how the property of 'being negative' would apply to them. I believe that the result of this investigation will support the idea that the talk of 'negative acts' is misleading.

At the end of my paper I will argue that the philosophical interest dedicated to negative acts might be better off if directed to the analysis of cases in which some actions (verbal and non-verbal) seem to oppose each other.

1. In what sense could a failure be a negative act? Suppose I want to take a package to the post office, but when I get there I find out that the office is closed. I could say, in this situation, either that I did not perform the action of taking the package to the post office, or that my action was incomplete. However, a different way of describing my action would be as a negative one, namely

¹ A starting point of such a debate is Bruce Vermazen, 'Negative acts', in B. Vermazen and M. Hintikka (editors), *Essays on Davidson: Actions and Events*, Oxford University Press, Oxford, 1985, pp. 93-104. The theme is, however, a bit older, being discussed, for instance, in J. Bentham, *The principles of morals and legislation*, Hafner, New York, 1789.

the action of 'not taking the package to the post office'.

What prevents me to adopt such a description is an intuition strongly rooted in our common way of speaking. In order to say that I have done a certain action I have to assume it was my intention to do that action. Involuntary movements of my body are not actions precisely because *I do not intend* to produce them. A failed action is not a negative act, because the failure was not intended. I did not intend to fail to take the package to the post office, so this cannot be *my action*.

I believe that somebody could reply to this by pointing out to cases in which the failure to do something could be intended. Passive euthanasia, for instance, could be described as an intended failure to keep a person alive.

Still, maybe the word 'failure' is not suited for such cases. We speak of a failure when someone acts intending to obtain a particular result and the result in case does not occur. A typical case of passive euthanasia, however, is not a situation in which the doctor struggles to keep the patient alive and does not succeed. The doctor *does not act to keep the patient alive*. There is nothing which we could call 'failure' in such a situation.

Let us look at a variation of the first example now. I ask a friend of mine to take my package to the post office, but she plans to fail at it (hoping, perhaps, that I will not ask her for such favors again). Since she believes that the post office closes at 6 p.m., she chooses to go there in such a manner that she would arrive after 6 p.m. Getting at the post office after 6 p.m., finding it closed and not being able to mail the package would, in this case, represent a success, not a failure. A failure would be, perhaps, to arrive at the post office at 6:15 p.m. and find out that it closes at 7 p.m.

Generally speaking, I can intend that an action of mine should be regarded by others as a failure to do something, but I cannot intend that the outcome of my action should be different from the one I intend to obtain. 'Intended failure', in this sense, would be a semantic contradiction.

It seems, therefore, that when we speak of a failure we do not speak of a proper action, performed by some agent with the 'intention to fail'. If this is so, then unsuccessful actions are not good candidates for the title of 'negative acts'.

Passive euthanasia, however, could still be a candidate for this title, in spite of the fact that it would be misleading to call it 'an intended failure'.

A doctor does nothing to keep a patient alive, a person does not intervene to stop a discussion, another person does nothing to take a package to the post office – what do all these situations have in common? The agent does not do something she is expected, for one reason or another, to do. I believe such cases are commonly called 'omissions'.

Since, as we have already seen, an unintended omission could not be an action, let us focus

now on intended omissions only. Passive euthanasia seems to be a good example of an intended omission. I propose, however, to substitute a morally neutral case to the case of passive euthanasia, since moral evaluations could distract us from the point in view.

Let us suppose, then, that a person does nothing to protect herself from the rain because she wants to get her clothes wet (the reason is not important). From a particular perspective, one could say that the person in case performs a negative act – the action of *not protecting oneself from the rain*. She intends 'not to protect herself from the rain' and, in addition, her clothes get wet as an effect of this intention.

This last observation is important in regard of the most influent point of view in the contemporary philosophy of action. According to this, the intention to get a certain result must play a part in performing the action *and* in getting the intended result². The advocates of negative acts claim that this scheme applies to intended omissions as well. There is only one difference – in these cases the intention to get a particular result is causally efficient in getting the intended result without the intervention of a 'positive action'.

According to the opposite point of view, omissions, intended or not, cannot be actions. One way to support this idea is the following. Any action is an event during which the agent has to play a certain part. When the agent in our example does not protect herself from the rain, we cannot speak of *the event of not protecting oneself from the rain*. There is no such event. We can, of course, speak of the event of someone's clothes getting wet, but the person from our example does not play any active part in *this* event³.

The claim that intended omissions are negative acts could also be rejected in another manner. Namely, by directly attacking the idea of a causal connection between an intention to obtain something and the intended result, when no actual action intermediates between the two⁴. However, the discussions on this subject are far from being closed.

There might be still another argument to the conclusion that omissions cannot be negative acts. Suppose we could obtain certain things only by intending to get them. Suppose, for instance, we were able to make people contact us by intending them to do so. We would be, in this case, presented with a choice: either to call these events 'actions', or to use another word for them.

