

## SNEDDON ON ACTION AND RESPONSIBILITY

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Andrew Sneddon's book *Action and Responsibility* (2006) promises to revive an abandoned and forgotten tradition of thinking about action, which ties the concept of action to the concept of responsibility. Sneddon aims to accomplish at least four tasks in the book. First, he wants to defend the ascriptivist account of H.L.A. Hart (1951) from criticisms that have been launched against it. Second, he wants to propose his own neoascriptivist account, which is based on a new methodology of type-necessary and token-sufficient conditions. Third, because his neoascriptivist thesis refers to the concept of moral responsibility, he tries to offer an account thereof along Strawsonian lines. Fourth, he tries to identify various shortcomings of other theories of action and responsibility.

Sneddon succeeds in accomplishing the first task, i.e. of defending Hart from criticisms that were actually raised against the latter's theory. In this paper, I will focus on Sneddon's attempt at giving an account of action. I will argue that Sneddon has in fact offers no account of action at all (§6-§7). This is largely due to the fact that the "methodology" he sets for himself is ill-conceived (§2). Moreover, the necessary condition he proposes is poorly understood by Sneddon himself (§3) and any reading suggested by what he says renders the condition so weak that it is replaceable by almost any other candidate (§4). There is a possible reading of the condition that is

closer to a responsibilist account I offered in (1997) but that would require that one give an account of defeating conditions, which is what Sneddon fails to do (§5). Moreover, the concept of moral responsibility he tries to develop is of the wrong sort to be illuminating for an account of action (§8).

Many of the complaints that a careful reader will have about Sneddon's book are of such a basic nature that it is hard not to hold the publisher (Springer) at least in part responsible for them. Any competent referee ought to have caught and called on equivocations, extremely uncharitable reading of the literature, some really basic logical errors, sloppiness, free omission and insertion of normative vocabulary, which is so prominent in the book that it only deserves if not the name of a naturalistic fallacy than of a naturalistic sleight of hand. One is left with a sense that the author has not taken proper care to think his account through and certainly the referees have utterly failed at their jobs. The reader is left with the unwelcome task of either trying to disentangle the various claims made and locate arguments that could support them or just close the book. This is unfortunate because of the interest of the topic.

## **1. Nature of Action: Intentionalism vs. Responsibilism**

Sneddon is quite right to note that the standard causal theory of action can be thought to answer two questions in philosophy of action: first, the issue of what actions are, which is paradigmatically captured by Wittgenstein's question "what is left over if I subtract the fact that my arm goes up from the fact that I raise my arm?" (1958, §621), and second, the question of how actions are explained. Sneddon coins his own

terminology: he calls the first question the “status” issue, while the second question is called the “production” issue.<sup>1</sup> Sneddon is certainly right to distinguish the questions and to complain that they have been sometimes blurred. It is an overstretch to say, as Sneddon often does, that the causal theorists have conflated the two issues. From the fact that there is a distinction to be drawn between the two questions, it does not follow that the causal theorists of action are wrong, for it does lie in the nature of some objects that they be caused in a certain way. Consider Davidson’s example of sunburns. To count as a sunburn, a burn must have been caused by the exposure to sun rays (see also Mele, 1997, pp. 3-4). There are other objects whose nature is independent of how they have been caused. Sneddon’s example of housefires serves as a good illustration. A fire counts as a housefire in virtue of what is happening in and to the house. Housefires may be caused by a variety of causes, which need not even be homogeneous in any interesting way. One crucial question in philosophy of action is whether the concept of action is more like the concept of sunburn or more like the concept of housefire. Philosophers of action are just divided on this point.

A theory of action properly so called must answer the “status” question. It must ground the distinction between actions (our doings, what we do<sup>2</sup>) and non-

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<sup>1</sup> For the purposes of the paper, I will follow the picturesque metaphor of “production.” It is not clear, however, that it is a good metaphor. It would require serious argument that philosophers of action are (and should be) interested in the question of the causation of actions. Many have been interested in how actions are explained. It is certainly a contested issue whether the problem of action explanation is the problem of action causation. There is a powerful tradition that would object to such an identification (see, e.g., Anscombe, 1963; Sehon, 2005; Stout, 1996; Wilson, 1989; von Wright, 1971), which Sneddon ignores.

<sup>2</sup> Some writers (notably Hornsby, 1980) sharply distinguish between actions (understood as concrete particular events) and things we do (understood as general descriptions). Hornsby is quite right to stress this point, though she does note that when we ordinarily talk about actions we often do not mean concrete events but things done. Moreover, it seems that the distinction between actions and mere

actions (mere happenings, what happens to us). There are at least two general strategies a theorist of action can follow. One might begin with the idea that actions are those performances that are due to internal forces of an agent (where this idea is to be explicated further<sup>3</sup>). Non-actions then will be understood as those performances that are not due to such internal forces. This strategy is typical of intentionalist accounts of action. And so, for example, causal theorists of action aim to understand what it means for a performance to be “due to internal forces” in terms of the idea of being caused by appropriate mental states in the right way. Agent-causal theorists of action cash the idea out in terms of agent-causation. Teleological theorists of action may understand it in terms of the idea of being suitably teleologically related to the agent’s intentions and not in causal terms at all.

