JYU DISSERTATIONS 65

Kaisa Kärki

Investigating the Other Side of Agency

A Cross-disciplinary Approach to Intentional Omissions

UNIVERSITY OF JYVÄSKYLÄ
FACULTY OF HUMANITIES AND SOCIAL SCIENCES

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ABSTRACT

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This study develops conceptual means in philosophy of agency to better and more systematically address intentional omissions of agents, including those that are about resisting the action not done. I argue that even though philosophy of agency has largely concentrated on the actions of agents, when applying philosophy of action to the social sciences, a full-blown theoretical account of what agents do *not* do and a non-normative conceptual language of the phenomena in question is needed.

Chapter 2 aims to find out *what kind of things intentional omissions are*. I argue that although intentional omissions are part of our intentional behavior, they are not actions in the sense that the standard account of action assumes. Instead, because intentional omissions are homogenous, continuous, unbounded, indefinite and directly uncountable, they should be thought of as activities instead of performances. This view links the ontology of intentional omissions to the ontology of processes instead of to that of events, and I argue that this kind of ontology accounts for the fluid nature of the agency of alive agents not only instigating but controlling and sustaining their intentional omissions as well.

Chapter 3 aims to find out *on what conditions is an omission intentional*. The aim is to find a naturalized explanation of them that would make it possible to combine psychological perspectives with philosophical ones so that intentional omissions could be treated as something that exist in the world, not just in our philosophical intuitions. I argue that intentional omissions necessarily require the agent's procedural metacognition concerning the action *not* done. Based on this metacognition view, a non-normative conceptual typology of not doings is presented.

Chapter 4 aims to find out *on what conditions is an intentional omissions resistance toward something*. The necessary elements of resistance are clarified and I argue that resistant intentional omissions in which the agent does not perform an action out of resistance toward something are a normal part of our everyday agency. The implications of the findings are considered for theories of action, especially when it comes to the belief-desire model that may not be able to fully account for resistant intentional omissions.

Chapter 5 aims to find out *what conceptual means do we have for talking about not doing something as a form of resistance*. I argue that in the social sciences, bioethics and military ethics to not do something out of resistance is taken as something that exists, and as something that has causes and effects. However, concepts such as civil disobedience, conscientious refusing, exit and everyday resistance do not account for the ordinariness of this kind of not doings. Thus, I argue that such concepts are not able to fully cover resistant inaction and philosophy of intentional omissions can be of use not just in the social sciences.

Finally, Chapter 6 considers the implications of these findings. The main implication of this study is that our view of social and ethical agency would need to better include intentional not doings, not just the sum of the intentional actions of agents. Another major implication is that agents themselves should be heard when analyzing their intentional omissions in society, because intentional omissions are phenomena that can easily be mixed with the passivities of agents from the perspective of an outside observer.

Keywords: intentional omission, activity, process, event, intentionality, agency, resistance, metacognition

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TIIVISTELMÄ

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Monitieteisiä näkökulmia tarkoituksellisten tekemättä jättämisten filosofiaan
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Tutkimus kehittää kokonaisvaltaista, niin teot kuin intentionaaliset tekemättä jättämisetkin sisältävää toimijuuden teoriaa, joka aiempaa paremmin ottaa huomioon joihinkin tekemättä jättämisiin liittyvän vastarintaluonteen. Väitän, että vaikka toimijuuden filosofia on ensisijaisesti keskittynyt tekojen analyysiin, tällainen kokonaisvaltainen toimijuuden teoria liittää teon filosofian paremmin yhteiskuntatieteisiin ja auttaa yhteiskuntatieteilijöitä systematisoimaan ja käsitteellistämään entistä paremmin sellaisia yhteiskunnallisia ilmiöitä, jotka sisältävät tekemättä jättämisiä.

Toinen luku tutkii tarkoituksellisten tekemättä jättämisten ontologista luonnetta. Väitän, että vaikka tarkoitukselliset tekemättä jättämiset ovat osa toimijuuttamme, ne eivät ole tekoja siinä mielessä kuin niinkutsuttu toimijuuden standardinäkemys olettaa. Performanssien sijaan tarkoituksellisia tekemättä jättämisiä pitäisi ajatella aktiviteetteina, koska ne ovat homogeenisia, katkeamattomia, jatkuvia ja epätarkkoja, eivätkä ne ole suoraan laskettavissa. Tämä näkemys liittää intentionaalisten omissioiden ontologian prosessien ontologiaan, ja väitän, että tällainen näkemys tavoittaa tapahtumien ontologiaa paremmin elävien olentojen dynaamisen toimijuutta, joka koostuu yhtä lailla tarkoituksellisten tekemättä jättämisten alkuun saattamisesta kuin niiden tietoisesta ylläpidosta ja kontrolloinnistakin.

Kolmas luku tutkii, miten tarkoitukselliset tekemättä jättämiset liittyvät mielenfilosofiaan ja kognitiiviseen psykologiaan. Tarkoituksena on löytää kognitiivisen psykologian kanssa yhteensopiva naturalistinen selitys tarkoituksellisille tekemättä jättämisille, joka mahdollistaisi niiden tutkimisen maailmassa olemassa olevina ilmiöinä. Väitän, että tarkoituksellisten tekemättä jättämisten välttämätön ehto on toimijan proseduraalinen metakognitio tekemättä jätettävää tekoa kohtaan. Tähän näkemykseen perustuen luvun lopussa esitän einormatiivisen käsitteellisen typologian tekemättä jättämisille.

Neljäs luku tutkii sellaisia tarkoituksellisia tekemättä jättämisiä, jotka liittyvät jonkin asian vastustamiseen. Määrittelen vastarinnan välttämättömät ehdot ja väitän, että tarkoitukselliset tekemättä jättämiset, joissa toimija ei tee jotakin tekoa vastarinnasta jotakin kohtaan, ovat normaali osa arkipäiväistä toimijuuttamme.

Viides luku tutkii käsitteitä, joiden avulla tekemättä jättämisiä vastarintana on aiemmin käsitelty. Väitän, että yhteiskuntatieteissä ja soveltavassa etiikassa tarkoitukselliset tekemättä jättämiset vastarinnan muotoina on otettu olemassa olevina asioina, joilla on syitä ja seurauksia. Kuitenkin, käytetyt käsitteet kuten kansalaistottelemattomuus, omatuntoperustainen kieltäytyminen, exit ja arkipäiväinen vastarinta eivät ole tavoittaneet riittävästi tällaisten ilmiöiden yleisyyttä, ja siksi tekemättä jättämisten filosofia on tarpeen niin soveltavassa etiikassa kuin yhteiskuntatieteissäkin.

Kuudes luku pohtii tämän väitöskirjan tutkimustulosten merkitystä. Tutkimuksen keskeinen päätelmä on se, että käsityksemme yhteiskunnallisesta ja eettisestä toimijuudesta pitäisi entistä paremmin sisällyttää tarkoitukselliset tekemättä jättämiset, ei vain tekojemme summaa. Toinen keskeinen päätelmä on, että toimijoita itseään pitäisi kuulla kun arvioidaan heidän tekemättä jättämisiään yhteiskunnassa sillä tarkoitukselliset tekemättä jättämiset sekoittuvat helposti passiivisuuteen ulkopuolisen näkökulmasta tulkittuna.

Asiasanat: tekemättä jättämiset, omissio, aktiviteetti, prosessi, tapahtuma, intentionaalisuus, toimijuus, vastarinta, metakognitio

"I don't know about people rapelling down buildings, and getting tear-gassed and stuff – the people I know who are rebelling meaningfully, you know, don't buy a lot of stuff, and don't get their view of the world from television and are willing to spend four of five hours researching an election rather than going by commercials. The thing about it is that, in America, we think of rebellion as this very sexy thing and that it involves, you know action and force, and it looks good, and my guess is the forms of rebellion that will end up changing anything meaningfully here will be very quiet and very individual and probably not all that interesting to look at from the outside. I'm now hoping for less interesting rather than more interesting. Violence is interesting and horrible corruption and scandals and rattling sabers and talking about war and demonizing a billion people of a different faith in the world, those are all interesting. Sitting in a chair and really thinking about what this means and why the fact that what I drive might have something to do with how people in other parts of the world feel about me, isn't interesting to anybody else. That was very close to the truth but I don't think it's going to make much sense."

David Foster Wallace (2003)

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Jyväskylä 24.2.2019
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FIGURE

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1 INTRODUCTION

1.1 Scope

While writing this passage I am not going to the gym, not taking the garbage out, nor am I stealing the neighbor's car. This dissertation deals with the philosophy of these kinds of phenomena: the omissions, intentional omissions and other not doings of agents. Especially the kind of not doings that are somehow deliberate, chosen, or at least under the awareness of an agent are what this study is about. They are examined from different philosophical perspectives; ontologically, in philosophy of mind, and in social sciences, in order to develop a more comprehensive understanding of them.

Traditionally, in philosophy of action, actions arising from the pro-attitudes of agents have been studied in detail. In this study, the central interest lies in whether it is possible to *not* perform an action out of *resistant* intention. To be able to answer this question, some philosophical issues need to be dealt with first, which is why the ontological nature and the naturalization of intentional omissions as well the differences between different kinds of intentional omissions are central in the first two chapters of this study. From Chapter 4 onwards, the kinds of not doings that are about the agent resisting something are examined more closely.

It must be noted that intentionally not doing something can mean many things. An action not performed can be as simple as raising one's hand or as complex as participating in municipality's decision-making. Intentionally not performing an action can have a short duration, when an agent, for instance, does not eat a persimmon, or it can last a long time when an agent intentionally omits to drink alcohol for the rest of her life. When an agent intentionally leaves an action undone, what happens can be morally blameworthy, as when an agent is intentionally not helping a drowning child, or it can be commendable, as when an agent is boycotting an unethical company.

In this study these kinds of phenomena are called intentional omissions following Randolph Clarke's conceptualization in the article "Intentional Omis-

sions" (2010) and book *Omissions: Agency, Metaphysics and Responsibility* (2014). When there has been philosophical interest in these phenomena previously, they have also been called refrainings, forbearings, failings, not-doings, negative acts and negative actions (e.g., von Wright 1963, Danto 1973, Brand 1971, Ryle 1979, Vermazen 1985, Kleinig 1986, Bennett 1995, Ginet 1990, 2004, Mossel 2009). In this study they are called intentional omissions for the sake of clarity. The scope of the phenomena under question is slightly different from, for example, G.H. von Wright's forbearings, which were used in a more restricted sense. The aim of this study is also to further unify and bring clarity to how we talk about not doings in philosophy and in the social sciences.

The kinds of intentional not doings that involve resistance toward the action not done, or something else the action not done somehow represents are the topic of the latter part of this study. Examples of this kind of behavior may include boycotting a company, being on strike, intentionally omitting to get drafted and intentionally not voting. Although there has not been systematic philosophical study of these kinds of phenomena, intentional omissions that are about resisting something have occasionally come up in the literature on not doings. Clarke mentions abstaining, boycotting and fasting as examples of intentional omissions (2010, 158). Carl Ginet mentions not voting as well as not locking the door, intentionally leaving salt out of the batter, and staying still as examples of not doings (1990, 1). Gilbert Ryle mentions a teetotaler and a vegetarian regularly and deliberately abstaining from drinking alcohol and eating meat (1979, 105). Patricia Milanich analyzed an agent not pulling the plug of a bath to protest against bad working conditions for butlers (1984, 59). So it seems that in some cases intentional omissions are talked as if agents commit intentional omissions that contain oppositional attitudes toward something.

What these *resistant* intentional omissions are, what they mean for current theories of action and how they have been conceptualized in the social sciences, are thus studied. I assume that the social sciences are central for understanding these kinds of intentional omissions also philosophically, because social scientists have been more thoroughly interested in manifestations of resistance than philosophers of action perhaps because these kinds of phenomena often belong to the scope of agency in constrained situations – which is also a topic social scientists may have more authority in. First, however, I deal with the basic ontological questions of intentional omissions and try to form the theoretical basis for their naturalization as well as distinguish *resistant* intentional omissions from other intentional omissions.

1.2 Central questions

In the social sciences it seems to be accepted that we can resist things with our intentional not doings. Strikes, boycotts, non-participations, not votings, withdrawals and silences are unproblematically seen as belonging to our societal agency. Agents can boycott companies in intentionally not buying certain

products, resist institutional arrangements in not answering questionnaires or resist parliamentary democracy in not voting. Intentional omissions of this kind seem to be able to include resistance at least towards capitalism, government, meat industry and the army. Central questions I try answer in this study are the following: What kind of conceptual means do we have for talking about these kinds of phenomena? Is there a sufficiently diverse language for talking about them both in philosophy and the social sciences?

The overall aim is to develop the conceptual means in philosophy of agency to better account for phenomena of these kinds. By agency I mean the general faculty of human intentionality and activity that encompasses the whole of an agent's intentional behavior. The things belonging to an agent's agency are somehow in her control. Thus, this is a study in the philosophy of agency; I assume that agency consists not only of the sum of an agent's intentional actions, but includes her habits, mental actions, intentional omissions and possibly also the *way* we do things.[1] The aim is to contribute in developing a theory of agency that better and more systematically includes intentional omissions of agents, also including the resistant ones. In this study I will show that this kind of theory would be of better use in the social sciences than one that only includes the intentional actions of agents.

I have tried to achieve these aims by further developing a non-normative action language of intentional omissions. When "omission" is used in a normative sense, it refers to what the agent should have but did not do, or, what the agent ought to do but does not do (there is no reason to talk about omissions necessarily in imperfect). When "omission" is used in a non-normative sense, it just refers to what the agent does not do. Non-normative vocabulary of omissions is useful, however, especially in the social sciences. This is because, in the normative sense, "omission" can be defined from an outside perspective but when it comes to the agent's intentional omissions and unintentional omissions, they can best be deciphered by the agent herself. Agents have access to their own intentions unlike outside observers do, even though they are fallible in analyzing their own behavior. In many cases only the agent can tell whether she did not do something intentionally or by accident, which is why the perspective of the agent is often necessary for demarcating between the different kinds of omissions of agents. In this study the objective is thus to develop and clarify the *non-normative* concepts of omissions, especially when it comes to intentional omissions, so that we could better perceive *what kind of not doings there are* before jumping to conclusions about their normative status.

Another important objective of this study is to gain a better understanding of the concepts of resistance. I assume that philosophy of intentional omissions can be of use when developing them. That is why non-normative action language of intentional omissions is built to include resistant intentional omissions.

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1 According to Carl Ginet there are other intentional things on top of actions and not doings of agents, such as perceptions, emotions, wants, beliefs, thoughts, sneezes, tremblings, reflexes and states of passivity (1990, 1). It can be contested, to what extent emotions, sneezes, tremblings and reflexes are intentional but in any case, here I assume that the scope of agency covers more than the actual actions of agents.

In the Chapter 5, a general notion of resistant intentional omission is developed and in the fifth, a conceptual framework for the analysis of not doings in the social sciences is brought forward while setting resistant intentional omissions in relation to other, neighboring concepts in which intentional omissions function as resistance.

Chapter 2 investigates the ontological nature of intentional omissions. The aim is to find out *what kind of things intentional omissions are*. How, when and where they exist, if they exist, are the questions I aim to answer. I argue that although intentional omissions are part of our intentional behavior, they are not actions in the sense that the standard account of action assumes. Instead, I argue that intentional omissions are activities of a kind and that their ontology has to do with processes instead of events, the latter of which has often been linked to the ontology of action.

In Chapter 3, I investigate how intentional omissions relate to philosophy of mind and cognitive psychology. The aim is to find a naturalized explanation of them that would make it possible to combine psychological perspectives and philosophical ones, and better study intentional omissions as something that exists in the world. The research question this chapter deals with is *on what conditions is an omission intentional*. It is argued that intentional omissions necessarily require the agent's procedural metacognition concerning the action *not* done. This view links intentional omissions better to the findings of cognitive psychologists on the metacognitive control of behavior. Based on these findings and assumptions, a non-normative conceptual typology of not doings is presented at the end of Chapter 3.

In Chapter 4, intentional omissions that are about resisting something are more closely investigated. The research question is *on what conditions is an intentional omissions resistance toward something.* The notion of resistance is clarified and I argue that resistant intentional omissions in which the agent does not perform an action out of resistance toward something are a normal part of our everyday agency. I also briefly consider the implications of these findings for theories of action, especially when it comes to normativity and the belief-desire model that may not able to fully account for resistant intentional omissions.

In Chapter 5, I investigate the concepts that have been used to conceptualize not doings as forms of resistance. The research question this chapter attempts to answers is *what conceptual means do we have for talking about not doing something as a form of resistance*. It is argued that in social sciences, bioethics and military ethics to not do something out of resistance is taken as something that exists, and as something that has causes and effects. However, the ordinariness of these kinds of not doings has not been accounted by concepts such as civil disobedience, conscientious refusing, exit and everyday resistance. I argue that these of concepts are not able to fully grasp resistant inaction but instead, philosophy of intentional omissions can be of use not just in philosophy but in social sciences as well.

Finally, in Chapter 6, the implications of these findings are considered. The main implication of this study is that our view of social and ethical agency

would need to more explicitly include intentional not doings, not just the sum of the intentional actions of agents. Another important implication is that agents themselves should be heard when analyzing their intentional omissions, because intentional omissions are phenomena that can easily be mixed with unintentional passivities of agents. Some research questions that did not fit into the dissertation are also considered in this concluding chapter.

1.3 Relevance

Intentional actions are, according to the so-called standard account of action, intentional bodily movements of agents (e.g., Hornsby 1999, 3). In general, philosophy of action has mostly concentrated on analyzing these intentional *doings* of agents. According to Clarke, there has been only piecemeal philosophical treatment of omissions (2014, 2). Kent Bach pointed out that failings to act have not been studied much in philosophy of action either (Bach 2010, 50).[2] The overall purpose of this study is thus to contribute to gaining more conceptual understanding of the intentional *not doings* of agents.

Not doings can be a confusing group of phenomena for the social scientist. A political scientist analyzing not votings as passivity, distrust or ignorance is implicitly forming assumptions about the not doings of agents. Intentional omissions, failings, passivities, and withdrawals of agents are unobservables,[3] which is why they can easily be mapped under the scope of distrust, for instance. John Gaventa pointed out that inactions are especially tricky to study in political science, as it is unclear how we can study that which does not occur (1980, viii).

The relevance of this study has to do with trying to make intentional omissions a little bit less confusing, or at least in trying to explicate why they are so prone to confusion. Intentional omissions are not only investigated in philosophy of action, but in philosophy of the social sciences as well. It is assumed that ontological investigation can shed light on matters in the social sciences. According to Daniel Little, a theoretical concept is useful if it helps in formulating hypotheses about the unobservable mechanisms underlying a phenomenon or if it helps in providing empirical order to the phenomenon (2016, 26). According to Little, misconceived ontologies have done harm in the history of science especially when it comes to human activity (2016, 2). Thus, when the social world is not "forced into the wrong kind of boxes", better science is done (Little 2016, 2).

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2 By failings, Bach refers to cases in which the agent tries but fails to act (2010, 55). I argue in Chapter 3 that intentional omissions are not failings but that failings can be omissions of a kind.

3 I mean that whether someone does not do something purposefully or not cannot be determined by observation alone. Some parts of intentional omissions can be observed, for instance, the president's absence in a meeting can be determined by observation alone.

Following Little, I think that ontological questions are not redundant for the social sciences. Important mechanisms can go unnoticed if social scientists are forced to use opaque language or normative concepts of the variety of phenomena that belong to the scope of the agent's omissions. Without sufficient conceptual resources for talking about intentional and unintentional omissions, and about omissions that are about ignorance and those that are about resistance, it can be tricky to distinguish them empirically as well. This is why philosophical work is needed in understanding intentional omissions in society. This study aims to provide conceptual resources for more coherently talking about not doings also by mapping out different intentional omissions of agents so that we could have a better picture of their variety.[4]

Although intentional omissions have not gained much interest in philosophy of action, in ethics, the moral status of omissions has been studied especially when analyzing the moral difference between killing and letting die. In these discussions omissions are studied from a normative viewpoint; normative questions of omissions are asked when, for instance, it is evaluated whether there is a moral difference between the agent not saving a drowning child and killing a child. Normative questions concerning omissions are of the kind: Should we think of not saving someone as morally objectionable as killing someone? In what conditions is it objectionable to not help someone? Should all patients be allowed to refuse treatment?

Non-normative questions of omissions, on the other hand, are of the kind: What is an omission? What happens when an agent intentionally omits to do something? What does it mean when we talk about someone not performing an action? The latter kinds of questions are my central interest in this study. Perhaps because the normative questions have dominated philosophical treatment of omissions, it has sometimes been assumed that omissions are ethically suspect by definition. Here no such moral stance to omissions is assumed. Instead, the objective is to further develop the non-normative action language of them and answer some non-normative questions concerning intentional omissions. It is assumed that omissions can be of philosophical interest not only from a point of view of normative ethics. This is because like actions, intentional omissions can be morally righteous, neutral, insignificant, supererogatory as well as wrong or morally suspect. I also assume that the normative treatment of not doings can benefit from conceptual clarity non-normative conceptual resources bring to the discussion. It can be tricky to study the normative matters concerning omissions without a clear understanding of what it is that is talked about.[5]

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4 Resistance, in general, has not been of interest in the philosophy of action but it has been a central concept in the social sciences. In the most minimal sense, we still have little philosophical understanding of resistance phenomena. Thus, this study aims to bring clarity for this area between these fields.

5 Myles Brand argued that non-normative action language does not have to be merely a side note of a normative study (1971, 45). He claimed that normative not-doing locutions can be defined by adding normative factors to the value-neutral locutions (1971, 45). Following Brand, it is assumed here that the normative treatment of questions related to omissions can also benefit from using a non-normative vocabulary as its base.

One problem with having a limited non-normative action language of omissions is that some discussions can get ruled out by definition. For instance, if we would only have language of failings, it is impossible to talk about successful omissions. If we only had concepts of laziness, conscientious not doings cannot be talked about. In general, if we only have the conceptual means for talking about what the agent *should* have done but did not, we will have trouble conceptualizing many intentional omissions. It is thus assumed that one needs to understand first *what happens* when an agents does not do something before determining whether this not doing of hers is right, wrong, supererogatory, morally neutral or insignificant.

I do not wish to claim, however, that normative and non-normative questions and concepts could be kept completely apart. In practice, the normative and non-normative inquiries are many times simultaneous. An ethicist might need to define omissions before talking about their ethics. John Fischer and Mark Ravizza (1998) were studying the responsibility of actions when they developed the non-normative notion of guidance control. When discussing the patient's right to refuse treatment, refusals are occasionally defined. I do assume here, however, that although non-normative and normative questions are often related, non-normative questions concerning resistant intentional omissions deserve a philosophical treatment of their own.

One difficulty in not doings that might be responsible for the lack of coherent talk about them is that when we do not perform an action, in a sense, nothing happens. Absence of something is hard to talk about and to conceptualize, and it can be hard to even think about the ontology of something not happening. However, I argue in Chapter 2 that intentional omissions are something. There seems to be something going on, for instance, when an agent is deliberately not voting. Chapters 2 and 3 are about trying to find out what that something is. The need for the philosophical study of intentional omissions is based on this assumption that if we do not have concepts for talking about intentional omissions, it is hard to gain understanding of them or do empirical research on them. This is why it is important to find out what is it that happens when an agent intentionally omits.

1.4 Method

This study is based on an action theoretical discussion of omissions. Philosophy of action is a field of mainly analytic philosophy that is interested in the philosophical questions concerning human action and activity. Although philosophy of action is a good starting point for understanding the basic building blocks of intentional omissions, in its current form it has not comprehensively accounted for intentional omissions yet. As I argue in Chapter 2, although intentional omissions belong to our agency, they are not actions in the sense that the standard account of action assumes. This is because although intentional omissions are intentional, they do not necessarily include intentional bodily movement;

instead intentional omissions are about what the agent does *not* do. Action theory must thus be complemented somehow to accommodate intentional omissions.

This study builds on philosophy of action also because the notion of agency is a central topic in action theoretical inquiries. Clarke has argued that understanding not doings is necessary for understanding human agency in the first place (2014, 3). A more comprehensive theory of agency that deals not only with the actions of agents but their intentional omissions as well has thus been called for (Clarke 2010, 2014). I argue in Chapter 6 that not only would this kind of theory of agency be more realistic than the one that only accepts intentional movements, it would also be more useful for social sciences in which intentional omissions are at least implicitly considered as socially meaningful behavior.

Although philosophy of action is the starting point of this study, philosophical sources from the social sciences are used as well, especially in Chapter 5. One basic assumption of this study is that action theory and the social sciences can have meaningful interaction with each other. It is assumed that philosophy of action, or agency, can provide conceptual clarity to how withdrawals, passivities and not doings are perceived in the social sciences and especially that the analysis of resistance in social sciences can benefit from investigating the minimal components of resistance in philosophy of action. On the other hand, it is assumed that a theory of agency can, and should, take into account the major empirical findings of social scientists. Thus some findings of social scientists related to resistance are in this study integrated to the philosophy of agency. The idea is also to extend philosophy of intentional omissions to incorporate what is agreed about resistance in the social sciences.

Another philosophical tradition this study is based on is that of the philosophy of the social sciences. It is a tradition that is especially useful in combining philosophical and social scientific perspectives and paradigms. The foundational texts of analytical sociology have especially inspired this study, because in analytical sociology, Donald Davidson's philosophy of action has been used in developing the basic building blocks of social scientific explanation – with some adjustments. When developing analytical sociology, the interaction between analytical philosophy of action and social scientific explanation has explicitly been discussed. In one of the foundational texts of analytical sociology, *Dissecting the Social: On the Principles of Analytical Sociology,* Peter Hedström says that analytical sociology seeks "precise, abstract, realistic, and action-based explanations for various social phenomena" (Hedström 2005, 1). According to Hedström it "seeks to explain complex social processes by carefully dissecting them and then bringing into focus their most important constituent components" (2005, 1). This study in part contributes to this general effort in trying to find out the most basic components of intentional omissions in society and especially those that involve resistance. It is assumed that philosophy of intentional omissions can be used to conceptualize the building blocks of social mechanisms such as boycotts and strikes.

The conceivability principle is used in addition to the action theoretical first-person perspective to gain understanding of intentional omissions as a method of conceptual analysis. The basic idea of conceivability principle is that by considering the conceivable cases we can gain knowledge of how we use certain concepts. Thus, when the aim is developing further the non-normative action language of intentional omissions, the conceivability principle is useful. It must be noted, however, that this study is not just about our concepts – the idea is to develop as realistic conceptual means for talking about our not doings as possible. That is also why the findings of social scientists are used especially in deciphering the resistant intentional omissions of agents and the findings of cognitive psychologists are used in deciphering the necessary mental parts of intentional omissions.

This interaction between action theory and social sciences and action theory and cognitive psychology is based on the assumption that philosophy of agency is not, nor should it be, a completely *apriori* research program. Instead, it is assumed that especially in order to account for agency in non-ideal circumstances, the findings of social scientists would be of use. According to Little, ontological thinking is a form of empirically informed theorizing, which is why observation of social processes can be a part of an ontological study of social reality (2016, 2). The main method of this study is conceptual analysis that draws from different conceptual and empirical sources. A theory of agency and the findings of social scientists and philosophers of mind are not seen as necessarily incompatible. Analytical sociology has inspired this viewpoint. According to José A. Noguera, before the recent advancements in analytical sociology, analytic philosophy has mainly been used in economics, less in psychology and political science and rarely in sociology and anthropology (2006, 9). I also assume that, in principle, there is no reason why analytical philosophy of action could not be of use in building conceptual frameworks that also take into account the findings of social scientists.

Philosophy of action has, at least historically, been a philosophical approach that is usually categorized as belonging to the analytical tradition rather than continental. In this study this means that conceptual clarity, unambiguous expression of thought and precise treatment of the questions chosen is valued. Another feature often linked with an analytic treatment is the centrality of science which is also to some extent characteristic of this study: philosophy of action is increasingly being linked to the findings of cognitive psychologists, and in Chapter 3 intentional omissions are linked to the notion of metacognition following this tendency. In this study, analytic philosophy of action is seen as the most natural way to approach the conceptual issues that have to do with the not doings of agents. I think this is because the demanding nature of these conceptual issues deserves a clear style of expression: in order to communicate effectively such difficult issues, the expression of thought needs to be as unambiguous and simple as possible.

Analytic philosophy has been criticized for depicting an individualistic, atomistic, atemporal and ahistorical view of the world and its inhabitants (e.g.,

Chase and Reynolds 2011, 143). Stemming from the critique voiced by Theodor W. Adorno, it has been seen as politically pernicious because it feeds into the instrumental rationality characteristic of our technological age (Chase and Reynolds 2011 149). In this study such political views are not embraced. Although the starting point of the analysis in philosophy of action and agency is *individual* intentions, I do not think it necessarily means that cultural or social explanations of behavior are excluded.[6] Lately in analytical sociology, it has been central to find explanations that do not exclude either the social or the individual level. Actions arise in a social setting. According to Mark Granovetter, actors do not decide as atoms outside social context nor do they "adhere slavishly to a script written for them by the particular intersection of social categories they happen to occupy" (1985, 487). Granovetter argued that the purposive action of agents should be seen as being embedded in a concrete, ongoing system of social relations (1985, 487). Thus, according to Noguera, applying an analytical perspective does not necessarily justify the status quo or represent political conservatism (2006, 21). In analytical sociology, it has been argued that reference to an individual level does not necessarily mean that culture is set aside (Demeulenaere 2011, 9). One reason is that individual agents have a variety of cultural features (Demeulenaere 2011, 9).

Although this is a philosophical study, it shares some of the aims of analytical sociology. According to Hedström, the subject matter of analytical sociology is that of sociology but the explanatory strategies are those that are more often used in analytic philosophy and behavioral economics (2005, 1). It has been linked with the philosophical method because it has been seen as an "effort to clarify ('analytically') theoretical and epistemological principles which underlie any satisfactory way of doing sociology (and, in fact, any social science)" (Demeulenaere 2011, 1).[7]

Hedström maintained that a central feature of analytical sociology is gaining understanding by dissecting the social phenomena that are to be explained (2005, 2). By dissecting he means "decomposing a complex totality into its constituent entities and activities" which then brings light to the most essential elements (Hedström 2005, 2). Abstracting is, according to Hedström, another feature of analytical sociology, which means "focusing on what is believed to be particularly important for the problem at hand" and moving out of those elements that are not considered as essential (2005, 2–3). Dissecting and abstract-

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6 To address the ahistoricality criticism, I can only say that historical approach is meaningful in many areas of philosophy but the generality of intentional omissions entails a purely conceptual approach as well. Philosophy of action is interested in the very basic questions of intentionality that are not likely to change fast – that is why the findings of ancient philosophers as well as cognitive psychologists (more lately also views from Eastern philosophical traditions) can be used in philosophy of action.

7 According to Noguera, analytical sociology adheres to the analytical style, by which he means "meticulous logical and conceptual work, subtle and well-articulated distinctions, patience when developing an argument (ensuring and explaining every step in it), an anti-heroic and anti-exhibitionist conception of intellectual work, a preference for brief articles that deal with specific questions in detail, the use of formal models, and permanent attention to the congruence with scientific knowledge available in other disciplines" (2006, 10).

ing perceived like this are the central features of this study as well although it can be questioned how much analytical sociology in the end relies on Davidson's theory of action, Hedström's DBO-theory or any other theory of action (see for instance, Hedström and Ylikoski 2014). The relation between analytical sociology and theory of action is currently ambiguous but in this study my aim is just to show that social sciences may benefit from philosophy of action – when conceptualizing not doings. In Chapter 2, however, it is argued that Donald Davidson's view of action may not be useful for social scientific explanation because it does not sufficiently account for intentional omissions.

Another worry against the interaction between philosophy of action and social science would be to question whether analytic philosophy (of agency) cannot be meaningful in social science because of the division of labor between different fields of philosophy (e.g., Stroll 2000, 248). In this study such strong divisions of labor are not promoted. I believe that all special sciences can benefit from conceptual clarity and that there are always conceptual confusions in special sciences. In this study, philosophy of intentional omissions is not just applied to the social sciences but the fields are seen as interacting with each other. I assume that the social scientist can benefit from the attention to detail in analytic philosophy of action whereas the philosopher of action can benefit from the empirical findings concerning agency in non-ideal circumstances. The results of this study are aimed at contributing to a wider discussion than that of the philosophy of action and the conceptual work is aimed at being understandable and useful for a social scientist as well as a philosopher of action.

Because the aim of this study is to gain more understanding of the not doings of agents, especially of those that are about resisting an action, the literature used has been diverse. Philosophy of intentional omissions is not a unified theory, or even a unified discourse. It is a diverse field that has not yet developed an identity of its own. Not doings have not only been discussed in philosophy of action but their philosophy has been developed in other fields of philosophy as well, often as a side effect of attempting to solve more practical problems related to agents not doing something. Thus, different kind of conceptual resources have been utilized in this study. To understand what it means to not do something as a social phenomenon I draw from sources such as bioethics, military ethics and social and political philosophy. In social and political philosophy, discussions of civil disobedience, passive resistance and conscientious refusals include cases in which agents intentionally leave something undone because of resistance toward something. In Chapter 5, I argue that these kinds of concepts are not able to fully grasp resistant inaction but action theoretical understanding can bring an important aspect to how resistance is conceptualized in social and political philosophy. If these kinds of forms of resistance are left outside theory, they are also easily ignored in public decision-making. One of the aims of this study is thus to systematize the discussion and conceptual language of not doings using a variety of sources.