The last option leaves no room for calling intended omissions 'negative acts', so we do not have to consider it now.

The first choice, on the other hand, faces a serious problem. In order to be an action,

2 See Donald Davidson, 'Actions, Reasons, and Causes', *Journal of Philosophy* 60, 1963, reprinted in *Essays on Actions and Events*, Oxford University Press, Oxford, 1980, pp. 3-19.

3 See Donald Davidson, 'Reply to Bruce Vermazen', in B. Vermazen and M. B. Hintikka (editors), *Essays on Davidson: Actions and Events*, Oxford University Press, Oxford, 1985, pp. 172-76.

4 See, for instance, Carolina Sartorio, 'Omissions and Causalism', *Nous*, 43:3 (2009), pp. 513-530.

something has to be intended. But how could *intending somebody to contact me* be, in its turn, done intentionally? How could I unintentionally intend something? If we cannot deny intentionality of something, how can we attribute it to the same thing? Leaving this problem aside, were we to call such events 'actions', this would not entitle us to speak of 'negative acts'. For there is nothing negative in doing something to attain a particular purpose, even if your so-called action is described using only mental terms.

Let us move now to our next candidate – acting to prevent some state of affairs to occur. In this case, one could say, for instance, that somebody who acts to avoid being hit by a rock performs a negative act. The reason would be that the aim of such actions can be described in a negative way – 'not being hit by the rock', for instance.

However, it is not clear why the description of an action's aim should in any way determine the quality of the respective action. After all, jumping, dodging, eschewing and other similar kinds of actions are in no sense negative.

We could refer to an action either by describing what the agent effectively does, or by pointing out the aim intended by the agent. In this way, for instance, we could refer to the same action by calling it 'the act of locking the door'⁵, or 'the act of preventing other people from entering the house'. If we keep in mind this distinction and we agree that only the description of the agent's acts can give the quality of an action, then avoiding something cannot be a negative act.

This leads us to the last candidate – refraining from doing something. In such cases, it seems, the negative description would regard not only the aim had in view by the agent, but also her behavior. A mime artist pretending to be a statue adopts a certain posture. After that, she intends not to move her body and refrains from moving her body⁶.

The difference between this case and the case of a person intentionally omitting to protect herself from the rain seems to be that pretending to be a statue requires some effort and the use of abilities developed through practice, while letting the rain wet your clothes doesn't.

However, if refraining from doing something requires some effort, then the description of the effort required – holding your balance by contracting or relaxing your muscles, for example – would be positive. In that case, we would speak of a positive action. The fact that an action does not involve any visible movement of one's own body does not make the respective action 'negative'⁷.

5 A more accurate description would be, perhaps: 'the act of turning the key in the lock'.

6 The mime artist example appears in Kent Bach, 'Refraining, Omitting, and Negative Acts', forthcoming in T. O'Connor and C. Sandis (editors), *Companion to the Philosophy of Action*, Wiley-Blackwell, Oxford, 2010. The text is accessible online at: <http://userwww.sfsu.edu/~kbach/Bach.Refraining&Omitting.pdf>

7 The idea for this argument comes from Kent Bach, *op. cit.*, p. 9.

Are there any cases in which refraining from doing something would require no effort? Would things look different for such cases? The debate remains open⁸.

2. There still might be some controversial cases left out by my previous attempt to look at the possible candidates for the title of 'negative acts'. Nevertheless, I think there is hope to solve the problem of negative acts by using a non-enumerative approach.

Let us note, first, that we have a neutral context in which we can speak of something being negative (or affirmative) without being confronted with major difficulties – the context of our speech acts⁹.

Speech acts are, after all, verbal actions. In their case, the type of the action performed is given by the illocutionary force of the agent's utterance, while the action's content seems to consist in the locutionary part of the utterance. This way, the question whether there could be any negative acts, becomes, for the class of verbal actions, the question whether a speech act could have negative illocutionary force.

If I promise my wife, for instance, to tidy up my desk, I perform an act with a positive (or affirmative) content. If I promise her not to tidy up her desk (since she asked me to leave her things as they are), I perform an act with a negative content. My action, however, is still that of promising something to my wife, so there is no reason to call it a 'negative act'. The promise not to do something is not a 'negative promise', but just another promise.

Now, one might expect that a phrase like 'not promising your wife to tidy up your desk' should describe a negative speech act. At a closer examination, the result is, however, disappointing. If I utter 'I don't promise to tidy up my desk.' to my wife, I don't perform a 'negative promise'. Indeed, my speech act is not in the class of commissives anymore. What I do is just *another speech act* – I *specify* that I do not make some promise – the content of which is negative. Nevertheless, the act in case has regular illocutionary force.