Alternatively, one might begin with understanding non-actions as those performances that are due to some external forces (again this idea will need to be explained) and then render actions as those performances that are not due to such external forces. This is the strategy of responsibilist accounts of action. From a responsibilist point of view, the idea of internal forces causing the performances is a hypostatization of the absence of external forces. The idea of being “due to external

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happenings has its counterpart in the distinction between things done by the agent and things that happen to the agent. This certainly opens the possibility for theories that investigate both distinctions.

<sup>3</sup> Sneddon does not appreciate just this point. On p. 5, he objects to Frankfurt (1978) and Juarrero (1999) that they conflate the status and the production issue on the basis of the fact that they use causal language in talking about the status issue. Frankfurt’s way of putting the distinction, to which Sneddon objects is this: “The problem of action is to explicate the contrast between what an agent does and what merely happens to him, or between the bodily movements that he makes and those that occur without his making them” (Frankfurt, 1978, p. 69). But the use of causal language is clearly tied to our agency language. So much so that some theorists (von Wright, 1971) have proposed that the idea of causation derives from the idea of action.

forces” must not, of course, be taken for granted but needs to be explained further.<sup>4</sup> In fact, one might argue that one of the most important criteria of adequacy of any responsibilist account is to provide an understanding of such “external forces,” or defeating conditions in Hart’s terminology. The fact that Sneddon has no account of such conditions is in fact in a great part responsible for the failure of his account (see also §7).

## **2. Type-Necessary and Token-Sufficient Conditions**

We need to begin with Sneddon’s methodological project. He rejects the idea that, as theorists of action, we should seek necessary and sufficient conditions for the concept of action (or even any suitably weakened version of such an idea), and replaces it with the thought that we should seek what he calls “type-necessary” and “token-sufficient” conditions for action. I will argue that Sneddon’s methodological project is ill-conceived. First, there is good reason to think that the distinction between token- and type- conditions is spurious. To the extent that there is a distinction in sight, it is a distinction between the “status” and the “production” issue. Second, the idea of settling for “type-necessary” conditions is unacceptable because Sneddon offers no account of how to differentiate between various possible “type-necessary” conditions. Third, the idea of substituting “type-sufficient” conditions with “token-sufficient” conditions indicates that Sneddon confuses the “status” and the “production” issue.

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<sup>4</sup> In (1997), I have given a sketch of an account of what it means for a performance to be “due to external forces” that is intentionally uncommitted on the question whether external forces (understood as defeating conditions) must be thought of as causes.

It should be pointed out at the outset that various considerations that motivate Sneddon's methodological project can be accommodated by a standard definition consisting of a minimal number of necessary conditions that are jointly sufficient. Since in such a definition the number of necessary conditions should be minimized, the danger of producing trivial conditions such as that actions take place in space-time is diminished. Such a standard definition also does not contain trivial uninformative sufficient conditions (such as that when an event takes place at a given space-time location then it counts as an action) since in such a definition sufficiency is achieved jointly by all the necessary conditions.

1. Sneddon defines token-necessary (token-sufficient) condition as a "condition necessary (sufficient) for the occurrence of an event" (S16)<sup>5</sup>. Type-necessary (type-sufficient) condition is in turn defined as a "condition necessary (sufficient) for an event to exemplify a type" (S16).

The terminology is misleading for it suggests that Sneddon is drawing a general distinction concerning necessary/sufficient conditions for types and tokens.<sup>6</sup> That this is not the case becomes evident when one reflects on the fact that he treats the conditions as differing in what they are conditions of. The so-called "token"

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<sup>5</sup> All references of the form '(S#)' are abbreviations of the reference '(Sneddon, 2006, p. #)'.

<sup>6</sup> One could argue that it makes no sense to think of necessary or sufficient conditions for a token occurrence unless the token is thought of as exemplifying a number of types already. Whenever we talk about necessary or sufficient conditions we always consider types: being *X* is necessary/sufficient for being *Y*, where *X* and *Y* are types. One could consider the type of being identical to a particular token ('=*a*', where *a* is a token) but it is arguable that in such a case what we are after is an account of individuation. The necessary and sufficient conditions for being identical with an event token, for example, might have to do with location in space-time or with sameness of causes and effects. But Sneddon never even considers such candidates. Instead he thinks it just obvious that actual causes of an event are "token necessary and token sufficient" for it.

conditions are conditions of the *occurrence of an event*, whereas the so-called “type” conditions are conditions of *an event exemplifying a type*. Sneddon is thus not proposing a *general* distinction between type-necessary (-sufficient) and token-necessary (-sufficient) conditions for his distinction is *geared toward events*.<sup>7</sup>

What Sneddon seems to be after in introducing the distinction is really the distinction between the nature of an event (the “status” issue) and the causation of the event (the “production” issue). The “type”-necessary and “type”-sufficient conditions are just our usual necessary and sufficient conditions, whose identification would capture the nature of action (the “status” issue). The “token-necessary-and-token-sufficient-conditions,” on the other hand, are simply the causes responsible for the occurrence of an action token (the “production” issue). In other words, there is *no* distinction between “type”- and “token”- necessary (sufficient) conditions. All there is is a distinction between two questions one may ask, and corresponding answers one may get.

