



The Ethics and Law of Omissions

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CHAPTER

7 The Puzzle(s) of Frankfurt-Style Omission Cases

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Abstract

Can we be morally responsible for omitting to do things that we were not able to do? Although at first sight it appears that we cannot, some have argued that Frankfurt-style omission cases show otherwise. This generates a puzzle that resists an easy solution. This chapter argues that solving this puzzle is like opening a can of worms, in that identifying the right solution to it generates other even more intricate and more interesting puzzles. The chapter then offers some tentative solutions to the puzzles, old and new, but its main goal is to draw attention to the problems, and to uncover the kinds of elements that we would need to solve them.

Keywords: [omission](#), [Frankfurt-style case](#), [moral responsibility](#), [alternative possibility](#), [thirsty traveler](#)

Subject: [Moral Philosophy](#)

7.1. The Original Puzzle

Omissions are puzzling in many interesting ways. Here I'll focus on a puzzle about moral responsibility: the puzzle involving Frankfurt-style omission cases. I will suggest that trying to solve it is like opening a can of worms: what I think (and have argued in the past) is the right solution to it just generates more, and even more interesting, puzzles. I will offer some tentative solutions to the puzzles, old and new, but my main goal here is to draw attention to them and to uncover the kinds of elements that we would need to solve them.

Frankfurt-style cases were offered by Frankfurt (1969) and others to show that the traditional model of responsibility is wrong, i.e., that responsibility doesn't require access to alternative possibilities. The original Frankfurt-style cases involved positive actions. Consider, as an example, the following scenario:

Active Frank: A child is swimming in a pond. Frank wants him to die, so he jumps in and pushes the child's head under water until he drowns. An evil neuroscientist, who also wanted the child to die, had been monitoring Frank's brain activity via a chip that he had inserted in his brain while he was sleeping, and that he could also use to manipulate Frank's choices. Had Frank wavered in his decision to kill the child, the neuroscientist would have intervened by manipulating Frank's brain in such a way that he would have made exactly the same decision.

Frankfurt would argue that Frank is responsible for his choice to kill the child (and for killing the child, and for the child's death)¹ even if, given the presence of the neuroscientist, he couldn't have done otherwise (he couldn't have failed to make that choice, and thus, also, he couldn't have failed to bring about the child's death).

As some have pointed out, omissions seem to behave differently (see, e.g., van Inwagen 1983; Fischer 1985–86; and Ginet 2003). Consider this famous example, originally from Fischer (1985–86):

Sharks: Again, a child is swimming in a pond. This time, John notices that the child starts to drown on his own. Like Frank, he wants the child to die; so, even if he thinks he could easily rescue him, he decides not to jump in, and lets him die. The child dies. Unbeknownst to John, there were some hungry sharks in the water that would have attacked him and prevented him from rescuing the child.

Given the presence of the sharks, John couldn't have saved the child. In this case John doesn't seem responsible for failing to save the child (or for the child's death) for apparently that very reason: because he couldn't have saved him. (Of course, he may be responsible for not *trying* to save him, and for *deciding* not to save him; but note that he could have tried to save him, and he could have decided to save him; what he couldn't have done is save him.)

There is, then, an interesting contrast between scenarios involving responsibility for/by actions and scenarios involving responsibility for/by omissions: whereas Active Frank seems to be responsible for an action that he couldn't have avoided, and for certain consequences of that action, John doesn't seem responsible for an omission that he couldn't have avoided, or for the consequences of that omission, and he seems not to be responsible for those things precisely because he couldn't have avoided them. In other words, responsibility for/by omissions seems to be sensitive to the agent's inability to do otherwise in a way that responsibility for/by actions is not.

Despite this, several philosophers have rejected the claim that there is such an asymmetry between actions and omissions (see, e.g., p. 135 Clarke 1994¹ ↵ and 2011;² McIntyre 1994; and Fischer and Ravizza 1998). They have argued that, just as Frankfurt-style action cases (such as Active Frank) show that responsibility for/by actions doesn't require the ability to do otherwise, Frankfurt-style *omission* cases equally show that responsibility for/by omissions doesn't require the ability to do otherwise. Consider, for example, the following scenario:

Omissive Frank: Frank notices that the child is starting to drown. Since he wants the child to drown, he decides not to jump in. This time there were no sharks in the water, but the neuroscientist is in the background. Had Frank wavered in his decision not to jump in, the neuroscientist would have manipulated Frank's brain in such a way that he would have made the same decision.

This is a Frankfurt-style case because the agent makes a decision on his own, but the presence of the neuroscientist guarantees that he couldn't have failed to make that decision. In this sense, Omissive Frank is like Active Frank. But Omissive Frank is also like Sharks, and unlike Active Frank, in that at least part of what's at issue is not an action but an omission by the agent: Frank's failing to save the child (although there's also a positive mental action at issue, namely, his deciding not to attempt a rescue, or his deciding to stay on the shore).

