Action individuation: a normative functionalist approach

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How or in virtue of what does any one particular action differ from another? Available views on the issue of action individuation tend to emphasize the descriptive features of actions, such as where and when they occur, or what they cause or are caused by. I contend instead that actions are individuated by their normative features, such as what licenses them and what they license in turn. In this essay, deploying a suggestion from Sellars and Brandom, I argue specifically that actions are individuated by their normative function or role.

1. Introduction

'I had a good relationship with my parents. They rarely every hit [me] ... I think they hit me only once, actually, in my whole childhood. They ... started beating me on the 23rd of December in 1942, and stopped beating me in the late Spring of '44', says Fielding Mellish, played by Woody Allen in his film *Bananas*. Like other characters played by Allen, Fielding raises an interesting question. How long can a single beating last? What makes it the case that Fielding was beaten once (for a very long time), rather than several times? How, in general, are actions individuated? How or in virtue of what does any one particular action differ from another?[1]

Though once a hot topic, discussion on individuation of actions has stagnated, perhaps because the three dominant positions seem equally plausible.[2] In this essay, I want to move discussion forward by motivating a new approach to the question. The existing discussion has tended to focus on what I call the descriptive features of actions, features such as when they occur, what they cause or are caused by. I propose instead that actions are individuated by their normative features, features such as what licenses them and what they license in turn. More exactly, I shall argue that they are individuated by their normative function or role. This type of approach is inspired by an idea from Wilfrid Sellars, which in turn has been made prominent by Robert Brandom. They contend that speech acts should be thought of in terms of their normative functional role in 'the game of giving and asking for reasons'.[3] That suggests that acts in general could be thought of in similar terms. My aim is not, however, to engage directly with Sellars and Brandom, but rather to extrapolate from that basic idea.

In what follows, I first give a brief overview of the existing debate on action individuation with an eye to showing that the available views do indeed focus primarily on the

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descriptive features of actions. With that as a backdrop, I then make a case that actions are individuated by their normative function.

2. The existing debate

2.1. *Action sequences*

In his classic essay, 'Actions, reasons and causes', Donald Davidson writes, 'I flip the switch, turn on the light, and illuminate the room. Unbeknownst to me I also alert a prowler to the fact that I am home'. Donald moved his hand, Donald flipped the switch, Donald turned on the light, Donald illuminated the room, and Donald alerted the prowler. Call the situation involving Donald an 'action sequence'. Action sequences like the one involving Donald are the focus of discussions about individuation because they present us with a single agent who appears to have acted in a single place at a single time (or over a single period of time) and yet it is not clear whether he has done just one thing or several. As the discussion is usually formulated, we can ask whether all of the claims about what Donald did are talking about the numerically same action or numerically different actions. It is usual at this point to 'nominalize' these claims into 'action designators', expressions that refer to particular actions.[4] Thus, we have:

    (1)   Donald's moving of his hand;
    (2)   Donald's flipping of the switch;
    (3)   Donald's turning on of the light;
    (4)   Donald's illuminating of the room;
    (5)   Donald's alerting of the prowler.

We can now ask of (1)–(5): are all, some, or none the numerically same action?

That is a question about *whether* they differ, not about *in virtue of what* they differ (the question of individuation). The question of whether they differ is a way into the question of individuation – in virtue of what they differ – because in answering the 'whether' question one must take a view about how or in virtue of what actions differ (or are the same). Since there seem to be essentially three answers available to the 'whether' question ('all', 'some', or 'none'), it is generally held that there are essentially three positions one can take on individuation.

The main task for an approach to action individuation is to say in virtue of what one action differs from another. The issue of individuation is normally formulated in semantic terms: given two action designators 'A's F-ing' and 'A's G-ing', each of which refers to a particular action, under what circumstances do they refer to the same particular action? A semantic formulation helps one avoid awkward formulations of the issue, such as, 'Under what circumstances are two actions the same?' The answer to which is, of course, 'Never.'

2.2. *Three accounts*

The first account of action individuation that we will consider maintains that in a typical action sequence there is just one action.[5] We can call this the unifier account (UA). According to UA, a single action can have different effects and the different correct ways of describing the action are in terms of its different effects. For instance, to alert the prowler, Donald needed to do no more than move his arm. Once he moved his arm – in the context in which that moving occurred – the action that we call 'Donald's alerting of the prowler' was complete. While it is true that the prowler was not instantaneously

alerted upon Donald's moving of his hand, according to UA the act was nevertheless complete. Once the prowler is alerted, it becomes correct to describe Donald's action as an alerting. The same kind of thinking can be extended to the rest of the sequence.[6]

While admirably parsimonious, many philosophers reject UA. Intuitively, in our sequence with Donald, it can seem as though there just is more than one action. There are a few well-rehearsed objections to UA, all of which purport to show that UA wrongly identifies two or more actions that are, in fact, numerically distinct. To take just one example, according to UA, Donald's moving of his arm is his alerting of the prowler, and Donald's moving of his hand caused the illuminating of the room. But then Donald's alerting of the prowler caused the illuminating of the room. And yet that seems false: the illuminating of the room is not an effect of Donald's alerting of the prowler. So, the putative identity seems to be wrong. Thus, according to this objection, UA incorrectly maintains that actions are the same that are in fact different because they stand in different causal relations to other events.

These kinds of difficulties with UA have led people to believe that in a typical action sequence there is simply more than one action.[7] Alvin Goldman, for instance, has argued that in fact there are many actions in a typical sequence (Goldman, 1970). On his view, (1)–(5) would all be different actions. Following others, we can call this the fine-grained account (FGA). This view is held together by a distinctive conception of what particular actions are. For Goldman, any particular action is an exemplification of an act property by an agent at a time.[8] Because a particular action is an exemplification of a property, a difference in properties exemplified will suffice for a difference in particular actions – so also will a difference in times or agents. So, according to FGA, Donald's moving of his hand and Donald's flipping of the switch are different actions because being a moving one's hand and being a flipping of the switch are prima facie different properties. Thus, FGA is one way to understand how (1)–(5) could indeed be distinct actions, as the arguments against UA suggest they are.