In addition to the philosophical sources I also draw from the conceptual work done in the social sciences. Not doings have been taken seriously by Al-

bert Hirschman in analyzing the behavioral mechanisms of dissatisfaction towards organizations or firms. I assume that philosophical value comes from contributing to the conceptual analysis of not doings and some contributions in this field have not came from philosophers. James Scott's work on hidden resistances is another example of an important contribution to understanding not doings as social phenomena. So it is granted that philosophical contributions, especially when it comes to the philosophy of special sciences, are not necessarily made by people who identify themselves as philosophers, or who work in philosophy departments.

It has been my conviction while preparing this research that academic efforts have a certain social responsibility to at least try to contribute to solving wicked societal problems. In case philosophical analysis can contribute more understanding of social phenomena in the social sciences, it takes part in this effort. In a field as scattered and underdeveloped as the philosophy of not doings, this purpose can only be attained by transcending disciplinary boundaries. In this kind of combinatory effort, reflective awareness of the paradigmatic assumptions of different disciplines is necessary, even though social sciences are largely multi-paradigmatic, which is why I have dedicated special care to the explication of the premises and assumptions in this study.

1.5 Essential concepts

1.5.1 Action

Raising a hand, writing a complaint, helping a drowning child and building a house are all actions. Action, omission and intentional omission are central concepts in this study and it is assumed that the main difference between an action and an omission is that in an omission an agent does *not* do something whereas in an action, something is done. Positive actions are usually seen as necessarily containing intentional bodily movement of a kind. What is the content of actions on top of that movement, has been the central question in philosophy of action, perhaps following Ludwig Wittgenstein's articulation in 1953.[8] Different theories of action have answered this question in different ways. Davidson argued that action is anything the agent does intentionally (1980, 5). Harry Frankfurt, on the other hand, argued that action is such that an agent is in a certain kind of relation with her bodily movements (1988, 73). Ginet argued that intentional action contains a phenomenal quality that makes a voluntary movement an action (1990). In this study, however, action is used to refer to positive actions and following Davidson's definition, they are assumed to be bodily movements that are intentional under some description (1980, 50). This is turn

[8] "621. Let us not forget this: when 'I raise my arm', my arm goes up. And the problem arises: what is left over if I subtract the fact that my arm goes up from the fact that I raise my arm? ((Are the kinaesthetic sensations my willing?))" (Wittgenstein 1953, 161).

requires that the agent knows what she is doing, and is aware of her actions (Davidson 1980, 50).

Although later in this study some premises of the standard account of action are questioned, the definition of action is not contested. I do not argue that intentional omissions are actions because they are significantly different in at least one sense from intentional actions: in an intentional omission what the agent does *not* do is intentional, not what she does. Doings in philosophy of action have usually been considered as movements of a kind, or at least necessarily connected to movements. So although the usefulness of these movement-centered notions of action can be questioned especially in the social sciences, I do not contest the foundational assumption that intentional action has something to do with intentional movement.

1.5.2 Omission

I use the notion of omission to refer to the agent's not performing of an action. It is not used in a normative sense referring to what the agent should have done or something the agent failed to do. Clarke pointed out that there is a connotation in the term omission that implies that the agent is not doing an action when a norm requires it (2014, 163). Pascale Willemsen lately localized laypeople's intuitions about omissions in an experimental setting arguing for the normative reading of omissions (2018). However, in the philosophical discussion of omissions it is not unusual to talk about them in a non-normative sense and this study argues for the usefulness of their non-normative treatment.

Omissions have also been defined as situations in which the agent does not perform the action but could have performed it (e.g., von Wright 1963). In this study, intentional omissions are thought of as something the agent does not do but believes she could have at least tried to do regardless of whether the action not done is actually possible for the agent. Agents in general seem to have a lot of uncertainty when it comes to the success of their intentions. It is assumed here that intentional omissions require an intention not to (at least try to) do something but this intention need not be accompanied with the actual ability to perform the action not done, or a knowledge of one's abilities to perform an action that is not actually performed.

1.5.3 Intentional omission

Not performing an action can be an object of intention and choice as well as a positive action (Ginet 1990, 1). An agent can intentionally leave an unwanted e-mail unopened, for instance (Ginet 2004, 95). Intentional omissions are a finite group of the agent's omissions and in an intentional omission, it is not by accident that an action is not performed by an agent. Although in every second there is an infinite amount of actions an agent does not perform, there is only a finite amount of intentional omissions we commit in our lives. Intentional omissions require no intentional movement of the agent, neither are they necessarily situations in which the agent is intentionally staying still. What is needed in an

intentional omission is the intention to (at least try to) not do something and the agent's successful omission of actually not doing it. Necessary conditions of intentional omissions are, at least, that an agent does not perform an action and this not performing is somehow intentional. In Chapter 3, I argue that procedural metacognition concerning the action *not* done is necessary in an intentional omission. This is because the action not done must somehow be in the horizon of behavior for the agent, otherwise what is going on is an unintentional omission of the agent. This definition limits the scope of intentional omissions but it is argued that this limitation is necessary – otherwise intentional omissions cannot be distinguished from unintentional omissions.

It would be difficult to make the distinction between intentional omissions and unintentional ones[9] without consulting the agents themselves. I assume that agents have special knowledge about their not doings when it comes to whether they are intentional or not. I can tell whether my not going to the gym was an accident or whether it was intentional. This is also why armchair philosophy can be of use in determining what is going on when an agent does not do something; when interpreting the (non-)behavior of others we are in a different way liable to error than when interpreting our own.[10]

One source of confusion about omissions is that agents seem to be able to be engaged in actions and intentional omissions simultaneously. What happens in this kind of a situation can be demarcated in different ways.[11] The action and the simultaneous omission might be seen as separate processes. The omission can be seen as happening *because* the agent is doing something else. Or the action and the simultaneous omission might be seen as *identical*. All open questions related to the individuation of intentional omissions and actions cannot be dealt with in detail here but it must be pointed out that neither strong eliminativist views nor maximalist views of action individuation are embraced in this study. Nor do I assume that the whole distinction between positive actions and intentional omissions arises out of confusions in descriptions of behavior. But sometimes we do speak about intentionally not doing something when we are

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9 Unintentional omission does not refer to an omission that has unintended consequences but to an omission that is not intentional. Many intentional omissions can have unintended consequences. Benjamin Mossel (2009, 329) describes a case in which Peter is refraining from shutting of the gas which causes the death of a parrot. Although not shutting the gas was intentional, the death of the parrot is not (Mossel 2009, 329). It is not always unproblematic to distinguish an omission from its effects, but the aim of developing the action language of intentional omissions in this study is to concentrate on the actual omissions, not what happens because of them.

10 Although self-deception about intentions seems to be fairly common, here, when looking for the non-normative concepts of intentional omissions, some form of special knowledge when it comes to the intentions of agents can be assumed. Compared to actions, intentional omissions are somewhat mysterious for outside observers. Sometimes, for instance, only the agent knows if an intentional omission was, or is, going on.

11 Jeremy Bentham originally distinguished between negative and positive acts of agents and pointed out that negative acts might have positive characterizations and positive acts negative characterizations (1961 [1780], 72–73). Positive acts for Bentham were those that consist in motion or exertion, and negative acts those that consisted in keeping at rest (1961 [1780], 72).

actually talking about intentional actions or activities of agents. In some cases the same happening can have both a negative and a positive description. An agent can, for instance, omit to stop wriggling his wrists. These kinds of activities are on the basic level descriptions of actions because wriggling wrists necessarily requires intentional movement. Intentional omissions, however, are about the agent intentionally not doing something. An agent can, for instance, intentionally omit raising her hand without succeeding in it *by* doing something else.[12]

According to the course-grained, or eliminativist, views of action individuation, different action descriptions during one moment should be defined as one action (e.g., Anscombe 1968, 10–11). According to G.E.M. Anscombe, an action that can have different descriptions is still only one action. The same action can be described as intentionally moving an arm, operating the pump, replenishing the water supply and poisoning the inhabitants (Anscombe 1968, 45–46). In strong course-grained views of action individuation, only the kinds of omissions that are accompanied with the agent staying still are recognized. But these kinds of views are too reductive when it comes to accounting for intentional omissions. Not all intentional omissions are done *by* doing something else. An agent can intentionally refrain from smoking by folding paper planes. But it is also possible to intentionally omit to vote at the same time as doing laundry, cooking and washing the dishes. Then, the not voting is not necessarily done *by* doing laundry. The actions are just happening at the same time as the intentional omission of not voting is going on. Doing laundry could be the result of the agent not voting when more time gets to be allocated to matters instead of voting. On the other hand, an agent can end up intentionally not voting because she prefers to do the laundry. So, there are several ways the simultaneous intentional omission and action can be related to each other, and all cases are not such that the intentional omission is dependent on the simultaneous positive action.

According to the fine-grained, or maximalist, views of action individuation, every description of action is a different action altogether. This is also problematic for demarcating intentional omissions because then intentionally omitting to provide ventilation for a patient can be done *by* pulling the plug of the ventilator. This is an example of a positive action that only has a negative description because in this case intentionally omitting to ventilate the patient cannot be done without including the action of pulling the plug. Not all intentional omissions are just different descriptions of our actions, but something on top of the positive actions that are going on, sometimes at the same time, but independently of our positive actions.

To conclude, although intentional omissions can happen at the same time as the agent's positive actions, they are not reducible to the sum of the inten-

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12 The basic level of action description is found usually by asking whether something is done *by* doing something else. If it is done by doing something else, it is not a basic level description. If not, it is a basic level action description.

tional movements of an agent.[13] A common sense view between the minimalist and the maximalist views of action individuation has been taken in this study. Some descriptions of intentional omissions are merely alternative descriptions of positive actions, but some descriptions of what we do not do are descriptions of genuine intentional omissions. It is thus assumed here that intentional omissions can happen at the basic level, not necessarily done by doing something else. The agent's refraining from drinking alcohol is something else altogether than the description of an agent drinking water, tea and juice. In addition to what is going on when an agent drinks tea is her intentional omission of intentionally not drinking alcohol. The descriptions of intentional juice-drinking, tea-drinking and water-drinking are lacking something integral when it comes to what is going on in intentionally refraining from alcohol. What this something is, is what I have tried to find out in the following.

[13] This view is more closely analyzed in Chapter 2.

2 ONTOLOGY OF INTENTIONAL OMISSIONS

2.1 Preliminary remarks

This chapter concentrates on the ontology of intentional omissions. Omissions are ontologically tricky because, in a sense, they are nothing. According to Ryle, they have "certain factual, circumstantial and behavioral hollowness in them" (1979, 114). In a way, nothing happens when someone does not do something. When someone does not do something intentionally, however, something is going on at some point. In the following, I argue that this something is an activity of a kind instead of a performance and this is why the ontology of intentional omissions is related to the ontology of processes instead of that of events.[14] Before putting forward this argument, however, I will go through some of the most important answers to the question of the ontological status of intentional omissions.

Nihility has always been problematic for ontology (Danto 1973, 165). It has been unclear whether it should be treated as an absence of something or a presence of nothing: for example, it has been questioned whether negative events should be approached as nothing happening or as something failing to take place (Danto 1973, 165). Whether negative facts, properties and events should be reduced to positive facts, properties and events has been unclear (Mossel 2009, 323). Intentional omissions are related to these questions, because (at least as it is argued in this study) agents are in relation to something not happening when they intentionally do not do something. No event can be found to correspond to the intention of the agent. Instead, it is precisely the lack of an event that the agent is bringing about in an intentional omission.[15]

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14 Whether actions are events has been contested as well (at least by Bach 1980, Steward 2012 and Hornsby 2012) but in the following the ontology of processes is only applied to intentional omissions.

15 Clarke has argued that omissions should be seen as absences of an agent's action (2012) but in this chapter I deal especially with the ontology of intentional omissions to find what would need to be added to the ontology of omissions.

The question this chapter tries to answer is as follows: *what kind of entities are intentional omissions?* According to Clarke, it is not clear that not acting is an entity of any kind (2014, 2). Intentional omissions, however, exist unproblematically at least in the sense in which intentions exist. In everyday life, not doings are talked about like they existed without problems. When we talk about boycotting, refraining from smoking, or abstaining from drinking alcohol, we usually do not question the existence of these phenomena. We describe our agency in terms of what we do not do, not just what we do. But *how* are our not smokings, abstainings and boycottings in the world? If they do not reside in time and space the same way as positive actions do, does this mean they do not exist at all?

A proper answer to an ontological inquiry of entities usually contains an answer to questions of *when* and *where* they exist, if they exist. I assume that a proper account of the ontology of intentional omissions, unless it is eliminativist, can give some kind of answers to these questions. It is beyond the limits of this study to contribute to the discussion concerning the causality of omissions, but in the following I will argue that intentional omissions exist and they are *sui generis*, not reducible to the positive actions or the mental actions of agents.

As a preliminary remark it has to be noted that although it is unclear what kind of entities intentional omissions are, it seems to be clear that they have *duration*. Clarke's example is that of intentionally omitting to pull the weeds out of his garden during all of June (2014, 21). Refraining from coughing at a meeting can last a couple of minutes. Abstaining from drinking alcohol can last for thirty years. Whatever is going on when an agent intentionally does not perform an action seems to be something that extends in time.

Another preliminary remark can be made about the nature of intentional omissions, that is, that they seem to be vague. There are clear cases of intentional omissions, clear cases of unintentional omissions and cases from which it is not clear whether what is not done by the agent is intentional or not. Consider smoking cessation. At the beginning there is a clear case of the agent intentionally not smoking. At some point, however, the agent's not smoking is not intentional anymore because it involves no mental states related to smoking but not smoking has become a completely habitual inactivity of hers. Somewhere between these cases it is not clear whether the agent's omission not to smoke is intentional or not.[16] Some intentional omissions seem to have fuzzy temporal boundaries, but this should not prevent one from looking for a coherent account of their ontology. It may be impossible to pinpoint when exactly not answering a question begins or ends. Not answering a question has duration, however, even though the boundaries of this interval are somewhat fuzzy. It can be hard to find the distinct boundaries of positive actions as well.[17] In addi-

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16 It can also be questioned, whether not smoking is a series of intentional omissions or one long omission that slowly morphs into an unintentional one.

17 According to John Atkinson and David Birch, action should neither be seen as episodic events with specifiable initial and end points; instead, a better starting point for a theory of action would be the premise that agents are organisms that are biologically alive and constantly engaged in activity (1970).

tion, the exact endpoint of an intentional omission cannot always be found. A patient suffering from Alzheimer's might forget abut being a teetotaler and nevertheless succeed in not drinking alcohol indefinitely. In the following, more understanding of what seems to be a fluid, organic nature by which agents engage in intentional omissions is developed by arguing that intentional omissions are ontologically process-like, and this might explain why they are temporally unbounded.

The purpose of this chapter is in part to bring clarity to the discussion of intentional omissions and the thesis that intentional omissions are non-reducible (and that they exist) will be the premise of the following chapters. This chapter will motivate this premise. Although the main interest in this study is not ontological, some kind of understanding of the ontology of intentional omissions is useful when analyzing intentional omissions in society as well. In addition, although the ontology of omissions has been of interest in philosophy, systematic study of the ontology of intentionally omissions is still somewhat lacking. The aim of this study as a whole is to take intentional omissions philosophically seriously and a coherent account of their ontology can make it possible in other areas of inquiry as well. Something that is seen as existent is easier to take seriously, study and understand.

2.2 Reducing to positive actions

One way to eliminate intentional omissions ontologically is to reduce them to the positive actions the agent does instead or at the same time as intentionally not performing an action is going on. Donald Davidson's views have represented this way of perceiving at least some intentional omissions of agents. Davidson originally argued that there is no such a thing as a negative action and that the formation of an intention to not do something is a mental action, not a "negative action" of any kind. I will deal with the latter claim in the next part of this chapter but in this part I concentrate on whether intentional omissions can be reduced to the positive actions the agent does at the same time as being engaged in an intentional omission.

Davidson described intentional omissions, such as not eating a persimmon, with the sentence "It was intentional on my part that it was not the case that there existed an action of mine that was an eating of a persimmon" (1985, 218). According to Davidson, this does not suggest that this "not-eating" somehow existed (1985, 218-219). This is because he thought there is usually some actual movement that exists when something is not done (Davidson 1985, 219). What is negative, is thus the characterization of the act, not the act itself (Davidson 1985, 219).[18] One way to reduce intentional omissions to positive actions would

[18] It must be noted that committing to the existence of intentional omissions does not necessarily imply commitment to existence of negative events or other negative entities. Intentionally not eating a persimmon is "curiously hollow" in a sense that eating

thus be to argue that intentional omissions are merely different descriptions of positive actions and activities. This view, however, is problematic when applied to intentional omissions. In some cases the description of an intentional omission is just an alternative description of a positive action. In Davidson's example, the agent's intention is to avoid causing a draught which is made by closing a door (1985, 219). Closing a door is necessarily a positive action, not an intentional omission, because closing a door requires intentional movement of the agent. But not all intentional omissions are a matter of this kind of an alternative description. When we think of intentional omissions in which the agent has a negative attitude toward certain kinds of actions, such as drinking alcohol, it would be tricky to find the corresponding positive action. A teetotaler is not just drinking tea, water and juice but actively refusing alcohol. A prisoner on a hunger strike can read a lot, but the hunger strike is missed if what the agent is intentionally not doing is left out of the description. There is something in refraining from drinking alcohol that is not accounted for by all the liquid-drinkings the agent commits to instead. What is left out of refusing alcohol when liquid-drinking is subtracted is what the ontology of intentional omissions would need to account for.

Although intentional omissions are often accompanied by positive actions, agents do not have to move when intentionally not doing something. An intentional omission of an agent can last longer than the actions the agent is performing at the same time. I can, for instance, intentionally omit to open the door and wash the dishes at the same time continuing to wash them when my intentional omission of not opening the door has already passed. This kind of simultaneity does not necessarily imply reduction. Intentional omission can be on the basic level even though at the same time positive actions are happening. An agent can intentionally not answer a question and continue eating. Eating is not everything that is happening, but the intentional not answering is also going on without the agent not answering *by* continuing eating.

According to Davidson, if the notion of bodily movement is considered generously, even staying still and mental acts can be considered as a movements (1980, 49). Davidson seems to think that everything interesting is said about manifestations of agency by concentrating on actions: "[O]ur primitive actions, the ones we do not do by doing something else, mere movements of the body – these are all the actions there are. We never do more than move our bodies: the rest is up to nature" (Davidson 1980, 59). But what makes intentional omissions exist independently is that something happens in the agent's mind in relation to her not eating a persimmon.[19] If intentional omissions cannot be reduced to simultaneous positive actions, are they reducible to intentionally staying still then?

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a persimmon is not but as it is argued later in this chapter, intentional omissions as a whole are clearly something, although they have hollow parts.

19 The possibility of reducing intentional omissions to mental acts is analyzed in the next section.

One way intentional omissions have been perceived as these kinds of "null movements" is by relating them to cases in which the agent is extending effort in not doing something. Myles Brand originally described refraining as keeping oneself physically from doing something (1971). In Brand's example a "policeman who keeps his arm at his side and does not shoot the fleeing youth refrains from shooting him (1971, 45)". On the other hand, a man sleeping does "nothing at all with respect to answering the telephone ringing in the bedroom" (Brand 1971, 46). The difference, according to Brand, is that refraining in the case of the policeman is a kind of action whereas the doing nothing in the case of the sleeper is "just doing nothing at all" (1971, 46).

In Brand's distinction, the kind of staying still the policeman is instigating requires physical effort even though there is no movement. Not all intentional omissions, however, seem to function like this. Usually we do not have to exert physical effort in intentionally not doing something. Mossel pointed out that he can refrain from greeting a neighbor who never returns his greetings without preventing a craving to greet him (2009, 322). In general, defining intentional omissions with the help of the effort involved overlooks that intentional omissions are not just about being in an active relation to our bodies. An agent can intentionally omit to obey a command without restraining an urge to obey it. An agent can intentionally omit from closing the door without any struggle with bodily urges. It seems that with our actions and omissions we are not just forming a relation to our own body parts. According to Brand, one can refrain from raising one's hand by putting it in one's pocket, by sitting on it, or by keeping it at one's side (1971, 49–50). Mossel pointed out that only a person suffering from a rare neurological illness has to physically struggle with his own hand to keep it from doing something (2009, 322). Reducing intentional omissions to this kind of physical effort in staying still also ties the analysis to the private struggles of agents instead of recognizing that agents are social creatures as well. We can resist a bodily urge to do something as well as we can resist a social expectation to do something. Resisting a social expectation to do something does not seem to necessitate resisting a bodily urge at the same time. Furthermore, not all intentional omissions requires resistings of any kind. Intentional omissions have to do with the agent's capacity to interfere in worldly events, not just about interfering with their own urges. Thus, all intentional omissions are not reducible to extending effort in staying still that requires physical struggling because in many cases the agent does not have to struggle in order to intentionally not do something.

Jonathan Payton has argued that negative actions are token-identical to positive events which consist of an agent doing something rather than not doing something (2018, 87). Payton builds the analysis of negative actions on the causal role they play (2018, 90). He defines them as situations in which the agent is *ensuring* she does not perform a certain action (2018, 89). This ensuring is done with the help of the positive actions the agent is doing the same time (Payton 2018, 90).

The starting point of my analysis of intentional omissions starts from the agent's intentions. I assume that in an intentional omission what is sufficient, and relevant, is what the agent intentionally does not do, not what she does instead. One reason is that not all positive events that are happening at the same time an agent is intentionally omitting to do something are ways of ensuring she does not do something. We do not always have to do something to prevent us from doing something else. The full description of the agent's actions is not sufficient in describing what the agent intentionally does not do because the same description can be used of a situation in which the intentional omission is missing. My going to the gym, taking the garbage out and calling my mother is not a sufficient description of my intentional omission to vote. I do not necessarily succeed in not voting by calling my mother because the processes are separate although their temporal parts are partly overlapping.

Consider an agent intentionally abstaining from eating meat. Her behavior can be described in terms of eating vegetables completely but there is something central missing from the description, namely what the agent intentionally does not do. We can intentionally omit playing computer games by concentrating on meditating instead but we can also intentionally omit without succeeding in it by doing something else. What the agent does might not be connected to the intentional omission simultaneously going on and description of a meditating agent is not sufficient to describe an agent intentionally omitting to play video games.

It must be noted that it can be tricky to identify intentional omissions from the flow of an agent's actions. Intentional omissions are not necessarily isolated in the sense that an agent would only engage in an intentional omission without engaging in positive actions as well. There are ambiguities in the literature of not doings in that it is to some extent unclear what is meant by refrainings, forbearings, not-doings, and intentional omissions. Are we talking about the mental act of deciding not to come to a meeting or the lack of presence of the agent in that meeting? The mental act can be considered as something whereas the lack of presence is close to nothing. I do not think these features can be kept completely apart: in an intentional omission the decision not to do something and the lack of doing something are both present, and they have a relation of a kind.[20] Intentional omissions are liable to confusion because it can be unclear what is talked about ontologically but if intentional omissions are either reduced to staying still or the accompanying positive actions, an integral aspect of intentional behavior is missed.

2.3 Reducing to mental actions

What about reducing intentional omissions to the mental actions that are necessary for intentionally not performing an action? In the following, I argue that

[20] According to the causal theory of action the relation would be causal.

intentional omissions cannot be fully reduced to their mental parts because in an intentional omission the agent not only intends not to do something but also succeeds in not performing this action. I will also argue that intentional omissions are not mere attitudes of an agent. They do, however, necessarily include mental states of some kind. These mental states are more closely analyzed, most minimally, as procedural metacognition targeted to the action not done in Chapter 3 so the actual content of the mental states is not addressed here.

Davidson supported a view that there is nothing negative in negative actions. According to Davidson, if forming an intention is an action, then all negative acts are actions as well (1985, 220). Intentional omissions do necessarily contain mental content such as forming an intention, deciding, deliberating or planning to not do something. But forming intentions not to something are not all there is to intentional omissions. This intention is accompanied with the agent actually not doing something — the mere intention is thus not enough to account for their ontology.

This can be revealed by considering more closely the temporality of intentional omissions. Some intentional omissions, such as not mowing the lawn throughout the summer, require a decision at some point — but not throughout the whole omission. Otherwise one could think of little else than not mowing the lawn throughout the summer. The intentional omission, however, extends beyond the decision not to mow the lawn. A good ontological account of intentional omissions would thus be able to grasp not just the starting point but the whole duration of intentional omissions.

The same problem is encountered in Mossel's view of negative action that separates the intention from the actual omission. According to Mossel, whenever effort is involved, a positive action of a kind is happening (2009). A weight lifter keeping a weight above his head is being active similarly as an agent is being active in forming an intention or multiplying numbers in her mind (Mossel 2009, 309). According to Mossel, whenever there is effort involved, what is going on is a positive action of a kind. Negative actions can require effort or activity, but can never include it (Mossel 2009, 307) so an alcoholic's effort to not drink is causally prior, but not part of the refraining from drinking (317).

The problem with this view is that intentional omissions seem to necessarily include some active mental states. Mossel thinks that active effort can always be distinguished from the negative action that it might create (2009, 316). But it is not possible to keep effort conceptually separate from the actual intentional omissions because in intentional omissions the mental states are deeply connected to the agent actually not doing something. Separating them is as strange as keeping the decision to act separate from the actual movements of an agent when defining an action. The challenge of philosophy of action in general is that through our intentions we are somehow in relation to our bodily movements and the states of affairs around us. Some theories of action emphasize different aspects of this sequence but it is usually thought that action includes both the inner part of, such as deciding, as well the outer manifestation, such as

moving. In case of some intentional omissions, such as cases of refraining from scratching an itch, what happens seems to include mental and physical effort. Temporally the effort in not scratching the itch might last as long as the intentional omission, so if it is causally prior to the omission, it might however, be temporally simultaneous. In Mossel's view, however, it seems that in a negative action, an action of a kind is causing an unintentional omission.

The amount of effort the agent has to exert in intentionally not doing something seems to depend on the strength of the impulse to perform an action that is sometimes accompanying the intentional omission. It must be noted that not all intentional omissions seem to require effort of any kind. An effortless abstaining from eating meat can be just as intentional as one that involves strugglings with urges to eat meat. Intentional omissions that are easy for the agent can be as intentional as those that are hard. Moreover, if the effort is conceptually separated from the actual omission, it becomes difficult to account for the relation between the intention to not perform an action and the agent's actual non-performance of that action – the relation which is central in understanding intentional omissions as a whole, starting from the agent's noticing the action in the horizon of possible actions and extending to the end of the actual omission (not to mention the way agents control their intentional omissions throughout the omission).[21]

If effort is a too strong condition for intentional omissions, can they be described by attitudes then? Is negative attitude toward an action enough to account for intentional omissions? I think not, because attitudes, even though they are central in understanding some intentional omissions, are just one part of the story when it comes to the ontology of intentional omissions. Not voting out of a negative attitude toward voting is more than just an attitude, for instance. An agent can have a negative attitude toward voting but end up voting anyway because of social pressure, or out of habit. In intentional omissions the attitude toward doing something must be accompanied with the agent's actual omission. Intentional omissions also differ from purely mental happenings such as attitudes or mental actions such as computing in one's mind in that they are not just exercises of our minds – they have an external extension as well. In an intentional omission, what is internal must make some kind of external difference

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21 It can be contested whether positive actions and intentional omissions should be kept completely separate conceptually because agents can, for instance, manage to refrain from smoking by folding paper planes. Here it seems that the positive action is part of the intentional omission and the omission is done by a positive action of a kind. There seems to be a complex interplay of intentional omissions and positive actions going on in human behavior, some of which the agent is more or less engaged with. Although some intentional omissions are such that they do not require mental engagement of the agent throughout the omission, some seem to require some kind of engagement. For instance, a prisoner on a hunger strike might have to be actively engaged with not eating and is often fully aware of the intentional omission of not eating. It is possible that this picture of the interplay between actions and intentional omissions, and the control of action and the control of intentional omissions is more interlinked than is perceived here, but within the limits of this dissertation it is possible to only concentrate on developing the philosophy of intentional omissions, hoping that it might contribute to understanding actions as well.

to the agent's behavior.[22] It is beyond the limits of this study to evaluate what kind of relation there is between the mental activities and the agent's behavior in intentional omissions, but without the relation, intentional omissions could be reducible to empty intentions. I have so far argued that the problem with reducing intentional omissions to their mental component is that the relation between deciding, intending or choosing not to do something and the agent actually not doing it is missed - and the whole intentional omission is not accounted for. In Chapter 3, it is proposed, that procedural metacognition is the necessary mental component of intentional omissions. For the use of this chapter, however, it is enough to note that intentional omissions cannot fully be reduced to their mental parts.

2.4 Absence of action

According to Clarke, omissions are absences of an agent's action (2012). In the following, I argue that intentional omissions, however, are not mere absences of an agent's action but that there is something more to intentional omissions, that is, they also include the presence of something. What this something is, however, is more closely analyzed in Chapter 3.

Originally, Bruce Vermazen defended a view that negative actions are absences of an event (1985). According to Vermazen, at least some not doings do not exist, or at least should not be called acts, namely unintentional omissions, failures and neglectings-to-do (1985, 93). Some negative acts do exist, however, in Vermazen's view. By intentionally not laying down the ten of clubs, he has done something, namely performed an act of not laying down the ten of clubs and not bringing about his winning (Vermazen 1985, 93–94). Vermazen was able to ascribe causes and effects to these kinds of negative actions with the aim of extending Davidson's causal theory of action to account for negative acts, not just intentional actions (Vermazen 1985, 100).

Vermazen's view commits to the existence of negative events, that is, the non-occurrences of an event-type (1985, 100). According to Vermazen, negative event causality can be, however, explained in terms of causal relations between positive events (1985, 100). Although positive events are enough to give the causal part of the story, there is another part, which, according to Vermazen, is due to the pragmatics of speech (1985, 101). But does committing to the existence of intentional omissions mean that one has to commit to the existence of negative entities of a kind? I think not. Adding negative events or negative states of affairs to the ontological furniture of the world is liable to increase the amount of theoretical entities unnecessarily – and infinitely. There seems to be something going on along with the agent's positive actions in intentional omissions but this something is not necessarily a *negative* event of any kind. What is going on in the intentional omission of not laying down the ten of clubs, which

[22] According to Mossel, this difference might only be potential (2009, 311).

is not explained by the doings of the agent, is the mental activity in relation to the agent not laying down the ten of clubs. It is in relation to an absence, however, not just to a positive act of a kind.

In Vermazen's view, the ontology of negative action was built on the ontology of action. But even though intentional omissions might not be ontologically similar to actions, this does not necessarily imply that they do not exist. This is because actions are not all we do and they are not all we are held responsible for. At the end of this chapter it is argued that intentional omissions are ontologically activities rather than actions. It can be problematic if the only way intentional omissions are seen as existing is by treating them as ontologically similar to actions. There might still be something going on when we intentionally do not perform an action even though this something was not an intentional action of a kind.

Negative actions have been connected to negative facts as well as negative events. According to Jonathan Bennett, there is no sense in talking about negative actions but there are negative facts that have to do with the behavior of people (1995, 86). At every given moment, the agent's behavior is subject to countless facts, infinitely many of which are negative even though the agent does not perform infinitely many negative acts every moment (Bennett 1995, 86–87). According to Bennett, there is no need to divide actions into positive and negative kinds, but what is negative is the fact of behavior rather than acts themselves (1995, 86–87).

The problem with applying Bennett's view to account for the ontology of intentional omissions is that the sum of the positive actions of agents is not sufficient to be the full description of intentional agency if intentional omissions are left out of the story. It is true that there are several facts of the agent's behavior, some of them are negative, some of them positive. But intentional omissions are not just negative descriptions of an agent's behavior. There is more to them than the mere fact of what the agent does not do.

Another view that relates omissions to absences is Clarke's ontological view of omissions. According to Clarke, in an omission, an agent is not in relation to events but to her own action. Omission is "an absence of a certain type by an agent at some time (or during some time interval)" (Clarke 2014, 10). This view manages to account for an important aspect of intentional omissions but intentional omissions are more than absences, however, because at least at some point there is the presence of the agent's mental states that are related to the action not done.

Consider a purely mental intentional omission such as intentionally omitting to think about George. This kind of a mental intentional omission requires at least a mental recognition that picks out a mental action "thinking about George" as something the agent is in relation to. Not thinking about George is not enough for intentionally omitting to think about George. Intentionally not thinking about George is thus not just an absence of thinking about George but it also requires thinking about George when forming the intention not to. It seems that at least in the case of purely mental intentional omissions, the pres-

ence, not only the absence of the action not done can be included in the process. Absences of an action are thus sufficient ontological accounts for omissions, but intentional omissions require something more.