This suggestion is supported by three considerations. First, at the beginning of the Appendix, where these matters are very cursorily discussed, Sneddon explicitly links the search for “type”-necessary conditions with the status issue (S15). Second, he takes it for granted that “for any actual event, its actual causes are *token* necessary and sufficient for it” (S16, original emphasis). If one really sought the conditions necessary and sufficient for an event token to be an event token, one might at least

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<sup>7</sup> To see that this is so consider a condition unrelated to events, for instance *being an elephant*. It is clear that we may seek the necessary and sufficient conditions for a particular animal *being an elephant*. As far as I can tell, these would qualify as type-necessary and type-sufficient conditions on Sneddon’s terminology. But what would the token-necessary and token-sufficient conditions be in this case? Surely we cannot seek the conditions necessary or sufficient for the *occurrence* of a particular animal.

*consider* as a candidate for a necessary and sufficient condition the fact that the event occurs in such and such a position in space-time (see also note 6). The fact that Sneddon does not consider any such candidate, but simply asserts that the actual causes of an event token are its “token-necessary and token-sufficient conditions” provides a good reason for thinking that he is simply concerned with the question of how a particular event was “produced.” Third, the suggestion that in introducing the distinction between token- and type-necessary (-sufficient) conditions, Sneddon only reiterates the distinction between the status and the “production” issue, also aligns well with the only example that Sneddon gives, viz. of housefires. He argues that someone smoking in bed may have caused a particular housefire (in his terminology: is “token-necessary and token-sufficient” for this housefire) but it does not tell us what a housefire is (in Sneddon’s terminology: it does not give “type-necessary and type-sufficient” conditions).

The question of what a housefire is (the question about the nature of a housefire, or the “status” question) is different from the question of how a particular housefire was caused (of the explanation of the coming about of a housefire, or the “production” question). This is an important point that Sneddon rightly insists on. However, one does not need a distinction between two kinds of necessary and sufficient conditions to differentiate the issues. In fact, in introducing such an alleged distinction, Sneddon only clouds his readers’ and his own understanding of what he is doing.



2. Consider now Sneddon's claim that an action theorist ought to be interested only in "type"-necessary conditions. Sneddon says:

I am inclined to think that we need to seek necessary conditions of action only. The idea is that in so doing, we are casting light on what is needed for an event to count as an action . . . [W]hat is necessary to a kind is reasonably taken as closest to its nature: it is what is essential to it. Hence, if theorists succeed in providing some sort of necessary conditions of actionhood, then they have explicated something central, about the nature of action. (S15)

But surely it is easy to find a myriad of necessary conditions for an event to count as an action – the easiest one that comes to mind is:

(1) For all  $x$ ,  $x$  is an action only if  $x$  involves an agent.

Surely the fact that actions involve (in fact are "owned" by) agents is a very important fact about actions. Moreover, it is a fact that is literally agreed on by everyone. Sneddon, moreover, seems to accept another "type"-necessary condition (though he never argues for it, despite the fact that the claim has been challenged in the literature):

(2) For all  $x$ ,  $x$  is an action only if  $x$  is an event.

If all that an action theorist is after is a "type"-necessary condition, then surely he can stop before he started.

Moreover, Sneddon has not provided us with any method of distinguishing between different possible "type"-necessary conditions.

3. Why then does Sneddon give up the search for "type"-sufficient conditions? He argues as follows:

First, if [“type”-sufficient conditions] are not also type-necessary, then their importance is deeply lessened. If certain conditions suffice for an event to exemplify a given kind, but are not also necessary for an event to be of this kind, then these conditions do not provide much insight into the nature of this kind. . . . (S17)

The concern that the sufficient conditions be also necessary is presumably meant to avoid miscellaneous conditions of the sort “if  $x$  occurred at 10pm last week at Susan’s house then  $x$  is a housefire.” But, as indicated above, this concern is quite compatible with the project of trying to find necessary conditions that would be jointly sufficient.

Sneddon claims, without *any* argument, that the role of “type”-sufficient conditions can be filled by a list of “token-sufficient” ones:

Second, the role of type sufficient conditions can be filled by token sufficient conditions if these events are [<sup>8</sup>] also type-necessary. . . . Third, since lots of events of different kinds can suffice for, e.g. particular housefires, and since token sufficient conditions can fill the role of type sufficient conditions, then it seems that for housefires we have the possibility of an open-ended list of type *merely* sufficient conditions. (S17)

To suggest that “type”-sufficiency can be replaced by “token-sufficiency” is to give up on the thought that is so dear to Sneddon, viz. of divorcing “status” from “production” issues. For here Sneddon is in fact *confusing* the issues, which is what he so many times accuses others of doing. How can a condition sufficient for the occurrence of an event illuminate the condition that is sufficient for the event to count as a certain type of event *unless* it lies in the *nature* of the event to occur (be produced) in a certain way? But Sneddon explicitly claims that actions do not count as

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<sup>8</sup> There is a ‘not’ in the text, which is a typo, however, as is clear from the sentence that follows immediately (S17).

actions in virtue of the way they are explained or caused. He should therefore see no possible way of substituting “token-sufficient” conditions for “type”-sufficient ones.<sup>9</sup>

4. To make clearer why Sneddon’s proposed methodology does not work, consider its exemplification on the case of the concept of housefire. A “type”-necessary condition for being a housefire might be that the event take place in the house or its close proximity (a garden, etc.). Then instead of looking for further conditions that are necessary and jointly sufficient for being a housefire, Sneddon tells us that it is enough to look for “token-sufficient” conditions of this or that particular blaze:

Event  $e_1$  took place in a house and was caused by a bomb exploding.  
Event  $e_2$  took place in a house and was caused by an unextinguished cigarette.  
Event  $e_3$  took place in a house and was caused by a power surge.  
...

Have we learned what a housefire is? I doubt it. We should likewise doubt that we will learn what actions are.

### 3. What is Neoascriptivism?

Sneddon calls his view “neoascriptivism” and explains it in a section entitled “A Positive Argument for Ascriptivism.” It is hard to say exactly what Sneddon takes to be his “positive argument.” In the mentioned section, he considers three ways in

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<sup>9</sup> In the final chapter, Sneddon claims that it is the social nature of action that grounds the fact that there are no type sufficient conditions for being an action. The only reason he provides is that “social phenomena evolve” (S174). However, the mere fact that social phenomena evolve is not a major obstacle, and even if it were, then surely that would not be an obstacle to giving sufficient conditions relativized to a given stage of such an evolution.

which the verb ‘ascribe’ may be used in the context under consideration and then relates them to one another. The conclusion of Sneddon’s “argument” is that:

To ascribe an action to a person is necessarily to describe an event as an action and to raise the possibility of attributing responsibility for that action to that person. (S30)

1. Sneddon does not tell us what he means by “describing an event as an action” though the reader is quite relieved at hearing that phrase since it turns out to explicate a really peculiarly sounding condition of “ascribing ‘action’ to an event.” Still this sense of relief should not cloud real issues that arise. Suppose John says to Mary: “You have ruined my carpet.” In saying this, John is presumably attributing the action of ruining his carpet to Mary. What is Sneddon requiring in this case? It seems unlikely that he requires that John describes the event as an action. Would this mean that John would have to *say* to Mary “Your ruining my carpet was an *action*”? Surely we almost never do that. Even the requirement that *someone* describe the event as an action is too severe. Perhaps one could require that someone *could justifiably* describe the event as an action. But if we say so, are we not simply reformulating what it means to attribute an action to a person? Any number of different phrases would then do: ‘to treat the event as an action’, ‘to take the event to be an action’, etc. None of these conditions should be thought of as *defining* what it is to ascribe an action to a person. The first conjunct of the definiens is just a reformulation of the definiendum.

2. Let’s consider the second conjunct, the link between action and responsibility. There is a central claim that is worth exploring in depth:

Ascribing moral responsibility is often done by ascribing an action to an agent. ... One cannot ascribe an action to a person without raising the *possibility* of ascribing moral responsibility for that action to that person. To say that somebody *A* did *X* effectively gives [*A*] a status that [*A*] did not have before: praise and blame now become relevant ways of treating *A*, whereas they were not relevant before *X* was attributed to *A*. (S29)

Sneddon believes that these thoughts can be captured by the following conditional:

(A) “If one ascribes an action to an agent, then it is possible that one ascribes moral responsibility for that action to the agent.” (S29)

Sneddon believes (A) to be expressible “more colloquially” (S29) as:

(B) “If one ascribes an action to a person, then it is possible to ascribe moral responsibility to that person for that event.” (S29)

What Sneddon does not seem to notice (and this failure is running through the book) is the difference between (A) and (B), and more importantly the difference between (at least) two readings of the consequent of (B). The sentence:

(i) It is possible to ascribe moral responsibility for action *X* to agent  $\alpha$

has a descriptive and a normative reading. The descriptive reading is contained in the consequent of (A):

(i<sub>D</sub>) It is possible that someone ascribes moral responsibility for action *X* to agent  $\alpha$

The normative reading is:

(i<sub>N</sub>) It is appropriate to ascribe moral responsibility for action *X* to agent  $\alpha$

It is arguable that the most common reading of (i) would be normative. Sneddon runs these two interpretations together in a way that is strictly analogous to Mill’s famous equivocation of ‘it is possible to desire *x*’ and ‘*x* is desirable’.

To his credit, Sneddon does seem to have an inkling that something like (i<sub>N</sub>) is actually appearing in the background for after claiming that (B) is just a more colloquial way of expressing (A) he adds: “This depends on the ascription of the action to the person as being apt” (S29). It is not exactly clear how he takes it to be relevant to either (B) or (A). We might suggest that the normative reading of (B) be captured thus:

(C) If it is appropriate to ascribe an action to  $\alpha$  then it is appropriate to ascribe moral responsibility for that action to  $\alpha$ .

It is reasonable to suggest that (C) comes close to what Sneddon means by “narrow ascriptivism.”<sup>10</sup> Sneddon voices at least two objections to (C). First, he notes that excusing conditions (of the form “ $\alpha$  did  $X$  but it is not her fault because . . .”) may make it inappropriate to ascribe moral responsibility even though it is appropriate to attribute an action to an agent. Second, there is a whole class of counterexamples to (C) consisting of morally neutral actions. Suppose that John sits in his armchair, reads a book and at one point lifts his left index finger 1mm up and then presses it down onto the armrest. It seems clear that it would not be appropriate to hold him morally responsible for doing so.

Sneddon’s solution to these problems is to weaken the necessary condition by prefixing it after all with the possibility operator, which first surfaced in (A). As a result, we obtain:

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<sup>10</sup> This conjecture is supported by the fact that the same objections that Sneddon takes to be relevant to “narrow ascriptivism” are relevant to (C). Sneddon’s way of drawing the distinction between narrow and wide ascriptivism is deeply unsatisfactory. He does not formulate them as general views but merely considers how they differ in their treatment of morally neutral events (S32).

- (D) If it is appropriate to ascribe an action to  $\alpha$  then it is possible that it is appropriate to ascribe moral responsibility for that action to  $\alpha$ .

It is hard not to notice that the content of the consequent is unclear. How would we decide whether it is possible that it is appropriate to ascribe moral responsibility to John for lifting his finger? The main problem is whether the notion of possibility is restricted to our set of moral norms (i.e. whether we are talking about morally close possible worlds) or whether we can consider other possible moral norms. If the latter, then one way of understanding the question is as a question about whether moral norms that cover finger-liftings are possible, or perhaps whether moral norms that cover slight-finger-liftings-while-sitting-in-an-armchair-etc. are possible. An alternative interpretation would keep our set of norms fixed and vary the circumstances in which the action/movement (see also §6) occurs. The question about whether we can hold John responsible for finger lifting is then to be understood as a question about whether, were the circumstances changed, it would be appropriate to ascribe moral responsibility to John (given our norms). These are different ways of interpreting these claims and Sneddon owes us some explanation of this.

I suspect that what Sneddon has in mind is the last interpretation. We are supposed to hold our moral norms fixed and ask whether it is possible to find circumstances under which we would justifiably hold the agent responsible for that event. If the slight lifting of the finger occurred in circumstances where the life of another person depended on the agent's refraining from doing it then, provided the agent was informed, we would presumably not hesitate in thinking that in lifting the finger the agent caused the death of another person.

(E) If it is appropriate to ascribe an action  $X$  occurring in circumstances  $C$  to  $\alpha$  then there are possible circumstances  $C'$  such that it is appropriate to ascribe moral responsibility for action  $X$  in  $C'$  to  $\alpha$ .

(E) can be thought to correspond to what Sneddon means by “wide ascriptivism,” which is a view that he endorses.

It is worth noting that the converse of (E) is actually problematic – so the condition mentioned in (E) offers no hope of constituting a sufficient condition of agency:

(E<sub>s</sub>) If there are possible circumstances  $C'$  such that it is appropriate to ascribe moral responsibility for action  $X$  in  $C'$  to  $\alpha$  then it is appropriate to ascribe an action  $X$  to  $\alpha$  in circumstances  $C$ .

To take our example, from the fact that we can specify conditions under which it would be appropriate to hold an agent responsible for a slight finger movement, it does not follow that in different circumstances the agent *raised* his finger – it may have gone up of its own accord, as a result of a spasm, etc. The problem is that from the fact that there are possible circumstances in which we would rightly ascribe responsibility to an agent, nothing follows about the propriety of attributing either responsibility or agency in other circumstances. Of course, Sneddon does not hold (E<sub>s</sub>), yet it is useful to bear this point in mind to see just how far from understanding what actions are we have gone.

3. It turns out later that Sneddon adopts a still weaker claim. Sneddon considers the objection to the effect that sometimes the responsibility for an action belongs not to the agent but to another person. This often happens with parents and children. Sneddon complains that the objection does not undercut his claims because he only



claims to have found a “type”-necessary condition. He then considers a question raised by Robert Ware why the action is the child’s when the responsibility is attributed to the parent. Sneddon’s answer is that the action is the child’s because it is the child who produced it. He foresees the immediately arising objection that this is giving in to “productionist” accounts and responds that the ascriptivist is not in the business of telling us whose the action is but only that it is an action (S35). This suggests that (E) should be weakened further:

(F) If it is appropriate to ascribe an action  $X$  occurring in circumstances  $C$  to  $\alpha$  then there are possible circumstances  $C'$  such that it is appropriate to ascribe moral responsibility for action  $X$  in  $C'$  to some agent  $\beta_x$ .

If so then we are led further and further away from the possibility of understanding what the sufficient conditions for action ascription are.

4. In Chapter 5, where Sneddon discusses R.J. Wallace’s account of responsibility (1994), it turns out that even (F) is a misrepresentation of Sneddon’s position. Wallace usefully distinguishes three types of approaches to the understanding of the concept of moral responsibility. On the metaphysical approach, moral responsibility is grounded in some metaphysical facts about us. On the pragmatic approach, to be morally responsible for an action is just to be held morally responsible for an action. On the normative approach, advanced by Wallace, to be morally responsible (for an action) is to be appropriately held to be morally responsible (for an action). Sneddon favors a pragmatic approach, which he thinks is rejected by Wallace too quickly. In this chapter it turns out, in other words, that Sneddon’s position is better expressed by (G):

- (G) If it is appropriate according to the norms of a practice  $P$  to ascribe an action  $X$  occurring in circumstances  $C$  to  $\alpha$  then there are possible circumstances  $C'$  such that it is appropriate in  $P$  to ascribe moral responsibility for action  $X$  in  $C'$  to some agent  $\beta_x$ .

This is further supported by Sneddon's explicit discussion of the matter in the final chapter of the book, where he claims that action is a social concept and where he explicitly admits to a relativism about the concept of action. In his view, the same event can be an action and a non-action depending on the social practice. However, he offers *no* argument for such an extreme view.

While I am sympathetic to the view that action is a social concept, I find Sneddon's relativism unacceptable. Suppose that there is a practice  $P$  where people have some sort of social hierarchy. Moreover, various people do bad things but, as a rule in  $P$ , when people high in the social hierarchy trespass, it is the people low in the hierarchy that are held responsible. In such a practice, when a high official Smith kills Brown, a lowly peasant Jones, who may have never come in contact with Brown, is publicly sentenced and killed. We may even suppose that the practice is so well-entrenched that people have learned to appropriately resent the individuals who are clearly scapegoats. I do not see any sense in which Jones can be said to have killed Brown even if it is the case that he is rightly (according to the norms of practice  $P$ ) held responsible for Brown's death.

## 4. The Connection between Action and Responsibility

Sneddon intends to capture a deep connection between action and responsibility. However, if one thinks that his condition (A) (understood as (D), (E), (F) or (G)) captures a deep connection between action and responsibility, one must also think that there is a deep connection between action and the lack of responsibility. After all, to the extent that (A) is true:

- (A) For all  $x$ , if  $x$  is an action then it is possible that someone ascribes moral responsibility for  $x$  to the agent.

so is (A\*):

- (A\*) For all  $x$ , if  $x$  is an action then it is possible that someone does *not* ascribe moral responsibility for  $x$  to the agent.

Of course (A\*) would have to be properly interpreted to be intelligible. As suggested, the meaning of (A\*) could be thought to be captured by (E\*):

- (E\*) If it is appropriate to ascribe an action  $X$  occurring in circumstances  $C$  to  $\alpha$  then there are possible circumstances  $C'$  such that it is appropriate not to ascribe moral responsibility for action  $X$  in  $C'$  to  $\alpha$ .

or perhaps by (E\*\*)

- (E\*\*) If it is appropriate to ascribe an action  $X$  occurring in circumstances  $C$  to  $\alpha$  then there are possible circumstances  $C'$  such that it is inappropriate to ascribe moral responsibility for action  $X$  in  $C'$  to  $\alpha$ .

Surely both (E\*) and (E\*\*) are plausible. Let's return to the example of John's lifting his finger a little. We might be inclined to think that (E) is true because there are possible circumstances where so much hangs on John's lifting his finger a little that we would think it appropriate to hold him responsible for doing so. However, there

surely are also possible circumstances where we would think that it is *appropriate not* to ascribe moral responsibility for lifting the finger to John. The actual circumstances are such, so they exemplify (E\*). Furthermore, there are possible circumstances where we would think it *inappropriate* to ascribe moral responsibility for finger lifting to John. For example, it might be that his finger was lifted as a result of an uncontrollable twitch or spasm. In such a case, it would be clearly inappropriate to hold John responsible, which makes (E\*\*) plausible. So to the extent that Sneddon claims to have discovered a connection between action and responsibility, he has also discovered the very same connection between action and lack of responsibility. To wit, if his account is “responsibilist” then it is also not “responsibilist.” What this shows is that the connection between action and responsibility on Sneddon’s account is just too weak to qualify it as a responsibilist account of action.

What is responsible for this state of affairs is the inclusion of the ‘possibility’ operator. One can multiply such necessary conditions for agency:

For all  $x$ , if  $x$  is an action then it is possible that one may be capitally punished for  $x$ .

For all  $x$ , if  $x$  is an action then it is possible that someone perceived  $x$ .

And so on and so forth. Each of these claims is really very plausibly true. Furthermore, the possibility operator could prefix any candidate that has ever been offered by action theorist, e.g.:

For all  $x$ , if  $x$  is an action then it is possible that  $x$  is caused by primary reason in the right way.

For all  $x$ , if  $x$  is an action then it is possible that  $x$  is caused by an intention-in-action.