However, many authors reject FGA. While UA seems to find too few actions, FGA seems to find too many. For instance, according to FGA, not only are (1)–(5) distinct, but (1) also differs from

(1.1)   Donald's *swift* moving of his hand.

That strikes many as unintuitive.[9]

The third and final position in the debate is the result of recoiling from FGA, while also rejecting UA. It maintains that in a typical action sequence, some but not all of the actions are distinct. The basic idea for this middle way account (MWA) is that (1)–(5) are distinct, but (1) and (1.1), for instance, are the same.[10] Most versions of MWA adopt a view according to which what would be merely effects of the action according to UA are actually part of an action itself. For instance, (1) – Donald's moving of his hand – and (5) – Donald's alerting of the prowler – are different actions because (5) has as a part or a component the alerting of the prowler, whereas (1) does not. On these kinds of view, actions can literally extend beyond the body of the agent to include things in the environment (including other agents).

The main challenge for this kind of view is to find a principled basis on which to maintain that in a typical action sequence some actions are identical while others are not. Carl Ginet, for instance, explicitly espouses a version of MWA and develops multi-faceted criteria for co-reference of action-designators accordingly. Without going into the details of those criteria, suffice it to say that they seem ad hoc; they look as if they emerge solely

as a response to the problems that beset UA and FGA. We are left wondering why exactly actions are individuated as they are on that account.

2.3. *A crucial oversight*

Standard discussions of the debate between UA, FGA and MWA, such as the one I have just provided, can make it seem as though there is no other position available in the debate on individuation. That is especially so if one focuses on the 'whether' question. If you begin by asking of a given sequence 'Are all, some or none the numerically same action?', it can seem as though there are only three positions available ('all', 'some' or 'none'). But a view about the individuation of actions is not primarily a view about *whether* actions differ, but a view about *how* or *in virtue of what* particular actions differ from one another. To see that the issues are distinct, notice that philosophers could agree on an answer to the 'whether' question and disagree on the individuation question – the 'in virtue of what' question. (Compare: philosophers could agree that some object is beautiful, but disagree about what makes it beautiful.) Once we recognize that point, we should see that there is room for views about the individuation of actions other than the familiar ones. A view of individuation should be distinguished primarily by its answer to the 'in virtue of what' question.

That provides a general motivation to think there could be other views. Let me now begin to motivate my preferred alternative. UA is typically rejected either because certain putatively identical actions actually have different effects or causes, or they actually occur at (or over) different times, or in different places. And so FGA and MWA are generally found plausible for the same reasons. That much is well-trodden ground in discussions of action individuation.[11] My point is to draw attention to the fact that the debate between these views centers on when and where an action occurs and what it causes and is caused by, which are quintessential *descriptive* features. Other interesting features of actions seem to have gone missing.

To be sure, when an action occurs, what it causes and is caused by are important features of actions. But they are certainly not the only features of actions and they are not obviously the most important features of actions. Actions also have *normative features*. They license or permit or warrant certain other actions and attitudes; they can also require or obligate various actions and attitudes. For example, if a person cuts in front of you on a sidewalk, it is *reasonable* for you to step out of the way; if I drive you home from work, then, other things being equal, you *should* express your gratitude to me. Indeed, it is often just these normative features of actions that make us interested in action as a distinctive category in the first place. The point here is not that actions can be *morally* significant, but that they are normatively significant in a broader sense; what we do has consequences or implications for who may (or may not) do what to whom when.

Now, that actions have these normative features does not yet imply anything about how they are individuated. One might think that these normative features of actions are somehow important extrinsic features, without thinking they have a part in individuating actions. After all, diamonds have legal features – they are owned by certain people – and economic features – they are worth lots of money – but they are individuated not by any of these features, but by their chemical and physical structure and extent.

I believe that there is a good reason, however, to think that actions are individuated by their normative features, or, as I will say, their normative *function* or *role*. Call that the normative functionalist account (NFA).[12] I will develop NFA in greater detail shortly, but for now let me state the basic idea. Not only do actions have normative features, but it is also plausible that any particular action has (at least some of) its normative features essentially. That is, any particular action would not be, it could not occur, without those features. For

instance, Donald's turning on of the light is something that he is distinctively responsible for. He bears responsibility for that particular action in a way that is unlike his responsibility for any other action. Roughly, we can think of this as meaning that he is the person of whom reasons may be asked and the person at whom praise or criticism may be directed for that specific turning on of the light on that occasion.[13] In saying that Donald's action is individuated by such features, my point is that if he was not distinctively responsible in the relevant way, there would not have been that turning on of the light by him (though there might have been some other action). NFA claims that Donald's turning on of the light differs from other actions (of Donald and others) in virtue of its distinct normative role.[14]

With respect to the descriptive features of actions, NFA claims that actions have the ones they do *because of* the function or role that action plays. To get the basic idea, consider an object-type that is distinguished by its function, such as a pencil sharpener.[15] To be a pencil sharpener is to be something that has the function of sharpening pencils. There is nothing in particular that a pencil sharpener must be composed of; it could be made of metal or plastic, for instance. But that does not mean that a pencil sharpener can be made of anything. A pencil sharpener's structure must be adequate to its function. A pencil sharpener could not be made of Jell-O or smoke, for instance. The crucial point is that these structural constraints on pencil sharpeners *derive from* the pencil sharpener's function.[16] Pencil sharpeners have particular structural constraints *because of* the function that pencil sharpeners have.

Now return to actions. NFA contends that a particular action is individuated by its normative function or role. As with the pencil sharpener, a particular action will have certain descriptive features *because of* the normative function it has. The descriptive features of an action should be thought of as accruing to it *because of* its normative function. The function or role of a hit in a game of baseball, for example, has priority in explaining in virtue of what that hit (that action) differs from other actions; the hit's descriptive features derive from that role and do not have priority in explaining in virtue of what that hit differs from other actions. Giving priority to normative features over descriptive features is primarily what distinguishes NFA from UA, FGA and MWA. I will return to that point in due course.

I will now proceed to make a case that actions are individuated by their normative function.