The interplay of something and nothing in intentional omissions is challenging to account for in their ontology. It seems that a good account of the ontology of intentional omissions would need to at the same time grasp the "hollowness" of omissions, the presence of intentions — or their most minimal mental versions — and their relation. It must be noted, however, that few philosophers would claim that mental actions do not exist. Intentions and other mental activities are not seen as being outside the causal furniture of the world. A good ontological account of intentional omissions should be able to account for their role somehow, however, without reducing intentional omissions fully to their mental parts.

2.5 Allowing, preventing, inhibiting

Intentional omissions have also been talked about as *allowings* or *preventings* in action theoretical literature. In the following, I argue that intentional omissions are not necessarily allowings of events nor are they necessarily preventings of an action. This is because the effects of an intentional omission should be conceptually separated from the intentional omission itself. The distinction between preventing an action and inhibiting an action is also further clarified.

In ethics, omissions have been discussed as allowings especially when analyzing the moral difference between killing and letting die. Letting die has been seen as a situation in which an agent is allowing an event such as dying, to happen. But is allowing something to happen essentially what is going on in all cases when an agent is intentionally not performing an action? Sometimes we allow things to happen by our intentional omissions but the problem with treating all intentional omissions ontologically as allowings is that allowing seems to be the effect of the omission instead of what happens when an agent is intentionally omitting to do something.[23]

Consider an agent intentionally allowing a child to drown. What is going on, at least, is that the agent is intentionally not performing an action and the child is drowning. The intentional omission is not the sole cause of the child drowning but by not saving the child the agent is not interfering in the process of drowning. If one wanted to approach all intentional omissions as these kinds of cases, one problem would be that sometimes this kind of non-interference of events can be intentional but it is not intentional necessarily. That is, not all intentional omissions are intended to allow something to happen. Allowing the child to drown can also be the description of what happened in cases in which

[23] Also, treating all intentional omissions as cases of allowing requires that something is not made by anyone, not just the agent herself. If intentional omissions are treated as allowings, such cases in which the agent does not do something but someone else does it instead would be problematic.

the agent did not intentionally omit to save her, because the agent did not notice the drowning child, for instance. When we talk about an agent allowing something to happen it might also imply that the agent is somehow responsible for what happens due to the omission. But it seems that people are not just responsible for some of their intentional omissions but at least some of their unintentional omissions as well. A life-guard can be accused of allowing a child to drown in case he was responsible for saving the child even though the omission was not intentional but due to something else grabbing the attention of the lifeguard. Allowing implies that something happens in which the agent is not interfering and that the agent could at least have tried to interfere in what is happening. It does not necessarily imply, however, that the omission is intentional.

In Patricia Milanich's treatment of not doings, allowing is seen as a normative concept (1984, 62-63). In her view of letting happen, the agent does not have to be conscious of the omission regarding its consequences. According to Milanich, a lifeguard who falls asleep on the job, after which a swimmer drowns, is letting the drowning happen (1984, 61). Noah Lemos has pointed out, however, that there's nothing necessarily normative about allowings (1985, 310). Instead, he defended a view that allowing tells us something about the causal role of an omission rather than anything about its normative role (1985, 310). Allowing is ambiguous because it can refer to the agent's intention in not doing something – why she is not doings something – or it can refer to the consequences of an intentional omission – what happens after the agent's omission – or both at the same time. Even though one could find a way to describe intentional omissions as allowings, it is not what usually happens in every intentional omission.

Even if allowing, or letting something happen, is a sufficient description of the causal role of some intentional omissions, it is not what we usually mean when we talk about intentional omissions. We speak of agents committing to hunger strikes instead of starvation-allowings. Non-interference seems to be the causal effect of at least some intentional omissions but it would be strange to reduce all not doings to their possible effects. Furthermore, on the level of intention, the intention in an intentional omission is not necessarily targeted toward allowing something to happen. The prisoners on a hunger strike might as well try to interfere in the situation, not allow themselves to be starved. So if all intentional omissions are seen as cases of allowings, the intervening intention in some not doings is missed. An agent disobeying an order to run would be described as allowing oneself to stand interrupted. The problem is that allowing implies that the agent does not interfere with anything but, for instance, inhibiting oneself from doing something is precisely interfering with what would be going on without this inhibition. So also when it comes to inhibiting the agent's own urges, intentional omissions cannot be described as allowings.

This kind of mix-up might arise because there are confusions in how we discuss not doings in different fields of philosophy in the first place. Sometimes the motivations of intentional omissions are discussed, sometimes the effects of an agent intentionally not doing something. Sometimes the two do coincide, however: the agent can intend the consequences of an intentional omission to

happen. Sometimes there are two different things; an agent can intentionally omit to do something without considering the effects of this omission. Sometimes the same concept is used as a normative concept – in the case of allowing, a normative concept would refer to something happening although the agent should have done something to prevent it. But if all intentional omissions were defined as allowings, the effects of some intentional omissions would determine the whole concept.

Conversely, when it comes to the agent's own internal matters, not doings have also been described as *preventings* of an action.[24] Some preventings seem to be intentional omissions. An agent can prevent herself from running away from a barking dog. This preventing is an inner process of inhibiting oneself from doing something. There seems to be difference in *physically preventing* oneself from doing something (Ulysses having himself tied to the mast) and *mentally inhibiting* oneself from doing something (internally inhibiting an urge to run). By inhibiting, I mean an agent taking a controlling stance to her own urges that otherwise might lead to (unwanted) behavior. These kinds of cases belong to the scope of intentional omissions because the intention is targeted toward what is not done and the agent actually does not perform the action in question. But as an ontological stance, treating all intentional omissions as inhibitings would be limited because not all intentional omissions contain an urge to do the action that is not performed.

Having an urge to do something was seen as a necessary feature of refrainings in Brand's view of refraining as preventing of a kind. In Brand's refraining, one must do some action that prevents the action from happening. Inhibitings, however, demonstrate that not all intentional omissions are physical preventings of a kind. An agent can just wait for an urge to do something to pass without doing anything else with her deviant hand, for example. So one can mentally inhibit urges as well as physically prevent actions.

Inhibitings are not a good candidate for an ontological account of intentional omissions either. Joëlle Proust defined negative actions as "actions that involve inhibiting a disposition to act (such as wanting to avoid thinking about John" (2010, 212). Here it has been assumed that not only these kinds of inhibitings are intentional omissions. It seems that we can intentionally not do something even though we feel no inclination to doing it. A conscientious objector might not have to inhibit an urge to get drafted. The omission is still intentional even with the absence of this kind of inner preventing.

Still, preventing an action physically can be distinguished from inhibiting it mentally. Neither is, however, a full ontological account of intentional omissions. Intentional omissions are not necessarily allowings either, because they can be distinguished from their effects and the agent does not intend to allow something to happen in all cases of intentional omissions. Discussions on allow-

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24 It must be noted that preventing an action can also be a positive action: Ulysses, in asking to be tied to the mast, is preventing himself from later following the song of the Sirens. A smoker destroying all the cigarettes in her apartment is preventing herself from smoking later. Mossel's example is that of the agent situating himself on an airline flight at the time of his wedding (2009, 310).

ings and preventings, however, show that agents can be in an active relation to what is going on outside themselves in not doing something – when allowing something to happen – and they can be in an active relation to their inner processes – when inhibiting an urge to do something.

2.6 Activities

Next, I will present my suggestion for ontology of intentional omissions by arguing that intentional omissions are activities.[25] As a whole, intentional omissions are homogenous, continuous, unbounded, indefinite and directly uncountable although they might have intermittent mental aspects such as inhibiting an impulse. This is why I suggest that their ontology should be tied to that of processes instead of events. A picture of a living organism engaged in activities, some of which are about intentionally avoiding certain kinds of actions, may end up being better suited to connecting intentional omissions with cognitive psychology as well as the social sciences compared to a view that assumes curious kinds of non-events being brought about by agents. Furthermore, ontology of process might not only help in naturalizing intentional omissions, it may advance our understanding on how to naturalize actions as well.

Historically our not doings have been perceived as ontologically similar to actions. Von Wright (1963), for instance, conceptualized forbearings as bringings about of events of a kind. A problem with this view is that there is no event that corresponds to the intention of the agent in an intentional omission. Instead, there is nothing that happens because of the agent's intention. An agent intends to not perform an action and the effect of this intention is that an action does not happen. Thus, the agent causes a lack of an event. According to von Wright, this lack of an event is, nevertheless, an event of a kind. He argued that non-changes are changes of a kind, and creating a non-change in states of affairs should be perceived as bringing about an event of a kind.

Von Wright's view is problematic if events are normally considered as *concrete* particulars that do not recur (Simons 2003, 367).[26] Although there seems to be controversy on even the most basic elements of events (see for example Steward 1997), I take it that events necessarily include changes. According to Peter Simons, events necessarily contain at least one change in an object or between objects (2003, 370). It is difficult to find a change in states of affairs when an agent, for instance, does not answer an e-mail message.

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25 With activities I am referring to processes that are instigated and sustained by humans.

26 Also, according to Mossel, negative actions are causings of non-events (2009, 313). For Mossel, these non-events are not events, however, because they are not proper changes in states of affairs. I think it is reasonable to assume than an event contains a proper change in states of affairs and usually events are connected to proper changes necessarily. According to Mossel, "in a world without a change, there are no events" (2009, 323).

Nonetheless, intentional omissions should not be completely separated from events in that they are necessarily connected to mental happenings of a kind, namely decisions, choices, intentions, and so on, which may be thought of as events. According to Mossel, acquiring an intention to not do something is an event of a kind (2009, 324). But as it has been argued, these happenings are not all there is to intentional omissions, and as I have tried to show previously in this chapter, they should not be reduced to the mental happenings that are responsible for creating the absence of action. This is also because the actual omission extends in time after the original intention because in an intentional omission the agent not only instigates, but sustains and controls the omission as well.

Next, I will show that the notion of activity can better describe what goes on in an intentional omission than what happens in an event. In a performance, some event is brought about by the agent. Activities, if we follow von Wright, keep processes going.[27] This is partly why ontology of intentional omissions should be connected to the ontology of processes instead of to that of events: if intentional omissions are considered as activities, it is possible to conceive that they can coincide with positive actions. It is also possible to recognize that intentional omissions can have effects, but they might not.[28]

To prove that intentional omissions are activities, I will use the distinction between performances and activities by Anthony Kenny (1963) and Zeno Vendler (1957) that was grounded on differences in verb aspect.[29] Verb aspect was perceived by Kenny and Vendler to mirror differences in the way performances and activities reside in time. In the following, I use this distinction with modern adjustements.

Kenny distinguished static verbs such as "know" and "be happy" from continuous verbs such as "learn" or "look for" (1963, 172). He further divided continuous verbs into performance verbs such as "kill" and "decide whether" and activity verbs such as "keep a secret" or "live at Rome" (1963, 173). According to Kenny, there is an essential difference in *how* these occurrences are in time: whereas states may last for a time, performances take time and activities go on for a time (1963, 176).

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27 According to von Wright, "to close a window or to kill a person is to perform an act. To smoke or to run or to read is to be engaged in activity" (von Wright 1963, 41). Whereas acts or performances are related to events, activities are related to processes (von Wright 1963, 41). Acts affect the happening of events whereas activities keep processes going (von Wright 1963, 41).

28 According to von Wright, activities are not related to changes the same way performances are but they might be related to changes or states of affairs (1963, 41).

29 Vendler also distinguished between activities (running, walking), accomplishments (painting a picture, growing up), achievements (winning a race, crossing a border) and states (possessing, desiring) (1957, 150) but here this distinction between accomplishments and achievements is not integral for the argument made. Some intentional omissions seem to be accomplishments, however. For instance, "I held my tongue in the meeting" describes an accomplishment of a kind. According to Helen Steward, accomplishments are individual processes that can be counted (2013, 804) so even though some intentional omissions were accomplishments, it does not necessarily mean that they were not processes as well.

Interestingly, verbs describing intentional omissions behave like Kenny and Vendler's activity verbs. It is not plausible to say "It took me all summer to not mow the lawn" but it is correct to say "I have been refraining from smoking for a decade." One can say that answering a question took two minutes but we cannot say that not answering a question took the whole afternoon. Not answering a question does not take time, but it can go on for a time-frame. Intentionally refraining from working during a strike can go on for two weeks, for example.

Some predicates such as "quitting smoking" seem to behave like Kenny's static verbs, however. But quitting something is not exactly an intentional omission, because to quit something necessitates bodily movement of some kind. Instead of fully consisting of omissions, quitting necessarily includes a change in states of affairs. This change can happen fast or slow, it can have distinct boundaries, and the time-span in which it happens can be definite. Intentional omissions, however, can arise out of nothingness in a sense that intentionally not smoking of an agent can happen in a a case of an agent who never smoked in the first place.

According to Kenny, whereas performance verbs can happen *fast* or *slow*, activity verbs cannot (1963, 176–177). Expressions of intentional omissions act like this as well. One cannot refrain from smoking quickly or slowly whereas one can smoke a cigarette slowly or rapidly. Refraining from working cannot happen fast or slow whereas performing a definite action such as bringing a pizza home can happen slowly or rapidly because it lasts for a specific time-frame.

If intentional omissions are perceived as activities it can be explained how they reside in time. Compared to performances, activities and processes have been perceived to be *homogenous*. This means that what is going on in a process has the same nature throughout the time-frame (Mourelatos 1978, 416). Any part of the process is of the same nature as the whole (Vendler 1957, 146). Intentional omissions are process-like in this sense as well because they have the same nature throughout the time-frame they are going on. There is no difference in not answering a question in the beginning stages and the end stages. There are different parts in answering a question, however, and the action is not of the same nature in every moment of its course.

Processes are also perceived to be *continuous* compared to events and this feature describes the nature of intentional omissions as well. An event does not exist entirely at any time during its course (Stout 1997, 25) but what is going on in a process is continuously present in its entirety at different times (26). What is going on in an intentional omission, as well, is something continuous rather than a specific, concrete change or set of changes. An agent intentionally not mowing the lawn contributes to the same continuous omission with every small decision to not mow the lawn. Intentionally omitting to do something is fully present every moment of the omission, whereas intentionally doing something exists fully only after it is completed.

Intentional omissions are also *unbounded*. Whereas events are bounded, that is, they have a definite duration; processes endure unbounded in time (Galton & Mizoguchi 2009, 4–5). Intentionally not answering a question, for instance, is unbounded in a sense that its temporal boundaries are fuzzy. In intentionally not answering a question, there are moments from which it cannot be determined whether intentionally not answering a question has started or is still going on although there are moments from which we can definitely say that the intentional omission is going on.

Processes also involve no culmination of an anticipated result (Mourelatos 1978, 204). According to Michael Bennett, activities are represented by open intervals whereas performances are represented by closed intervals (1977, 505). This feature has been called "the *indefiniteness* of the time stretch of activities" (Mourelatos 1978, 204). Although processes have no natural finishing point, they can have an arbitrary final point at which the activity ceases (Gill 1993, 381). According to Vendler, activities such as running or pushing a cart, have no terminal set point, or climax (1957, 145). Activities therefore have been seen as essentially *atelic*, that is, pushing a cart qualifies as an activity regardless of whether the cart is pushed to a certain end point or whether the activity is goal directed (Mourelatos 1993, 386). Performances are *telic*, in that an end point gives closure to what was going on (Mourelatos 1993, 386).

Expressions that we use for intentional omissions behave like activities in this aspect as well. Intentional omissions are anticlimactic.[30] One can intentionally omit to smoke but the intentional omission never reaches an end point after which "the deed was done." Not taking up a topic at a meeting ceases when the meeting is over, but the end point of the activity is determined by external reasons because the activity of not taking up a topic itself never reaches a culmination point. This is also revealed in how we speak of our intentional omissions. The question, "How long did you omit to pull the weeds?" is appropriate, whereas there's something wrong with the question, "How long did it take for you to not vote?". The latter kind of description is used for performances, whereas the first kind is used to talk about activities (Vendler 1957, 145). This difference has been perceived as mirroring a different way activities and performances endure in time. Performances take a definite time whereas activities go on for an indefinite timespan (Vendler 1957, 145). An account of intentional omissions as activities, however, makes it possible to perceive how the same intentional omission unfolds[31] throughout the time-frame of, for instance, the whole of June.

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30 It is assumed here that accomplishments can consist of an activity, which means that after the artificial endpoint, the climax "casts its shadow backward, giving a new color to all that went before" (Vendler 1957, 146), meaning that the climax fulfills what would otherwise have been an unbounded process.

31 Stout (1997) distinguished between events extending and processes persisting in time much like objects. Objects can, however, be distinguished from processes in that they have material parts that persist in time, whereas processes are not material in the same sense. According to von Wright, falling rain is a different kind of states of affairs altogether than a typewriter standing on the desk (1963, 25). David Wiggins calls objects continuants that pass through phases that are not the material parts of

Intentional omissions are also *directly uncountable*. Whereas it is possible to count events, processes cannot be counted at least the same way as events (Galton & Mizoguchi 2009, 4). John's not smoking at a party cannot be counted whereas George's smoking happened three times. Instead, processes are measured, that is, they are individuated by "extrinsic containers" (Mourelatos 1978, 210). One's intentional omission to not take up a topic at a meeting can be measured extrinsically as lasting throughout the meeting. So it would be a mistake to say that it happened three times because no event corresponding to this intention of the agent happened at the meeting.[32]

Some intentional omissions seem to have parts that are more intentional than other parts, however. Sometimes an intentional omission is harder to sustain at times than at other times. Consider an agent refraining from drinking alcohol during the lenght of one year. He can form an intention not to drink at a party where drinks are offered. Throughout the year he is, nevertheless, mostly not aware of this intention. Is this a case of a series of intentional omissions or a long sustained stretch of one intentional omission?

According to Steward, processes can have intermittent parts but they are temporally coherent, that is, the temporal parts are not separated in time from the original ones by any gap in activity and if they are, there is some other reason, such as the agent's intention, for uniting the parts into one process (2013, 805). The intermittent parts of an activity are still stretch-like individuals (Steward 2013, 806). Thus, the inhibiting of the urge to drink at the party can plausibly be perceived as a part of the same intentional omission that continues after the urge is over. There is no gap in the activity of not drinking alcohol and the whole process of not drinking is continued even though the agent becomes more aware of it occasionally. So, even though some parts of intentional omissions can be seen as more intentional than others, it is reasonable to think that they contribute to the same intentional omission because there is no gap in the omission and the intention is the same.

The Kenny/Vendler distinction between performances and activities was based on linguistic sources. It can be questioned whether ontological or metaphysical claims can be deduced from linguistic evidence. Do structures of language necessarily mirror differences in structures of the world? In some cases linguistic homogeneity ("a leaf is growing") has been linked with an empirically heterogenic event which is more like building a house (Gill 1993, 372). According to Wiggins, however, linguistic distinctions are suggestive of real dis-

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them (2016, 279). Process, on the other hand, consists of its phases (Wiggins 2016, 270). I think this is a good way to perceive how activities are in time as well: intentional omissions have no material parts but they consist of their phases.

32 I do not wish to argue here that actions are necessarily events although I have used some comparisons with movement descriptions to emphasize the processual character of intentional omissions. My point is that there is something that is event-like in actions but there is nothing that is event-like in intentional omissions unless we consider the intentions of an agent to be even-like happenings in the brain of an agent. Actions may be processes as a whole but intentional omissions consist partly of absences. In an action the external part, such as moving a hand, is often event-like but in intentional omission this isn't so.

tinctions: "Does it not help towards the understanding of what an item is to ask what one can truly say about it?" (2016, 270) Originally, Vendler argued that the use of a verb may suggest a particular way in which the verb involves the notion of time (1957, 143). I think it is plausible to think that intentional omissions are not just conceptually (*de dicto*) but temporally vague as well (*de re*).

Kathleen Gill argued that occurrences we pick out of the causal flow of the physical world tell us about how we as humans individuate our experience instead of real ontological distinctions (1993, 383). I do not think these can be kept completely apart, however. The distinction between processes and events, based on linguistic evidence, is not an anthropocentric way to perceive the world more than other metaphysical categories are. I think Gill's criticism would better question the use of intuitions in metaphysics than the use of verb aspect in metaphysics of time. According to Terence Parsons, the view that verbs should be related to events and states can be found already from Plato (1994, 4). He pointed out that in many languages there is a distinction between nouns and verbs and as the definitions of verbs expressing actions or states and nouns standing for persons, places or things are so common, it is natural to think that they refer to different kinds of things altogether (1994, 3–4). According to Steward, although aspect is a feature of language, it is a "feature which connects with our need to speak about the way things go on, persist, unfold, endure, etc. in time, and it is not unreasonable to think that different referential expressions which derive ultimately from aspectual distinctions might relate to entities which bear different relationships to their temporal dimension" (2013, 799). Following Wiggins (2001), Steward argues that there is a reciprocal relationship between world and mind (2013, 800).

Linguistic sources are especially useful in ontological inquiry when we are looking for the fundamental nature of distinctly human endeavours. It is no wonder that language does not correctly mirror the differences between behaviors of elementary particles, for instance, because they are not something language users are intuitive experts in — not to mention that the entities physics studies are matters intuition can hardly grasp. Distinctly human occurrences related to intentionality and agency are different from the processes physicists normally study. Intentional omissions are distinctly humane thing to do. We are not talking about biology or geology when demarcating intentional omissions but something that we all do, and something that human beings are immediate experts of. Linguistic sources might not be that good at increasing scientific knowledge but that does not mean that they could not be used in demarcating categories of essentially human endeavours.

This chapter has dealt with different ontological accounts of not doings. The purpose has been to gain some preliminary understanding of what kind of entities intentional omissions are before delving further into their philosophy. A coherent account of the ontology of intentional omissions makes is possible to take them philosophically seriously as something that exists and can be talked about. It has been argued that intentional omissions are not reducible to positive actions or mental activities although some mental activity is necessary for

an omission to be intentional. It seems that even though intentional omissions might have intermittent parts such as inhibiting an impulse, they cannot be reduced to every intention going on in the agent's mind. With our intentional omissions we contribute to a continuing, indefinite processes of a kind.

It would be too much to ask for an intentional omission that the intention in question would need to be in the active awareness of the agent throughout the omission. An agent omitting to pull the weeds out of the garden during all of June could barely do anything else than keep this intention in his awareness. It seems that a better way to perceive the temporal nature of intentional omissions is that with every new decision not to do something, the agent is *sustaining* the same omission. Thus the agent's role in activities is perceived as not only an instigator but also as a sustainer and controller of what is going on. Steward has called for an action theory that better recognizes the agent's role as an ongoing controller of change (2012, 385–386). Elisabeth Pacherie has also criticized such views of the belief-desire model that only include action initiation instead of incorporating how action is guided, controlled and monitored to completion (2006, 146). Perceiving intentional omissions as activities is capable of perceiving the monitoring function of agents in intentionally not doing something whereas the notion of performances only accounts for the agent's role in instigating the decision to not do something. Intentional omissions are sustained and controlled by the agent as well. They are continuous, homogenous, unbounded, indefinite and directly uncountable. Perceiving intentional omissions as activities also allows for combining the mental components and the worldly components of intentional omissions as well as their relation.

The premise of the following parts of this study, motivated especially in this last part of this chapter is that intentional omissions are something. They exist at least in the sense that if the agent intends to not do something, the intention exists in her mind. But intentional omissions are more than just empty intentions. In an intentional omission the intention not to do something is in some kind of relation to the agent actually not performing the action.[33] The nature of the mental activity necessary for intentional omissions and how it relates to what the agent does not do is further clarified in the next chapter.

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[33] This kind of "component view" has been described and endorsed by Andrei Buckareff (2017). According to Buckareff, exercises of agency include both the external part of the action, the agent's intention and the acquisition of it (2017, 10).

3 NATURALIZING INTENTIONAL OMISSIONS

3.1 Preliminary remarks

In this chapter, non-normative action language of intentional omissions is further developed in order to better account for what happens when an agent intentionally does not do something. I argue that procedural metacognition toward not performing an action is what distinguishes intentional omissions from positive actions and unintentional omissions.[34] In procedural metacognition, the possibility of the action arises in the agent's horizon of future action. Without this metacognitive component, the agent cannot intentionally try not to do something, resist performing an action or decide or choose to not perform it. This is why the distinctions between different kinds of intentional omissions is built on this notion of metacognition.

This chapter aims to answer the question: What kind of mental states are necessary for intentional omissions? In Chapter 2, it was argued that mental or physical effort is not necessarily needed in intentional omissions. In the following, I argue that guidance control is a too weak condition for intentional omissions but instead procedural metacognition is the necessary mental component of intentional omissions. This metacognition view limits the scope of intentional omissions, but it is argued that this limitation is necessary to distinguish intentional omissions from unintentional omissions of an agent. Another benefit of the proposed view is that it links intentional omissions to cognitive psychology and makes it possible to naturalize them.

The inquiry of the necessary mental component in intentional omissions is related to questions concerning agential control in the first place. The following sections also address these related questions: What does it mean that we control

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34 A necessary condition of intentional omissions is also that this procedural metacognition toward what is not done is accompanied with the agent actually *not performing* the action in question. For instance, in the case of akratic action, an agent can have a metacognition toward not performing some action but ends up performing it anyway. This cannot obviously be the case in intentional omissions.

some of our inactions? What kind of mental capacities are required for the control of the not doings of agents? Is the control of our actions enough to account for the control of our intentional omissions? Although especially matters concerning action control cannot be answered within the limits of this dissertation, I think that the understanding of how we control our inactions could inform the understanding of how we control our actions as well.

3.2 Intentional omissions

This chapter aims to give an account of *what it means when an omission is intentional.* This question is answered by concentrating on what kinds of mental states are necessary for intentional omissions. The previous views of the necessary mental component of intentional omissions are dealt with and I present my view, which is based on the notion of procedural metacognition. In the last part of this chapter, I use the metacognition view to distinguish intentional omissions from unintentional ones and different intentional omissions from each other. First, however, I will discuss some basic points on how I use the concept of intentional omission here.

First of all, whether intentionally omitting to do something requires an intention not to do something or whether an intention to *try to* not to do something can be debated. Intending to try to not perform an action has been distinguished from intentionally not performing it (e.g., Mossel 2009, 310). I think only intending to try is enough for intentional omissions. This trying, or intending to try, should be successful however — mere mental states concerned with trying to not do something are not enough for intentional omissions.

Another question that can be debated is whether the action not done should be possible for the agent in intentional omissions. An action the agent perceives as doable could nevertheless be prevented by external interventions. Is the omission, then, still intentional even though the agent could not have performed the action had it been tried? An agent can intentionally refrain from voting, for instance, but does it count as an intentional omission if the voting office has been taken over by anti-democracy activists, preventing all attempts at voting, without the agent being aware of this?

I think the action should not be necessarily possible, just perceived as something the agent could at least try, because we often do not have full knowledge of the success of our intentions. Before trying out some actions as well, we are not sure if the attempt succeeds, the action being intentional anyway.[35] But when we intentionally do not perform actions, we are assuming the action is at least somehow perceived as possible for us. According to Mossel, in a negative action, the agent must believe she would have had at least some prospect of *Q*-ing had she tried to *Q* (2009, 312).

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35 I think this is true especially of the types of actions that are done for the first time.

It is thus not assumed that the agent should have been able to perform the action that is not done in an intentional omission. In an intentional omission the success of the action not done is never tested. Later in this chapter I will argue that not all intentional omissions are *failings* of a kind. It may not be clear at the time of the intention not to do something, whether the action would succeed had it been attempted by the agent. Agents often have uncertainty about the outcomes of their efforts. What matters in an intentional omission is what the agent intends not to do, not whether what is not intended would have been possible for the agent in another possible world in which it had been attempted.

Opportunities do matter when we evaluate the horizon of possible future actions. Usually what we intend to not do is somehow within our reach. We do not normally form intentions to not walk to the moon and back but if we did, successful intentional omissions of this kind would need to be considered intentional omissions according to the view presented here. Intentional omissions are about actions that are somehow in the horizon of action for the agent although the agent might be unsure of whether the action is truly possible for her. It would be too much to ask from agents to be fully aware of their own possibilities and limitations of action when intentionally omitting to do something. For instance, grandiose agents seriously misconceive their own options and powers of acting. This does not mean that they cannot intentionally omit – the theory of agency should not only apply to agents that have realistic knowledge of their own power and all possible factors influencing the situation.[36]

What about an agent who is unable to move — is she able to intentionally omit to do something? An agent recovering from anesthesia can still try to move her feet, even though she cannot yet move, so it seems plausible that she can also intentionally omit to try to move her feet as well. Situations in which the agent has no perceivable opportunities for action are conceivable and in some of them the agent can still manifest her agency by intentionally not doing something. It must also be noted that although the action not done is in the horizon of action possibilities for the agent in an intentional omission, the agent might not have the psychological ability to actually perform it while she is intentionally omitting to perform it. A conscientious objector might feel physically unable to shoot the crowd but the opportunity of acting is nevertheless perceived to be there so that the agent can form an intention not to perform it. In order to be tried, or intentionally omitted, actions do not have to be certain, or possible in all possible worlds. Actions not done are not necessarily certainly doable for an agent in order for her to intentionally not perform them. They do have to be somehow perceivable for the agent, however.

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36 It can be argued that grandiose agents are self-deceptive when it comes to their omissions: they can think of them as intentional choices although the actions not done would have been impossible anyway. Perhaps the intentional omissions of a completely self-deceiving agent are not genuine intentional omissions but cases that contain some self-deception should still be included as intentional omissions because moderate self-deception about one's own abilities must be a very ordinary phenomenon.

Another question in which the views of not doings have diverged is whether the action would have happened in the absence of the agent's intention not to perform it. According to Mossel, the agent might have *Q*-ed in the absence of the intention not to *Q* (2009, 310). This is because an absence of an intention not to *Q* does not entail the presence of an intention to *Q* (Mossel 2009, 310). It seems that some intentional omissions are such that the action would have happened had the agent not prevented it by inhibiting it. But not all intentional omissions are this kind of decision situations between doing and not doing something so it is not assumed here that the action would have happened had the agent intended not to perform the action in question.

I do not assume that the agent wants to do the action not done, nor is it assumed that the agent wants to intentionally omit doing it. The notion of metacognition is weaker than wants or desires. As I will argue in Chapter 4, it would be strange to ascribe desires for not doing something for an agent who is, for instance, refusing to eat meat. The agent does not desire not-eating, but is against eating meat in some way. Neither does she does just lack motivation to eat meat but may have a negative attitude toward meat-eating. Furthermore, ascribing wanting to eat meat to her would be superfluous; there need not be an internal conflict present in every intentional omission.[37]

It is also not assumed that intentional omissions are fully conscious – something of which the agent is aware of throughout the omission. What she does not do might not be in the immediate consciousness of an agent when committing an intentional omission. This is because it would be too much to ask from intentional omissions that they are fully conscious throughout the omission, which can last for a long time. Still, there is some kind of mental aspect in an intentional omission: some awareness of not doing at some point before or during the omission. In the following, the nature of this part is further clarified.

3.3 Metacognition

How does the possibility of action arise in the agent's mind? What does it mean that the action not done is in the horizon of action possibilities for the agent? According to Clarke, the mental states needed for an intentional omission include some relevant intention together with an awareness that one will not perform a certain action (2010, 166). He counts as an intentional omission an absence of the agent's action in which the agent has certain mental states (2010, 163). The mental states are not necessarily intentions to not perform an action, but according to Clarke, intendings to try to not perform an action are sufficient as well (2010, 164). If an intention to not do something is not necessary for an intentional omissions, what kind of mental states are? And how do they have to

[37] It is apparent that meat-eating is somehow in the horizon of action for the agent, however. Without the metacognition, the agent could not form the contra-attitude toward those kinds of actions.

be related to the action not done? In the following, I argue that what is needed for intentional omissions is procedural metacognition that is somehow directed to what the agent does not do. Because mental or physical effort are too strong candidates for the mental part of intentional omissions, in the following, I will to show that metacognition that involves recognition of the action not done is necessary for the mental part because the control of intentional omissions is built on the metacognitive control of agents. First, however, I will argue that mere guidance control is not enough to account for the necessary mental parts of intentional omissions.

3.3.1 Guidance control

According to Fischer and Ravizza, an agent has guidance control when an action flows from the agent's own, moderately reason-responsive mechanism (Fischer and Ravizza 1998, 207). When someone's act is under guidance control, what is done is done freely (Fischer and Ravizza 1998, 31).[38] Fischer and Ravizza understand guidance control as a combination of the agent's "'ownership' of the mechanism that actually issues in the relevant behavior, and the 'reason-responsiveness' of that mechanism" (1998, 241). Is guidance control then enough to account for the control of intentional omissions?