And so on and so forth. What is implausible is the claim that the truth of any such claims shows anything about the nature of action at all.

## 5. Defeating Conditions

It might be worthwhile reflecting at this point where the possibility operator came from. I think that it came from the fact that responsibilists, and Sneddon too, find it intuitive to talk about events for which we *can be held responsible*. The only problem is that the meaning of that phrase cannot be captured in the way suggested by Sneddon, in terms of the possibility operator.

There is, however, a more traditional responsibilist strategy of understanding what it means to say that  $\alpha$  *can be held responsible for E*. The strategy is to understand the phrase as a complement of what we mean when we say that  $\alpha$  *cannot be held responsible for E*. And this concept in turn is to be understood in terms of the presence of defeating conditions. Hart in particular would be inclined to produce a list of such conditions as cashing out what it means to say that  $\alpha$  cannot be held responsible for *E*. Clearly the list of conditions depends on the specification of *E* (the occurrence of a spasm in an arm might be a defeating condition with respect to the attribution of the action of spilling a drink, but not with respect to the attribution of the action of swearing), which is at least a prima facie problem for Hart's view. (It is also a problem for Sneddon's view, which is completely silent on such questions.) Moreover, while there are lists of defeating conditions for actions codified by law, it is not clear that we have such lists at our disposal in real life, when we attribute

actions to one another. And even if such lists could be reconstructed, it would appear desirable to understand what underlies the inclusion of a condition on such a list.

Unfortunately, Sneddon does not discuss the idea of defeating conditions at all, not to mention attempting to offer a list or to offer some sort of elucidation of the kinds of considerations that underwrite the inclusion of specific defeating conditions on the list. He seems to take the idea of defeating conditions for granted. Given my understanding of the sort of strategy that responsibilism follows (which I think is exemplified by Hart's theory), this attitude is unintelligible for the idea of defeating conditions is the very backbone of any responsibilist account.<sup>11</sup>

## **6. The Fundamental Problem**

One of the fundamental problems for responsibilist accounts of action stems from the fact that they deny the natural way of thinking about the logical order of the concept of action and responsibility. We ordinarily think that we ascribe responsibility to people for the things they do, i.e. for their actions. This would suggest that the concept of action is logically prior to the concept of responsibility. Responsibilism as understood in §1 seems to deny just that. We are to understand actions in terms of responsibility ascriptions. It is thus imperative for a responsibilist view, on pain of

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<sup>11</sup> One might suspect that Sneddon thinks himself justified in treating defeating conditions as part of what he means by "token-sufficient" conditions – so diverse as not worthy of bother. As I argued above (§2), this is unsatisfactory. Moreover, it is not clear why one should not think of the absence of defeating conditions as one of the necessary conditions for attributing agency and, moreover, one that could plausibly be thought to be sufficient (see Paprzycka, 1997).

circularity, to give an account of responsibility that would not presuppose the concept of action.

I believe that H.L.A. Hart's view (1951) can be read as denying the natural view, i.e. as denying that we should be talking about ascribing responsibility *for actions*. Actions arise out of responsibility ascriptions, but responsibility is ascribed to people for events (possibly events under a description). Hart in fact hardly ever talks about responsibility for actions while he profusely talks about responsibility ascriptions. Be it as it may, Sneddon profusely talks about responsibility for actions,<sup>12</sup> though he also talks about responsibility for events. To the extent that his ambition is to offer an account of action in terms of responsibility, this surely smacks of circularity.

Let me put the charge concretely. Suppose we see Smith's arm's rise and hit Jones. Is this an action of Smith? A responsibilist will say something to the effect that it is if, *on this occasion*, we *could* hold Smith responsible for *his arm moving in such a way that Jones is hit* (where this is meant to be a description of the event that does not prejudge the question whether an action or a mere happening is picked out). If we allow ourselves to talk about responsibility *for actions*, we get into a circle for, presumably, the determination of whether we could hold Smith responsible for the action of hitting Jones relies on the determination that Smith's performance of hitting Jones was indeed an *action* rather than a mere happening. But whether a performance

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<sup>12</sup> In fact, Sneddon defends Hart from Pitcher's charge (1960) in exactly the opposite way than I have done (1997). Pitcher objected that we are not responsible for actions but only for the consequences of actions. Sneddon tries to argue that it is conceivable (though perhaps not very natural) to hold people responsible for actions, where he is driven to understand actions to mean bodily movings (which is certainly contrary to the spirit of any responsibilist account).

is an action or a mere happening is the very question (the “status” question) that we are trying to answer using our responsibilist account. Sneddon’s free talk about responsibility for actions again suggests that he is not a responsibilist after all.

## 7. Has Neoascriptivism Answered the Status Question?

Given Sneddon’s understanding of the relationship between action attributions and responsibility attributions (in terms of the possibility operator), the status question remains unanswered. There just is no difference between actions and non-actions (mere happenings) that can be captured in terms of whether it is possible that it is appropriate to ascribe responsibility.

