Judith Jarvis Thomson on the analysis of causation, and another entailment objection

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Abstract. In a book contribution responding to H.L.A. Hart and Tony Honoré, Judith Jarvis Thomson casts a certain analysis of causation in an attractive light, but says that it unfortunately faces two objections. I draw attention to another objection.

There is an edited book on H.LA. Hart and in the book is a contribution by Judith Jarvis Thomson and in the contribution is an analysis and then some good points of the analysis are noted and then some objections are presented. This is the analysis:

> *(Fact Causal Analysis)* Fact F caused Fact G just in case the proposition expressing fact F does not entail the proposition expressing fact G, and the proposition expressing fact G does not entail the proposition expressing fact F, and the proposition expressing fact F is a member of a set S of true propositions such that

> (i)   The conjunction of all of the scientific laws with all of the members of S entails the proposition expressing fact G.

> (ii)   The conjunction of all of the scientific laws with all of the members of S other than the proposition expressing fact F does not entail fact G.
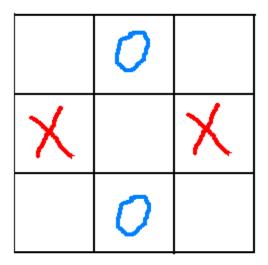
She decides to bypass the concern that we do not talk of facts entering into causal relations, rather events. One of the objections Thomson presents is called the preemption objection while the other is called the entailment objection. I shall not present either objection, but perhaps "disjunctive entailment objection" is a better term for the latter, because it seems to me that there

is another entailment objection. (Is this impression "stupid"? Many years ago I found a "reason" to delete a paper with this other objection, but I have forgotten the reason.)

Let us suppose that Thomson's characters Alfred and Bert are playing noughts-and-crosses, or tic-tac-toe as it is also called. The next move Alfred makes causes Bert to lose. The objection is this. A proposition expressing the following complex fact logically entails that Bert loses: a proposition which says that they are playing noughts-and-crosses – or the standard version (see Hart 2012: 4, 15) – and which captures the state of play before Alfred moves and where Alfred places his symbol in the move he makes. In short, the fact that Alfred makes this move in this game causes Bert to lose, as a matter of logical entailment. For example, Alfred's putting a nought in the middle square, in the following game, causes Bert to lose:

References. (1) Hart, H.L.A. 2012 (third edition). *The Concept of Law.* Oxford: Oxford University Press; (2) Thomson, J.J. 2007. Some Reflections on Hart and Honoré, *Causation in the Law.* In M.H. Kramer, C. Grant, B. Colburn, and A. Hatzistavrou (eds.), *The Legacy of H.L.A. Hart.* Oxford: Oxford University Press.