A problem with requiring only guidance control from intentional omissions is that many unintentional omissions are in the agent's guidance control in a reason-responsive way as well. If the process leading to the actions the agent is doing is reason-responsive, it is still not enough to make all simultaneous omissions intentional. Consider an agent driving a car being ready to bring it back to the original route plan in case there is another road in the horizon of driving options. The driving itself is under the guidance control of the agent. The agent is driving a well-known path, she is not turning at several intersections, and the not turning of hers is not an intentional omission but completely automatic. It does not even cross her mind while driving to turn at these intersections but the driving itself, and not turning from intersections, is under her guidance control, happening quite automatically though. The not-turnings seem to be her omissions but they are not in any way in her mind at any point. So I think these kinds of cases demonstrate that it would be very difficult to distinguish intentional omissions from unintentional ones with the notion of guidance control of action. Mere guidance control of actions is not enough to account for the mental aspect of intentional omissions. There is an aspect of

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38 According to Fischer and Ravizza, guidance control, instead of a stronger form of control (i.e., regulative control) is necessary for responsibility (1998, 33). It must be noted that the question of the control of intentional omissions is not the same as the question of their responsibility: even if we did not control our omissions, they might still be something that we are deemed responsible for. Fischer and Ravizza's account shows that control and responsibility are connected, but I think it is enough to ask for responsibility of the agent who *could have* controlled his omission. If the metacognition view is fully embraced, it means that we are not only responsible for what we do and do not do but for the intentional development of our metacognitive capacities as well.

awareness, or attention, in intentionally not doing something the notion of guidance control does not seem to be able to account for. To be intentional, an omission is not just in the control of the agent but it is especially picked out from the horizon of action possibilities as something the agent does not do.

3.3.2 Procedural metacognition

What is necessary for the control of intentional omissions then if guidance control is not enough to account for what happens in the agent's mind when they intentionally omit? I will next present an alternative view about the mental conditions of intentional omissions. In this view, the agent's awareness of action possibilities has to do with procedural metacognition. I am using procedural metacognition here to refer to the agent's perceptions[39] of the possibilities of action, which is usually combined with a certain kind of evaluative stance toward this possibility. The metacognitive component recognizes, or picks out, the action that is not done from the agent's perceived horizon of future action. In inhibiting an impulse to act, for instance, the metacognitive component of noticing the impulse is necessary for the agent to inhibit it from being effective.

One benefit of defining intentional omissions with the help of metacognition is that it allows for perceiving them in a way in which what matters is what the agent perceives as an option of action for her, not what is actually possible. Mossel has argued that some kind of real option of the action not done should be present in the agent's mind in an intentional omission (although he uses the term negative action). According to Mossel, the *Q*-ing should present itself as a real option to the agent rather than as a fantasy, meaning that the agent has some reason to consider *Q*-ing in order to intentionally not *Q* (2009, 311). Mossel, I think, is correct in maintaining that what an agent thinks about her options is what matters, not what is actually possible.

What is this metacognitive component then? It can simply be defined as a cognition about one's own cognition (e.g., Nelson 1992) or a metarepresentational capacity to self-ascribe mental states (Arango-Muños 2011). In cognitive psychology, however, metacognition has largely been used to refer to the *evaluation and control of one's own cognitive processes* and through this control, the control of thoughts, memories and actions (Shimamura 2000, 313). According to Joëlle Proust, who has supported this evaluative stance of metacognition, procedural metacognition enables executive abilities such as an ability to refrain from acting impulsively or rejecting what does not cohere with one's values (2014, 52).

Proust distinguished attributivist conception of metacognition from an evaluativist conception, the latter of which is used here. An *attributivist* conception of metacognition defines metacognition as knowledge about one's own

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39 I do not mean only affordances here, following Susanne Siegel's conceptualization (2014) because some action possibilities may be suggested by the agent's environmental cues but some intentional omissions are such that they arise to the agent's consciousness without the environment suggesting them, from the agent's imagination, for instance.

knowledge, or thinking about one's own thinking, involving a metarepresentation of one's own epistemic states (Proust 2014, 703). The *evaluativist* conception of metacognition, however, defines it as an epistemic self-evaluation that can be based on affects or on concepts (Proust 2014, 703). The evaluativist conception is much more diverse than the cognition of one's cognition view, and it has more to do with executive functions in general.

The evaluativist conception of metacognition can be used to describe the metarepresentational states in intentional omissions because in it, metacognition is not merely considered as being about the cognition of cognition. According to this evaluativist conception, metacognition has been defined as the general capacity to self-evaluate one's thinking but in the case of procedural knowledge, metacognition can also happen without mental state attribution (Proust 2014, Nagel 2014, 710–711). Procedural metacognition means the ability to monitor and evaluate one's cognitive states and dispositions and to use those self-evaluations in the guidance of behavior (Langland-Hassan 2014, 719).

When it comes to intentional omissions, this means that in addition to the agent noticing the possibility of an action, some evaluation of the action is made by the agent. Metacognition is necessary for intentionally not performing actions especially because this noticing part is necessary for the agent to be able to make an evaluation. The option of taking a turn pops into the mind of the driver passing through intersections and only then she can make a decision to not turn. Otherwise just the automatic driving is intentional on her part.

Interestingly, these kinds of metacognitive skills seem to be necessary for intentional omissions. Agents need to have some kind of self-control about options in order to intentionally not perform an action. Somehow this self-control has to do with the agent being aware of her action possibilities. According to Edmund Henden, self-control is the capacity to bring one's actions in line with one's intentions in the face of competing motivations (2008, 71). A self-controlled agent, for instance, forms an intention to resist smoking a cigarette and because of the self-control, can resist the action despite having a strong urge to smoke (Henden 2008, 71).

This, in my view, is where procedural metacognition comes into play in intentional omissions. Without noticing the urge to do something, the intention to not perform the action in question cannot succeed, nor can it even be formed. An agent can intentionally omit to wash the dishes only by recognizing the possibility of dishwashing. The recognition itself is metacognitive because it involves the procedural monitoring mechanism of one's own actions and activities.[40]

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40 This view is similar to Fischer and Ravizza's actual sequence account, according to which the actual sequence that leads to action is integral to responsibility, not something that could have happened (1998, 37). They argued that ascriptions of responsibility do not depend on whether agents are free to pursue alternative courses of action but what the agent actually does (Fischer and Ravizza 1998, 37). Here a similar kind of view is embraced for the naturalization of intentional omissions. The emphasis of the conceptualization is what actually happens in intentional omissions: what matters is what the agent intentionally does not do and what goes on in her mind

Consider a meditating agent. In sitting meditation, she is committing an intentional omission when she is, perhaps non-judgmentally, noticing an urge to scratch her nose. Without the mental space and the temporal pause to the action this noticing provides, she would scratch her nose if the urge was strong enough to induce action. Through the act of noticing she is somehow capable of controlling her omissions by having the possibility of forming an evaluative stance toward them.

If an agent behaves automatically, she commits no intentional omissions. We can conceive an agent without metacognitive skills, a wanton of a kind. She is automatically following every urge that is strong enough to induce action. It can be questioned whether an agent without metacognitive skills can commit intentional actions either, but it seems that she does not intentionally omit because options of different actions do not arrive in her mind before the actions are done. One cannot inhibit action impulses without being somehow aware of them or form any another stances toward actions that are not done — that would control intentional omissions that do not include an urge. In this kinds of cases the possibility of the action not done must also be present in the agent's mind at some point before or during the omission, otherwise all deliberation on whether to not do something is impossible. Procedural metacognition is needed in being aware of our not doings, because in intentional behavior, the continuous evaluation of action possibilities is present.

Procedural metacognition is not a mental action of a kind, however, because it is not completely willful. Instead it can more suitably be described as the *precondition* to mental activities. According to Proust, metacognitive episodes help an agent perform her mental actions; they help her check their preconditions and their final adequacy (2013, 9). Metacognition seems to be at the base of action control but in the case of intentional omissions it is necessary. Procedural metacognition is needed in being aware of our not doings, that is, in making our behavior intentional. Intentional omissions are in the agent's control but they are not just a side effect of doing something else: some kind of mental activity that is directed to the action not done is needed, because the mental states concerning what is done by the agent would not be sufficient to make the omission intentional. Then the agent's behavior would be intentional but her omissions are unintentional.

Several writers have argued that intentional omissions require that one does not try to actually do the action that is not done. One cannot intentionally omit to get wedded if one is in an airplane when the wedding is supposed to happen (Mossel 2009, 310). According to Clarke, Ulysses, who had himself bound to the mast, is not intentionally following the song of the Sirens because he is trying to follow it (2010, 159). The metacognition view, however, grants this kind of intentional omissions in which the agent could not do the action at the time of the omission but the omission is originally intentional anyway. The agent might have intentionally situated herself at the airplane in order to inten-

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and her brain while recognizing the possibility of this action instead of building the concept merely on modalities — what she could have done but did not.

tionally not get wedded. Ulysses has had himself tied to the mast in order to intentionally omit following the Sirens. The metacognition view allows the intentionality of this kinds of omissions because the metacognition toward not doing something has made it possible for the agent to prevent herself from doing something by earlier modulating his or her circumstances in acting.

3.3.3 Plans and decisions

It must be noted that if intentional omissions in the minimal sense contain procedural metacognition toward the action not done, it is not assumed that they contain the agent's plan of behavior. According to Alfred Mele, intentions have both a representational dimension and an attitudinal dimension (2010, 110). The representational content of an intention can be understood as a plan, and this is accompanied with an executive attitude, that is, the intending attitude toward plans (Mele 2010, 110). Intentional omissions can thus be seen as intentions not to violate a plan not to vote, for instance (Mele 2010, 110). According Clarke, intending in intentional omissions is an objective or an aspiration (2010). He has later clarified that the content of the intention in an intentional omission is a plan of action such as the agent does not do action A (2014, 166).

The benefit of the metacognition view is that it allows for the most minimal control of intentional omissions conceivable, without assuming that only the kind of not doings that have been thoroughly deliberated are part of our intentional omissions. It would be problematic to ascribe as intentional omissions the kinds of not doings that have not even crossed the agent's mind. Spontaneous intentional omissions are problematic as well for the view that ascribes plans as necessary for intentional omissions. The metacognition view allows that the metacognition can happen the same moment as the omission – it does not have to include deliberation prior to the actual omission. An agent can, for instance, react to other people standing up by spontaneously refusing to stand up and the procedural metacognition of noticing the possibility of standing up can be present in the agent's mind without any preconceived plan of action.

The necessary mental part of an intentional omission can also be seen as a decision to not do something. The problem with this view is that some intentional omissions are such that they seem to contain a decision not to do something but not all intentional omissions seem to include a decision. Intentionally not doing something might not just be a matter of a binary decision to do or not do something. A vegetarian not eating meat at a buffet does not have to decide not to eat meat every time she sees a meat option. This does not make the omission unintentional, however, as long as the agent has formed an evaluative attitude toward the action at some point — just noticing the possibility is enough to trigger the avoidance reaction in the case of the vegetarian, for instance.

The metacognition view is thus a weaker condition than a one that requires a decision from all intentional omissions. This is because agents can also put themselves in situations in which they do not have to make an active decision to not do something. A procedural metacognition of the possibility of an

action can happen well before the actual omission when the agent is putting herself in a situation in which options of action would not be possible. In this kind of situations a full-blown decision not to do something is not necessarily done; this putting ourselves in situations can also involve fluid control of our environment that makes certain kinds of decision-making situations less likely.

Some writers have argued that prior intention is not enough to make an omission intentional. According to Vermazen, if the intention not to perform an action ends before the actual omission, it cannot qualify as a negative action (1985, 98). Vermazen uses an example of intending not to cough between adagio and presto, forgetting about the intention and as a result of his beliefs and desires, ending up not coughing (1985, 98). The problem is that the not coughing was not the realization of the agent's intention (Vermazen 1985, 98). Vermazen is correct in pointing out that the intention not to do something and the omission of the action in question are not sufficient conditions for an intentional omission. What is also needed is some relation between them. But it does not mean that a prior intention cannot be sufficient for an intentional omission, if it is accepted that with the help of metacognition of recognizing the possibility of performing an action we can influence how we situate ourselves in the world. The agent can, for instance, learn a relaxation method that can prevent one from coughing at concerts so that eventually one does not have to consciously intend to not cough all the time between adagio and presto because the agent can concentrate on the relaxation instead. Without the metacognitive element, the omission of not coughing at the concert is automatic. This is because then the option of coughing has not even crossed the agent's mind, and the agent has not had to modulate the circumstances so that some action would not happen.

The notion of metacognition raises several questions about the attentional processes in intentionally not performing an action — all of which cannot be fully answered here. The relevance of attention in action control is an area that is still largely uninhabited in philosophy of action. According to Wayne Wu, attention is necessary for guidance control, but its relevance has largely been missed by previous theories of action (2016, 102).[41] Intentional omissions have to do with attention because when we intentionally do not perform actions, the action not done is somehow at the center of our attention at least at some point. Through this attention we are somehow able to control our doings and not doings. The psychological literature on metacognitive control suggests that by noticing our mental states, we can gain control of our omissions as well.[42] An agent finding herself smoking is lacking in metacognitive skills whereas an agent noticing an urge to smoke can actually prevent it. Procedural metacognition somehow makes it possible for the agent to have the cognitive distance to action that is not done. In automatically following urges there is no room for

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41 According to Wu, although attention is central in action theory, no philosophical account of action has yet taken it seriously (2016, 102).

42 One example is how motor representations can trigger action. According to Elisabeth Pacherie, motor representations can be directly triggered by environmental stimuli thus triggering actions unless the agent is vigilant enough to notice what is going on (2011).

executive control, but how exactly this happens requires further work to be fully explicated.

3.3.4 Objections

It can be questioned why this kind of a meta-component is needed. Why is the intention not to perform an action not enough for an intentional omission? It could even be argued that intentional omissions are merely of the form "I intend to not *Φ*," instead of the more complicated "I notice I intend to not *Φ*." My answer to this objection is that "I intend to not *Φ*" contains the recognition of I and *Φ*, which does not have to happen on a meta-level in order to intentionally not *Φ*.

According to Peter Langland-Hassan, procedural metacognition can be described in first-order terms, without a meta-representational term (2014, 725). Impulsive action, for instance, can be prevented by developing competing desires (Langland-Hassan 2014, 725). In the case of intentional omissions, the first order control of positive actions is not enough, however. An agent can intentionally do some action instead of another, but without even noticing the action *not* done, the agent cannot intentionally not perform it. In all kinds of intentional omissions that are usually talked about as something we intended not to do, this recognition is somehow present. Metacognitive control allows for control of omissions through actions so one does not have to concentrate on inhibiting urges necessarily.

A full-blown intending, in the traditional sense, is not necessarily needed, however. In intendings that concern not doing something this metacognition toward not doing something is present but it need not be accompanied with actual intending. Intentional omissions can involve deliberations, inhibitings, decisions, preferences, and as it is argued in the Chapter 4 with more detail, resistings. All these require noticing the action not done as a possibility, but the metacognition is the most minimal sense that this mental activity might happen, instead of the more demanding notion of intending. The metacognitive element allows the agent to evaluate the possibility of the action that is not yet done.

Another difference between procedural metacognition and intending is that intending is a diverse notion of action theory whereas procedural metacognition can be, and has been empirically studied. Intending is also a somewhat messy concept. Pacherie (2006) has systematicized different kinds of intentions in action control. She ends up categorizing intentions at several levels: future-directed intentions, present-directed intentions, and motor intentions (2006, 146). But it is important to ask what exactly happens in an intention. At least the motor intentions are not present in, at least some, intentional omissions. Dividing the notion of intention to different kinds can be useful but what I think would be even more useful is connecting the necessary parts of intention to phenomena studied in cognitive psychology when it comes to action control.

But what is the role of attention in the metacognition view of intentional omissions? Does procedural metacognition require attention toward what the agent is not doing? If it does, why is there a need for metacognition if attention

toward not doing is sufficient for describing what is going on in the mind of the agent in intentional omissions? According to Wu, attention selects particular perceptual outputs to inform cognition and action (2016). I have argued that in the case of an intentional omission, what is selected by the agent is the action not done toward which the agent forms an evaluation. But if attention is necessary for intentional omissions, are we directing our attention to what we are not doing when engaging in an intentional omission? I think not. This is because what is not done does not have to be at the center of the agent's sustained attention in intentionally not performing an action. If attention were required, one could do little else than engage the attention to what is not done. The metacognition view allows that the action not done can arise to the agent's mind in different ways: when the action is something that others are doing, when it is expected of the agent, because it is something the agent feels an urge toward performing, because she has strong beliefs against the action or because the agent in general has to choose between different options of acting. It is too much to require from intentional omissions that the attention of the agent would be targeted toward the not doing throughout, or even during the majority of the time-frame of the omission. What is not done is, however, somehow noticed by the agent, so some kind of attention is needed. Procedural metacognition is, however, a better candidate than attention to account for the mental component of intentional omissions because it also includes also the evaluative control of our doings. Mere attention of our not doings can only be a matter of the agent paying attention to what she is not doing, instead of actually controlling her not doings by picking them out for conscious evaluation.

Attention and metacognitive control seem to be related phenomena, however. One has to pay attention to inner going-ons in general in order, for instance, to notice urges one can inhibit or to notice possibilities of acting one can decide against. Sometimes intentional omissions require sustained attention to something, as in the case of a meditating agent who is intentionally not moving for the duration of ten minutes. The difference between attention and metacognition is, however, is that attention might be targeted toward what the agent is doing instead of what she is intentionally not doing as long as the metacognition was at some point targeted toward not doing something.

3.3.5 Implications and open questions

Procedural metacognition might also have something to do with mindfulness, that is, noticing the content of one's thoughts, in controlling actions and intentional omissions. Noa Latham defined mindfulness as noticing whatever mental states occupy the focus of one's consciousness (2016). In many intentional omissions, such as resistant ones and inhibitings, there seems to be a kind of a noticing part and an evaluative part – forming the intention to not perform, deciding, preventing an urge or resisting the action. The noticing part seems to be necessary for the agent to be able to evaluate the possible actions consciously. Metacognitive control thus seems to be what makes us intentionally omit instead of

omitting automatically — it enables us to not stand as mere bystanders regarding our own behavior.

Interestingly, this noticing part in actions and omissions seems to be, according to the recent literature on mindfulness, to some extent, skillful.[43] The ability to notice mental going-ons seems to be something that can be developed and enhanced through certain kinds of activities. These findings also raise new ethical implications and questions. If we can increase the intentionality of our behavior with certain practices, are we then responsible for developing our metacognitive skills? If we can prevent following our automatic urges through metacognition that can, in turn, be developed by various mindfulness practices, are we then responsible not only for our actions and omissions but for the development of our mindfulness skills as well? It is impossible to answer these questions within the limits of this dissertation but it must be noted, that the skillfulness of metacognitive control does complicate the picture of the responsibility of omissions: it might be that we are not only responsible for some of our actions and omissions but the development of the metacognitive skills that makes our behavior intentional as well.

It seems that the metacognition view has flexibility about the temporal connection of the procedural metacognition and the actual omission of the agent. When does the procedural metacognition then have to happen in relation to the omission of the agent? Retrospective metacognition is not enough to make an omission intentional because even though one can re-evaluate one's omissions in a different way afterwards, an unintentional omission cannot be made intentional with later reflection. One can pick out an omission from the previous flow of behavior retrospectively, though, but it is not enough to make it intentional because the omission cannot be controlled retrospectively and somehow the metacognitive element allows for conscious control of intentional omissions. Procedural metacognition concerning the action not done should then be present in the agent's mind at some point *before* or *during* the beginning of the actual omission.

Another question closely related to the nature of the procedural metacognition is whether metacognition is directed to an action type or a token in an intentional omission. Types of actions are the general categories to which actions belong, and tokens are the specific instantiations of these types. According to Rowland Stout, intending is always directed at an action type that only retrospectively instantiates into a particular action token (2010, 160). Stout argues that agents do not identify particular actions in intending to do something because agents do not usually intend to do actions at absolutely precise moments (2010, 160). This view is applicable to intentional omissions as well. When we intend to not eat meat, we are usually talking about a general category of meat eating instead of a precise, identifiable action that is also very tricky to identify especially because it does not happen. So it seems plausible to assume that the mental parts of intentional omissions are directed at representations of action

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43 In accordance with these findings, Alva Noë has argued that intention should be seen as skillful access (2012).

types. This does not mean that all intentional omissions would be long-term commitments to the non-performance of some action type. For example, not lifting one's hand in a meeting in which a new leader is elected is an intentional omission but even the specificity needed for intending not to perform a token of lifting a hand is too demanding: even in a specific moment one intends to not perform an action type of lifting a hand, or voting for the new leader instead of an action token of lifting a hand at T^1.

The ability for metacognition has been deemed as central to the control of intentional action. If metacognition is the necessary condition of intentional omissions, it seems that metacognitive control may be necessary for the control of intentional actions as well. I have argued that the recognition of the possibility of the action that is not done is necessary for intentionally not doing something. Without this component the action that is not done cannot be present in the agent's mind and then what is intentional is what the agent *does,* not what she does *not* do.

I have argued that the agent's procedural metacognition toward the action not done is the necessary *mental* condition of intentional omissions. What is needed is also that the agent actually does not perform the action in question, that the metacognitive element happens before or, in the case of spontaneous intentional omissions, simultaneously with the non-performance of the action, and that there is a certain kind of relation between the metacognitive component and the agent not-performing the action – the relation that depends on the theory of action one is committed to.

The relation between metacognition, attention and mindfulness in agency cannot be completely dealt with within the limits of this dissertation. Questions related to these issues are not only at the conjunction of philosophy of action and philosophy of mind but at the conjunction of Eastern philosophy and modern psychology. The philosophical discussion of mindfulness especially is such a new development that the conceptual work has not been finished yet.[44] Perceiving coherently the role of mindfulness, attention and metacognitive control in action and intentional omission would link philosophy of action better to cognitive psychology. In the following, however, the metacognitive view is used in demarcating different intentional omissions from each other in order to develop further the non-normative action language of intentional omissions.

3.3.6 Typology of not doings

How do our not doings become intentional? When we have to struggle with urges, when others are doing what we are not doing, when we develop negative attitudes toward doing something we are used to doing, when what we do not wish to do would still be expected of us. According to John Kleinig, a rich vocabulary of omission has been carved "out of the 'void' of nondoing" that consists of not only omitting but 'neglecting,' 'refraining,' 'forbearing,' 'ab-

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44 What exactly is meant by mindfulness is still under debate, as is as the concept of metacognition.

staining,' 'declining,' 'refusing,', 'evading,' 'ignoring,' 'postponing,' 'shirking,' 'allowing,' 'permitting' and 'letting happen'" (1986, 3). In the following, I propose a typology of the kind of phenomena belonging to the agent's intentional omissions. The purpose is to clarify what kind of different things can belong to the agent's omissions but first I clarify how this typology differs from those of Patricia Milanich (1984) and Kent Bach (2010). The typology I propose is an updated version of the one I have presented in Kärki (2018).

There are different ways to categorize omissions – based on their responsibility, the objectives of the agent in not doing something or based on the consequences of what is not done. Normative action language of not doings is often related to the consequences of omissions: letting a child drown is wrong because what happens following this omission is considered bad and what happened was preventable by the agent. The following typology is based on what happens in the not doing itself, not what happens because of it. Here what the agent intends not to do, and how that intention arises, is considered integral to the differences between the different intentional omissions. The intentions also have to be effective in a sense that the intentions have certain kind of a relation to the agent actually not doing something.[45] This typology is also relying on the notion of procedural metacognition: when the agent notices the possibility of the action in her horizon of action, different kinds of evaluative attitudes can be formed towards this action.

Here I assume that omission is the general category to which intentional omissions and other not doings belong to. In Milanich's taxonomy, allowing is the general category of not doing; Milanich assumes that allowing can happen by doing something else or by not doing something (1984, 58). Allowing by not doing something is assumed to happen necessarily by failing to do something, which is then further divided into failing a duty or reasonable expectation and failing by refraining to do something (Milanich 1984, 58).[46]

The problem with Milanich's scheme is that it introduces the normative element and the non-normative element to the same level of analysis. This is a problem if one wants to stick to the agent's perspective in demarcating between different kinds of omissions. I have argued that a non-normative action language of omissions should be built first because it allows for analyzing what actually happens before introducing the normative element to the analysis; the non-normative action language makes it possible to talk about what actually happened before jumping to conclusions about its normative status.

Milanich predominantly talks about intentional omissions that are morally wrong and have bad consequences for which the agent is responsible – such as letting a child drown and causing a bathtub to flood (1984, 59, 61). All intentional omissions are also seen as cases of allowing something to happen, which, as it was argued in Chapter 2, is a description of the consequences of omission,

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45 Effectiveness is here used in a weak sense – I do not attempt to link this categorization necessarily to the causal theory of action.

46 Failing by refraining means in Milanich's terms consciously omitting (Milanich 1984, 64).

not necessarily the description of the intention behind an intentional omission or a full description of what happens in an intentional omission.

In Bach's taxonomy, on the other hand, failing is seen as the general category of not doings. Bach relies on the definition of omission as a "failure to do, or even attempt to do, something that in one way or another one is 'supposed to do' for instance leaving out a step in a procedure or not fulfilling a responsibility" (2010, 51). As it has been pointed out, here it is not assumed that failing to act is the general category of not doings, because successful attempts at not doing something should be included in the non-normative action language as well. If failing is the starting point, it is implied that there is something wrong with intentionally not doing something by definition.

Some phenomena from which it is unclear whether they are intentional or unintentional omissions are omitted from the following typology. Examples of such include a self-betraying agent believing she is intentionally omitting to do something while she is actually unintentionally not doing something due to, for example, a weakening illness she is not aware of and, for example, a subconsciously resistant intentional omission of an agent who has not became aware of her hidden resistance. The following is a conceptual scheme which is not intended to be comprehensive.[47] Instead, the idea is to gain preliminary understanding of the basic categories of the not doings of agents so that they could be talked about coherently, especially in the social sciences.

Omissions and intentional omissions

Everything the agent does not do is an omission of hers in the non-normative sense of the term. The difference between unintentional omissions and intentional omissions is in the intention of the agent: whether the omission happened intentionally or not.[48]

Intentional omissions

Intentional omissions are an agent's omissions that include, at least, the agent's procedural metacognition toward the action that is not done, and the relation of this metacognition and the omission of the agent's. Procedural metacognition in

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47 According to Little, a conceptual scheme is an interrelated set of high-level, abstract concepts that can provide the mental resources needed to represent, describe and explain empirical reality (2016, 27). A comprehensive conceptual scheme would contain all phenomena in a certain domain (Little 2016, 27).

48 There is also a difference between intending not to perform an action and not intending to perform an action. The latter is an unintentional omission whereas intending not to perform an action is an intentional omission: an absence of an intention to do something is not sufficient for an intentional omission because an agent must be somehow actively aware of what is *not* done at some point before or at the beginning of the omission.

which the agent is picking out an action from the horizon of future actions as something that is left undone includes an evaluation of a kind. The following categories are subcategories of intentional omissions, including the different kinds of evaluations toward the action that is not done, or toward something else that is done.

Preferring

Preferring another course of action can include an intentional omission of a kind. This kind of an intentional omission requires little else than the agent noticing the option that is not done. The procedural metacognition of noticing the action not done is accompanied with a positive evaluative attitude toward another action. In preferring, an agent recognizes the possibility of one course of action and intentionally omits performing another thus *preferring* the performance of another action. The agent can thus do something at the same time as intentionally not doing something else.[49] It must be noted that the evaluative attitude is here connected to what the agent does instead but nevertheless what is not done is the center of the agent's attention as well.

An agent can choose to wear one shirt over wearing another shirt, for instance. Not wearing the other shirt is not accidental nor does it necessarily contain resistance over wearing this particular shirt, or any kinds of attitudes toward wearing it. The wearing of the shirt has, however, crossed the agent's mind at some point, in order for the omission to be intentional.[50] Procedural metacognition is at some point directed to the action not done, in this case, of wearing a particular shirt. Preferrings, however, are not all there is to intentional omissions. If all intentional omissions were treated as preferrings, several problems would ensue. Intentional omissions in which nothing else is done[51] instead would, for instance, be difficult to talk about in case all intentional omissions were reduced to preferrings.

Resisting

In a resistant intentional omission an agent is not performing an action out of resistant intention toward the action not done.[52] An agent is somehow against

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49 An agent can also prefer performing an action over not performing it, in which the comparative evaluation is made between doing and not doing something, but here preferring is used in a restricted sense to refer to preferring an action *a* over another action *b*.

50 According to Mossel, an agent does not refrain from wearing all other shirts when picking out a shirt from the closet in the case that wearing other shirts in the closet does not even cross his mind (2009, 312).

51 For example, a situation in which an agent intentionally does not vote and does nothing instead would be this kind of a case in which no other action is preferred.

52 Chapter 4 deals especially with this kind of intentional omissions.

the action and can even harbor strong negative evaluations against the action in question. The procedural metacognition of the possibility of the action not done is also present in the agent's mind at some point before or at the same time as the actual omission. It is accompanied with a negative evaluation against the action in question. The oppositional attitude can be targeted toward the specific action not done or to something else such as an institution, a policy, an abstract entity, or a system of power. Somehow this oppositional attitude is linked by the agent to the action not done.

An agent can also resist an intention to perform an action but here *resisting intention* is used in a restricted sense to refer to the agent intentionally resisting performing an action. Procedural metacognition concerning the action not done is necessary for this kind of intentional omission because the agent has to be somehow aware of the possibility of this kind of action in order to be able to resist it. No urge to perform the action not done is necessarily present, however. Neither is a norm or an expectation necessarily breached: an agent can resist flying due to environmental reasons in intentionally not flying without there being an expectation of anyone for her to fly. An agent can resist an organizational change in intentionally not answering a questionnaire even in the absence of a norm or expectation to answer it. Supererogatory resistant intentional omissions are conceivable as well.

Inhibiting

In inhibiting, an agent is intentionally keeping herself from performing an action she feels some kind of an urge to perform.[53] The impulse to perform the action that is not performed by the agent is necessary for inhibiting: the agent is taking a controlling stance to her own behavior that might otherwise lead to an action of a kind. Procedural metacognition is necessary for this kind of intentional omission as well because the agent cannot stop herself from following urges if the urge does not become available in her mind. For instance, an agent can inhibit an urge to run away from a barking dog but unless she becomes aware of this urge before it transforms into action, it cannot be inhibited and an automatic action ensues. Here procedural metacognition of picking out an action from the horizon of future action is accompanied with a preventing evaluative attitude of the agent and the urge to perform the action.

Not all intentional omissions are necessarily inhibitings, however, because to intentionally not do something one does not have to feel an urge to do it. Inhibitings are, however, necessarily intentional, if they are omissions, because an agent cannot refrain from doing something without this course of action having been present in the agent's mind at some point.

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53 Refraining can be seen as holding oneself back, or keeping oneself from doing something such as refraining from scratching an itching mosquito bite. Here I use the general term inhibiting an action to prevent further confusion.

Abstainings are a distinct group of inhibitings but whereas an agent can inhibit, for instance, coughing at a single meeting, abstainings are often a matter of a longer commitment to not performing certain kinds of actions.

Postponing and ceasing

When *postponing* an action, the agent is recognizing the possibility of an intentional action but is not performing it yet. In the procedural metacognition the action not done is present in the agent's mind but the agent does not necessarily have anything against the performance of an action, is just postponing it by forming a temporal evaluation toward the action in question. The action might still not happen later on, because the agent can basically postpone the performance of an action indefinitely, or forget about it later on.

When *ceasing* an action, or activity, an agent is intentionally not continuing the performance of an action (or activity). In it, the procedural metacognition is present in that the agent recognized the action accompanied with an evaluative attitude that has to do with no longer continuing the action or activity.

Un-intentional omissions and other not doings

In *failing*, an agent tries to perform an action but fails, or the agent tries to not perform an action but ends up performing it nevertheless. Failing is not necessarily a normative concept, because it does not have to refer to something the agent *should* have done but something the agent actually tries to do, or not do, and fails.

One kind of failing is an omission that is due to the weakness of will of the agent. In an *akratic omission* the agent wants to perform the action, believes she could at least try to perform it, intends to perform it but still does not even try to do it. The agent is aware of this omission, but failings and akratic omissions are not intentional omissions because the agent's metacognitive control malfunctions in akrasia. The relation between the metacognition and the omission is not controlled by the agent: she can notice the possibility of the action but it does not lead to control because although the action is intended, it ends up not happening anyway.[54] Failing an action and akratic omission are omissions, however, because they belong to the scope of things agents do not do. Akratic omission can be a non-normative concept as well as failing, because it does not depend on outside valuations of what the agent should have done. *Laziness*, however, is more often used as a normative concept because it, at least usually, also implies that the weakness of will is morally suspect by definition.

Negligient omissions are omissions that are not necessarily something of which the agent is aware of. According to Milanich, in cases of negligence, an

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54 Weakness of will can, of course, refer to positive actions as well as omissions.

agent is lacking awareness of where it should be (1984, 61). These kinds of cases are omitted from non-normative vocabularies, however, because negligence implies that something *should* have been done.

In *preventing* an action, an agent is making it difficult or impossible for herself to perform an action. An alcoholic pouring whisky down the toilet is intentionally omitting to drink it with the help of this positive action that precedes the intentional omission. Preventing necessarily include previous positive actions so it is not a genuine intentional omission on the basic level of action description, however.

Some cases of *shirking* or *evading* an action also seem to be positive actions. They are, however, philosophically interesting because they show how agents can intentionally influence their own behavior by influencing the situations in which they place themselves — and this kind of interplay between actions and omissions is something that philosophy of action could better understand in the future.

Withdrawing from an activity can be an intentional omission of a kind. It can involve positive actions as well, when an agent, for instance, withdraws herself from directing the board by announcing it publicly. Interestingly, withdrawals often seem to refer to intentionally not continuing an activity instead of not performing an action. Intentional omissions are usually perceived as intentional not doings of specifiable actions (e.g., Ryle 1979, 105). Withdrawals, however, can be very wholesome inactivities in which it can even be unclear what exactly is not done, for example in the case of an agent withdrawing from social relations.

Another interesting and debatable case is that of *ceasing all action*. For instance, major depression has been described as the total shutdown of behavior (Hagen 2003, 109). According to Edward Hagen, however, this shutdown is largely unintentional (2003, 109). It is unclear, however, whether the category of action the agent is omitting should be more specific for it to be accounted as an intentional omission in the case of an agent ceasing actions altogether, even in the case this cessation was intentional.

In this chapter I have proposed a metacognitive view of intentional omissions. It has been applied to building a non-normative vocabulary of intentional omissions that was based on the demarcation between different kinds of evaluative attitudes toward actions. The benefit of this view is that it can be of use in naturalizing intentional omissions. Procedural metacognition is something that can be, and has been, studied in cognitive psychology. If intentional omissions could be naturalized, that is, connected to the necessary psychological counterparts, it would be easier to treat them as something, and perhaps understand better their role in society as well. In the following, however, I will concentrate on those intentional omissions that have been least philosophically interesting so far, that is, the ones that includes resistance toward the action not done.

4 RESISTANT INTENTIONAL OMISSION

4.1 Preliminary remarks

In Chapter 3, resistant intentional omissions in which an agent does not perform an action out of resistance toward it, or something else the action somehow represents, was introduced to the typology of intentional omissions. In this chapter the aim is to clarify this notion of resistant intentional omission. At first, it is distinguished from speech acts. Then resistant intentionality is further analyzed and this kind of intentional omission is defined. What it means to be against something is briefly investigated and a preliminary conceptual map of different kinds of the ways what is resisted can be in relation to the action not done is presented at the end of this chapter.

What does it mean to resist something through intentionally not doing something? The kind of phenomena that belong to the scope of this kind of resistings are the central interest in this chapter and Chapter 5. This chapter concentrates answering the question *on what conditions is an intentional omission resistance toward something.* I assume that the agent is the best authority when it comes to his or her resistant behavior, at least when developing the basic concepts of resistance. Thus, resistances that are subconscious or only ascribed to the agent by someone other than the agent herself have not been of interest in developing this basic notion of resistant inaction.

When dealing with the normative questions of intentional omissions, such as "Should doctors have the right to refuse performing abortions?" it might be taken for granted what refusals are. The whole area of intentionally not doing something out of resistance is somewhat uncharted territory in philosophy. The role of resistance and negative attitudes towards actions in the causation of behavior has not been of much interest in philosophy of action; instead, accounts of pro-attitudes causing action have dominated the discussion. Views that stem from the social sciences have been used here to understand what it means to resist things through not doing something. This chapter aims to develop this

understanding of negative evaluations causing (non-)behavior in part by analyzing the role of resistant attitudes in resistant intentional omissions.

In the following, these kinds of phenomena are called resistant intentional omissions instead of the more common, and more ambiguous, refusals. Refusals are ambiguous because one can refuse to do something as resistance to that action or one can refuse something in emphatically declining an offer. The resistant intentional omission and the speech act of declining something can happen at the same time. Next, resistant intentional omissions are separated conceptually from these, often accompanying, speech acts of declining something.

When we intentionally do not do something, especially out of resistance, we might also declare it for others. In some countries a conscientious objector not only intentionally does not partake in warfare but also makes a written statement about it for the police. In a physician's refusal to perform an abortion, both the speech act and the intentional omission can happen at the same time. In resistant intentional omissions, a speech act of any kind is not necessary, however. An agent can refuse to answer a question without saying anything. Agents who cannot speak can still refuse to eat or drink. On the other hand, an agent can claim that she is not eating meat anymore but end up eating it anyway. Intentional omissions are not dependent on the written or spoken statements about them.

Separating the speech act of declining an offer and the intentional omission of not doing something are not easily kept apart, however. It can be argued that negative attitudes of an agent are expressed in a resistant intentional omission of an agent. The omission would thus be an expression of declining an offer of a kind or an expression of one's dissent toward something. Not answering a question, for instance, would be a gesture of expressing one's defiance. The question about the expressive nature of intentional omissions is briefly tackled in Chapter 5 when talking about protests. I argue that not all intentional omissions are necessarily expressions, mainly because they cannot necessarily be correctly deciphered by an outside observer. Even if they have an expressive nature, the uptake of the message cannot be guaranteed. Although the expressive nature of silences, for instance, is an interesting philosophical topic,[55] it has been assumed here that the phenomena in question call for an action theoretical treatment as well.

4.2 Resistance

In order to understand how intentional omissions can be related to resistance, what is ordinarily meant by the term *resistance* needs to be clarified first. Resistance is a central concept in the social sciences. Although it is a deeply sociological concept (Hollander and Einwohner 2004, 551), it is also a central object

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55 For instance, Mari Mikkola has analyzed failures to perform a speech act as instances of silencing (2011, 416).

of research in, at the least, subaltern, feminist, cultural, queer, peasant and post-structural studies (Vinthagen and Johansson 2016, 417). In the social sciences, the term *resistance* can to refer to the apparent, explicated form of resistance such as official and public protests. Here the scope of resistance is perceived to be wider, however.[56] I follow Hollander and Einwohner's conceptualization of the basic components of resistance, according to which, in resistance, the oppositional attitudes of an agent are transformed into behavior. This notion is seen as also including hidden, unofficial and private forms of resistant behavior, which is why this wide notion is useful for understanding resistant intentional omissions as well.

Although resistance is sometimes treated as unproblematic and easily identifiable, there has been considerable disagreement and ambiguity on what it exactly denotes (Hollander and Einwohner 2004, 549). Although the term *resistance* is used in most disciplines of the social sciences (Vinthagen and Johansson 2013, 11), at least in sociology it is used in diverse, imprecise and contradictory ways, often without definition (Hollander and Einwohner 2004, 534).[57] According to Vinthagen and Johansson, research on resistance is still at a development stage in which it is trying to find its basic grammar (2016, 418). In part, this study attempts to clarify resistance concepts as they relate to ways of talking about resistant intentional omissions.

In action theoretical literature of intentional omissions and similar phenomena, if resistance is talked about, it has usually been used to refer to resisting a specific action. In the following, it is assumed, however, that an agent can resist an action for different reasons – resistance can also be targeted toward something other than the action itself. The relation between what is not done and what is resisted is more closely analyzed in the last part of this chapter.

Hollander and Einwohner's characterization of the fundamental elements in the sociological uses of the concept of resistance are used here to develop a minimal notion of resistance. The aim is not to challenge the more limited uses of the concept in the social sciences, but to provide such a general notion that it could be used to bridge the gap between concepts of intentional omissions in philosophy and concepts of resistance in the social sciences. The idea is to combine what we know of intentional omissions in philosophy of action and what we know of resistance in order to conceptualize, understand and talk about resistant intentional omissions. This is done by using a notion of resistance that both social scientists and action theorists could agree on.

In Hollander and Einwohner's extensive analysis of the uses of the term *resistance* in articles published in sociology journals, two core elements of the

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56 The scope of resistance can cover a wide array of phenomena in the social sciences. According to Michel Foucault, resistances can be possible, necessary, improbable, spontaneous, savage, solitary, concerted, rampant, violent, quick to compromise, interested, sacrificial etc. (1990, 95–96). In sociology, resistance is used to describe a variety of behaviors from revolutions to hairstyles (Hollander and Einwohner 2004, 534). According to Rose Weitz, because resistance is loosely defined, it allows some writers to see it everywhere and others almost nowhere (2001, 669).

57 Some basic components, however, seem to be present in nearly all uses of the term in sociology journals (Hollander and Einwohner 2004, 538).

concept were found to be present in nearly all definitions of resistance (2004, 538). Firstly, in nearly all uses of the term, there was *a sense of action*, broadly conceived (2004, 538). According to Hollander and Einwohner, resistance was not perceived as a quality of an agent or as a mere state of being but it necessarily included some active behavior (2004, 538). A second core element of resistance was found to be *a sense of opposition* (Hollander and Einwohner 2004, 538). In different definitions of resistance, the sense of opposition was denoted with expressions such as "counter," "reject," "challenge," and "opposition". (Hollander and Eiwohner 2004, 538). Hollander and Einwohner's conclusion was that "resistance includes activity, and of course that activity occurs in opposition to someone or something else" (2004, 539).

From Hollander and Einwohner's findings, a minimal notion of resistance can be defined. I assume that r*esistance necessarily includes an oppositional attitude of an agent toward something.*[58] To include resistant intentional omissions it is assumed that *in resistance this oppositional attitude is somehow transformed into behavior, positive or negative, of an agent or agents*. Without this wide notion of behavior, resistant silences, withdrawals, and non-participations of agents would be excluded from the scope of resistance by definition. Hollander and Einwohner maintained that withdrawals, avoidances and exiles belong to the scope of behavior that can be described as resistance (2004, 545), so this clarification is not contradictory to their view of active behavior, although they do not talk about intentional omissions explicitly.

In the minimal notion of resistance it is thus assumed that resistance is behavior that arises out of the agent's oppositional attitudes toward something. This "something" is deliberately left without further elucidation. It is assumed that what is resisted can be anything, not necessarily a certain power relation toward the agent, for instance. Resistance in the social sciences can be directed at various kinds of targets, such as the government, an institution, a specific policy, a social norm, or a wider social system such as capitalism. It is also not assumed that resistance is detected by its target necessarily. This is because, as Hollander and Eiwohner point out, resistance can be intentionally hidden (2004, 545), which can make it especially difficult to notice by outside observers.

In political science, a more narrow concept of resistance has been used. In social movement studies, for instance, resistance movements are perceived as organized efforts to change the nature of the current power (Seppälä 2010, 38). The minimal notion of resistance, however, is intended to include all oppositional behavior, not just the kind that has the potential to effect social change. Instead, it also allows for private behaviors that arise out of resistant intentions,

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58 Frankfurt distinguished an agent's recognition of a state as less than ideal and being actively discontent or resistant with it (1988, 47). It must be noted that only the latter is considered as resistance here. An agent resisting a new president by not raising a hand is not just considering the situation as less than ideal but her oppositional attitude toward the new president is transformed into an intentional omission of intentionally not raising her hand. Mere negative attitude is not sufficient to count as resistance, however; what is constitutive of resistance is that it is human behavior that is against something.

even in cases in which the agent does not believe the behavior chosen has the potential to actually change anything.[59] Here I do not assume that resistance is the privilege of agents in ideal conditions: the minimal notion also allows for resistant withdrawals of relatively powerless agents in circumstances in which there is little possibility for, or hope of, actual change.

The objective is to talk about resistance in a way that is not limited to specific situations or discourses but can account for resistance phenomena as widely as possible. According to Vinthagen and Johansson, resistance is always situated, contextual, historical, always happening in a certain place and a social setting (2013, 14). In Chapter 2, it was shown that when it comes to intentional omissions, it can be tricky to pinpoint exactly when and where they happen. Treating some intentional omissions as forms of resistance does not, however, mean denying that they are somehow situated or happen in a social setting of a kind, even though it is still somewhat unclear how exactly they are situated spatially and temporally.

The benefit of using the minimal notion is that as well as official, political and traditional means of resistance, it allows powerless, pessimistic, apolitical, constrained and passive forms of resistance. One of the main aims of this study is to better understand the resistant nature of some not doings. So in this kind of effort, the notion of resistance has to be wide enough to cover for the hidden resistance as well.[60] Not all intentional omissions are about resistance, however. An agent can, for instance, intentionally omit answering the phone because of washing the dishes without the agent having anything against answering the phone. Some intentional omissions, however, seem to be about intentions that have to do with resisting. In these cases, agents' intentional omissions seem to arise out of oppositional attitudes toward certain kinds of actions. An agent not only does not perform an action but is somehow actively against it, as in the following examples:

(1) An agent can resist the army in intentionally not taking part in conscription.
(2) An agent can resist the government in intentionally omitting to eat while on a hunger strike.
(3) An agent can resist a social system in intentionally omitting to vote.
(4) An agent can resist alcohol policy in intentionally not drinking alcohol.

These kinds of phenomena are more closely investigated next. The sociological notion of resistance is used to delineate them from other intentional

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59 It is also not assumed here that all resistance is necessarily political in a sense that it does not necessarily contain political intentions. Agents can resist private matters as well as those related to the social system there are living in.

60 Of course, not all cases of resistance are a matter of intentionally not doing something. Many resistant behaviors are actions. In the case of boycotting, striking or conscientiously objecting to something, however, the necessary parts of resistance are often intentional omissions.

omissions. The concept of resistant intentional omission is defined and in Chapter 5 it is distinguished from other neighboring resistance concepts but first, some foundational questions related to this notion of resistance are addressed.

First of all, it can be questioned why the notion of power is not included in this notion of resistance. In sociology there has been debate on whether the notion of power is necessary for defining resistance. Some writers think that resistance cannot be talked about without at the same time talking about power. According to Vinthagen and Johansson, for instance, resistance cannot be conceived without power because it is necessarily in opposition to something and affects existing power (2013, 28).[61] They perceive resistance as necessarily opposing *a power relation* of a kind (2013, 2).

Here, the scope of resistance is perceived as wider. Whereas Vinthagen and Johansson define acts of resistance as an "ongoing process of negotiation" between resisters, targets, and observers (2016, 418), here what is resistance can be defined from the agent's perspective in the most basic sense of the term. I assume that an agent can resist the debt program of Greece, the meat industry, school, father, or a certain formulation of a question as long as there is behavior that is due to this opposing attitude. This is because in some cases of resistance a genuine relation between the targets of resistance and the resisting agent might not be apparent, especially if the resistance targets are far-flung and abstract.

One reason why power is seen as a necessary part of resistance is that resistance as a response can be seen as necessarily shaped by the existent power relations (Lilja and Vinthagen 2014, 107). At the same time, forms of resistance are often shaped by power relations and, conversely, resistance can reinforce or create new power relations (Lilja and Vinthagen 2014, 111). There seems to be interaction between resistance behaviors and power structures, but as the attempt here is to understand *what happens* when agents intentionally do not do something as a form of resistance, the agent's perspective should be enough to account for this basic sense of resistance.

Philosophy of intentional omissions is individualist in that it only refers to individuals and their properties.[62] The interaction between resistance and its targets would require a more nuanced approach, but in order to develop the basic non-normative vocabulary of intentional omissions as forms of resistance the perspective of the agent's intentions should be a sufficient starting point. This kind of approach does not exclude interactions either. Action theoretical concepts are uninformative when it comes to relations, interactions and power. Understanding power relations is necessary for fully understanding the complex interplay between resistances and power structures but here I assume that from the agent's perspective resistance can be defined solely based on the inten-

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61 This necessary link between resistance and power is based on a Foucauldian conception of power.

62 According to Julie Zahle, a theory is social or holist insofar as it contains social predicates that refer to social entities or phenomena such as bureaucracies, revolutions, nations and organizations (2003, 79). A theory is individualist in turn when it refers solely to individuals and their properties (Zahle 2003, 79).

tions and behaviors of the agent. When it comes to interactions, the full analysis of resistance is obviously more complex. To fully understand resistance, interaction between the resisters, targets of resistance and outside observers is needed (Hollander and Einwohner 2004, 548).[63]

It can also be objected whether *intention* is actually integral to the analysis of resistance. Vinthagen and Johansson have argued that the focus of resistance studies should be moved from intention to the nature of the act itself (2013, 20). Although they admit that the intention of the actor is integral to the classical sociological definition of resistance, they think that resistance need not be done with necessarily political or antagonistic intentions (Vinthagen and Johansson 2013, 20, Jefferess 2008, 40). According to Vinthagen and Johansson, in resistance, the actors intention might be to survive, to solve a problem, to fulfil needs, follow a desire, or something else (2013, 21).

This view is problematic, however, when applied to intentional omissions. It is unclear whether intentional omissions could be studied without referring to intentions. Unintentional doings, such as accidents, tic movements or epileptic seizures are not usually considered resistance. On the other hand, intentional omissions that include no antagonistic intentions are not considered resistance either here because if the agent does not intend to resist anything with her not doing, the oppositional condition of resistance is not met. The problem with not requiring opposition from resistant behaviors is that the concept of resistance can become so wide that it is in danger of becoming meaningless. Also, according to Scott, intent is a better indicator of resistance than outcome because resistance does not always achieve its desired result (1985, 290). Concentrating on resistant intentions can be problematic, however, and it must be maintained that an approach that starts from individual resistant intentions might not be directly applicable to the analysis of group resistances, for instance.

The intention condition of the minimal notion of resistance can also be contested by questioning whether resistance has to be *consciously* oppositional. Is there subconscious resistance in some intentional omissions? According to Leena St Martin and Nicola Gavey, for instance, bodybuilding can be an unconscious act of feminist resistance (1996, 46). When analyzing personal styles as forms of resistance, Dick Hebdige has also argued that resistance can occur beneath the consciousness of the actor (1979, 105). Here subconscious forms of resistance are not considered as resistance, however, although the question of subconscious resistance is interesting for the social scientist.

It has also been questioned whether oppositional behavior must be apparent to others in order to count as resistance (Hollander and Einwohner 2004, 539). I assume that it is not. Some writers have wanted to preserve the notion of resistance to visible, collective activities that result in social change (e.g., Rubin 1996). It is assumed here that in order to account for intentionally hidden resistances, resistance does not have to be recognized by others by definition.

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63 In resistance studies, a need for understanding better how powerholders react to resistance has been called for (Lilja and Vinthagen 2014, 108) as well as for understanding the everyday uses of power (Sivaramakrishnan 2005, 351).

Some resistance is not intended to be recognized at all. Hollander and Einwohner talk about French villagers hiding Jews during the Holocaust, the behavior of which had to remain invisible, although it took part in an explicit opposition of the ruling power (2004, 540).[64]

According to Vinthagen and Johansson, resistance has been ignored, feared, or even demonized or, on the other hand, it has been romanticized (2013, 3). There seems to be a need for a way of talking about resistance is a neutral way. The concepts used have an important role in this attempt, which is why resistance studies might also benefit from the use of non-normative conceptual language. It is thus assumed that resistance is neither dignified nor ineffective and meaningless by definition.

4.3 Definition

Based on what has been previously discussed, a definition of resistant intentional omission can be formulated in the following way:

An agent A intentionally resists *Q*-ing if and only if,

(1) A has procedural metacognition toward *Q* in which the possibility of at least trying to *Q* is present in the agent's mind before or at the same time when an agent is intentionally not *Q*-ing,

(2) This metacognition is accompanied with the agent's negative evaluative attitude toward *Q*-ing,

(3) An agent does not *Q*,

(4) There is an appropriate relation between the agent's procedural metacognition toward *Q*-ing and her omission to not *Q*.

It is assumed here that resistance is the *intention* in resistant intentional omissions, not just its motive.[65] What is still lacking from this definition is more knowledge of the relation between the agent's metacognition, the agent and the actual omission of the agent – if we follow the causal theory of action that relation would be causal – but it is beyond the limits of this study to defend or

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64 According to Hollander and Einwohner, understanding of the debates of intention on the one hand and recognition of resistance on the other are crucial if research on resistance is to be improved (2004, 544).

65 This distinction is based on Anthony Kenny's distinction between a motive and an intention. According to Kenny, when a reason for action is something that is prior or contemporaneous with the action, it is a motive and when the reason for action is some future states of affairs that is brought about by the action, it is an intention (1963, 86). The two can also happen at the same time: once an agent is resisting the government by not voting, resistance can be the reason for the agent's negative attitude and the intention that she gets to express her opposition through the not voting once the votes are counted. Here it is assumed, however, that the resistance is the intention, that is, in a way something the agent intends to do with her intentional omission, not just a reason, or an explanation, for not doing something.

question that view. That is why here it is just assumed that there must be a relation of a kind, be it causal or not.

4.4 Being for and being against

Next, the role of the negative evaluative attitudes in resistant not doings is further clarified and the meaning of these findings is also discussed. However, I will first try to find out what this kind of a negative evaluative attitude toward an action is. Is it a propositional attitude of a kind? Can it be accounted by pro-attitudes in the standard account of action?

According to William Jaworski, a complex system of propositional attitudes is what makes intentional behavior possible (2011, 108). Propositional attitudes are used to refer to the mental content of an agent that includes some proposition, such as "I believe I can fly," in which the attitude is believing and the propositional content is the meaning of the sentence "I can fly". I think the mental content of a resistant intentional omission is not necessarily propositional. However, affective aversions of actions are enough to account for resistant intentional omission and it is unclear whether they are formulated in any way in the agent's mind. This metacognition account also includes the kinds of cases in which the agent is spontaneously resisting an action. In these kinds of cases it would be superfluous to ascribe propositional content to the agent's intentions. What is enough is a negative attitude toward the action in question, which can resemble an affective state of a kind rather than a highly formalized proposition.[66]

In the standard account of agency a pro-attitude toward the positive action that is intentionally done has been seen as the necessary condition of an intentional action (Everson 2010, 146). According to the standard account, doing something intentionally requires the agent's favorable attitude toward performing actions of that type and believing that the action performed is of that type (Everson 2010, 146). Davidson as well thought that one has to be somehow in favor of the action that is done so that the agent would be motivated to do it (1980, 3–4). For Davidson, these pro-attitudes can contain desires, cravings, needs, incentives, moral stances, ethical principles, economic prejudices, social conventions, all kinds of public and private goals as long as they can be interpreted as the agent's attitudes that are directed to certain types of actions (1980, 4).

As well as pro-attitudes, negative attitudes toward actions are evaluative, but in a negative manner. According to Davidson, desire is evaluative and it can be formulated as "It is desirable to improve the taste of the stew", for in-

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66 According to Elisabeth Pacherie, the content of representations of actions in intentional actions may be nonconceptual (2011). Pacherie's view allows for creatures without concept-forming abilities to engange in intentional behavior. Also, Pacherie constructs her analysis on the cognitive psychology of motor representations that are dynamic, process-like and entail non-conceptual representations of movements.

stance (1980, 86). There is no deliberation involved in action necessarily – one does not go through a full process of deliberation marshalling evidence and principles and drawing conclusions (Davidson 1980, 85). Still, according to Davidson, if an agent acts with an intention, he must have attitudes and beliefs from which he could have reasoned that the action was desirable – or had some other positive attribute (1980, 85).

The favorable attitudes and accompanying beliefs toward positive actions, however, are not enough to explain resistant intentional omissions. What is needed is intentionality toward not performing an action of a kind. Furthermore, resistant intentional omissions do not necessarily include a favorable attitude of any kind. What is necessary is only a negative attitude toward certain kinds of actions.

According to Davidson, an agent who honestly says "It is desirable that I stop smoking" has a pro-attitude toward stopping smoking (1980, 86). But do resistant intentional omissions include a favorable attitude toward resisting an action or merely a negative attitude toward not doing something (or perhaps both)? Is an agent on strike necessarily pro striking or is he merely against working under bad conditions?

In the most minimal sense, resisting an action includes at least, a negative attitude toward a type of action instead of merely a lack of motivation to do something. But there seems to be a difference between a pro-attitude toward not doing something and a contra-attitude toward doing something.

In the standard account of action, pro-attitudes are linked to motivation. Motivation is something that is usually seen as the driving force behind human activities. But does it require motivation to resist performing an action? Especially those intentional omissions that require effort seem to necessitate motivation, but how should we understand negative motivation – those manifestations of agency that are purely about resisting something?

I think only the negative attitude is necessary in certain kinds of intentional omissions. In a resisting intentional omission an agent can think only: This is something I do not wish to do. Consider an agent refusing to answer a question. Ascribing a pro-attitude toward not answering can be superfluous in a situation in which the agent is merely having a contra-attitude toward answering.

Resistant intentional omissions are interestingly negative – it would be tricky to find a pro-attitude toward something when the intention is simply *to resist*. They might not include favorable elements that are targeted toward other actions the agent is doing. An agent intentionally not voting due to resistance toward the voting system is not necessarily using this resistance as a reason to motivate herself to washing the dishes. The intentions in resistant intentional omissions can also be monadic in a sense that the action not done is not compared with other courses of action.

Another reason why negative evaluations are difficult to describe with pro-attitudes is that in constrained situations, situations in which the agent does not have enough information about available options, and in many real life situations, the agent might not be able to choose the best option of action because

it is not available. Sometimes the agent only has a judgment of a course of action that is perceived as wrong, without perceiving an action that is favorable. Sometimes desirable plans of action are not available. We can imagine situations in which the agent does not perceive any states of affairs as desirable. In resisting an action the situation might also be such that the agent has no pro-attitudes whatsoever toward actions. We might not know what would be a desirable way to act but we might be able to tell what is definitely the wrong way to act.

It seems that explaining all manifestations of agency referring only to the pro-attitudes can lead to a strangely positive view of intentional behavior. If resistant inaction was explained by pro-attitudes, all vegetarians would be seen as pro-vegetarianism instead of being merely against eating meat. We are not always setting ourselves *for* something when we are merely resisting. For instance, resistance movements would be difficult to describe with alluding only to the pro-attitudes of agents. Neither does an agent necessarily *desire* to resist. Instead, in resistant intentional omissions, an agent has a negative evaluative attitude toward that action not done instead of a pro-attitude toward resisting it.

According to David-Hillel Ruben, because pro-attitudes causing intentional actions have been analyzed in more detail, philosophy of action has tended to overlook that reasons also function as disfavorings of an action (2009, 63). Resistant intentional omissions seem to contain con-attitudes in a sense that the negative evaluative attitudes weigh *against* the action not done. According to Ruben, these kinds of con-reasons work as reasons for another action (2009, 64). But the problem is that contra-attitudes do not seem to be necessarily pro-attitudes toward other actions.

As it has been argued, in resistance the agent is necessarily opposed to something, but not necessarily in favor of anything. A negative attitude toward flying can cause the agent to prefer taking the train but it may also cause the agent's cancellation of the trip altogether. The agent's avoidance of speaking during the speech of others can be a matter of preferring to staying silent but it can also be a matter of simply resisting speaking without any positive attitudes toward being silent. Con-attitudes seem to be able to function as reasons for positive actions but they might just account as monadic negative evaluations as well. Resistings can include full-blown rational reasons but in the case of resistant intentional omissions, the negative attitude toward the action not done is sufficient.

The Humean belief-desire model at the center of the standard account of action has been criticized in various ways (e.g., Helm 2009, Johnston 2001). For instance, according to Stéphane Lemaire, intentions have such complex functions that they cannot be explained with desires and beliefs (2012, 45). Some criticisms have been met with additions to the desire condition by the Humeans. According to G.F. Schueler, for instance, the desire condition is not supposed to refer to a proper desire of an agent but it can include other meanings as well (1995). If negative attitudes explaining resistance cannot be accounted by motivating favorings of an action or omission, would a modified belief-desire model

be able to contain negative evaluations transformed into behavior in resistant intentional omission then? How exactly does the evaluation of something being wrong influence what we do not do?

One candidate for including negative evaluations driving intentional omissions would be to complement the desire-belief model with second order desires. Harry Frankfurt originally introduced the notion of a second-order desire in which the agent is forming second order evaluations of her own desires (1988, 12–14). But the problem with explaining resistances with second order desires is that resisting the performance of an action might not be a genuinely second order phenomenon. My resistance toward flying might just include first-order resistant attitudes toward flying, such as spontaneous evasive stances, instead of higher evaluations such as ethical stances that would overrule the first order desire to fly. Again, an inner conflict need not be present in intentionally not doing something.

Desires, according to T.M. Scanlon, are psychological states that are motivationally efficacious (1998, 37). They make us act and they are normatively significant; when someone has a reason to do something, doing this would promote a fulfillment of some desire the agent has (Scanlon 1998, 37). Desire thus a two-part structure: it has an object the agent desires, typically a states of affairs, and a weight; it counts in favor of this object with some degree of strength (Scanlon 1998, 50). But it can be tricky to find such positive weight from some intentional omissions. Which need is fulfilled when an agent resists alcohol policy by not drinking? It would be strange to ascribe desire-fulfillment for agents who only resist an action. Furthermore, ascribing a conception of desirable good to agents in constrained circumstances resisting a form of action would be too much to ask, because they might only be about avoiding what is resisted instead of doing what is desired.

In the Rawlsian tradition of justice, the conception of good has a central place. According to sociologist Barrington Moore, however, what is integral to the explanation of the origins of dissidence is a "sense of injustice", instead of this Rawlsian "sense of justice" (Muguerza 1989, 126–127). Moore emphasized that those at the bottom of the social order – people with little or no property, income, education, power, authority, or prestige – are rather driven by a sense of injustice than a sense of justice (1978). This sense of injustice can be the source for *indignation* that is at the root of resistance movements (1978).[67] According to Moore, it does not make much difference if one describes the behavior arising out of a sense of injustice in terms of negative avoidance or a search for positive goals (1978, 7). In the case of resistant intentional omissions, there might be a difference, though, and this difference may question the assumptions of the desire-belief model in action explanation.

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67 Moore's aim was to find out in which situations this sense of injustice did arise and, on the other hand, in what kind of circumstances it did not affect the behavior of agents (1978, 6). His main finding was that it can especially arise when there is a failure to satisfy physical or psychological basic requirements of persons (Moore 1978, 7).

It may be that a bigger part of the manifestations of our agency have to do with this negative capacity than the desire-belief model allows us to notice. This is because a big part of our evaluations have to do with what is wrong, and should be avoided, not just what is good and is desired. These evaluations are manifested in what we do, but they are especially manifested in what we choose to not do. Thus, the range of intentions in our actions and omissions might not be described entirely with the notion of desirability. Our attitudes toward actions seem to range from desirability to indifference and from indifference to active resistance.

It might be that behavior of agents in most circumstances can be sufficiently described by positive actions and those intentional omissions in which the agent has a pro-attitude toward not doing something. But it might also be that resistant intentionality is overlooked in philosophy of action because the conceptual means have been restricted to positive manifestations of agency in ideal situations. According to Kathryn Norlock, for instance, more scholarship in ethics needs to consider the responses that are available to nonideal agents (2016, 499). As it will be argued in the latter part of this thesis, resistant responses that take the form of not doing something in the social sciences are found especially from non-ideal circumstances in which agents do not perceive other ways of affecting the situation.

4.5 Resistance toward what?

In this section I will briefly consider what I mean by an agent being *against* an action. What is the relation between the targets of resistance and the actual action that is not done in resistant intentional omission? Next, I will present a categorization of the possible relations between the targets of the negative evaluations of the agent and the action not done. First I will discuss, however, whether resistance (in an action or omission) is necessarily a phenomenon of the first or second order.

It can be argued that resistant intentional omissions are not a genuine category of intentional omissions because resistance is necessarily a higher-order phenomenon, that is, phenomenon that cannot be found from the basic level of action description philosophy of action is normally concerned with. Previously in this study I have argued that resistant intentional omissions contain negative evaluative attitudes toward the action not done. In some cases, however, the negative evaluative attitudes seem to be linked to something else on top of the action not done. What makes the intentional omissions resistant, however, is that the negative evaluations are somehow also necessarily targeted to what is not done; resistant intentional omissions contain negative attitudes toward the action not done regardless of whether the resistance is also targeted to something other than the action. In boycotting, for instance, the agent has a resisting intention toward buying a certain product even though the reasons might have to do with unethical policies of the company that produced it.

According to Vermazen (1985), resistance can be found at the basic level of action description in cases in which an agent's body would be made to move by an outside force, but the agent prevents this movement by activating appropriate muscles (Vermazen 1985, 95). According to Vermazen, in these kinds of situations the agent might not have moved at all, but he has done something, that is, not-moved (1985, 95). An example of such a case would be an agent staying still against strong wind.

Physical or mental resistance to an outside force is not all there is to resistant intentional omissions, however. It seems that through our intentional omissions we cannot only resist that one action but something else through this intentional omission as well. This can happen, for instance, when an action intentionally not done *represents* something the agent is opposing. The scope of intentions behind resistant intentional omissions is wider than merely resisting movements that otherwise would have happened. Also, in the social sciences, forces affecting the agent are perceived to be wider and more complex than physical forces. Abstract power structures are seen as affecting, not only the movements of the muscles of agents, but their needs and wants as well. An agent can resist social pressure to vote without there being any physical force making her move in a certain way. On the other hand, agents can resist things that do not try to make them move in a certain way. An agent can resist alcohol policy by not drinking even in the absence of any societal expectation to drink. Especially symbolic forms of resistance are such that what is resisted might not have much to do with the action that is not done. An agent can, for instance, resist a new policy by refusing to greet an official. Thus, the actual target of resistance might not be the action that is left undone in this kind of resistant intentional omission. We can resist things like organizational change, alcohol policy or conversation culture by our doings and not doings. In the following, the relation between these different kinds of resistances and what is not done by the agent is more closely analyzed.

In sociology, the targets of resistance can vary from individuals to groups and organizations and to institutions and social structures (Hollander and Einwohner 2004, 536). An agent can resist a potential rapist, an employer, state power or gender expectation (Hollander and Einwohner 2004, 536). It has been argued that as societies become more complex, the targets and modes of resistance become more complex as well (Chin and Mittelman 1997, 34). What I am trying to understand in the following is in what kind of relation the target of resistance can be when an agent is resisting an employer and when she is, on the other hand, resisting capitalism in not doing something. Different kind of resistant intentional omissions are categorized based on the relation between what is not done, and the target of the resistance.

In a *direct resistant intentional omission,* the agent is only opposed to the action itself. This kind of resistances can be related to specific courses of action, such as in the case of an agent resisting disturbing others by being silent. An agent can resist speaking, resist walking, resist eating and so on; in all of these

cases what is essentially resisted by the agent is the actual action that is not done.

The final target of resistance might not be the action itself, however. In an *indirect resistant intentional omission,* the agent is opposed to something else than the action that is not done due to this resistance. This can happen, for instance, when the action not done represents a wider issue the agent has a negative evaluative attitude toward. Indirect resistant intentional omissions are resistance, however, because in them, the oppositional attitude of the agent is transformed into behavior, an omission.

The difference between direct and indirect resistance is sometimes talked about when conceptualizing resistances. Childress distinguished direct disobedience, that is, noncompliance to a law that is unjust and indirect disobedience, that is, noncompliance to a law in order to oppose some other law, policy or states of affairs (1985, 71).[68] As an example, he mentions the blocking of the Triborough Bridge in 1964 in order to protest school conditions in Harlem (1985, 71-72). When it comes to resistance, however, some kind of indirectness is a feature of most resistant intentional omissions.

In a *causal resistant intentional omission,* the agent is primarily concerned with the causal effects of the intentional omission or the potential effects of the action not done. What is not done is in a causal relation to the target of resistance. The agent can, for instance, boycott a company by not buying its products in order to avoid supporting it financially. Here the target of resistance is the company that is perceived to act unethically. In conscientiously objecting to bear arms a soldier can resist the consequence of bearing arms, that is, killing. Not all resistant intentional omissions are like this, however. The consequences of an intentional omission are not necessarily seen as bad but what is not done can have a different kind of relation to the target of resistance.

In a *symbolic resistant intentional omission,* the relation between the action not done and the target of the resistance is *symbolic*. An agent can refuse to hold a toy weapon, for instance, because the action would represent war, which is something that the agent resists. Rastafarians, at least originally, resisted the Jamaican government by intentionally not taking care of their hair. Many forms of revolutionary action are linked to symbolic actions of kind (Lasn 1999, 211), so these kinds of intentional omissions might have consequences even though they are not considered by the agent to be directly causal.

Childress assumed that the effectiveness of indirect disobedience hinges on the symbolic connection between the act itself and its end (1985, 72). When it comes to resistant intentional omissions, this might be the case as well, especially when it comes to the shared symbolic meaning of a specific intentional omission. Rosa Parks' refusal to not give up her seat as resistance to racial segregation ended up mobilizing a social movement. The social movement collectively took the refusal as a shared symbol of resistance (Williams and Greenhaw 2007, 67–68). According to Scott, refusal can break a symbolic wall of compliance and

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68 According to Childress, indirect disobedience is harder to justify and likely to be less effective, even potentially counterproductive (1985, 72).

call into question other acts the kind of subordination entails (1990, 205). Why should a serf who refuses to bow before his lord continue to deliver grain and labor services, Scott asked (1990, 205). It seems that although symbolic resistant intentional omissions have no direct causal role, they have a lot of potential causal power, especially in revolutionary contexts.

In a *systemic resistant intentional omission,* the connection between what is intentionally not done and what is resisted is related to the systemic character of the resistance. The target of this kind of resistance can be a specific social system, all social systems, or even all forms of dominance. What is not done is, for the agent, part of system that is resisted.

Although it seems to be clear that the target of resistance might be a system of a kind in resistant intentional omissions, it can be questioned whether and how resistant intentional omissions can actually have systemic effects. According to Scott, the so-called safety-valve theories of resistance claim that resistance is the mere outlet of frustration, which in a way makes the continuation of a social system possible (1990). If systemic resistant intentional omissions are seen as what Scott has called hidden transcripts,[69] their relevance can be seen in gathering a common language for resistance before it can take more public and explicit forms (1990, 191).

Systemic resistant intentional omissions are especially interesting because, when considering the justification of intentional omissions, the potential systemic effects of resistant intentional omissions are easily overlooked. For instance, when evaluating the effects of conscientious refusals in a health-care setting, the harm for the patient is usually taken into consideration as well as the harm for the health-care worker's conscience. Some intentional omissions can have systemic effects, however, for instance, in the case of a health-care worker's intentional omission the effects can spread out to the whole system of health care.[70] A physician can, for instance, intentionally omit sending a patient home out of resistance to the whole health-care system that tries to save money as much as possible. Systemic resistant intentional omissions thus demonstrate that agents can intentionally omit performing actions in order to bring about change at the systemic level. Understanding how this happens would, however, require further empirical and conceptual work.

In an *arbitrary resistant intentional omission* no connection of the previous kinds can be found between the action intentionally not done and the target of the negative evaluative attitudes of the agent. An agent can resist a social system in intentionally not eating, for instance. There may be a connection between these things only in the agent's mind. An agent can resist a government by intentionally not taking a shower. An arbitrary relation between what is resisted and what is intentionally not done does not necessarily mean that the resistance

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69 Scott's theory of hidden transcripts is more closely analyzed in Chapter 5.

70 John Davis, for instance has pointed out that there are ethicists who think that the whole medicine loses if moral dissenters are excluded (2004, 82).

is irrational, however.[71] Perhaps these kinds of resistant intentional omissions arise especially in frustrated situations in which the agent has little room for other means of resisting. For instance, a prisoner's hunger strike might be an option of last resort when other, more causally effective means of resisting are not available.

This chapter has developed further the theoretical understanding of resistance in not doing something. Resistant intentional omissions were distinguished from speech acts, the role of resistant intentionality was further analyzed and a conceptual differentiation of different kinds of resistant intentional omissions was presented. In the next chapter, I will discuss ways that this kind of (non-)behavior has been conceptualized in philosophy outside of action theory as well as in the social sciences.

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71 Irrational resistance is here considered as resistance as well as rationally calculated methods of resistance. This is because the theory of agency should be wide enough to account for all human agency, not just that of perfectly rational agents.

5 LANGUAGE OF REFUSALS

5.1 Preliminary remarks

In the previous chapters, I have argued that intentional omissions are something, although it may be debated what kind of entities they are. Chapter 4 specifically dealt with resistant intentional omissions; it was argued that there are such intentional omissions that happen out of the resistant intentions of the agent. In this chapter I investigate the conceptual means for dealing with this kind of phenomena in philosophy and the social sciences. I distinguish resistant intentional omissions from neighboring concepts in philosophy, especially bioethics and military ethics, as well as the social sciences. It is argued that philosophical concepts such as nonviolence, passive resistance, conscientious refusal or civil disobedience do not sufficiently incorporate the ordinariness of resistant intentional omissions in society. On the other hand, social scientific concepts such as everyday resistance and exit have limitations when used to conceptualize them as well.

Resisting something through not performing an action seems to be a normal part of the everyday behavior of agents. In the following, I will show that these kinds of not doings have not been completely accounted for by other concepts in the social sciences and philosophy. Instead, a general notion of resistant intentional omission is needed to account for the modern, everyday forms of this kind of resistant (non-)behavior. An action theoretical notion of resistant intentional omissions as well as distinguishing between different kinds of not doings would thus be useful in the social sciences.

I will show that interaction between the social sciences, ethics and action theory is needed because, on the one hand, an action theoretical account can bring clarity and generality to the concepts of resistance, while on the other, specific discussions on resistant intentional omissions can be useful in understanding the role this kind of phenomena plays in our ethical, social and political agency. If the objective is to gain preliminary understanding what it means to intentionally not perform an action as a form of resistance, it is natural to use

those resources that are available. In bioethics, for instance, intentional omissions have obviously been of interest because omissions in health-care setting may carry such grave consequences. Similarly in military ethics what is intentionally not done has been of obvious interest. I use the conceptual work done in the fields to create the building blocks of a more general theory of resistant agency.

The following perspectives were chosen because the kinds of phenomena in question have been talked about in philosophy, especially in bioethics when discussing conscientious refusals of health-care workers and in military ethics in relation to discussing conscientious objections to war. Resistant intentional omissions are also implicitly addressed when discussing nonviolent forms of resistance. In the social sciences, they have been talked about by referring to Herman Melville's story "Bartleby the Scrivener," as well as with the help of Albert Hirschman's notion of exit and James Scott's notions of everyday resistance and hidden transcript. In addition, I distinguish John Gaventa's notion of quiescence from especially *resistant* intentional omissions. In these discussions it is clear that intentional omissions exist unproblematically, and that they have causes and effects. Action theoretical development of the general notion of resistant intentional omission may thus also benefit from the work done in these more specialized fields.

The objective of this chapter is to develop interaction between philosophy of action when it comes to intentional omissions and the social sciences when it comes to resistance phenomena. This chapter aims to find out what can be learned from these discussions in these more applied fields about not doings as forms of resistance. What should action theory take into account of resistance? On the other hand, what can action theoretical understanding bring to the conceptual work of resistance concepts? What can we learn from philosophy of intentional omissions in conceptualizing resistance? The following concepts and discussions represent the most prominent ways of talking about the neighboring phenomena in the social sciences and philosophy. There are omissions, however — for instance a careful analysis of Engin Isin and Greg Nielsen's notion of acts of citizenship is not dealt in detail.[72] At the end of this chapter, a

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72 An act of citizenship is a concept that aimed to address "the myriad ways that human beings organize, remake and resist their ethical-political relations with others" (Isin 2008, 44). It was developed as an alternative view to conceptualize citizenship that focuses on acts instead of statuses or substances (Isin 2008, 2). The starting point of acts of citizenship is philosophical action theory but by "act" Isin refers to an agent's being directed and oriented toward something (2008, 21). Acts are separated from actions, that, according to Isin, refer to concrete behavior bound by place and time (2008, 25). Acts are more abstract than actions, by which he means that, for instance, an act of forgiveness can involve a concrete action (Isin 2008, 25). For Isin, an act is a special kind of action, a "rupture in the given" (Isin 2008, 25). Isin refers to Hannah Arendt's conception of acting, which, according to Isin, is to "set something in motion". In action theory acts are linked with movements (e.g., Ware 1992) but this kind of movement centered view of societal action is challenged in this study. Moreover, acts of citizenship are defined by the consequences of the acts – collective of individual ruptures in socio-historical patterns (Isin and Nielsen 2008, 2). Acts of citizenship are also necessarily normative concepts because they are seen as dignified ways of causing revolutions by definition. For instance, Isin describes them as mo-

conceptual framework is presented to clarify resistance concepts, so that especially the social scientist could have some understanding of the relations and differences between these concepts that are used often without definition and in different ways depending on context.

5.2 Philosophical perspectives

In this first part of this chapter I will concentrate on conceptualizations that stem from philosophical discussions dealing with agents not doing something as a form of resistance. First I will concentrate on discussions in bioethics, then I will discuss similar discussions in military ethics and in the last parts of this section, philosophical perspectives from social philosophy are talked about.

5.2.1 Patients refusing treatment

One field of philosophy in which resistant intentional omissions have naturally been of interest, although not explicitly referred to with the concept of intentional omissions, is bioethics. Treatment refusals have been talked about especially when deliberating on the limits of patient autonomy. There seems to be a general agreement that competent patients should have a right to refuse treatment (Lowe 1997, 154). This right has been contested, however, in situations in which the treatment refused would be life-saving or in which a patient's competence is compromised by a psychiatric condition such as depression (Rudnick 2002) or anorexia (Giordano 2010) or because the patient is a minor (Derish and Heuvel 2000).

Refusing treatment can also be a speech act in which the patient expresses his or her unwillingness to receive a form of treatment. Treatment refusals are not necessarily intentional omissions in that there might not be an action the patient intentionally does not perform. Instead, something might not be done *to* him or her because of this speech act or gesture. For instance, a patient can refuse chemotherapy as well as refuse to be put into a ventilator. Sometimes the concepts of resistant intentional omissions and treatment refusals do meet, however. This is because treatment refusals do not necessarily include speech acts of any kind. For instance, a patient can refuse treatment without saying anything by intentionally not taking the medicine.[73]

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ments of social transformation that indicate bravery, indignation and righteousness (Isin 2008, 18). Although in this study I have argued that what is more useful in the social sciences is the use of non-normative action concepts, the scopes of intentional omissions as forms of resistance and acts of citizenship diverge on several points. For instance, the Montgomery bus boycott is seen as an act of citizenship as well as Marion Wallace Dunlop's hunger strike (Isin 2008, 40; Isin and Nielsen 2008, 18). Although the notion of act is ambiguous in acts of citizenship, the book has contributed to shifting the focus of discussion on active citizenship to questioning what action is in the first place (Isin and Nielsen 2008, 12).

73 To complicate matters, however, in a health care setting many kinds of refusals can happen simultaneously. Alan Meisel has described a case of a patient refusing treat-

However, what exactly refusals are has not been of much interest in bioethics. What exactly is not done by the patient is not usually defined. In the case of oncological treatment, refusals have been defined as situations in which "the patient did not start treatment at all; or stopped during treatment; or refused a part of a recommended treatment but accepted another (for example, accepted surgery but refused chemotherapy)" (Kleffens and Leeuwen 2005, 131). The opposite of refusing treatment here would be accepting or consenting to it, so an offer of treatment seems to be necessary for these kinds of refusals.

According to the literature, refusing treatment can also be a matter of resistance. Kleffens and Leeuwen (2005) have categorized patients' reasons for refusing oncological treatment and some of them seem to be about resisting something, even the medical establishment itself. Sometimes the reasons are descriptions of positive intentions such as "Want to stay in control. Want to continue playing tennis, making paintings, or walking in the mountains. Believe in the body's own curative possibilities" (Kleffens and Leeuwen 2005, 134). In these cases the treatment refusal seems to be a case of the patient preferring another course of action than the one including the potentially burdensome treatment. Some treatment refusals explicitly have to do with what the patient does *not* want to do, or a scenario the patient wants to avoid, such as "Do not want a stoma. Do not want to be ill due to the treatment. Do not want to be used as a guinea pig. Do not want to lose hair. Do not want to reach old age with dementia, incontinence, and dependency" (Kleffens and Leeuwen 2005, 134). Some descriptions of the motivation to refuse treatment imply even stronger forms resistance, such as "Have no trust in treatment/medical establishment. Resist chemotherapy, consider it poison" (Kleffens and Leeuwen 2005, 134).

Treatment refusals are seen unproblematically as having reasons and carrying effects to the patient in bioethics.[74] Some treatment refusals are explicitly about what the agent is against although some of them seem to stem from things the patient wants to do instead. In general, in bioethics, treatment refusals are seen as something that exists; they are choices that have reasons and consequences even though they might not include speech acts of declining treatment. Decisions concerning treatment decisions have been described as decisions about life and death (Kleffens and Leeuwen 2005, 133), which is why resistant intentional omissions are taken seriously even though what specifically happens in a refusal has not been discussed much.

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ment in a situation in which physicians refused to talk to the patient, the patient's family refused to listen and hear the patient eventually refusing to let the patient die without aggressive treatment (1989, 221). These kinds of cases also show that the patient's refusal of treatment might not be effective because as communicative acts, refusals can be unheard, ignored or misunderstood.

74 Powell and Lowenstein, for instance, have distinguished between a patient refusing burdensome treatment that leads to the disease causing the death of the patient from a situation in which the patient explicitly wants to die and seizes the treatment refusal as a means of dying (1996, 56).

5.2.2 Conscientious refusal in bioethics

Conscientious refusal and *conscientious objection* have also been used to denote an agent's resistance toward an action that is intentionally not done. In this and the following section I will briefly deal with these concepts in contexts in which they have predominantly been used, that is, in bioethics and military ethics. I try to clarify what is meant by conscientious refusing and argue that it is too narrow for accounting for all resistant intentional omissions although it contains both the intentional omission and the oppositional attitude necessary for resistant intentional omissions. I argue, following Hickson, that the concept of conscience is not needed to account for the resistant nature of some intentional omissions. Instead, a general notion of resistant intentional omissions is needed to account for them although discussions on conscientious refusals and conscientious objection can show at least one way in which agents resist things with their not doings.

In bioethics, *conscientious refusing* has been used especially when discussing physicians' and pharmacists' conscientious refusals to give certain treatments to patients. Particularly of interest have been cases in which a physician refuses to perform an abortion or give infertility treatments or cases in which a pharmacist refuses to sell emergency contraception. Some conscientious refusals by patients have also been discussed, especially in the case of Jehovah's Witnesses refusing blood donations.

Conscientious refusal in a medical setting has been defined as *a refusal, often happening on religious grounds, to treat a patient with a certain standard of care* (Marsh 2014, 314). According to Jason Marsh, there are several ways agents in medical care can conscientiously refuse care from a patient: they can refuse to treat a patient at all, refuse to give certain kind of care, refuse to give a referral elsewhere or refuse to educate the patient about treatment options (2014, 314). What is not done intentionally is central in this conceptualization, so at least some conscientious refusals seem to include intentional omissions of a kind. In refusing to educate a patient about treatment options, no speech act is necessary, so conscientious refusing does not necessarily entail an explicit speech act of declining something.[75] Conscientious refusals can include resistance toward something, however. According to James Childress, in conscientious refusing, an agent is not performing an action that she considers as morally wrong or bad (1997, 408).[76] For instance, a physician's refusal to perform an abortion can happen due to her oppositional attitudes toward killing.[77]

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75 Although a speech act of declining is not usually seen as necessary for conscientious refusing, it must be noted that the justification of one often requires a speech act of a kind: a physician conscientiously refusing to perform an abortion might need to answer to a committee evaluating the conscientiousness of the refusal, for instance.

76 Conscientious refusals in bioethics have sometimes been used synonymously with other expressions that have a slightly different scope such as "opting out of performing certain procedures" (Appel 2006, 21) and "quitting" or "curtailing the doctor patient relationship" (Davis 2004, 75–76). At least quitting the doctor patient relationship seems to be a stronger form of opposition than what conscientious refusals usu-

Marsh's definition of conscientious refusal is more narrow than that of resistant intentional omissions, however, because Marsh concentrated on conscientious refusings that are metaphysically or religiously based (2014, 314).[78] Although resistant intentional omissions in medical contexts can be, and perhaps historically often were, based on religious or metaphysical grounds, they can also happen due to other intentions and motivations. This kind of limitation unnecessarily limits the concept so that some ethically based intentional omissions are excluded by definition. An atheist physician can resist giving a certain kind of treatment just as a religious physician can.

Conscientious refusal has also been used interchangeably with conscientious objection (e.g., Deans 2013). According to *The Oxford English Dictionary*, a conscientious objector is a person who "refuses to conform to the requirements of a public enactment on the plea of conscientious scruple" (1989, 755). In a health-care setting, conscientious refusals are seen as arising out of situations in which "a physician, nurse, pharmacist, midwife, etc., is confronted with a request for a legal medical service which that health-care professional is not comfortable providing" (Hickson 2010, 167). What is not done is thus *legal* and *explicitly requested of the agent*. In addition to these conditions, conscientious objection also requires *a public expectation for the agent to do something* and that *this expectation is then breached by the agent*.

As well as conscientious refusal, conscientious objection refers to a more limited group of intentional omissions than resistant intentional omissions. This is because resistant intentional omissions do not necessarily require a breach of law, rule or an expectation. The kind of intentional omissions that do not fulfill the criteria of conscientious objection or refusal are conceivable in medical contexts and they might have ethical relevance as well those that do require a breach of law. A physician can, for instance, intentionally omit to provide knowledge of a widely used alternative treatment although she has no duty to provide this knowledge. A physician can intentionally omit to give a form of treatment that is not explicitly requested by anyone.

In a health-care setting, conscientious refusals have been connected to situations in which the agent perceives a change of policy as unlikely, fears repercussions or is unable to continue participating (Childress 1997, 409). Then, an agent can "choose to withdraw or resign silently" (Childress 1997, 409). It seems that conscientious refusals may be related to constrained circumstances in which agents are "detaching themselves from certain acts, practices and policies" (Childress 1985, 408). Refusals may thus be options of last resort in situations in which the agent does not perceive other, more proactive options of influencing the opposed policy as viable.

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ally refer to. This is because a physician can conscientiously refuse to provide a certain kind of treatment instead of refusing to treat a certain patient completely.

77 Of course, whether abortion can, or should be, equated to killing can be contested (e.g., Reader 2008).

78 According to Marsh, they are "due to the moral judgments based on metaphysical or religious assumptions of the agent" (2014, 314).

Conscientious refusals have also been defined as situations in which the agent is more concerned with protecting her conscience than trying to bring about change (Childress 1997, 409). Michael Hickson has questioned this need to perceive conscience at the root of every conscientious refusal (2010, 178). He has argued that because the notion of conscience is ambiguous and questionable in itself, it is not needed to account for refusals in health-care setting (2010). According to Hickson, the whole ethical discussion of conscientious refusing has gone astray because of the need to first understand conscience before discussing the ethics of refusals (2010). Hickson calls this stance "the priority of conscience" principle, according to which, to determine the moral value of an act of conscientious refusal, one must determine the nature and value of conscience first (2010, 168). So in order to understand the ethics of refusals, there may not be a need to understand conscience first.[79] Furthermore, if conscientious refusing is necessarily linked with the idea that the agent's conscience is preserved intact, the concept might not be applicable to decision-making situations in which a morally unproblematic option is not available.

The notion of conscience is, according to Hickson, problematic in a variety of ways and it limits our understanding of refusals in health-care setting to those that involve the agent preserving their sense of integrity or the experience of psychological "wholeness" (2010, 174). The concept of conscientious refusals also assumes that there is such a thing as conscience (Hickson 2010). According to Hickson, when discussing conscientious refusing, it is assumed that it is a phenomenon we are not aware of – it is seen as the sum of mental acts such as believing, judging, deciding, fearing or feeling ashamed (2010, 169). But is there really such a thing as a conscience on top of our mental states? According to Hickson, instead of this mysterious notion of conscience, which is also not recognized by all cultures, the focus of the discussions of refusals in medicine should be on the actual beliefs, judgments and fears of the agent (2010, 169).

Hickson especially criticized the view of conscience represented by Childress and Martin Benjamin in *Encyclopedia of Bioethics* (2010, 170). According to Childress, appealing to conscience means that the agent is trying to preserve her sense of herself, her wholeness and integrity, that is, her good conscience (1979, 327). According to this view of conscience, an agent who is conscientiously refusing desires that their wholeness and integrity were either restored or preserved through the interaction between the patient and the health-care provider (Hickson 2010, 174). According to Hickson, the main problem with this view is that conflicts of conscience in medicine end up being perceived as conflicts of self-interest (2010, 174). Concentrating on the notions of integrity and psychological wholeness the patient's self-interest in physical well-being is contrasted with the physician's self-interest in psychological well-being (Hickson 2010, 174).

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79 Neither is my purpose is to promote some kind of "priority of action theory" principle, according to which one would need to understand, for instance, the metaphysics of intentional omissions before talking about ethically based refusals in a health-care setting.

Thus, conscientious refusals have been seen as a threat to the public interest by definition. For instance, Julian Savulescu has claimed that "[t]he door to value-driven medicine is a door to a Pandora's Box of idiosyncratic, bigoted, discriminatory medicine" (2006, 297). According to Savulescu, public servants, such as medical personnel, should serve the public interest instead of their own (2006, 297). According to Hickson, however, this connection between self-interest and conscientious objection follows from certain views of conscience, but not from all (2010, 175). In contrast, what Hickson calls "the Medieval view" grants that respecting the moral order, God's will or "doing the right thing" instead of self-interest is central to conscience (2010, 175). According to Hickson, the dominant view of conscience makes ethical discussions of conscientious refusals question begging in that the moral status of the action (or omission) is built into the notion of conscience that is then used to judge the case (2010, 175). This kind of view makes conscientious refusal necessarily a normative concept, which is problematic in ethics when deliberating its justification.

According to Holly Fernandez Lynch, conscientious refusals should be defined in a way that includes all normative grounds for objection to medical service (2008, 36). This kind of definition attempts to distinguish between conscientious and non-conscientious refusals, the latter of which can be due to reasons such as "regret, self-loathing, boredom, convenience, and laziness" (Hickson 2010, 179). In conscientious refusal, conscience is seen as being at the root of moral judgments that influence refusals (Hickson 2010, 179). But, according to Hickson, the moral judgments in refusals related to health care need not be grounded on conscience (2010, 179). Examples of these kinds of situations include cases in which the agent is not doing something out of a bigger idea of the purpose and aim of medicine (Hickson 2010, 179–180). A shared concept for all ethically grounded refusals in health care would solve the issue. Hickson argued that the motives of refusals in medicine should be empirically studied instead of the academics deciding on behalf of health-care workers what motivates their refusals based on their choice of concepts (2010, 183). Separating moral refusals from amoral ones can be of use in bioethics, but using a non-normative action language can allow talking about them before their moral status is determined.

Another problem with the notion of conscience in conscientious refusals is that conscience can be linked to what is *the right thing to do* in a specific situation.[80] These kinds of views do not sufficiently recognize how morally frustrated the situations that real life agents meet, especially in health-care setting. The notion of resistance might be more useful in demarcating the possibilities of acting than conscientious refusal. Decision-making situations in health-care setting are often complex and constrained and the chosen behavior can be considered by the agent as the least problematic instead of the "right thing to do." In

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80 For instance, Zuzana Deans (2013) has looked for "the right thing to do" out of the pharmacists options of either giving the patient emergency hormonal contraception or refusing conscientiously to give it.

cases such as euthanasia some principles might have to be compromised in favor of others.

Resistant intentional omissions have a wider scope than conscientious refusals, in case the latter is perceived as a situation in which the agent is preserving her own integrity. This is because refusing to perform an action out of resistance toward something might be a matter of the agent considering the action not done as wrong. As well, in conscientiously refusing to kill someone at war an agent might be concerned about the wrongness of someone else dying instead of being concerned for her own self-interest in preserving inner integrity.

Concentrating on the conscientiousness of refusals has thus led to an emphasis on conscience issues in the bioethical discussions of refusals. According to Deans, for instance, the justification of conscientious refusals should be based on the damage to conscience that can happen if the health-care personnel are not allowed to refuse (2013, 50). The same claim applied to military ethics would evaluate the justification of a soldier's conscientious refusal of not shooting innocent victims based on the harm done to the integrity of the soldier instead of the wrongness of innocent people being killed. It would be strange to argue that the soldier's conscientious refusal should be allowed because of the possible damage to his integrity instead of recognizing the consequences of the action itself.[81]

In general, discussions of conscientious refusals in a health-care setting show that intentionally not doing something can also be ethically grounded behavior, not just a matter of a failure or neglect. They are also seen as having reasons and consequences. However, in bioethics, refusals have been discussed predominantly from a normative perspective. The normative questions concerning the not doings of agents in bioethics have been, for instance, of the the following kind: Should patient autonomy be respected when it comes to refusing treatment? Should doctors be allowed to refuse making an abortion? Conscientious refusing picks out those intentional omissions of an agent in which the action not done is expected of the agent. It depends on a certain standard of care the agent is expected to provide. Strong expressions of blame, or a necessary connection to the agent's conscience, are used in how the intentional omissions are described and it has been noted that these kinds of expressions are not optimal for expressing *what exactly is going on* in the specific situation. Thus, bioethicists might benefit from using non-normative concepts of refusals in order to understand what exactly is not done before ascribing blame to the refusals of health-care workers.

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81 Not doings in a health-care setting can obviously have effects outside the agent's own conscience and sense of self. One way is through setting an example to others. Not laughing at a racist joke can have influence on the attitudes and behaviors of others and not following a hospital policy in dismissing patients can influence the behavior of other health-care workers.

5.2.3 Conscientious objection in military ethics

Another field of philosophy in which not doings of agents have been of special interest is military ethics. Both conscientious objection and conscientious refusal are used to refer to the refusal to bear arms in military ethics. Conscientious objection is used more often to denote situations that are institutionally recognized as such but cases of conscientious refusing can be found as well: a Mennonite's refusal to report training Special Forces medics in Vietnam would be an example of a conscientious refusal in the military context.

Conscientious objection in military ethics has also historically been discussed as a religious phenomenon (Moskos and Whiteclay 1993, vii). It has been defined as *a refusal to bear arms, serve or continue to serve in the military because of religious or moral beliefs opposed to killing* and, more recently, *opposed to nuclear weapons* (Moskos and Whiteclay 1993, 5). It can be universalistic (opposed to all wars), selective (opposed to a particular conflict), or discretionary (opposed to the use of particular weapons) (Moskos and Whiteclay 1993, 5). The general refusal to kill, however, is the necessary condition of conscientious objection (Moskos and Whiteclay 1993, 6). Conscientious objection is not, however, solely restricted to military context, because it has also been used, for instance, when talking about opposing compulsory vaccination.[82]

Conscientious refusal has been used to refer to the public, nonviolent violations of law that are based on moral convictions and are intended to primarily witness the agent's principles and values (Childress 1985, 68). Selective conscientious refusals in war seem to be morally based as well, at least based on Ruth Linn's extensive interviews of Israeli selective refusers who did not take part in the military efforts during the Intifada (1996).[83]

Linn found that selective conscientious refusers object to war but are often willing to serve in the armed forces in non-combatant roles or in a combatant role on fronts perceived as not morally problematic (1996, 421). The opposition in intentionally not bearing arms can be targeted toward various kinds of targets. An agent can intentionally not bear arms out of resistance toward war in general or out of resistance toward a specific armed conflict. In medical contexts not doings can be selectively targeted as well: an agent can, for instance, refuse to take part in abortions of fetuses that are over three months old. Although the ethics of selective conscientious objection has been especially questioned in mil-

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82 The analoguous use of medical and military conscientious objection has been contested. According to Robert Card, the difference is that in the medical context, the health-care worker has voluntarily chosen this specific field of work whereas that might not be true in the soldier's case (2011, 62). Thus, the analogy should be abandoned at least when it comes to the justification of conscientious refusals (Card 2011, 53). According to Card, medical conscientious objectors are not offering any activities to compensate for the refusal, which is why they want "conscience without consequences" (2011, 63).

83 Selective conscientious refusers perceived a military conflict in which soldiers were sent to fight a mob of women and children as an amoral war (Linn 1996, 427). What seemed to predict selective refusals were education of the soldier, detachment from one's unit and a perception of oneself as an active agent in a dilemma situation (Linn 1996, 424).

itary ethics, it is clear that selective behavior might be ethically grounded even though the agent does not resist the action in all possible contexts.

Linn divided conscientious refusals in the military setting into four stages (1996). The first one happened in the civilian setting, the second in the military when the soldier reaches the decision to take the stand necessary for conscientious refusal, the third when the soldier tries to translate his or her moral competence into action by disobeying a command to join a mission and the fourth when the soldier bears the consequences of the refusal and reflects its motivations (Linn 1996, 422). This kind of a carefully deliberated process is not necessary for all resistant intentional omissions, but Linn's characterization demonstrates that not doings in the military setting can arise out of the oppositional attitudes of the agent and that they can be carefully deliberated moral behavior of agents.

In military ethics, refusals are often talked about with normative concepts. Conscientious refusal has been used both as necessarily moral and necessarily unjustified behavior. According to Asa Kasher, selective refusals of military service are morally suspect by definition because they do not rest on "any clear and reasonable conception of conscience" (2002, 171, 178). Card has also criticized selective conscientious refusals as insincere because if they were sincere, the activity would be applied to all activities of a certain type and the criteria of conscientious objection would be met (2010, 56).

It has been contested, however, whether conscientious refusals are merely a matter of an agent preserving her moral principles without an intention to effect change. Linn found that conscientious refusers are often politically active in other ways as well (1996). Kasher's claim is vulnerable to the criticisms presented in the previous section and in the military setting as well intentional omissions that arise out of an oppositional attitude against killing are not necessarily just about considerations of inner integrity. Moreover, in military ethics as well, refusals that do not qualify as conscientious are conceivable. Consider a soldier, for instance, intentionally omitting to bring enough bullets to a mission out of resistance toward killing. Here she does not publicly submit to the lawful consequences of this omission, which is necessary for conscientious objection, because she can claim that the omission was an accident but what is not done is nevertheless intentional and due to a negative evaluative attitude of an agent against killing.

In military settings, as well as in medical contexts, unarticulated forms of resisting can be of ethical importance just as the official, publicly articulated ones are. Military ethics as well as bioethics deals with constrained and frustrated situations in which people are forced to make ethically informed decisions. Sometimes agents are set into situations in which there is no course of action available in which the agent could fully preserve her principles. Agents can influence their own behavior even when they cannot change that of others. Refusals, even if they were very private ways of retaining personal integrity, can have influence on others at least by setting an example. By setting an example, agents can influence the perceived possibilities of others. Not much atten-

tion has been paid in military ethics to those not doings that do not qualify as conscientious or selective. But intentional omissions that are not about breaching an order are interesting in their own right as well. They might, however, be difficult to detect in military ethics because they might be intentionally hidden.

5.2.4 Civil disobedience

Civil disobedience is another concept that has been used to talk about the oppositional not doings of agents. It is defined usually as *a public, nonviolent, submissive violation of a law* and it is seen as a way of protesting in society (Childress 1985, 11, Cohen 1970). Henry David Thoreau originally defined civil disobedience as *a convicted and public act that is trying to remove an injustice by breaking a law with nonviolent means* (1991 [1849]).

Civil disobedience has been distinguished from conscientious refusing on different grounds. First, a distinction has been made based on the agent's intentions. According to Childress, in civil disobedience the agent is trying to effect or prevent a social or political change whereas in a conscientious refusal the agent is just witnessing her own principles and trying to avoid participating in evil (1985, 68). No effort is exerted to persuade others to bring about or prevent change in conscientious refusals (Childress 1985, 68). On the other hand, the distinction can be made based on the agent's reasons. Civil disobedience, according to John Rawls, is justified by common principles of justice instead of personal or religious purposes (1971). According to Childress, in conscientious refusal, the refusal to obey a demand of the state is based *on personal or religious grounds* whereas in civil disobedience it is based *on political grounds* (1985). In both, the act itself can be nonviolent, public and submissive to its lawful consequences.

Disobediences are also neighboring concepts of resistant not doings. What is not done is central in disobedience, and disobedience can include the agent's resistance to an action or the law demanding the performance of an action. Disobedience is not, however, necessarily an intentional omission. One can disobey an order to do something but it is also possible to disobey an expectation to not do something and do the action. An agent can, for instance, disobey a directive not to cross the road when a red light is on. Disobedience is often seen as illegal by definition (e.g., Childress 1985, 65). It does not necessarily require a speech act of any kind, but whereas mere disobedience might not be articulated, civil disobedience is usually considered a *public* breach of law. Although disobedience can be secret and evasive, it nevertheless necessarily includes a breach of law (Childress 1985, 66).

Resistant intentional omissions are also a wider group of phenomena than those belonging to the scope of civil disobedience. Resistant intentional omissions are not necessarily open, public breaches of law as no breach of law is necessary for an agent to not do something out of resistance. Not doings as resistance are not necessarily concerned with effecting change either.

Although disobedient not doings have not sparked a lot of action theoretical interest, Vermazen has defined disobedient refraining in which the agent

has a pro-attitude toward not *Φ*-ing and no pro-attitude toward *Φ*-ing (1985, 104). As a result of this pro-attitude toward not *Φ*-ing and an appropriate belief, the agent does not *Φ* (Vermazen 1985, 104). In addition, there is a rule, directive, law or an authoritative desire of someone that the agent is to *Φ* in the air, at least believed by the agent (Vermazen 1985, 103).[84]

Even in this very minimal definition of disobedient intentional omission, what is necessary is an authority of a kind imposing actions on agents. It seems, however, that there is more to the relation between what is opposed and the action that is not done than necessarily an intentional breach of an authoritative desire of another agent. This is because an agent can resist a whole system of power by not doing something even without there being a perceived expectation for her to perform the action in question. One reason is that what is not done in a resistant intentional omission might have a symbolic relation to what is opposed.[85] So although the concepts of disobedience and resistant not doing diverge, they have a different scope because disobedience can be a positive action and resistant intentional omission may not depend on any authoritative desire being "in the air" according to the agent.[86]

5.2.5 Passive resistance

Another concept that has been used to describe the phenomena in question is passive or nonviolent resistance. Passive resistance and nonviolent resistance

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84 By "authoritative desire," Vermazen refers to a desire that the agent believes is held by someone who has, or is supposed to have some authority over him (1985, 103).

85 Are intentional omissions that do not fulfill the criteria of disobedience still instances of non-compliance? Resistant intentional omissions often unfold in situations in which others are doing something and the agent intentionally is not. Some resistant intentional omissions are explicitly against rules or norms but when it comes to the resistance of abstract phenomena, such as capitalism, these kinds of expectations may be tricky to locate. Furthermore, some intentional omissions are a matter of *conforming* to the behavior of others and resistance behaviors can be a form of conformism well. Taking part in a strike, for instance, can be a form of resistance and conformism at the same time, as the agent can conform to the way others are resisting a reduction in wages. Intentional omissions are not necessarily autonomous actions. For instance, at least some Jehovah's Witnesses refusing blood donations are conforming to the group policy and because Jehovah's Witnesses may suffer from coercive practices (Muramoto 1998, 228–229), the autonomy of their intentional omissions can be questioned at least in some cases.

86 Dissent is another concept that can be used to talk about the agent's inner attitude of being against something and the accompanying resistant behaviors of the agent. According to Childress, "dissent" refers to a wider concept under which phenomena such as disobedience and revolutionary action belong to (1985, 65). He describes dissent as general dissatisfaction that is transformed into action (Childress 1985, 63) thus having a lot of common scope with the notion of resistance. In bioethics, dissent has been used to refer to patient noncompliance with treatment and a physician's or nurse's whistleblowing or disobedience (Childress 1985, 63). At least when it comes to intentional omissions, the scope of dissent seems thus to be wider as it also includes the positive actions that are due to dissatisfaction. Here the notion of dissent is not used in favor of resistance, because I want to avoid the connotation of lack of consent that the notion of dissent might carry. When dissenting, something is not agreed or consented to. It can also be used to describe the opposite of consensus in a group context (e.g., Tadajewski 2009) thus denoting a property of an organization instead of the behavior of an agent.

are used interchangeably and they denote similar kinds of phenomena, but passive resistance is used most often when talking about the *ahimsa* principle Gandhi applied to resistance. It also has a certain historical overtone and in contemporary discussions, the notion of nonviolence is more commonly used so in the following I use the term *nonviolence* instead.[87]

Gene Sharp defines nonviolent action as a technique of conducting protest, resistance, and intervention without physical violence (2005, 547). Many forms of nonviolence are essentially resistant intentional omissions. Both notions can include cases of silence, boycott, strike, withdrawing as well various kinds of refusings of co-operation, for instance.

The problem with using the notion of nonviolent action to talk about resistant not doings is that the opposite of nonviolence is violence — not action. The distinction is important because assuming that violence is used to refer to intentional and unauthorized harm or injury to a person against his or her will (Childress 1985, 75), intentional omissions are not necessarily nonviolent. Neglectful intentional omissions and abandonments can be seen as causing harm to a person against his or her will. Agents can also harm themselves through their intentional omissions of not eating or not taking necessary medicine, for instance.[88]

Nonviolence is not a useful concept for talking about resistant intentional omissions because the use of nonviolence guides the discussion of resistance to determining whether it is violent or nonviolent. It does not separate between actions and omissions nor does it is sufficiently conceptualize different kinds of not doings. When it comes to the justification of the behavior of social movements, for instance, a distinction between violent and nonviolent forms of struggle is useful to make, however. But resistant not doings are a different group of phenomena than nonviolent struggle and a wider scope of resistance concepts than the ones provided by violent and nonviolent struggle is needed to perceive different, hidden forms of resistance.

5.3 Perspectives from the social sciences

The next part of this chapter concentrates on ways resistant not doings have been conceptualized in the social sciences. The idea has been to find such treatments that have something to give for the action theoretical treatment. At first, I will motivate this treatment by showing that not all cases of resistant intentional omissions can be accounted for by the story of Bartleby alone.

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87 Resistant intentional omissions are not necessarily *passive* forms of resistance in the sense that they are often part of the repertoire of activism. Boycotting, for instance, is often seen as a form of consumer activism (Glickman 2009, x).

88 It might not always be possible to distinguish nonviolent forms of resistance from violent ones. Whether nonviolence is always nonviolent has been questioned as well (Meyers 2000).

5.3.1 Bartleby the Scrivener

Herman Melville's short story "Bartleby the Scrivener" (2018 [1853]) is often brought up in philosophy and the social sciences when discussing not doing something as a form of resistance (see, e.g., Hardt and Negri's *Empire*, 2000, Žižek's *The Parallax View*, 2006, Agamben's "Bartleby, or on Contingency," 1999, and Deleuze's "Bartleby, the Formula," 1998). Especially Bartleby's expression "I would prefer not to" has been analyzed with depth (e.g., Desmarais 2001). The original story is told from the perspective of Bartleby's employer, who documents the strange behavior of his scrivener. Bartleby does not do anything that is asked of him, nor does he do anything else either, at some point refusing to continue his work or even eat or drink, finally ending up in prison. The employer is trying to retrospectively make sense of his behavior and it is left for the reader to decipher what was wrong or wonderful about Bartleby's consistent response "I prefer not to."

"Bartleby the Scrivener" may describe resistant intentional omissions because when Bartleby refuses to perform different actions that are suggested to him, his (non-)behavior has been read as a revolt (Desmarais 2001, 4).[89] It is unclear though how Bartleby's intentional omissions should be interpreted. His responses have been idealized in connection with resistance movements; for instance, Deleuze has described Bartleby as a modern Messiah (1998, 90).[90] The political reading of the story portrays Bartleby as refusing to accept the structures imposed on him by the modernized world (Desmarais 2001, 4). This kind of a reading has placed Bartleby as an icon for the peace movement (Desmarais 2001, 4). The story can be read from a socioeconomic viewpoint as well as a psychological one. According to Desmarais, however, these readings are not necessarily mutually exclusive with the political reading because the denial of others necessarily includes self-denial of a kind (Desmarais 2001, 4–5).

The effectiveness of Bartleby-like resistances can, and should be, questioned, however. Desmarais argues that Bartleby's anorexia operates as a highly successful form of resistance "capable of undermining oppressive governments and military regimes" (2001, 5). Bartleby's case shows that resistant intentional omissions can be seen as dignified forms of resistance as well as private behavior of individuals protecting their own conscience. It remains unclear, however, why Bartleby's refusals would be optimal for *effective* resistance.

5.3.2 Quiescence

Resistant not doings have also been talked about as kinds of passivity in the social sciences. Next, I will concentrate on one view of this kind, John Gaventa's work on the relations between inaction and powerlessness in *Power and Power-*

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89 Bartleby's resistant intentional omissions have been seen as arising out of constrained circumstances. He is seen as a man "without power, appetite or desire" (Desmarais 2001, 4).

90 According to Deleuze, he is "not the patient, but the doctor of a sick America, the Medicine-Man, the new Christ or the brother to us all" (1998, 90).

lessness: Quiescence and Rebellion in an Appalachian Valley (1980). Gaventa's purpose was to find out why, in social relations of domination, there is sometimes no challenge to that domination (1980, 3). He argued that in situations of inequality, power can develop and maintain the quiescence of the powerless (1980, vi—vii). Patterns of power and powerlessness can keep issues from arising, grievances from being voiced and thus interests from being recognized (Gaventa 1980, vii). Gaventa's work is interesting because he conceptualized inaction under oppression as a form of quiescence instead of as a form of hidden resistance. This is important because intentional omissions can easily be seen as forms of passivity. The kinds of not doings that are about accepting the situation instead of trying to change it would be important to distinguish, however, from those in which the agent is expecting change. In the following, I try to find out what tools Gaventa's work can provide us with in understanding resistant inactivity.

Gaventa examined three approaches to the study of power and discussed three ways inaction was perceived in them (1980, vii). In the so-called "pluralist approach," power was understood based on *who* participates (1980, vii). In this view, inaction is separated from the study of power because what is researched in this approach is participation (Gaventa 1980, vii). This view was challenged by an approach to power according to which power may also work in limiting the actions of the powerless by preventing certain issues from arising and certain actors from gaining access to the decision making process (Gaventa 1980, vii). A third view of power, following Steven Lukes[91], in which not only may power limit the action to address inequalities, it may also shape the way the powerless perceive the nature and the extent of inequalities (Gaventa 1980, vii). This three-dimensional view of power was developed by Steven Lukes in infamous "Power: A Radical View" (2005 [1974]). Lukes also brought the attention to non-observable factors of power and to the effects of what is not done (e.g., 2005, 2).

Inaction in the midst of inequality can be interpreted as evidence of the legitimacy of the existing power structure according to what Gaventa calls the "conservative theories of democracy" (1980, 2). Inaction under oppression has also been explained as a bourgeois form of behavior, as hegemony, as a lack of real inequality, by low socio-economic status, or by the cultural deficiencies or apathy of agents (Gaventa 1980, 4). According to Gaventa, a better way of approaching political inactivity in the face of inequality is to perceive it as a *function of the power relations involved* (1980, 4).

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91 According to Lukes, the first-dimensional view of power concentrates research on the concrete, observable behavior of people when it comes to observable conflict of interest (2005, 17, 19). The second-dimensional view is capable of studying nondecision-making as well decision-making, meaning that demands can be suffocated before they reach a decision-making arena (Lukes 2005, 22-23). Thus the study concentrates on potential issues as well as actual ones and one benefit of this view in comparison to the first-dimensional view is that also the grievances of people who are excluded from political arena can be of interest (Lukes 2005, 23-24).

Gaventa especially criticized the pluralist approach represented by the work of Nelson Polsby. According to Gaventa, Polsby thought that power may be studied by examining who participates, who gains and loses, and who prevails in decision-making (1980, 5). Gaventa argued that the problem with this view is that the focus is on the doings and participations of agents about which several assumptions are made (1980, 5). In Polsby's approach, according to Gaventa, grievances are assumed to be acted on (1980, 5). He assumes that people participate in areas they care about the most and their values are thus expressed by their participation (Gaventa 1980, 5). Another problem, according to Gaventa, is that participation is assumed to occur within decision-making arenas that are assumed to be open to any organized group (1980, 5). Furthermore, because the decision-making process is assumed to be open, leaders can be studied as the representative of the people (Gaventa 1980, 6). Accoring to this a one-dimensional approach to power, non-participation or inaction is not a political problem because it is taken to reflect a consensus despite the possible deprivation of powerless groups (Gaventa 1980, 6–7). The low participation of those with low socioeconomic status is explained away as apathy, inefficacy, cynicism or alienation managing to blame the victim for non-participation (Gaventa 1980, 7–8, 40). According to Gaventa, especially in the case of Appalachian people, the pluralist approach has led to ascribing value-laden allegations about the non-participants when explaining their non-participation (1980, 41).

In the pluralist approach to power, it is assumed that if the outcomes of a decision are favorable to the agent, he responds with inaction or an expression of consent (Gaventa 1980, 169). If the outcomes are unfavorable, he responds by voicing the opposition because he is always able to make his grievances heard (Gaventa 1980, 169). The second-dimensional view looks instead at what is preventing the grievances from emerging into an overt conflict (Gaventa 1980, 179). The three-dimensional view of power, on the other hand, aims to examine the perceptions of conflict of the people and is able to link those perceptions to power processes. According to Gaventa, what might seem like a consensus in the one-dimensional view is perceived as a consequence of powerlessness in the second-dimensional view and, furthermore, as a consequence of the cognitions of the powerless being shaped by the powerholders in the third-dimensional view (1980, 192).

Gaventa's empirical observations in the Appalachian valley and theoretical developments on the three-dimensional view of power demonstrate that in the presence of inequalities, inaction might not be an active form of resistance. Gaventa calls these *quiescences*, and in them, what might become resistance, is just inaction. What is lacking from quiescent inaction is the oppositional attitude of the agent from which the resistant inaction would arise. If the three-dimensional view of power Gaventa emphasized is accepted, resistance can be lacking in the presence of inequality because the power relations have affected the agent's perceptions of the situation. The work of Gaventa and Lukes shows that resistant attitudes can be trumped so that they cannot even transform into patterns of everyday resistance.

Gaventa's work paved the way for studying non-participation in sociology. Along with Lukes, he challenged the way only participation was seen as interesting for the study of power. His work can thus bring variety into the way omissions are perceived in the social sciences and brought forward problems in their analysis. Foucault pointed out that there is resistance that uses avoiding and abandonment as a strategy but that it can be hard to distinguish this kind of resistance from acceptance of the situation (2005, 257). Resistant intentional omissions are not quiescences, however, because they do arise from the oppositional attitudes of an agent, even though from the outside perspective it might be tricky to distinguish them from mere omissions. Empirical interest in the agent's attitudes can be of help here, however: resistant intentional omissions are not by definition indistinguishable from quiscences because the evaluative attitudes of agents can be studied even if their inaction tells us little about what is going on.

5.3.3 Everyday resistance

Many concepts such as conscientious objection and civil disobedience are commonly used to refer to official, overt forms of resistance. James Scott's conceptualization of resistance that is not publicly articulated brought the attention of social scientists to the *hidden* forms of resistance. Scott argued in *Weapons of the Weak* (1985) and in a subsequent article "Everyday forms of resistance" (1989), that everyday behavior of subaltern groups such as foot-dragging, dissimulation, false compliance, feigned ignorance, desertion, pilfering, smuggling, poaching, slander, sabotage and anonymous threats could also be considered a form of resistance (1989, 34). According to Scott, these anonymous and hidden forms of resistance are an integral part of the small arsenal of the resistance of relatively powerless groups (1989, 34). They can be the chosen method of resistance in circumstances in which open defiance is impossible or entails danger (Scott 1989, 34). According to Scott, a big part of the politics of subordinate groups falls into this category of everyday forms of resistance (1989, 33). This kind of resistance that is not recognized as such can nevertheless carry societal meaning and should be studied in the social sciences along with the official, recognized forms of resistance (Scott 1989, 34).

Scott defines everyday resistance as a safer, small-scale option for subordinate groups that does not require formal coordination (1989, 35). It is lower class resistance among peasants that is intended to mitigate or deny claims, such as rents, taxes, deference, that are made on that class by a superordinate class such as landlords, or the state, or that is intended to advance its own claims to work, land or respect vis-á-vis these superordinate classes (1989, 36). Everyday resistance is a quiet, disguised and undeclared form of resisting claims that are imposed by claimants who have superior access to force and public power (Scott 1989, 37). It is commonly hidden because visible, collective forms of resistance might carry more risk for their perpetrators and subordinate groups can find large-scale collective action difficult to organize (Scott 1989, 35). Although Scott talks about everyday resistance as behavior of relatively power-

less *groups*, it is not collective by definition – although it often involves some kind of cooperation (1989, 36). It is nevertheless necessarily intentional and can include symbolic or ideological forms of resistance (Scott 1989, 37).

Although it is hidden, everyday resistance can have effects, especially when small events collectively add up to a large event (Scott 1989, 35). Scott mentions an army short of conscripts to fight, a bankruptcy of an enterprise due to foot-dragging of the workers, landholders being driven from the countryside by arson, state land getting occupied by squatters and a tax claim by the state that becomes meaningless because of tax evasion (Scott 1989, 35). Everyday resistances can have a cumulative impact after reaching a critical threshold (Scott 1989, 42). One example of this kind of effect is the desertion of armies: according to Scott, in the American Civil War, 250.000 people evaded the army and their refusal to participate in what was called "the rich man's war" was decisive in at least certain battles (1989, 42–43). Even though this desertion of the army was not part of a rebellion, nor was it organized or coordinated, its aggregate effect was strong (Scott 1989, 43).

According to Scott, discussions of open political action have dominated accounts of political conflict (1989, 33). Why violent means of political action are used instead of nonviolent forms of resistance has been a central question in these discussions (Scott 1989, 33). This kind of discussion contains, in Scott's view a "damagingly narrow and poverty-stricken view of political action" (1989, 33). He argued that there was a large group of political actions that was systematically overlooked as such because of two reasons: they were not openly declared in the usually understood sense of politics and they were not collective activities as such (Scott 1989, 33).

Everyday resistance can be invisible especially because its purpose is to avoid detection (Scott 1989, 34). According to Scott, it has been invisible to elites and social scientists because their attention has concentrated on publicly organized political opposition, that is, resistance they think can actually threaten powerholders (1989, 34). Public group action also leaves written records such as manifestos, membership lists or police reports (Scott 1989, 34). Thus, the history of class struggle has been distorted in a state-centric direction because the events that have gained attention were those that the ruling class paid attention to (Scott 1989, 49).

Since Scott, everyday resistance is understood in sociology as a specific kind of resistance that is routinely done but is not formally organized or publicly articulated with political claims (Vinthagen and Johansson 2016, 417). It has been interpreted as being about how people act in their everyday lives in ways that can undermine power (Vinthagen and Johansson 2013, 2) and it can happen at a workplace, on the street, or in the kitchen (Vinthagen and Johansson 2016, 425).

Everyday resistance can include resistant intentional omissions because they do not entail the open articulation of the opposition either. An agent intentionally omitting to perform an action out of resistant intention is included in the scope of everyday resistance in cases of tax evasion and refusal to get draft-

ed, for instance. If it is granted that intentional omissions as resistance can be everyday resistance, it seems that they can have societal effects as well. Peasant tax evasion has, according to Scott, brought about a crisis of appropriation that threatens the state (1990, 192), so at least in resistance studies, resistant intentional omissions can have societal effects.

But is intentionally not performing an action out of resistant intention necessarily limited to the behavior of a certain class? Perhaps the kinds of behaviors Scott was talking about are often a feature of the behavior of people belonging to subaltern groups, but it seems that any agent can intentionally omit to perform an action out of resistant intention. An agent can boycott a company, for instance, without belonging to a lower class. In global capitalism, the targets of resistance can be so complex and distant from the agent that an overt way of resisting them might not be available for anyone. This does not necessarily mean that the agent belongs to a subordinate class. In capitalism agents can oppose things that are far away from the state. Especially hidden resistance of a global nature does not seem to be tied to a certain class.

Resistance to capitalism itself might be a case that is not limited to the behavior of a certain class because the target of resistance is detached from the day-to-day life of the agents. According to Luc Boltanski and Éve Chiapello, exploitation passes through a series of detours and has a systemic character in capitalism (2007, 373). Different actors operate from a distance, often in ignorance of each other (Boltanski and Chiapello 2007, 373). This so-called capitalist displacement has created a situation in which the world is difficult to interpret and injustices are difficult to oppose with the tools of the previous oppositional movements (Boltanski and Chiapello 2007, 324). According to Michael Hardt and Antonio Negri, identifying the targets of resistance can be difficult because exploitation no longer has a specific place and the system of power is complex (2000, 210). "We suffer exploitation, alienation and command as enemies, but we do not know where to locate the production of oppression. And yet we still resist and struggle" (Hardt and Negri 200, 211). So it seems that intentional omissions as resistance may belong to the repertoire of most agents, at least when they are about resisting global capitalism.

For Scott, everyday resistance seems to be political because it includes some kinds of claims or resistance to the claims of others. It is unclear, however, that not doing something as a form of resistance is necessarily a political action of a kind. Is an agent necessarily making claims when she, for instance, is resisting flying by intentionally not choosing to fly? Resistant intentional omissions seem to be political when they are about denying claims of a kind but it is unclear whether they are political activities necessarily because they do not always contain explicit claims of any kind.[92]

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92 Interestingly, everyday resistance is a concept that is used of behavior in situations in which other, more direct forms of resisting are not available. According to Scott, everyday resistance includes techniques of first resort in circumstances in which open defiance is impossible or dangerous (1989, 34.) This kind of resistance thus seems to be linked to constrained circumstances in Scott's theory as well.

Lukes also criticized Scott for overempasizing hidden resistance. Not all inactivities of agents under oppression are quiescences, but neither are they necessarily hidden resistances (2005, 11). He maintained that how power works is also by hiding conflicts of interest from the oppressed. Neither quiscence nor hidden resistance are full explanations of all inaction under oppression but they pose tricky empirical problems for the social scientist who should ask what kind of preventings and disguised power relations are being imposed on the situation when interpreting it. The scope of phenomena included in inactions of agents is wide. I think Lukes is correct in maintaining that it may not be easy to decipher what kind of inaction is in play and how it is related to power and this subject should be approached with the knowledge of the variety of phenomena potentially going on as well as awareness of the ways power affects the perception of issues in the first place.

Another concept Scott has used to describe similar kinds of phenomena as everyday resistance is *hidden transcript*. Hidden transcripts were used to refer to modes of communication that are hidden from the sight of the powerholders (Scott 1990, 4–5). Scott uses the term hidden transcript to refer to discourses such as gestures, speech or practices that are ordinarily excluded from the public transcript of subordinates by the exercise of power (1990, 27). It consists of "offstage speeches, gestures, and practices that confirm, contradict, or inflect what appear in the public transcript" (Scott 1990, 5). It is hidden because it takes place offstage or beyond the direct observation of powerholders (Scott 1990, 4). Examples of hidden transcripts are similar to everyday resistance, that is, activities such as poaching, pilfering, clandestine tax evasion and intentionally shabby work (Scott 1990, 14). According to Scott, if domination is severe, the hidden transcript has a corresponding richness (1990, 27), and it has been argued that open rebellion expresses and depends on these long-nurtured hidden transcripts (Tilly 1991, 598).

The benefit of the notion of hidden transcript is that it allows for understanding silences as expressions of resistance (e.g, Scott 1990, 176).[93] The problem with talking about resistant intentional omissions, however, with the concept of hidden transcript is that it is problematic to talk about not doings as messages of a kind by definition. This is because to be an expression, an activity would need to have a message that could at least in theory be deciphered by someone else.

Scott also assumed that everyday resistance contains claims of some kind, and these claims make it political by definition. For instance, a peasant who deserts the army is, according to Scott, "saying" by his act that the purposes of the institution and the risks it entails are not more important than his family or personal needs (1985, 310). A harvest laborer stealing paddy from his employer is "saying" that the need for rice comes before the property rights of the employer (Scott 1985, 301). Scott thought that political conflicts often happen in symbolic confrontations (1989, 57). According to Scott, these kinds of symbolic confrontations, such as wearing black armbands to commemorate a political martyr,

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93 Silences have been later analyzed as forms of resistance at least by Pickering (2000).

hunger strikes and cultural confrontations by counter-culture groups, are intended as "discursive negations of the existing symbolic order" (1989, 57). Gaining attention is necessary for these kinds of confrontations to succeed (Scott 1989, 57).

It seems that these kinds of symbolic confrontations are *protests* of a kind. They are not mere objections, that is, expressed negative views toward some stance, but protests that can also be directed to a more general state of things.[94] Not all resistant intentional omissions seem to be protests of a kind, however, because it is unclear how not doing something can include a claim of a kind and it is not always possible to find a message from an intentional omission of an agent. The problem with reading all intentional omissions as expressing a message of a kind is that successful communicative acts would require at least an intention to communicate something by the agent, a message, and someone who actually receives this message. In order to be read correctly, a message has to contain something but intentional omissions contain no message that could necessarily be deciphered by someone other than the agent herself. Consider silence, for instance. Compared to saying something, it is difficult to interpret the message that silence contains. Of course, it *may* contain a message but there is no way to secure the uptake of these kinds of messages that have no explicit content.

According to Childress, a person refusing to pay his income tax in order to protest the system of nuclear deterrence can hardly be said to be engaged in a *protest* if he does not let his reasons become public (1985, 67). I think it would be reasonable to expect that in a protest, a claim of a kind is explicitly made by someone. Everyday resistance was distinguished from official forms of resistance in precisely that it is not publicly articulated. It is typically hidden, disguised, individual and not politically articulated (Vinthagen and Johansson 2013, 2).[95] Even if it was granted that resistant intentional omissions are expressions of a kind, they would be expressions that grant a peculiarly large amount of room for misunderstanding. Not voting as a form of resistance can also be interpreted as a lack of interest in parliamentary politics as well as a lack of trust in the social system. An unarticulated message allows for unintentional as well intentional misreadings and distortions.

Scott's notion of everyday resistance was an important starting point for understanding and conceptualizing resistance that is not official, public, openly declared and collective. It widened the scope of how resistance was previously perceived in the social sciences. Scott recognized that if only open and declared

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94 Whereas an agent can *protest* a new alcohol policy, she can *object* to a specific decision made.

95 Civil disobedience has been treated as a form of communication by definition (e.g., Brownlee 2001, Moraro 2014). This is because acts of civil disobedience can be interpreted as forms of communication with others in the public arena by raising concerns with a specific law or policy (Moraro 2014, 64). The breach of law is thus seen as a speech act through which the agent aims to communicate her political concerns to others (Moraro 2014, 64). This is less problematic than thinking about hidden forms of resistance as messages because civil disobedience is publicly articulated by definition.

forms of resistance are considered as resistance, it can be overlooked that agents do not act in optimal circumstances in which openly defiant actions are always possible. Scott was the first to recognize that powerless people rarely have the resources or opportunities to resist openly (Hollander and Einwohner 2004, 539). The benefit of the concept is thus that it can include resistant behavior in severely constrained circumstances. Everyday resistance implies that concepts that refer to openly defiant behaviors such as civil disobedience overlook resistances of subordinate groups. By studying resistance the social scientist can also study the strength of dominance.[96] Everyday resistance seems to contain resistant intentional omissions. They are seen as having causes and effects in Scott's theory although they are not explicitly talked about as intentional omissions. The powerless groups themselves are seen as specialists when it comes to the interpretation of their own behavior. But because resistant intentional omissions seem to belong to the potential repertoire of all agents, a more general notion of these kinds of hidden resistances seems to be needed in the social sciences and because Scott may have overemphasized everyday resistance, recognizing the variety of omissions would be useful as well.

5.3.4 Preferences

Another way to conceptualize resistant intentional omissions as societal action is through rational action models that refer to the concept of preference. In this section I investigate how preferences can account for resistant intentional omissions of agents. I also evaluate whether revealed preference theory can account for them and if not, why.

According to Daniel Hausman, we speak of preferences as "overall comparative evaluations" or "total subjective comparative evaluations" (2011, 6, 11). Whereas *likings* are cognitively undemanding feelings, *evaluations* are judgments that require more than consulting one's gut (2011, 6). Obviously, one cannot explain resistances with likings, because likings do not include negative evaluations nor actual behavior. Preferences perceived as overall evaluative judgments can, however, include resistant intentional omissions because they allow for negative evaluations as well as positive ones.

According to Hausman, preferences are necessarily comparative. They are cognitively more complex than likings (2011, 9). An agent can want to eat some chocolate ice cream without thinking about what else she might eat but in order to *prefer* to eat some chocolate ice cream one has to consider what else one might have done as well (Hausman 2011, 9). One problem with describing resistant intentional omissions with the notion of preferences is that overall comparative evaluations are more cognitively complex than resistant intentional omissions. Negative evaluations in resistant intentional omissions can be made without comparing the action not done to any other action. This is because

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96 According to Scott, when peasants end their own radical activity and start resorting to sporadic acts of small-scale resistance, it can be a sign of the circumstances and effectiveness of domination changing (1989, 51).

there seems to be a difference between a preference for action *a* over action *b* and an active resistance to action *b*.

Consider a situation in which an agent is resisting an action and is therefore not performing it. At the same time, she is performing other actions. Does she necessarily prefer those actions to the one intentionally not done? Not necessarily, because when an agent is, for instance, resisting the government in intentionally not voting, there is not necessarily a deliberation between different ways of resisting, nor is there necessarily a deliberation between voting and doing something else. The action not done is not necessarily compared with other actions that are done instead. For instance, the agent does not necessarily prefer to wash the dishes instead of voting but the deliberations between the positive actions and the simultaneous intentional omissions of the agent may be completely separate cognitive processes.

Preferences can account for resistant evaluations as long as the scale of evaluations assumed does not end in indifference but includes negative evaluations as well. There seems to be no need for ascribing pro-attitudes or desires for agents in the preference framework. But the problem in conceptualizing resistant intentional omissions with the notion of preference is that the attitude in opposing an action is not necessarily comparative between actions; preference is more complex than a resistant intentional omission because it entails the comparative evaluations of at least two courses of action. Resistant evaluative attitudes toward actions can be monadic, as in "it is wrong for me to smoke." The evaluative attitudes are connected only to the agent not smoking in resistant intentional omissions. So even if resistant attitudes were included in the overall comparative evaluations of the agent, resistant intentional omissions are not complete preferences by themselves.

It must be noted that according to the revealed preference theory, actual choice behavior is observable and reveals the agent's preferences (Hausman 2011, 12). The actual observable behavior of an agent might be similar when an agent does not do something by accident or when she does not do something intentionally. This is because intentional omissions are, at least partly, unobservables. Revealed preference theory thus would have trouble in distinguishing between intentional and unintentional omissions as well as the differences between different kinds of intentional omissions.

Another problem with accounting for resistant intentional omissions in revealed preference theory is that in it, preferences are identified with choices (Hausman 2011, 13). Theory that models decisions may be, however, limited in accounting for intentional omissions. This is because intentional omissions do not necessarily involve decisions. According to Clarke (2014, 14), a decision resolves uncertainty about what to do. But there might not be such uncertainty when an agent is intending not to do something (Clarke 2014, 14). Such cases in which it is obvious what not to do and when the agent acts on a whim or by habit are cases in which an intentional omission might not involve a decision (Clarke 2014, 14). Clarke uses the example of an agent seeing a sign on a wall saying "Wet Paint/Do Not Touch" (2014, 14, 63). Without settling uncertainty

about touching the wall the agent comes to intend not to touch it (Clarke 2014, 14, 63). It has also been argued previously in Chapter 3 that intentional omissions might include mental parts other than decisions or choices. The temporal parts of an intentional omission are also different to those of a decision concerning an action because the omission unfolds later than the actual decision that might have instigated it. Thus, the problem with preferences is that they only account for the most obvious part of some resistant intentional omissions: the choices between actions.