3.   Individuation by normative function

Individuation is a question about how or in virtue of what any one particular action differs from another. It is closely tied to another question: 'What makes any particular action the action that it is?'[17] I will focus on that question to initially develop NFA.[18] I will first introduce the idea that at least some actions have and are individuated by their normative function. I will then extend NFA to other kinds of actions.

3.1.   *A model case*

Let us turn away from the situation involving Donald to one that makes more perspicuous the features of action I want to emphasize. Consider a typical scene from a baseball game. Martin steps up to bat; the pitcher throws the pitch; Martin swings and hits the ball into shallow right field. Thus, we have:

    (6)   Martin's hitting of the pitch.

Now, what makes (6) the action that it is?

It was a hit of a particular pitch in a particular game by a particular player at a particular point in that game. But crucially it also put Martin in the position of being allowed to run to first base. Indeed, it put him in the position of needing to run to first base. It also called on players on the opposite team to try to get the ball and throw him out or tag him. To be in this situation of both needing to and being permitted to run to first base, Martin must have had the correct standing; he had to be the batter. These are at least some of the important features of (6). They are ostensibly *normative* features – that is, they concern what Martin *may* do, what he *should* do (and what players on the other team *may* or *should* do), and his role vis-à-vis normative rules.

That is one way of developing the intuitively plausible idea that the act of a hit in a game of baseball needs to be understood in terms of its role in that game. I am claiming that Martin's particular hit has a specific role in the particular game in which it occurs.[19] Its role is to transform the overall state of play in a particular way. Speaking roughly, upon hitting the ball, Martin's status changes from batter to runner. More exactly, a particular player who had the standing to hit a pitch has now done so and as a consequence can and indeed should run to first base. Also as a consequence, players on the field on the opposing team should try to throw him out at first base or try to tag him with the ball. That is what it is for something to be a hit; *it must have those normative features*. A hit is characterized, in the first instance, by its role in the norm-governed game. It need not be 'made' of anything in particular. As I indicated previously, there will be, of course, constraints on what can adequately play the role of a hit. What matters here is that which precise causal or spatiotemporal features a particular hit like (6) has will derive from the role it has in the game.

Let me be more exact about the role of (6). It has at least two distinct elements: roughly, its *input* and its *output*. Its input is the standing that Martin has to hit the particular pitch. Not just anyone had that standing. Martin had to be on a particular team and have a certain place in the batting order – he needed to be 'up' – it needed to be his turn. A crazed fan who found himself at the plate when the pitch was thrown simply could not have hit the ball in the relevant sense – he would not have had the standing. Similarly, a crazed teammate who was either not in the lineup or not 'up' also could not have hit the ball – he too would not have had the requisite standing. The point here is not simply that this teammate is not allowed to hit – as if he could hit, but it would be impermissible. Rather, the point is that it would not be possible for him to hit. The teammate lacks the status constitutive of being able to hit.

The output of (6) is Martin's status as a runner. That status has at least two dimensions. Being a runner is, in part, a matter of what Martin should do, namely get on base. (Something Martin is also permitted or allowed to do.) And Martin's status as a runner is also a matter of what players on the other team should and can do, namely stop Martin by tagging him or throwing him out. So the output of (6) is a multi-dimensional status change for Martin and others.

A crucial aspect of the way I have put things is that the output of the hit is not simply what the hit causes or would typically cause. As a result of Martin's hit, he should run to first base, but he might not run – he might collapse, for instance. The opposing players *should* tag him, but they might not – they might be a particularly lethargic or incompetent bunch such that even in various counterfactual scenarios, they would not tag him.[20] My point is that the output is, in the first instance, a change in the *normative* status of the various players.[21] The outputs are changes in what *should* or *should not* be done, not changes in what actually is done or changes in what would typically be done. For short, the inputs and outputs are sets of normative statuses. To attribute a hit to Martin – or to

anyone – is to say that a certain change in the state of play has occurred, a change that has specific implications for what various players may or should do.

Given all of this, we can say that (6) has a normative function or role: it changes Martin's status from batter to runner. (6) alters or transforms what Martin and others are now allowed to and required to do. And it has a *unique* role; nothing else has that same role. The particular hit that we have been considering occurred at a particular point in a particular game. That is, its specific role is indexed to that particular stage of the game. Martin may have had a very similar hit earlier in that same game, or in other games, and these other hits might have had roles (inputs and outputs) similar to those of the hit we have been considering, but they would not have had the same role as the one at issue.

If this is roughly correct, then it is plausible that Martin's hit is identified by its role in the particular game in which it occurs – by the way it alters the standing of Martin, his own team, the status of players on the other team, and the state of play generally. That is, the particular role of Martin's hit is what makes Martin's hit the action that it is.

Consider a misleading formulation of NFA's treatment of (6): (6) would not be the action that it is, if it did not play the role that it does in fact play. That formulation suggests that (6) could have been – it could have existed or occurred – without being of the type 'Martin's hitting of the pitch'. But that is not NFA's claim – indeed, that is precisely the opposite of what NFA claims. It claims that if that specific role were not to have occurred – were it not to have been instantiated – then there simply would not have been that hit by Martin. There might have been something else there (maybe an action of some type), but (6) simply would not have been – that particular instance of Martin's hitting of a pitch would not have happened.

(6) is individuated by its particular normative function in a particular game. It differs from hits by *other batters*, *other hits* in the same game or other games by Martin, and *other types of action* performed by Martin. Nothing else plays the same role that (6) plays; its role is unique to it. If 'something else' had that role, it would be numerically identical to (6) – it would *be* (6).

With the main outline of NFA's story about (6) in place, one might wonder about hard cases. For instance, consider

(7)   Martin's hitting of the ball.

Are (6) and (7) numerically identical? Is Martin's hitting of the *pitch* numerically identical to Martin's hitting of the *ball*? NFA tells us that to answer this question we must determine whether (6) and (7) have the same normative function. So far, we have been relying on a rough formulation of (6)'s normative function. To get an answer to that question, we would need to clarify that formulation, and we would need to specify (7)'s function.