Those who reject the asymmetry between responsibility for/by actions and responsibility for/by omissions would suggest that Omissive Frank is just as responsible as Active Frank: he is responsible for his decision not to save the child, for his failure to save the child, and for the child's death. This is so even though he couldn't have made a different decision and thus he couldn't have saved the child. Hence, they would suggest, Frankfurt-style omission cases show that responsibility for/by omissions doesn't require the ability to do otherwise in the same way that Frankfurt-style action cases show that responsibility for/by actions doesn't require that ability.

Now, note that this view has some puzzling consequences. For, assuming that our intuitive judgments about the agent's responsibility in Sharks are right, the view entails that, if the neuroscientist had decided that it was too much trouble to monitor Frank's brain and (having predicted that a situation like this might arise) had released the sharks instead, then Frank *wouldn't* have been responsible for p. 136 his omission or for the child's death; however, he *is* responsible for his omission and for the child's death in the ↵ actual case,

where what the neuroscientist does is monitor his brain. But, how can this be? The only difference is the particular method chosen by the neuroscientist: whereas in one case it's at the level of choices or brain states, in the other it's at the level of bodily movements. In both cases, the scientist's plan remains as merely a backup plan (he monitors Frank's brain, but he never intervenes; he releases the sharks, but the sharks never intervene). So, how can the difference in the method chosen make a difference to the agent's responsibility? Although some have tried to make this view seem less puzzling,³ they haven't been successful, to my mind. It still strikes me as *very* puzzling.

I suggested a different solution to the puzzle in Sartorio (2005). There I argued that, although Omissive Frank is responsible for the decisions that he made (his deciding not to save the child, his deciding to stay on the shore savoring his ice cream, etc.), which are *positive mental actions*, he is *not* responsible for his omission to save the child or for the child's death. Basically, my argument was that the agent's responsibility for his decisions doesn't carry over to his not saving the child, or to the child's death, because it doesn't bear the right kind of relation to those things. I argued that the child doesn't die as a result of what Frank in fact decided to do, but as a result of what he *didn't* decide to do (i.e., because he didn't decide to jump into the water to save him).⁴ So, in order for Frank to be responsible for the child's death, he would have to be responsible for what he didn't decide to do. And, I argued, it's not at all clear that he is responsible for not having made the relevant decision (an omission, or an absence); all that's reasonably clear is that he is responsible for *having* made certain decisions. In other words, my suggestion was that, although there is an analogy with Frankfurt-style action cases, it goes only as far as the positive mental actions (the decisions made), and it doesn't extend to the agent's omission or to the omission's consequences. The agent is not responsible for his omission or for the child's death, just as in Sharks.⁵

p. 137 At any rate, you don't have to buy this story to see that there is a problem in reconciling the claim that Omissive Frank is responsible for his omission with the claim that John is not responsible in the Sharks scenario. So suppose that you come to believe, with me, that Omissive Frank is *not* responsible for his omission, or for the child's death. Then a new puzzle arises. For, if Omissive Frank is not responsible for his omission, or for the child's death, then *who* is? In particular, is *the neuroscientist* responsible? Is *neither* responsible?

Both answers (the neuroscientist is responsible; neither is responsible) seem problematic. For, again, compare the Omissive Frank scenario with Sharks. In Sharks it seems perfectly reasonable to suggest that no one is responsible for the child's death, or for John's not saving the child. The child's death is just an unfortunate accident in this case; no one is to blame for it (assuming, of course, that the child himself isn't to blame, or his caretakers). And similarly for John's failing to save the child: he couldn't have saved the child, given the sharks; so, again, no one seems responsible for that.

But, how could no one be responsible for the child's death in the Omissive Frank scenario? The child's death is no accident in this case: the poor child wouldn't have died had it not been for the morally reproachable behavior of two evil agents: Frank and the neuroscientist. Someone, then (someone besides the child himself or his care-takers), must surely be responsible. Two wrongs don't make a right!⁶

So, if Omissive Frank isn't responsible, this must mean that the neuroscientist is. But, again, this seems very puzzling. The neuroscientist never intervenes, so how could he be responsible? Of course, he *would* have been responsible if he had intervened, but, arguably, he can't be responsible if he doesn't intervene. This is, presumably, an important lesson to be learned from Frankfurt-style cases: that the only factors that matter to an agent's responsibility are those that actually play a role in accounting for what happens. Since the neuroscientist never played a role, he can't be responsible.⁷

p. 138 So it seems that we are out of options: we can't plausibly say that someone is responsible, but we also can't plausibly say that no one is. What to do?

7.2. The New Puzzle

In the last section I opened the can of worms. I argued that solving the original puzzle of Frankfurt-style omission cases gives rise to a new puzzle. The new puzzle is equally puzzling, or perhaps even more puzzling, than the original one. