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INDIVIDUATING ACTIONS:
A REPLY TO McCULLAGH AND THALBERG

Donald Davidson has argued that when an agent does *A* by doing *B* only one action has been performed which is describable in at least two ways.¹ In a recent article C. B. McCullagh² offers certain criticisms of Davidson's position which are, in part, similar to criticisms made by Irving Thalberg.³ We believe that Davidson's theory can be defended against these criticisms.

Thalberg argues that when an agent does *A* by doing *B*, 'A and B are not identical [but] you cannot infer that A and B are numerically distinct individual performances in the clear sense that humming and winking [at the same time] are'. (p. 589). His objection centres on the role of causality in Davidson's attempt to collapse all actions into primitive actions, that is, to identify all actions with sets of bodily movements of the agent. Thalberg considers the following story which Davidson adapts from *Hamlet*.

The queen moved her hand . . . thus causing the vial to empty into the king's ear . . . thus causing the poison to enter the body of the king . . . thus causing the king to die. The queen moved her hand thus causing the death of the king . . . The queen killed the king. (p. 587).

Davidson claims that as soon as the queen has moved her hand she has killed the king. This is because he believes that 'there is no distinction to be made between causing the death of a person and killing him', (p. 23) and the queen, in moving her hand, has caused the death of the king. Thalberg comments:

Caused? With the king still unharmed, can we maintain that the queen's hand movement has already caused his death? With the poison in mid-air should we contend that she has caused it to fill his ear and to disturb his vital functions? . . . I am unpersuaded that the queen's hand

¹ Donald Davidson: 'Agency', in *Agent, Action and Reason* edited by R. Binkley, R. Bronaugh, A. Marras (1971).

² C. B. McCullagh: 'The Individuation of Actions and Acts', *Australasian Journal of Philosophy* (1976) pp. 133-9.

³ Irving Thalberg: 'When do Causes Take Effect?', *Mind* (1975) pp. 583-9.

movement . . . has already brought about all its effects by the time it is finished. (p. 587).

Thus Thalberg is claiming that on a 'closer reading of the causal analysis of non-primitive deeds' (p. 589) an event cannot have caused another event until the latter event has occurred. If he is right then the death is somehow incorporated in the killing, and this would have the intuitively appealing consequence that 'The queen has killed the king' entails 'The king is dead'. On Davidson's view there is no such entailment. But is Thalberg right?

The situation is this: at t_1 the queen completes her hand movement and at t_2 the king dies as a result. At t_1 the queen does all she has to do to cause the king's death. What she does causes certain intervening events to happen which cause the king's death. This might persuade us to admit that it is not the queen's hand movement alone that causes the king's death but the whole chain of intervening events as well. However Thalberg's claim is even stronger than this; he asks, 'how can the death be what makes the "action" a killing, yet fail to be part of the total occurrence which is the killing?' (p. 585). The answer to Thalberg's question is simple. The death is what makes the action a killing because it is an especially significant effect of the action. When we describe the action as a killing we describe it in terms of this especially significant and distinct effect.

Part of Thalberg's problem is that he makes an illicit slide from 'a death has been caused' to 'a death has taken place'. He remarks, for instance, that '. . . if the poison has not yet produced this result [*i.e.* the king's death], why should we declare that the queen herself has already caused her husband's death?' (p. 587). However Thalberg fails to take note of the fact that causes are distinct from their effects. Since causes are distinct from their effects it follows that the cause of the king's death is over before the king is dead. Even if we allow that it is not just the queen's hand movement that causes the king's death but the intervening events as well, we do not, as Thalberg suggests, manage to include the king's death in the action; we are just brought closer to it. And since this would not have the appealing consequence that 'The queen has killed the king' entails 'The king is dead', there is no reason to include these intervening events in the action which causes the death. Rather the action causes these intervening events which cause the death, and the transitivity of causality allows us to say that the queen's hand movement caused the king's death. In other words the queen killed the king. We turn now to McCullagh's arguments.

McCullagh proposes a distinction between *actions* and *acts*. He accepts Davidson's account of actions, saying that: 'Human actions are primitive bodily movements or mental events . . . whereas human acts are those events which an agent makes happen through acting. An agent's acts include his actions, but also the events those actions cause'. (p. 136). McCullagh's account differs from Thalberg's in so far as Thalberg argues for the position on the basis of a 'closer reading of the causal analysis of non-primitive deeds', and so falls to the objection made above, whereas McCullagh claims the

support of the *O.E.D.* (p. 135). McCullagh, too, rejects Davidson's account *simpliciter* on the grounds that if the queen has killed the king, the king must be dead. He further claims that on Davidson's account 'it is just as true to say "the queen poured poison into the king's ear by killing the king" as . . . "the queen killed the king by pouring poison into his ear", and this is clearly paradoxical for . . . the *by*-relation . . . is clearly not symmetrical'. (p. 134). According to McCullagh both problems disappear once we recognize the distinction between actions and acts.

He claims that the queen's action of killing the king—her bodily movement which causes his death—is over before her act of killing the king is finished. Her act is not over until the king is dead. However it is not obvious that his distinction solves what might be called the dating problem. Rather it seems to create an additional problem. For if Davidson's account of actions is a correct account of human action, it follows that McCullagh's action-sentence 'The queen killed the king' does not entail the sentence 'The king is dead'. If this is a problem for Davidson it is equally a problem for McCullagh. Moreover if the act-sentence 'The queen killed the king' does entail 'The king is dead', it does so at the price of allowing that an act of the queen's is going on after she has ceased moving her hand. If asked what she is doing at a time after she has moved her hand, but before the king is dead, she would have to say that she was killing the king. Because it is an act which she is talking about, this answer is deemed acceptable. But surely if Davidson's account is counter-intuitive this is more so. On this account, an act of the queen's may be in progress long after the queen is dead.

As for the *by*-relation, McCullagh claims that it relates different acts and this explains why it is asymmetrical. Accordingly, McCullagh claims that contingently identical actions and contingently identical acts cannot be related by the *by*-relation but are related by the *in*-relation which 'is always symmetrical'. (p. 137). This is not so. For example, where there are different ways of signalling a turn McCullagh claims (p. 137) that it would be just as true to say 'In signalling a turn, he extended his arm' as to say 'In extending his arm, he signalled a turn'. This might be so; however he fails to note that it makes perfect sense to ask how or by what means the agent signalled a turn. In the present case he signalled a turn by extending his arm and not, for example, by flipping an indicator switch. But McCullagh's analysis cannot explain how the agent performed the act, for the *in*-relation is 'always symmetrical' whereas means-ends relations are asymmetrical. And the *by*-relation which does allow such an explanation is asymmetrical and so, according to him, cannot relate contingently identical acts.

Clearly something has gone wrong. McCullagh's distinction between acts and actions is useless in solving the dating problem generated by Davidson's analysis, for the distinction carries with it counter-intuitive consequences of its own. It also encounters the problem concerning the inadequacy of the *in*-relation described above. Accepting Davidson's account *simpliciter* leaves us a way of explaining how the asymmetrical *by*-relation can relate identical actions. To assume that it cannot is to assume that its context is extensional.

However, if the by-relation is taken as explaining how one description of an action is true because another is true then the context is intensional, for the term 'explains', when used as a sentential connective, is not truth-functional. Davidson hints that this is so (p. 9). To say that an agent signalled a turn by extending his arm is to say that the first description is true because the second is true, given certain conventions. To say that the queen killed the king by pouring poison into his ear is to say that the first description is true because the second description is true, given that the action has certain causal consequences.

What is more, it is not clear that we should be concerned by the dating problem. After all, at t_1 when the queen moves her hand it is either true or false that she has caused the king's death. The problem is that we cannot decide between the disjuncts until the king is dead. Once he is dead a new description is available by which we can refer to the queen's action. At t_1 we may not be justified in saying that the queen killed the king, but if she did, she did it at t_1 . In short, the assertability conditions for the sentence 'The queen killed the king' differ from its truth conditions.