But we should not move too quickly here. Must an adequate defense of NFA undertake to say which normative function any particular action (e.g. (7)) has? I do not think so; not in the first instance, at least. Understanding why is important. NFA is not a (metaphysical) thesis about what determines any particular action's normative function. Nor is it an (epistemological) thesis about how to discern any particular action's normative function.[22] NFA is a thesis about the individuation of actions; it says that particular actions differ from each other in virtue of their normative functions or roles. It is committed to the claim that each distinct action has a distinct normative function. So, to appear plausible, a defense of NFA must make *that* idea plausible. Doing so requires clarifying what normative functions are, in general. That is, a proper defense and articulation of NFA must specify what 'normative function' means. In this section, I have been developing the basic features of that idea,

relying on (6) as a model case.[23] In addition to clarifying what normative functions are in general, an adequate defense of NFA should also show that distinct actions have distinct normative functions. In this section, I have considered how that claim applies to (6). The question of whether (6) and (7) are numerically identical is, I think, a hard case. It is hard because it is not clear whether (7) has a normative function distinct from that of (6). But a proper defense of NFA can leave things there, to be decided by a more fully worked out account of which normative function any particular action has. If it were true that all parties to the debate antecedently recognized (6) and (7) as obviously different (or the same), then the question of the numerical identity of (6) and (7) could function as a test case for NFA. But that is not the situation; there is not an antecedent agreement about the status of (6) and (7) and so the question of their numerical identity does not function as a test case.[24]

With the main outline of NFA's story about (6) in place, we can now also consider the status of descriptive features in that story. In emphasizing the normative function played by (6), NFA allows that (6) is also embodied and that it has a material manifestation with a causal history and future. Indeed, it is plausible that (6) is only possible because Martin is a concrete being interacting with other similar concrete beings, all of whom are embedded within the social practice of baseball.[25] An act can be individuated by its normative role even if that role needs to be instantiated in a particular way.

The specific descriptive features of (6) (when and where it occurs, what it causes and is caused by) should be understood as accruing to it *because of* the normative role it plays. That is to say, (6) is, in the first instance, something that plays a particular role in a particular game. Suppose that (6) must physically be a certain motion M of Martin's body occurring in a certain place P at a certain time T with a certain speed S *in order to play that role*.[26] (Just as any pencil sharpener can only be made of certain materials to have its given function.) But then it should be clear that (6) is M at P and T with S *because of* its role in the game. The normative function of (6) has priority over and determines its descriptive features, not vice versa.

3.2.   *The normative significance of actions*

(6) is a model that was intended to introduce NFA. That particular action illustrates two things: first, a particular action can be thought of as having a specific normative function; second, an action can be thought of as being individuated by that specific function. I want to show that NFA can be extended to other sorts of actions.

As a first step, we should recognize why such an extension can look doubtful. It is natural to think that to whatever extent NFA works as an approach to the individuation of (6), it is because (6) occurs within a sport or a game, which is plausibly structured by norms. By contrast, many or even most actions are not part of a sport or a game. Turning on a light or walking down the street or eating a sandwich or lifting your arm, for instance, are not parts of any game. With these other types of actions, while any particular token of them could be part of a game-like context, no token of them needs to occur in such a context. Without such a context for every action to function in, it is not plausible that every action has a normative function. *A fortiori*, individuation in terms of such roles is not an option. Or so one might object. To be clear, the worry is not that some (or most) actions occur outside of any context whatsoever. All actions occur amidst the flow of other events. In that sense, all actions clearly occur in some context or other. The relevant worry is that not all actions occur in some sort of *normative* context.

However, I want to urge that actions always occur in a normative context. The clearest way into this idea is, I think, to start with the widely held idea that actions are essentially

'authored' or 'owned' by the agents who perform them, whereas non-actions are not.[27] That thought is often what draws our attention to actions as a distinctive category in the first place. When, for instance, I reach for the light, that event is *mine* in some sense. By contrast, the normal perspiring of my body or the beating of my heart is not *mine* in the same sense. Intuitively, actions are events for which an agent is *responsible*. Schematically, if E is an action of an agent A, then we generally expect that A has something to say about E, why she did it for instance, what her reasons were for doing it. And whether she has something to say or not, we take calls for reasons to be appropriate. Similarly, if E comes off well (or poorly), we address A to offer praise (or criticism). By contrast, the same is not true of mere goings on with my body. You would not, for instance, normally ask me for my reason for perspiring. The question 'Why are you perspiring?' would normally be treated as a request for an explanation as to why one's body happens to be perspiring. It is not something one is normally responsible for.

Consider some normal types of actions:

- walking to work;
- parking a car;
- buying a soda;
- talking to a colleague;
- playing with a child.

For each of these actions, it is appropriate to regard the agent who performs it in a certain way. Take walking to work. Whether you walk quickly, slowly, inefficiently, distractedly or what-have-you, *you* are the person at whom we should normally direct our comments and queries. 'Why did you take that route?' 'Why didn't you pay closer attention?' And if you make it to work, you get credit. If you do not make it, then we also hold you responsible.[28] (Here excuses could of course become appropriate, which just reinforces the point that we hold you responsible, for it is you that must issue the excuses.) When I say 'we hold you responsible' I do not mean simply that your boss will dock your pay because you did not make it to work. Rather, I mean that if you happen not to make it, one will typically see this as your doing – or as your failure. We might ask you, 'What happened? Did you get interrupted? Did you just turn back because you could not stand another day in that cubicle?' My general point is that when you perform any one of these normal actions, you alter your normative status. Exactly how it is altered depends on what you are doing, how you do it, and the collateral circumstances. Details aside, this illustrates that your action occurs within some normative context or other.

In brief, an action is an event for which an agent is responsible; to be responsible is to be in a position where it is appropriate to be questioned, praised, blamed and – typically – subject to a fairly rich array of attitudes;[29] thus, all actions, insofar as they are actions, must occur within some normative context or other.

Of course, it is true that some actions are performed in circumstances or under conditions that mitigate the extent to which the agent is responsible for them. Actions performed under threats of violence or coercion, for instance, do not reflect on an agent in the same way that actions performed in the absence of such threats or coercion do. An employee of a bank who gives the keys to the vault to a robber wielding a gun should not be assessed in the same way that she/he would be assessed for merely volunteering the keys to a stranger. And there is a range of factors beyond threat and coercion that affect the way in which an action reflects on its agent. But these points can be acknowledged without undermining the claim that in general an action is an event for which the agent is

responsible. Indeed, it is plausible that having an excuse or being excused is itself a norma-
tive status (a form of being responsible). The point here is that an event for which an agent is
not responsible *at all* (e.g. not even a candidate for excuse) cannot properly be counted as an
action of the agent, but only as some event in which she is involved.

When we ponder the possibility of an action that occurs outside of any normative
context whatsoever, we are under an illusion. An action that occurs outside of any norma-
tive context whatsoever would be a normatively insignificant action and, given the con-
siderations I have just adduced, that is not possible. The very category of action involves
the notion of normative significance. To perform an action is to shift the range of things
that you may (or may not) and should (or should not) do.[30] You simply could not
perform an action without altering your normative status, for in that case you would not
be genuinely acting at all.[31] The idea of an action that lacks normative significance in
this way is like the idea of a claim that lacks inferential relations to other claims. Both
are apparently conceivable, but ultimately illusory. Where inferentially impotent claims
devolve into noise, normatively insignificant actions devolve into mere events.

3.3.   *Mundane actions*

Now, the suggestion that all actions occur within some normative context or other is, as I
have just acknowledged, perhaps most difficult to accept with respect to actions that seem to
occur outside of any human social practice, those that do not depend on any so-called 'con-
ventions', those that occur in isolation from the rest of us and seem to be utterly insignif-
icant. These include lifting an arm as one sits idly on the couch, and turning one's head
when a bird chirps. I will call these 'mundane' actions. I want to show that even
mundane actions have a normative significance. That is one way of suggesting that
actions that are not part of any explicitly codified practice may nonetheless play a role in
a normative context, as does a hit in a game of baseball.

Suppose Elizabeth is sitting on the couch, reading a magazine held in her left hand,
while her right hand sits in her lap. Suppose she lifts her right arm and lets it rest beside
her on the couch. Thus, we have:

(8)   Elizabeth's lifting of her arm.

Does this mundane action have a normative role? Consider the input side first. (8) seems
importantly different from (6). To hit a pitch in a game of baseball, one needs a certain
standing; one needs to be on the right team and 'up'. That was our initial example of a nor-
mative input. But to lift your arm you do not seem to need any standing at all; you can lift
your arm whenever you like. Thus, it can seem that there simply is no input constitutive of
lifting one's arm.

However, I do not think that follows. It is true that we think 'you can lift your arm [in the
way that Elizabeth does] whenever you like'. But that does not imply that you do not have
the standing to lift your own arm. It is consistent with each of us having that standing (in the
sort of circumstance in which we have envisioned Elizabeth). Indeed, the 'can' in 'you can
lift your own arm' is plausibly the 'can' of *permission* not of *physical possibility*. Not only
is it true that a person is (normally) *physically* able to move her own body, it is also true that
a person is (normally) *rationally permitted* to move her own body. (For a contrast, we can
imagine a harsh slave society in which certain people are physically able to move their own
bodies but are not rationally permitted to do so – perhaps because they cannot be trusted to
do what is rational with their own bodies.) Suppose that Peter happened to witness

Elizabeth's lifting of her arm. If he said to her, 'You're not permitted to do that', it would be reasonable for her to reply, 'What do you mean? Of course I am!' Peter's challenge to Elizabeth would be *strange* because we do not normally issue such challenges. More importantly, Peter's challenge would be *wrong* (all else being equal), because we normally have the license or authority to move our own bodies.

So, it is plausible that (8) has an input. We can say that it is the rational authority Elizabeth has to lift her arm in that way in that circumstance. More specifically, the input of (8) is the status *being justified* in lifting her arm in that way. The content of that justification most likely consists in nothing more than the fact that the arm is Elizabeth's and that she had some inclination (conscious or not) to move it. That justification might be expressed by her this way: 'I wanted to move it'.

What is the output of (8)? Considered merely as a lifting of her arm – outside of explicit conventions about what arm-liftings can be – it is not offensive; nor does it constitute a vote; nor is it a greeting. In those respects, it can seem as though (8) does not have any normative output (e.g. consequences for who is permitted or obligated to do or say what to whom, etc.).

However, because (8) is something Elizabeth does – that much is not in question – it is something for which she is in principle accountable. (That is, a consequence of the general conception of agency presented in Section 3.2.) For instance, other things being equal, it would be *appropriate* for one to ask *her* why she did it. Her answer would probably be something like, 'Because I wanted to', which would be perfectly acceptable. That implies that there are indeed normative consequences to (8), however minimal they might be. Others are now rationally permitted to direct a certain sort of question at Elizabeth; and Elizabeth bears responsibility for answering them.

Notice also that (8) is a kind of 'accomplishment'. There are standards of success for lifting one's arm. In this case, the standard of success is the lifting of one's arm by oneself, which Elizabeth has met. That is something for which she deserves credit. In talking of (8) as an 'accomplishment', I mean to be drawing attention to the fact that Elizabeth can be properly treated as responsible for (8) in the sense that if Elizabeth had not met the standard of success – if her arm laid there motionless – Elizabeth would have failed, where failing can involve such things as being the appropriate target of concern or perhaps or other reactive attitudes more generally.

There are also standards of performance for (8). Did Elizabeth lift her arm quickly, awkwardly, or deftly? Depending on how well she did it, people are entitled or prohibited to think, say, and even feel certain things about Elizabeth. If it were particularly awkward, it would be appropriate to feel sympathy for the pain it appeared to result in and, at the same time, make appropriate various pedagogical interventions designed to lead her toward doing it better in the future. Not only are others entitled to think, say, and feel things *about* Elizabeth, but crucially they may also be permitted to respond *to* or treat Elizabeth in certain ways that they weren't entitled to before she so acted. There is also a *reflexive* dimension of the normative output of (8). Depending on what exactly happens, there are things *Elizabeth* can and should do with respect to *herself*. If her arm jerks this way and that as she lifts it, she should be concerned; she should check to make sure it was just a spasm. Generally, we can say that Elizabeth will be a locus of responsibility for (8) as Martin is for (6). Because of (8), various things can now be appropriately normatively expected or required of Elizabeth (and of others vis-à-vis Elizabeth), minor though they might be.

I have been arguing that mundane actions, such as (8), do indeed have a normative output. Roughly, I have claimed that the output of a mundane action will be what an

agent is (broadly speaking) responsible for.[32] In the first instance, this will include which questions she *should* (now) be able to answer. That does not mean she *will actually have or produce* good answers when asked. It means mainly that she *rationally ought* to have such answers. The output will also include her *deservingness* (or non-deservingness) of other sorts of engagement from others, such as the provision of assistance or, perhaps, the expression of certain emotions. That does not mean others will in fact treat the actor in any of the relevant ways. It means mainly that she is *deserving* (or not) of those forms of treatment.

In thinking through what exactly the normative output of any particular action is, one further consideration is the state of mind of the agent at the time of action. We tend to think that the state of mind of an agent affects what an agent is (broadly speaking) responsible for.[33] Was she *aware* that she was doing it? Did she do it *intentionally*? Did she *plan* to do it? Was she *distraught* while doing it? For instance, there seems to be a relevant difference between leaving the stove on inadvertently and leaving it on intentionally. If it is inadvertent, certain sorts of rational criticism would seem to be appropriate. For instance, other things being equal, it would probably be appropriate to say to the agent, 'You should be more careful next time'. If the act was intentional, however, different sorts of response would seem to be appropriate. For instance, other things being equal, it would probably be appropriate to ask, 'What was the point of doing that?' So, the frame of mind in which an action is performed is a factor in determining the normative output of that action. Thus, the frame of mind in which an action is performed can be thought of as part of what makes a particular action the action that it is.[34]

With these considerations in mind, we can say that while any particular mere arm-lifting is not part of an explicitly instituted and codified practice like baseball, it is nonetheless plausible that such mere arm-liftings function within a space of norms. Mundane actions have normative functions. Perhaps in that regard they are not so mundane.

Let me now say how (8) may be thought of as being individuated by its distinctive normative role. The distinctive way in which Elizabeth's lifting of her arm alters her normative standing is essential to that arm-lifting. Without playing that role, it simply would not be. Let us go through that point slowly. That means asking whether (8) could have occurred without either the output it has or without the input it has. Start with the output side. Could (8) have occurred without being a thing which licenses the asking of any of the relevant questions about Elizabeth's lifting of her arm at that time? (It is important to bear in mind that we are not talking simply about a similar act of the same type. We are to be thinking about whether this thing would be the numerically same action.) Given my commitment to thinking that actions are events for which agents are responsible (and especially rationally accountable), I believe the answer here is 'No'. For in that case, either it would not be an act all (all questions would be inappropriate even in principle); or it would not be an act of Elizabeth lifting her arm.

Now consider the input side. Could (8) have occurred without being a thing which is licensed by any of the claims that typically justify it, e.g. 'I wanted to move it'? Here we are to imagine the very same Elizabeth's lifting of her arm, but which is not justified by any of the claims that typically justify such an act. I think our possibilities divide into two sorts. First, we may be imagining that this thing – whatever it is – is not justified by any claim of any sort. In that case, it is not an action, for actions are the kinds of things for which justificatory reasons are in principle appropriate. In the second sort of case, we are imagining that this thing is not justified by any claims concerning *Elizabeth's lifting of her arm*. Maybe one could offer reasons pertaining to Elizabeth's foot, or the well-being of some random person, or to the existence of a far away galaxy. But in that case, I think

it is not the self-same act for it would not be an act of Elizabeth's lifting of her arm. Thus, in response to our question about the input side, I think the answer is also 'No'. If that is roughly correct, then even (8), a case of mundane action, is individuated by its normative function.

Let me now turn again to the issue of descriptive features. Mundane actions such as (8) seem to be essentially bodily. In that way, it can seem as though they must be individuated by their descriptive features alone – by when and where they occur or by what they cause and are caused by. Thus, NFA can look implausible because it claims that even these kinds of actions are individuated by their normative role, rather than by those descriptive features. It can seem as though NFA says that mundane actions such as (8) only happen to involve human bodies.

But NFA does not have a problem here. It says (8) is individuated by its normative role, by the distinctive way in which it alters Elizabeth's standing. As I indicated when discussing (6), there will be constraints on what can adequately instantiate any given role. That point holds for Elizabeth's lifting of her arm, just as it holds for Martin's hit (or any hit). There are constraints on what can adequately instantiate the role of Elizabeth's lifting of her arm. Specifically, whatever else it might involve, it would need to involve her arm.[35] In that way, NFA is consistent with the claim that mundane actions like (8) are indeed bodily. NFA claims simply that they are bodily because of the normative roles they play. A lifting of your arm must involve your arm (your body) because of the kinds of normative inputs and outputs that are constitutive of such an action. Those inputs and outputs will plausibly concern facts about your arm.

3.4. *Comparison*

Now that I have offered an initial sketch and defense of NFA, let us compare it with the other accounts. Let us consider a case that highlights NFA's distinctiveness relative to the other three accounts (UA, FGA, and MWA).

Suppose that David is a chess player and Immanuel is his coach. Recently, David has found Immanuel to be overbearing. During a particular game, David thinks that putting his rook on A6 would be a good move. He realizes that Immanuel would not advise doing so; doing so will probably irritate Immanuel. But he does it anyway, irritating Immanuel who sits watching. Thus, we have:

(9)   David's moving of his rook to A6;

(10)   David's irritating of Immanuel.

We have two questions: Are (9) and (10) different actions? If so, in virtue of what are they different?

Let us begin with NFA. According to that account, (9) and (10) are different actions because they have two different functions. (9) is a move in a particular chess game; it alters the state of play in a certain way. Its input is the standing to move that rook at that point in that game. Its output is the complex status that comes with placing the rook on A6 given the positions of the other pieces. (10) is not strictly a move in the chess game, even if it is connected with such a move. Speaking roughly, we might say it's a move in 'the game of coaching and being coached'. The input of (10) is the standing to influence the relationship between David and Immanuel. The output of (10) is, roughly, the status of having (knowingly) irritated your coach. (It is plausible that the output would be different if David only inadvertently irritated Immanuel.) According to NFA, then (9) and (10) are different actions, for they differ in virtue of their normative functions.

Turn now to UA. That account will say that (9) and (10) are the same action. In the given context, David needed to 'do no more' than move his rook to A6 to irritate Immanuel. We can refer to that single action in different ways because it has different effects: one effect is the placing of the rook on the A6 square; another effect is the irritating of Immanuel.

By identifying (9) with (10), UA seems to get things wrong. Intuitively, (9) ends before (10), and (10) involves Immanuel, whereas (9) does not. As we saw earlier, those are the typical kinds of challenges that have been issued against UA. From the point of view of NFA, UA seems to be claiming that (9) and (10) are the same in virtue of being one and the same bodily movement. That is, for UA, what explains the fact that (9) and (10) are one and the same action is that (9) and (10) were done in 'one fell swoop'. Here, UA is either ignoring altogether that (9) and (10) have normative functions, or it is implying that they actually have the same normative function. Both claims appear dubious, from the point of view of NFA.

FGA does somewhat better, since like NFA, it will maintain that (9) and (10) are indeed different actions. According to FGA, they are different because they are exemplifications of different properties, though they involve the same agent and plausibly occur at (or over) the same time.

The question separating NFA and FGA here is the individuation question: in virtue of what does one particular action differ from another? FGA says that these two particular actions are different because they are different property-exemplifications. NFA says they are different because they have different normative functions. Which account is right? What exactly is the difference between exemplifying a property and having a normative function? (Perhaps they are the same.) There are different views about what exactly properties are, what individuates them, and what it is to exemplify one. However, on the version of FGA that we considered earlier (propounded by Goldman), properties are distinguished by their causal features. So, in this account, (9) and (10) differ because they are different property-exemplifications, and they are different property-exemplifications because they have different causes and effects. In contrast, NFA emphasizes the normative function of actions, what they license and are licensed by (speaking roughly).[36] NFA will claim that these distinct actions might indeed have different causes and effects, but that what determines whether they have different causes and effects is a consequence of their having distinct normative functions. For instance, (9) will need to be instantiated in some material process with certain causes and effects in order for it to count as a moving of that rook on that occasion by David. In contrast, FGA must either account for the distinct normative functions had by these actions or deny that they have them at all. Denying their existence seems implausible, given what has been said here in favor of NFA. However, accounting for normative functions in terms of causes and effects is not an especially appealing alternative, since it is a much vexed question how such a reduction or analysis might proceed. Thus, NFA seems better off than FGA.

MWA is in roughly the same situation as FGA. According to MWA, (9) and (10) are different. They are different because although they (plausibly) start with the same event – e.g. David's effort to move his rook – the one involves a part of the world that the other does not. (10) involves Immanuel, whereas (9) does not. For David to irritate Immanuel, there must be some irritation of Immanuel.

What separates MWA and NFA is the individuation question. MWA says that (9) and (10) differ because the second has a component that the first does not: the event of Immanuel's irritation. NFA says they are different because they have different normative functions. Which is correct? Our answer will be similar to the one regarding FGA. NFA will claim that these distinct actions might be constituted by different component events, but

that what determines whether they have different components is a consequence of their having distinct normative functions. That is, where (9) starts and stops is explained by (9) having the normative function it has. It starts and stops where it needs to in order for it to count as a moving of that rook on that occasion by David. (For all that, it might not have very precise spatiotemporal features.) In contrast, MWA must either account for the distinct normative functions had by these actions or deny that they have them at all. Again, that first option does not seem plausible, given what has been said on behalf of NFA. Alternatively, accounting for normative functions in terms of where and when an action starts and stops also seems dubious. Thus, NFA seems better off than MWA.

Summing up, NFA differs from the three familiar accounts in virtue of its answer to the individuation question. With respect to our particular example, it fares better than the others.

4.   Conclusion

My aim in this essay has been to motivate a new approach to action individuation. Having canvassed the three familiar accounts, I emphasized that it can be difficult to see room for a fourth option. That is primarily because standard presentations tend to center on the question of *whether* action-designators refer to the same or different actions. Once we distinguish that question from the individuation question proper – in virtue of what do particular actions differ from one another – options open up. In particular, we saw that there is something that binds together the three familiar accounts; they emphasize descriptive features to the exclusion of normative features. An alternative account, then, would individuate actions in terms of their normative features. I developed that idea in one particular way, emphasizing the normative *functions* of actions. Starting with a model case, we saw that it is plausible that at least some actions have normative functions. The question was whether that idea could be extended to other actions, which lead us to consider mundane actions. The challenge was to show that even actions that seem utterly insignificant are in fact significant in subtle ways. Along the way, we developed a sketch of what determines an action's normative function. The basic idea was that each action has something that rationally supports it and something (or a range of things) that it rationally supports (or prohibits) in turn. I then argued that not only do mundane actions have normative functions, they are also individuated by them. As our final step, we returned to the three familiar accounts for a brief comparison. We saw that NFA fares better than the others at least in certain cases.

Among the issues that remain, we might like to have a more developed account about what determines an action's normative function. We might also like to know how NFA fares with other sorts of cases. We should also like to know how this account of individuation fits with prominent accounts of agency and reasons for acting. I take the interest of these questions as a sign that there is a new account of individuation worth considering.

Notes

1.   As Mele observes, the question 'What is an action?' divides into two other questions: (a) 'How do actions differ from non-actions?' and (b) 'How do actions differ from one another?' (Mele 1997, 2).

2. In fact, some assessments of the state of discussion are gloomier. After a careful and helpful discussion of existing views on the matter, Ginet writes, '... it seems to me that the issue over the individuation of action, though sufficiently interesting in its own right, is not one on which much else depends ... . The dispute about individuation is not much more than a verbal dispute' (Ginet 1990, 70). That assessment is quoted approvingly by (Mele 1997, 2).

3. See, for instance, Sellars (1953/2005, 1954) and (Brandom 1994). For variations on the theme, see Rosenberg (1974), Macbeth (1994), and Kukla and Lance (2009).

4. For careful discussions of the issues involved, see Bennett (1991), Wilson (1980), and Ginet (1990).

5. That thesis is defended in Anscombe (1957) and in Davidson (1980a, 1980b).

6. Thanks to Hornsby (1980), there has been some discussion over what a bodily movement is, where it starts and stops, but that is not relevant to the point here. All we need to see is that UA maintains that actions differ only if different bodily movements are involved. How do we distinguish bodily movements? Intuitively, in terms of what causes them and what they are caused by (Davidson 1980c). Eventually, Davidson himself rejects that claim and maintains with Quine that all events are individuated in spatio-temporal terms (Davidson 1985).

7. There seems to be a consensus that UA is not the best approach. See Ginet (1990), Mackie (1997), Mossel (2001), and Hendrickson (2003). Enc (2003) continues to defend UA.

8. A particular action can be conceived of as an ordered triple, $<\alpha,\Phi,t>$, where 'α' is a variable ranging over agents, 'Φ' is a variable ranging over act properties, and 't' is a variable ranging over times.

9. See especially Ginet (1990) for discussion of this issue.

10. Ginet (1990) developed the best defense of this type of position. For a similar approach to individuation couched within a theory of the mind, see Dretske (1989).

11. See, for instance, Mackie (1997), Mossel (2001), Hendrickson (2003), and Enc (2003).

12. Haugeland (1998b) sketched a broadly normative functionalist picture of actors and actions. Schatzki (1996) is another person who explicitly maintains a version of this view. He wrote, 'an action is the action it is as part of a practice' (97). He stopped short of developing an account of individuation along these lines.

13. As is well known in the contemporary discussions of action that intentional actions call for a certain kind of answer to a 'Why?' question is emphasized by Anscombe (1957).

14. According to NFA, when we turn to the question at the center of the existing debate, i.e. when we ask *whether* Donald's turning on of the light is the numerically same action as, say, Donald's moving of his hand, we are asking *whether* they have the numerically same normative role.

15. The analogy is limited in at least two respects. (1) It concerns objects, not events. (2) It concerns types, not tokens.

16. For this way of thinking of the situation, see Rosenberg (1974, 38–9).

17. This question – the identity question – is in play in the previous section. When, for instance, we consider whether Donald's moving his arm is the same action as Donald's alerting of the prowler, one thing we consider is what properties each action has. (For example, How could Donald's moving be Donald's alerting if the one occurred at t_1 and the other didn't occur until t_3?) If certain properties are not the same, then the actions are not the same. In doing this, we are implicitly considering what makes any particular action the action that it is.

18. Though they do treat it implicitly in considering what properties any particular action has, it is interesting that most contributors to the discussion of the individuation of action do not raise this question explicitly. They likewise do not attend to modal considerations in thinking about individuation. Mossel (2001) is an exception to that second claim.

19. Lewis (1979) and, most prominently, Brandom (1994) have deployed these ideas in thinking about speech acts. Kukla and Lance (2009) developed this idea.

20. Of course, for them to count as genuine players, they have to exhibit a minimal level of competence (which will naturally vary with the level of play).

21. To be clear, I do not take myself to be entering into a debate about whether these normative statuses (or any normative statuses) can be ultimately understood in non-normative terms.

22. It is also not a (semantic) thesis about which action is denoted by any given action-designator.

23. Compare NFA's situation to the situation of the thesis that actions are individuated by their causes and effects. That thesis assumes that actions have causes and effects, and it is committed to the claim that they suffice to individuate actions. To assess whether that thesis is plausible, we must have an idea of what causes and effects are; we must have some idea of what that thesis

means by 'causes and effects'. But that does not imply that the thesis has the burden of specifying what causes and effects any particular action has. One might claim that NFA is in a worse rhetorical position than the causal thesis because whereas we have an intuitive idea of what causes and effects are, we do not have a similarly intuitive idea of what normative functions are. But I think that would be to ignore the deep, ongoing disputes about what causation is.

24. Thanks to an anonymous referee of this journal for encouraging me to address the issues in this paragraph.
25. That actions are embodied and embedded in this way is developed to some extent in (Haugeland 1998a).
26. Perhaps (6) could even be individuated in terms of M, P, T and S. The fact would remain that the role of (6) *explains why* these features would count as individuating features of it.
27. This root idea is shared by many contemporary authors. For example, Wallace (1994), Korsgaard (1996), Fischer and Ravizza (1999), Velleman (2000), Watson (2004), and Bratman (2007).
28. 'Hold' might not be the best word for what's going on here. See Macnamara (2009).
29. I have in mind the kinds of considerations made prominent by (Strawson 1962/2009). The place of the so-called 'reactive attitudes' in a proper understanding of responsibility for action has generated a lot of discussion. See, for instance, Wallace (1994), McKenna (1998), Fischer and Ravizza (1999), Watson (2004), and Smith (2007).
30. Baier (1972) calls these 'task-responsibilities'.
31. To say that all actions are situated in a normative context is not yet to take a stand on how to understand this space of norms. Is it instituted by humans? A fact of our evolutionary history? Commanded by God? Just a high-level pattern that can ultimately be understood in non-normative terms? For the purposes of this essay, I remain quiet on these issues.
32. As noted above, Baier (1972) calls these 'task-responsibilities'.
33. Indeed, some think that knowledge or awareness is a necessary condition for being responsible for an action or event. For a recent critical discussion, see Sher (2009).
34. Thanks to an anonymous referee of this journal for encouraging me to address the issues in this paragraph.
35. And what counts as 'her arm' need not be understood as some particular piece of flesh and bone. It is possible that her arm is a prosthesis made of any number of materials.
36. I do not know of any view of property individuation according to which properties are individuated by what they license and are licensed by.

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