The only condition at Sneddon’s disposal that could effect such a differentiation (and so answer the status issue) is the condition:

- (\*) there are possible circumstances  $C'$  such that it is appropriate to ascribe moral responsibility for  $*X*$  to  $\alpha$

The specter of the fundamental problem forces us to construe the complement of *responsibility for* in a way that does not build in the distinction between actions and mere happenings. In other words, we must not prejudge whether  $X$  is an action or not. The asterisk quotation marks are to remind us that the description can be true both of actions as well as non-actions. So the sentence ‘John *\*lifted his finger\**’ will be true both of his action of lifting his finger as well as of the non-action where his finger is lifted in a twitch, for example.



If the condition (\*) is to do its job in answering the status question then it ought to be satisfied for actions, but not satisfied for mere happenings. It is easy to show that (\*) is satisfied by both actions and mere happenings. Consider again the action of finger lifting by John as he sits in the armchair. We already saw that condition (\*) is satisfied for such a case since there are possible circumstances, where much depends on John's \*finger movement\*, such that it is appropriate to ascribe moral responsibility for \*lifting his finger\* to John.

Consider a different situation, however, where John's finger also \*moves\* in exactly the same kind of way except that this time this movement is due to a twitch. I fail to see any reason why (\*) should not be satisfied for this case. It is still true that there are possible circumstances, where much depends on John's \*finger movement\*, such that it is appropriate to ascribe moral responsibility for \*lifting his finger\* to John. In this case, just like in the above case, there *are* possible circumstances (the same ones in fact) in which it would be appropriate to ascribe moral responsibility for John's \*finger movement\*.

Of course, one may claim that there are no possible circumstances (no matter how much depends on John's \*finger movement\*) such that it is appropriate to ascribe moral responsibility to John for his *finger twitching* (i.e. for a mere happening). But if this is the claim that one makes then one already relies on the distinction between actions and mere happenings. That distinction turns out to be prior to our responsibility attributions. This is exactly the sort of violation that the fundamental problem warns us about. No responsibilist can claim to elucidate the distinction between actions and mere happenings in terms of responsibility

attributions if the distinction between actions and mere happenings is needed to understand our responsibility attributions. We get in a circle.

## 8. Responsibility and Responsibility for

In Chapter 2, Sneddon distinguishes the question “What is it for a person to be responsible?” from the question “When is it possible to ascribe responsibility for an event?”. His discussion of the question is restricted to what we considered in §3. In chapters 4 and 5, Sneddon considers the question whether moral responsibility “is explicable in causal terms” (S55). He argues that many accounts of responsibility (notably Fischer, 1994) focus on causal factors and are individualistic in nature. By contrast, he thinks that especially the account of Strawson (1962), which he favors, supports a non-individualistic account in terms of what he calls a “contextually individuated competence” (S55).

However, such a competence concept of responsibility sheds no light on the concept of action except perhaps as constituting a necessary condition for the concept of responsibility *for* an event (only persons who are accountable in Baier’s (1987) sense can be responsible *for* something). We would need some sort of bridge between these two concepts. It is conceivable that the idea of defeating conditions would play an important part in forming such a bridge.

Consider Sneddon’s summary of his position:

I presented a neo-ascriptivist answer to the status question . . . : a type necessary condition of an event counting as an action is the possibility of attributing moral responsibility *to an agent for that*

*event*. We now see that to be morally responsible *is for an agent to have assumed a certain status* through participation in the practices that define that status. Looking back at action: an action is an event with a corresponding social status. (S98, emphases added)

I find it impossible not to attribute to Sneddon an equivocation on the concept of responsibility. In the first sentence, the backward-looking concept of *responsibility for* an event is used. In the second sentence, the *competence* concept of *responsibility* is used. It is critical to his externalist, anti-causalist, anti-individualist stance that he tell us explicitly how these concepts are related or else one can only conjecture that when Fischer is worried about moderately reasons-responsive mechanisms, he is worried about questions that Sneddon has conveniently shoven under the rug.

## Conclusion

Despite its promise, Sneddon's book tells us nothing about the concept of action. Though, to his credit, Sneddon does stress the distinction between the question about the nature of action (the "status" issue) and the question about the nature of action explanation (the "production" issue), he fails to answer either one. His failure to answer the "status" question is due to four major problems. First, Sneddon draws a bogus distinction between "type"-necessary (-sufficient) and "token"-necessary (-sufficient) conditions, which leads him to propose an illusory methodology of "type"-necessary and "token"-sufficient conditions. Second, the necessary condition Sneddon proposes is poorly understood by Sneddon himself and, under any interpretation, it renders the connection between action and responsibility so weak

that the very same connection obtains between action and lack of responsibility. The only plausible interpretation of the condition appeals to the concept of defeating conditions, which is, however, not discussed by Sneddon. Third, Sneddon's necessary condition involves the backward-looking idea of responsibility for (an action), but he tries to develop a competence idea of responsibility. Fourth, Sneddon fails to address the fundamental problem, which makes him susceptible to the charge of circularity. Regrettably, the reader must close the book with the thought that neither ascriptivism, in particular, nor responsibilism, in general, has been hereby revived.

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