One could still retort that 'not promising your wife to tidy up your desk' should be taken as describing something different – keeping silent about the promise in case. To this I would reply that keeping silent about something cannot be a negative speech act, since it is not a speech act to start with. In addition, I cannot see how could one argue that a non-verbal behavior is, in some sense, *the negation* of some verbal behavior.

We could also look at other examples. Let us take the speech act by which one conjectures, in the context of a scientific debate, that the Earth circles the Sun. Saying nothing about the matter

⁸ See, for instance, Benjamin Mossel, 'Negative Actions', *Philosophia*, 37: 2 (2009).

⁹ See J. L. Austin, *How to do Things with Words*. Oxford University Press, Oxford, 1962 and J. R. Searle, *Speech Acts. An Essay in the Philosophy of Language*. Cambridge University Press, Cambridge, 1969.

in question would not be the opposite of this speech act. In the same way, the opposite of the order to leave the building would not be the omission to give such an order, but the order not to leave the building. The list could continue like this forever.

At this point I think we have good reasons to suspect no speech act can have a negative illocutionary force. The only shadow of doubt that I can think of could come from the fact that we use some negative words to describe a few speech acts - 'denying', 'rejecting', 'contradicting' or 'disavowing', for instance. This fact, however, needs not bother us. In the example above, specifying to my wife that I do not promise her to tidy up my desk could be called 'notpromising to tidy up my desk'. Nothing would change. Using a negative word to describe a speech act does not mean that the act in case has a negative illocutionary force. The word could indicate that the act has a negative locutionary content, or that the act's perlocutionary effect is usually described in a negative manner. An official publicly denying some allegations is still making a statement and not some sort of negative speech act¹⁰.

Conjecturing that the Earth circles the Sun is a verbal action that could meet several opposing actions. One is a similar speech act with a negative content – the conjecture that the Earth does not circle the Sun. Another could be a different kind of speech act – the statement that the Earth does not circle the Sun. Still another could be called 'the denial that the Earth circles the Sun'. However, insofar as we regard speech acts as verbal actions, all of the opposing speech acts are positive actions.

Now, if we turn back to non-verbal actions, I think we can extract a moral from the previous considerations. In view of our findings, the talk of non-verbal actions with a negative content¹¹ does not seem to help us establish the existence of negative actions anymore.

Secondly, if we agree that there cannot be a 'negative verbal action', in the sense previously specified, than it should be even easier for us to agree that there cannot be any negative non-verbal actions, in spite of the fact that some of the words used to describe such actions contain negations – it is easier to see that 'not-moving' (in the mime artist's case) is still a positive action, and harder to see that 'not-promising' (in the example above) is not a negative speech act.

3. I want to suggest, at the end of my paper, that the quest for negative acts stems from using the concept of negation in an inappropriate context. We can speak of negative sentences or negative

¹⁰ Using a phrase from John R. Searle and Daniel Vanderveken, *Foundations of illocutionary logic*, Cambridge University Press, Cambridge, 1985, I do not see how one could support the idea that some speech acts could have *negative illocutionary force* by speaking of *illocutionary denegations*.

¹¹ Actually, we should distinguish between the content of an action – an event or a state of affairs - and the description of that content – a linguistic expression.

locutionary contents, and (pace Russell) it is highly disputable that there are any negative facts, but when we get from speaking of the *negative content of an action* (be it a non-verbal one) to speaking about *negative acts*, we reach a philosophical dead-end.

I think the best indication that we are facing an impasse comes from the fact that we cannot identify any actions with respect to which the alleged negative acts would be called 'opposite actions'.

Let us think, for instance, to the act of turning on the lights in a room by flicking a switch. For this we can identify some opposite actions – different ways of preventing the flick of the switch or perhaps turning off the lights. 'Not turning on the lights' is not among these actions. Moreover, after we exclude the act of turning on the lights, we cannot say what act would be the opposite of 'not turning on the lights'¹².

There are many cases which need clarification, if we want to better understand how (and in which ways) can actions oppose each other. In contrast to the problem of negative acts, this investigation might prove to be extremely fruitful, by providing us a deeper understanding of the way in which we use our reason in action.

A starting point for such an investigation would be, perhaps, to examine our actions in the context of our normal activities and make sense of the opposition between our actions in relation to our purposes.

Take the act of stating a certain sentence during an argument, for instance. Stating the same sentence, but with a negated content, or denying the respective sentence are opposite actions because they turn us away from the purpose we were following – to increase the rational acceptability of some thesis.

A general theory of the ways in which our actions can oppose each other should also help us make sense of some situations in which we would call a sequence composed of both verbal and non-verbal actions irrational (saying goodbye to a host and unpacking your luggage, for instance). Such a theory, however, is beyond the aim of this paper.

¹² 'Resisting the urge to turn on the lights', on the other hand, has an opposite – 'yielding to the urge to turn on the lights' – so perhaps it should be considered a proper action.