5.3.5 Exit

Another concept with which resistant intentional omissions have been talked about in the social sciences is Albert Hirschman's exit mechanism. It was originally presented in *Exit, Voice and Loyalty* (1970), in which Hirschman's purpose was to demonstrate the usefulness of economic concepts to political science and, on the other hand, the usefulness of political concepts to economics. Exit and voice are more general concepts than those that are meant to be used only in a market setting or a political setting. Exit is philosophically interesting for the purpose of finding out what it means to not do something out of resistant intention. Although Hirschman's point of view departed from that of economics, the concepts of exit and voice have been used in other social sciences as well.[97]

The premise of Hirschman's theory is that all economic, social and political systems — individuals, firms and organizations[98] – occasionally suffer from dysfunctional behavior, that is, behavior that is not efficient, rational, law-abiding, virtuous, or otherwise functional (1970, 1). All organizations are subject to decline (Hirschman 1970, 15) and exit and voice are results of this decline (Hirschman 1970, 1). Hirschman's aim was to determine the conditions in which people resort to an open articulation of dissatisfaction, that is, *voice*, and when they choose the covert resistance of "voting with one's feet," that is, *exit*.

In the economic sphere the deterioration of performance is usually reflected in the quality of the product (Hirschman 1970, 1, 4). Management can find out about this failure when members leave the organization or customers stop buying the products (Hirschman 1970, 4). This is what Hirschman means with the exit option (1970, 4). In exit in the economic sphere, a customer is dissatisfied with a product of one firm and therefore shifts to that of another (Hirschman 1970, 15). The result of exit is that revenues drop or membership declines (Hirschman 1970, 4).

Unlike exit, voice is about actually attempting to change the practices or policies the customer or member is displeased with (Hirschman 1970, 30). Voice is an attempt to change, rather than escape from, the objectionable states of af-

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97 The difference, according to Hirschman, is that whereas an economist is neutral when it comes to firms surviving in competition, other social scientists may be interested in designing better institutions as well as designing better forms of protesting (1970, 2).

98 Hirschman uses the term *organization* to refer to noncommercial service providers such as voluntary associations, trade unions and political parties (1970, 3).

fairs (Hirschman 1970, 30). This attempt can take many forms such as individual or collective petitions to the management, appeals to a higher authority or various kinds of protest to mobilize the public opinion (Hirschman 1970, 30). Customers or members express their dissatisfaction directly to leaders or authorities or through general protest expressed to anyone willing to listen (Hirschman 1970, 16). According to Hirschman, voice is graduated from faint grumbling to violent protest but it always incorporates an articulation of the criticism (1970, 16). It has effects in economics and society because dissatisfied customers or members of an organization can "kick up a fuss" instead of going over to the competitor (Hirschman 1970, 30).

Exit is impersonal in that there is no face-to-face confrontation between the customer and the firm (Hirschman 1970, 15). The communication of the dissatisfaction to the organization happens through a set of statistics (Hirschman 1970, 16). Exit is also indirect in a sense that if there is recovery of the declining firm, it comes "by the courtesy of the Invisible Hand," that is, through the market mechanism as a by-product of the behavior of the customers (Hirschman 1970, 16). Whereas exit can be private, impersonal, anonymous, roundabout and secret, voice is, according to Hirschman, direct and straightforward (1970, 16). This is why Hirschman called voice "political action par excellence" (1970, 16).

Hirschman argued that whereas economists have had a bias in favor of exit, other social scientists have recognized voice better (1970, 17). In the political realm, exit has even been branded as criminal and labeled as desertion, defection and treason (Hirschman 1970, 17). The bias in favor of voice has even led to a belief in political theory that democracy requires an alert, active and vocal public (Hirschman 1970, 31). In economics, the bias in favor of exit has led to the belief that a good economic system is linked with rapid exit after deterioration of quality (Hirschman 1970, 32). Yet, according to Hirschman, a mixture of alert and inert citizens serves democracy better than permanent activism or total apathy (1970, 32).

Hirschman's purpose was to provide a comparative analysis of situations in which people choose exit instead of voice and vice versa (1970, 35). According to Hirschman, the option that is selected is due to situational factors; exit is selected after considering the prospect of an effective use of voice (1970, 37). It can be a reaction of last resort when voice option has been exhausted (Hirschman 1970, 37). According to Hirschman, two factors influence whether an agent resorts to voice instead of exit, first of all, the agent's willingness to trade the certainty of exit against the uncertainty of voice, and secondly, the estimate the agent has of her ability to influence the organization (1970, 77).[99] According to Hirschman, in organizations such as the family, the state and the church in which exit is not available, voice is the only viable option (1970, 33). In this analysis the perceived opportunities of the agent are used in explaining action instead of merely the desires and beliefs of the agent. Hirschman also does not

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99 These findings are similar to Scott's finding that hidden forms of resistance arise in circumstances in which the cost of overt protest is considered too high.

assume a self-interested agent; he describes, for instance, a situation in which members of an organization choose to not exit because the organization itself would go from bad to worse had the members exited regardless of the effects on the agents themselves (1970, 98).

The distinction between exit and voice is not easily made in all situations. Hirschman does point out that voice is not necessarily a substitute of exit but can also function as a complement to it (Hirschman 1970, 35). Voice can also be anonymous, for instance, in the case of anonymous feedback that otherwise meets all other features of the voice mechanism. Exit and voice can be combined in different ways. According to Childress, for example, an agent can blow the whistle and exit at the same time thus combining voice and exit (1997, 409).

Phenomena Hirschman called exit largely consist of intentional omissions. Exit from membership of an organization, for instance, can consist of resistant intentional omissions. Exit allows for the analysis of not doings such as boycotts because intentionally not buying a certain product due to an oppositional attitude toward a firm fits Hirschman's description of an exit mechanism. Dissatisfaction that Hirschman was talking about is often similar to resisting. The concept of exit seems to have a slightly wider scope than resistance, however, because a mere lack of satisfaction with a product does not seem to be sufficient for resistance. Resistance necessarily includes an *oppositional* attitude of an agent and opposition seems to imply a stronger form of disapproval than mere dissatisfaction. Lack of satisfaction can also be a matter of indifference instead of a negative evaluative attitude toward something.

Another difference between a resistant intentional omission and exit is that Hirschman often uses exit to refer to an activity that is intentionally stopped. In a resistant intentional omission, prior activity that is stopped is not needed, however. Being on strike, for instance, necessarily requires that the agent has ceased working. But not all resistant intentional omissions are necessarily like this: intentionally not working out of resistance toward the government does not necessarily entail working that is intentionally stopped. An agent can resist eating meat even though she has not previously been a meat eater. Intentionally not working out of resistance toward the government does not entail the agent previously working. Exit, however, is always exit from some activity, action or relation, such as membership or customership.

Another problem with using exit as a sole concept for resistant intentional omissions is that it can entail the same problems as the notion of preference. I have argued that not performing an action out of resistance is not necessarily reducible to preferring another course of action. Hirschman often describes exit as a situation in which the customer is dissatisfied with a product of one firm and shifts to that of another (e.g., 1970, 15). But intentionally not buying a product out of resistance does not necessarily amount to buying another. We can distinguish not buying something out of resistance from preferring the consumption of something else, although in some cases the phenomena do converge. Hirschman does point out that exit from an organization might simply be a passage from a set of members to a set of nonmembers (1970, 89), but the

concept seems to be applied more often to cases in which the customer or members end up choosing another organization or product instead.

Exit manages to account for a way not doing something out of resistance is related to institutions. It shows that resistant intentional omissions exist and have meaningful, although perhaps indirect, effects on organizations and firms.[100] By introducing exit, Hirschman brought attention to hidden forms of customer or member dissatisfaction instead of the overt means of articulating it typical to the voice mechanism. Hirschman's analysis also raised tricky problems of resistant intentional omissions as methods of inducing change. Hirschman demonstrated that exit is problematic for inducing social change because in exit, the organization or institution does not get explicit knowledge of the source of dissatisfaction and cannot therefore influence it directly.

Hirschman's treatment of exit and voice brought forward the main problems of using exit as a political mechanism, and these problems can largely be applied to resistant intentional omissions as well. According to Hirschman, the main problem in using exit as a political activity is that is does not include voice – articulation of the source of dissatisfaction. The most influential exit also includes some form of voice (Hirschman 1970, 86). A threat of exit, for instance, works on the borders of both of these mechanisms as well as a boycott that, for Hirschman, includes a promise of re-entry once the change of policy is reached (Hirschman 1970, 86).[101]

Hirschman's assumption seems to be that management is trying to improve the performance of the firm or organization if they find out about the dissatisfaction of its members or customers. In the case of resistance in the societal sphere, this might not be the case. If agents are resisting a social system with their intentional omissions, the effective communication between the leaders of the social system and the citizens is not even attempted. So the limits of using exit as a mechanism of influencing policy cannot be applied to situations in which what is resisted is the system of power itself.[102] It is beyond the limits of this dissertation to evaluate when and how resistant intentional omissions can amount to this kind of total delegitimation of the social system. It must be noted, however, that resistant intentional omissions can be systemic resistance in this sense, and then the effective communication between the resisters and those in power is not essential.

Hirschman's criticism of the biases of economists and social scientists also reveals the need for non-normative concepts of resistance. Hirschman criticized naming exit as apathy and voice as activism in that they do not provide a neutral way to talk about these mechanisms in society. Resisting something

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100 According to Hirschman, exit inflicts revenue losses on the firm (1970, 21).

101 Hirschman also criticized the views of economists claiming that exit was the best way of expressing one's dissatisfaction with an organization. According to Hirschman, Milton Friedman considered withdrawal a direct way of expressing one's views (1970, 17). Hirschman pointed out that a person less trained in economics would suggest that the direct way of expressing ones views is to actually express them (1970, 17).

102 For instance, Ètienne de la Boétie (1997 [1576]) called for mass withdrawal of consent to tyranny as a means of offsetting the ruling power.

through not doing something is not necessarily a market mechanism. Neither is it a distinctly political mechanism. Hirschman's idea was that economic and political activities have basically the same mechanisms, and they are not completely separate fields that should necessarily be analyzed separately. Although exit has largely belonged to the realm of economics, and voice to the realm of politics, Hirschman argued that the basic mechanisms are the same in both fields (1970, 15). Although Hirschman's concepts were more general than those belonging to a specific discipline of the social sciences, his analysis was not an action theoretical analysis. Hirschman was looking for the behavioral mechanisms that arise out of organizational decline, not a general theory of human intention and action. The benefit of an action theoretical approach is that it is more general than a theory that explains only rational action, consumer behavior, or political behavior. To include cases in which the agent has a stronger negative evaluation toward something than that of mere dissatisfaction, the notion of resistance would need to be used. Moreover, to include cases in which no prior activity is stopped a more general notion of resistant intentional omission is also needed. It is an ordinary phenomenon in society, however, and should be talked about as such.

5.4 Conceptual map of resistant not doings

According to Scott, there is a vast territory between the polar opposites of overt collective defiance and complete hegemonic compliance (1990, 136). Concepts that deal with resistance phenomena can be used to map out this area with certain limitations. The main objective of this chapter has been to demonstrate that resistant intentional omissions exist in the social sciences. They fit under many concepts used in bioethics, military ethics, and the social sciences. In the social sciences, intentional omissions are taken seriously and they are, at least implicitly, taken to have causes and effects.

There is a variety of concepts that can include resistant intentional omissions in these fields (see Figure 1.). Some of them notably refer to a negative evaluative attitude that is a necessary feature of resistance. Concepts such as dissent, distrust and dissatisfaction are fundamentally about the resistant *attitudes* of an agent. Some of the concepts, such as refusing treatment, conscientious objection, hidden transcript and protest, denote especially the *expression* of these resisting attitudes. Certain concepts, namely noncompliance, disobedience, conscientious refusing and conscientious objection, refer to an *expectation, a norm* or *a rule* that is breached by the agent. Some of them, such as passive resistance and nonparticipation, denote *the action that is not done* because of the resistant attitudes without denoting a necessary breach of a rule.[103]

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[103] Some concepts, namely delegitimation and breach of a social contract, commitment or a membership, denote especially legal or contractual breach from the agent. Not voting and not participating are sometimes used to denote a delegitimation of current power structures. For instance, politics in the sense used by Jacques Ranciére, is

It has been argued that a general notion of resistant intentional omissions seems to be needed because not all forms of resistant intentional omissions are limited to specific contexts of public, official relations between the state and a citizen or a group of citizens. To not do something out of resistance does not necessarily imply nonviolent intentions, a strong notion of conscience, documentation or verbal explication of the omission, illegality or disobedience of a rule or an expectation.

Breach of expectation, norm or rule	**Expression**	**Speech act**	**Contra-attitude**	**Con-attitude is transformed into behavior**	**Legal**
Noncompliance	Protest	Declining	Dissent	Nonparticipation	Delegitimation
(Civil) Disobedience	Hidden transcript		Dissatisfaction	Nonviolent struggle	Breaking of a social contract
Conscientious Objection	Conscientious objection			Everyday resistance	
Conscientious Refusal				Exit	

FIGURE 1 Conceptual map of resistant not doings

necessarily about the continuous contestation of the legitimation of the established order by those who have no part in that order (Bassett 2013, 889). These features of resistances are beyond the limits of this study. It must be noted, however, that the problem with these kinds of claims is that individual not doings rarely delegitimate a social system whereas group intentional omissions might. Consider not voting. A social system is not dependent on the behavior of one of its citizens (unless this person is a dictator), but as an aggregate these kinds of group intentional omissions can induce social change by actually delegimating the current order.

6 CONCLUSION

In this study, I have further developed non-normative action language of intentional omissions, concentrating on the kinds of intentional omissions that contain resistance toward the action not done. I argued that this kind of non-normative vocabulary of omissions is needed especially in the social sciences but would be of use in ethics as well. I have sought interaction between conceptualizations of resistance in the social sciences and conceptualizations of intentional omissions in philosophy of action. This two-fold interaction between perspectives from philosophy of action and philosophy of the social sciences brought about results that have to do with understanding, conceptualizing and demarcating the phenomena in question.

The main findings of this dissertation are the following:

(1) Intentional omissions are ontologically activities, that is, processes induced and maintained by humans. Intentional omissions exist, in a way, and have causes and effects.

(2) Procedural metacognition toward not doing something is what distinguishes intentional omissions from mere omissions and positive actions.

(3) Resistant intentional omissions in which an agent does not perform an action out of resistance toward it, or something else the action somehow represents, are a normal part of the everyday behavior of most agents.

(4) These kinds of not doings have not been completely accounted for by other concepts in the social sciences or philosophy, which is why philosophy of intentional omissions can be of use in the social sciences as well.

(5) Our view of agency and theory of agency should account for the intentional not doings of agents as well as the sum of their intentional actions.

The attitude behind this approach has been that of unification: interplay between social scientific findings and action theoretical conceptual work has been sought in order to create a useful framework for the analysis of intentional omissions, including those that are due to resistance. Based on these findings, it can be argued that a good vocabulary of resistance should be able to account for hidden resistances that are about not doing something and a good vocabulary of agency should able to account for the resistant intentional omissions of agents. In the following, the implications of these findings are briefly analyzed.

The first implication has to do with the finding that in the social sciences intentional omissions are generally taken as existent – and as having causes and effects. This is something that would need to be acknowledged more comprehensively in philosophy of action. Research on resistances, especially in constrained situations, has revealed the variety of manifestations of agency in society. The agency of relatively powerless people does not just seem to concern intentional bodily movements. Neither does it seem to be just a matter of following pro-attitudes toward intentional actions. It also seems to be about *not* performing actions in frustrated contexts, situations in which positive actions might not be possible. The perceived possibilities of agents seem to influence the chosen actions and omissions of agents in society more than was perhaps originally recognized in philosophy of action. Thus, the social scientific perspective demands noticing both manifestations of resistant agency and manifestations of agency in not doings. It requires taking *resistance* and *constrained agency* seriously.

The second implication of this study has to do with the point that in philosophy of action the intentions of agents are taken seriously when it comes to action explanation. This is why perspectives arising out of philosophy of action can bring important clarity to understanding not doings. Concern with intentions seems to demand empirical interest in what goes on in the minds of agents when explaining their doings and not doings in society. In general, the action theoretical perspective requires taking *intention* seriously. In this study, it meant that a cognitively realist philosophy of agency would be built on cognitive psychology. This is why, to clarify what the minimal element necessary for the mental part of intentional omissions is, the notion of procedural metacognition was used.

The third major implication of this study has to do with distinguishing between different kinds of not doings and the usefulness of these kinds of distinctions in the social sciences. Scott's everyday resistance and Hirschman's exit made it possible to recognize resistant intentional omissions in society but what they have not been able to do is to provide a vocabulary that is diverse enough to account for the differences between resistant and other intentional omissions. Scott's and Hirschman's theories were assumed here to have action theoretical relevance although it was noted that neither Scott nor Hirschman worked at the same level of abstraction as a philosopher of action. It was pointed out that exit only refers to cases in which a prior activity is stopped. Agents can, however, resist an unethical company by intentionally omitting to buy its products without having been its customers before. Scott's everyday resistance denoted the hidden resistances of subordinate classes but it was argued that higher-class agents can resist abstract things such as capitalism as well. A general notion of resistant intentional omission was called for and Chapter 4 resistant intentional omission was defined. Although there seems to be a need to recognize this kind of phenomena better in the social sciences, they are, of course, not all there is to the agent's omissions. This is why resistant intentional omission was set in relation with other intentional omissions of agents in the Chapter 3 of this study.

Lastly, one of the main implications of this study has to do with the point that intentional omissions should be seen as existing, ontologically, in society, and in a way that can potentially be studied in cognitive psychology as well as in the social sciences. Although they are related to absences of action, they are also in an important way, *something*. Perceiving intentional omissions as activities makes it possible to talk about them as something that exists. The metacognition view presented in Chapter 3 was used to naturalize intentional omissions. This is important because when they are connected to psychological processes, they can also be studied empirically. Intentional omissions were also seen as existing at the level of society, which was demonstrated by concentrating on resistant intentional omissions. It was found that they might have societal meaning although they may not be easily deciphered from other kinds of omissions by an outside observer. The basic elements of the sociological notion of resistance were included in an action theoretical analysis of resistant intentional omissions. This is because in bioethics and military ethics, as well as in the social sciences, the kinds of phenomena under question are unequivocally seen as existing. It was noted that they are not especially market mechanisms nor are they fully political mechanisms, the study of which should be limited to the scope of only one of the social sciences. This is why a general, action theoretical notion of resistant intentional omission was presented to account for them all.

6.1 Toward a comprehensive theory of agency

The main claim made throughout this study has been that our view of agency should account for the intentional not doings of agents, not just the sum of their intentional actions. It was argued that both action theoretical and social scientific perspectives on human behavior would benefit from a conceptually clear account of agency that covers not only the positive actions of agents but their intentional omissions as well. This view of agency carries especial importance in the social sciences. In particular, major misunderstandings concerning the passivities of agents could be prevented if intentional omissions were a normal part of the social scientific conception of agency.

According to Clarke, a theory of action does not necessarily have anything to say about intentional omissions but a comprehensive theory of agency does (2014, 86). To develop this kind of comprehensive theory of agency, not doings of agents have to be taken philosophically seriously, that is, placed at the forefront of philosophical analysis and not treated as merely a side note of an inquiry concerning actions. Furthermore, to take them seriously in social sciences, they need to be taken as existing things, although they might not exist in the same *way* as positive actions do. The first two chapters of this dissertation have attempted to answer *how* they exist and I hope that this study has in part shown how they could be talked about in a coherent way as societal behavior.

In this study, it was assumed that the fields can have valuable interaction if both are interested in developing and using a realist framework for conceptu-

alizing agency. I do not think that the idea of a comprehensive theory of agency that could be shared by philosophy and social sciences is absurd in itself. Both philosopher and a social scientist are interested in human activity. The latter has a more empirical interest, the former a more theoretical one. The idea of interaction between these fields when it comes to social agency is not new. In analytical sociology and analytical Marxism, theories of action have already been used in social scientific explanation. Both social sciences and philosophers of action share the aim of developing a psychologically realistic theoretical toolbox of human activities that can be of use in explaining social phenomena. In any case, if there are unsurpassable obstacles to developing an interdisciplinary, comprehensive theory of agency, it would be interesting to know what those presuppositions that cannot be compromised are.

Intentional omissions and other not doings have not been especially studied conceptually as forms resistance before, perhaps because of the division of labor between the disciplines. In social sciences, power relations have been of interest whereas in philosophy of action the notion of action has been analyzed in detail. Yet if one wants to unify fields, these kinds of disciplinary divisions of labor cannot necessarily be retained. In this study, I assumed that understanding particular social facts requires a synthesis of the foundational paradigms of the social sciences (Tang 2011, 213). Fundamental paradigmatic problems in bridging these gaps, however, such as the difference between agents and subjects, have only been touched upon in this study.[104]

The arguments presented do, however, articulate some need for change to the current theories of action. Whether belief-desire models can be used to account for resistance behaviors can be contested based on the findings of this research. In addition, the notion of action that is built on intentional movement cannot account for intentional omissions. Overlooking resistant agency can lead to overlooking hidden resistances, which is why it would be important to develop the conceptual means for better accounting for not doings.

As it was noted, although intentional omissions are, in a way, manifestations of agency, they often arise in situations in which other, more direct forms of influencing the situations are not available. According to Margaret Urban Walker, there is plenty of moral and political importance to the way people act when they are deprived of choice (1998).[105] This is something that would need to be recognized better in philosophy of action. An action theory that can only be applied to ideal agents in ideal situations might not be very useful for the social scientist. Fully revealing the constrained nature of at least some intentional omissions would, however, require more conceptual and empirical work.

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104 An agent, for instance, according to resistance researchers Stellan Vinthagen and Anna Johansson is "a social identity constructed in relationships that are not singular or fixed (as in Scott's peasant/landowner relationship) but perceived as plural, complex, contextual and situational" (2016, 422). Although this study has considered agents from a more minimal point of view, this kind of view, which is characteristic of social scientific analysis, has not been precluded by the approach taken.

105 According to Urban Walker, for instance, ordinary people in most circumstances cannot, and do not, live according to life plans (1998, 136–137).

The whole conceptual area of intentional omissions of agents – especially in society – has been largely underdeveloped compared to the vocabulary of intentional action. According to Little, the vocabulary chosen can lead sociological inquiry to different directions and representations of the social world (2016, 30, 41). For instance, whereas the concept of process emphasizes change, the choice of the concept of structure emphasizes permanence (Little 2016, 29). Concentrating on the actions of agents emphasizes the overt, obvious and active part of social agency whereas focusing on the intentional omissions of agents emphasizes the restrained, passive, and hidden parts of agency of which that the agents themselves are experts in.

The overall underdevelopment of the concepts of not doings might be due to what Soran Reader has called "the agential bias" peculiar to the Western culture (2007, 2010). According to Reader, it is a vast invisible structure that says, "When I am an agent, I am, I count. But when I am passive, incapable, constrained, dependent, I am less of a person, I count less" (2007, 580). This bias, according to Reader, includes an assumption that people only matter when they are agents (2007, 580). She has argued that the bias has affected the way agency is perceived in society: according to it, a central political task is to enable the agent who is passive, suffering or subject to necessities to gain more agency and thus become more of a person (Reader 2007, 580). The lack of philosophical attention to withdrawals, silences, passivities and hidden resistances of agents might be partly explainable by this agential bias. I agree with Reader in that more understanding of the passive aspect of personhood would be needed because the passive aspects are just as constitutive of personhood as action, capability, choice and independence (2007, 592).

It could be argued that intentional omissions are part of what Reader calls our "patiency," the passive, silenced, or othered aspect of our personhood (2010, 200). According to Reader, being is a patient when it is acted on instead of being an actor (2007, 581). It must be noted that although intentional omissions can be at the outskirts of agency, they are not part of this patiency, because they are something we instigate and sustain, instead of something that just *happens* to us. Intentional omissions are something we are deemed to be responsible for. Through our intentional omission we can take an active relation to things surrounding us. It is, however, unclear whether the patiency and agency of agents can be kept completely apart. Agents in most real life situations are at the same time constrained and dependent yet have a certain, yet debatable, amount of room for manifestations of agency.

6.2 Questions for further study

In society, not doing something as a form of resistance can be problematic in many ways. The nature of intentional omissions as political activities has not been dealt with in detail in this study, but it is an important and interesting area of investigation that I hope will be later investigated more. Possible questions

for this kind of inquiry could include the following: What problems do withdrawals have as forms of social and political resistance? Can withdrawals be heard by those in power? How could not doings be better recognized in policymaking? What kind of resistance is most effective in different kinds of situations and in relation to different kinds of organizations?

Hirschman, Scott and Gaventa presented important issues in the effectiveness and relevance of these kinds of resistances. Hirschman maintained that the combination of exit and voice is usually the best way to influence organizations. Scott argued that everyday resistances have a potential for creating social change. Gaventa's work on quiescences highlighted how power structures influence the beginning stages of resistance so that grievances do not even have the potential to become hidden forms of resistance. There seems, however, to be a need for more empirical study on withdrawals, silences and hidden forms of resistance as well. My hope is that this dissertation has brought clarity to the issue itself. Although the conceptual and methodological issues related to not doings are tricky and numerous,[106] the kind of phenomena in question are worth serious empirical work and they can be studied, at least indirectly. The first thing that is needed in solving the empirical research problems that concern not doings is a shared language by which to talk about them. Non-normative action language has been developed in order to provide necessary clarification for this and it has been argued that the shared language should be non-normative at its basic level because the normative discussions of not doings also benefit from the use of non-normative concepts.

This research has focused on the negative evaluations of agents, which would also need to be further studies empirically. The negative attitudes toward institutions and organizations can be studied by questionnaires, for instance, even though the intentional omissions of agents cannot be studied by observation alone. It seems that understanding various forms of dissatisfaction can lead to understanding at least part of the withdrawals of agents in society. To answer why and in what kind of circumstances resistant intentional omissions arise are questions that would need further work as well.

Another area that requires further investigation is the nature and function of group intentional omissions. This study has only concentrated on individual intentional omissions but in the social sciences joint, collective and corporate intentional omission are of obvious relevance.

Further work is also needed in understanding the resistant nature of agency of marginalized people. According to bell hooks, marginality should not be seen merely as a site of deprivation (1990, 341). She has maintained that it is also a site of "radical possibility" or "a space of resistance" (1990, 341). It can be a site in which "one stays in, clings to even, because it nourishes one's capacity to resist" (hooks 1990, 341). Understanding marginality as a place of resistance

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106 One problem is that, for instance, people who resist the medical establishment by refusing treatment can be hard to find to answer questionnaires because they may have withdrawn themselves from the medical circuits altogether (Kleffens and Leeuwen 2005, 131).

is important because, according to hooks, if margin is only seen as a sign of deprivation, this resistant character can be missed, thus maintaining the established power structures (hooks 1990, 342).[107] One needs a basic understanding of negative evaluative attitudes of agents in order to understand non-participation and withdrawals in society and in order to demarcate resistant not doings from other intentional and unintentional omissions. This is because in order to demarcate intentional not doings of agents from mere attitudes and states of quiescence, the agents themselves need to be heard. Public and articulated forms of resistance are obviously easier to decipher from an outside perspective. Yet the views of agents themselves cannot be overlooked when trying to decipher their hidden resistances. From an outside perspective, resistant intentional omissions of agents look like passivities. The benefit in committing to the use of non-normative action language of omissions would be that the intention of the agent would be left for empirical inquiry to answer.

In social work research these implications have occasionally been made when talking about the marginalized. Riitta Granfeld has stated that research interpreting the experiences of marginalized groups should try to make the reality of these often silenced groups as part of the public social policy discussion (2004, 152). Reader maintained that the truths of the passive, weak, needy, helpless, confused, entangled, and overwhelmed should be seeked out and witnessed (2007, 604). She also maintained that personhood should not be "presented like a student on graduation day, all neatly turned out to receive a prize for its achievement" (Reader 2007, 604). In this study I have used, and developed, the philosophy of intentional omissions to emphasize both stances, but more work on the hidden aspects of agency would be needed to fully satisfy Reader's demands.

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107 Hooks also argued that the voice of resistance in marginality may not be heard: "Only do not speak in the voice of resistance. Only speak from that space in the margin that is a sign of deprivation, a wound, an unfulfilled longing. Only speak your pain" (hooks 1990, 323).

YHTEENVETO (SUMMARY)

Tutkimus kehittää aiempaa kokonaisvaltaisempaa, niin teot kuin intentionaaliset tekemättä jättämisetkin sisältävää toimijuuden teoriaa, joka aiempaa paremmin ottaa huomioon joihinkin tekemättä jättämisiin liittyvän vastarintaluonteen. Väitän, että vaikka toimijuuden filosofia on ensisijaisesti keskittynyt tekojen analyysiin, tällainen kokonaisvaltainen toimijuuden teoria liittää teon filosofian paremmin yhteiskuntatieteisiin ja auttaa yhteiskuntatieteilijöitä systematisoimaan ja käsitteellistämään entistä paremmin sellaisia yhteiskunnallisia ilmiöitä, jotka sisältävät tekemättä jättämisiä.

Toinen luku tutkii tarkoituksellisten tekemättä jättämisten ontologista luonnetta. Tarkoituksena on vastata kysymykseen, *mitä tarkoitukselliset tekemättä jättämiset ovat ontologisesti*. Miten, milloin ja missä ne ovat olemassa, jos ne ovat olemassa, ovat ontologisen tutkimuksen keskeisiä kysymyksiä. Väitän, että vaikka tarkoitukselliset tekemättä jättämiset ovat osa toimijuuttamme, ne eivät ole tekoja siinä mielessä kuin niinkutsuttu toimijuuden standardinäkemys olettaa. Performanssien sijaan tarkoituksellisia tekemättä jättämisiä pitäisi ajatella aktiviteetteina, koska ne ovat homogeenisia, katkeamattomia, jatkuvia ja epätarkkoja, eivätkä ne ole suoraan laskettavissa. Tämä näkemys liittää intentionaalisten omissioiden ontologian prosessien ontologiaan, ja väitän, että tällainen näkemys tavoittaa tapahtumien ontologiaa paremmin elävien olentojen dynaamisen toimijuutta, joka koostuu yhtä lailla tarkoituksellisten tekemättä jättämisten alkuun saattamisesta kuin niiden tietoisesta ylläpidosta ja kontrolloinnistakin.

Kolmas luku tutkii, miten tarkoitukselliset tekemättä jättämiset liittyvät mielenfilosofiaan ja kognitiiviseen psykologiaan. Tarkoituksena on löytää kognitiivisen psykologian kanssa yhteensopiva naturalistinen selitys tarkoituksellisille tekemättä jättämisille, joka mahdollistaisi niiden tutkimisen maailmassa olemassa olevina ilmiöinä. Luvun tutkimuskysymys on *millä ehdoin omissio on intentionaalinen*. Väitän, että tarkoituksellisten tekemättä jättämisten välttämätön ehto on toimijan proseduraalinen metakognitio joka ainakin osin suuntautuu tekoon jota ei tehdä. Tämä metakognitiivinen komponentti erottaa tarkoitukselliset tekemättä jättämiset pelkistä omissioista. Tähän näkemykseen perustuen luvun lopussa esitän ei-normatiivisen käsitteellisen typologian tekemättä jättämisille.

Neljäs luku tutkii sellaisia tarkoituksellisia tekemättä jättämisiä, jotka liittyvät jonkin asian vastustamiseen. Luvun tutkimuskysymys on, *millä ehdoin tarkoitukselliset tekemättä jättämiset ovat vastarintaa jotakin kohtaan*. Määrittelen vastarinnan välttämättömät ehdot ja väitän, että tarkoitukselliset tekemättä jättämiset, joissa toimija ei tee jotakin tekoa vastarinnasta jotakin kohtaan, ovat normaali osa arkipäiväistä toimijuuttamme.

Viides luku tutkii käsitteitä, joiden avulla tekemättä jättämisiä vastarintana on aiemmin käsitelty. Tämän luvun tutkimuskysymys on *mitä käsitteellisiä keinoja meillä on tarkoituksellisista tekemättä jättämisistä vastarintana puhumiseen*. Väitän, että yhteiskuntatieteissä ja soveltavassa etiikassa tarkoitukselliset teke-

mättä jättämiset vastarinnan muotoina on otettu olemassa olevina asioina, joilla on syitä ja seurauksia. Kuitenkin, käytetyt käsitteet kuten kansalaistottelemattomuus, omatuntoperustainen kieltäytyminen, exit ja arkipäiväinen vastarinta eivät ole tavoittaneet riittävästi tällaisten ilmiöiden yleisyyttä, ja siksi tekemättä jättämisten filosofia on tarpeen niin soveltavassa etiikassa kuin yhteiskuntatieteissäkin.

Kuudes luku pohtii tämän väitöskirjan tutkimustulosten merkitystä. Tutkimuksen keskeinen päätelmä on se, että käsityksemme yhteiskunnallisesta ja eettisestä toimijuudesta pitäisi entistä paremmin sisällyttää tarkoitukselliset tekemättä jättämiset, ei vain tekojemme summaa. Toinen keskeinen päätelmä on, että toimijoita itseään pitäisi kuulla kun arvioidaan heidän tekemättä jättämisiään yhteiskunnassa sillä tarkoitukselliset tekemättä jättämiset sekoittuvat helposti passiivisuuteen ulkopuolisen näkökulmasta tulkittuina.

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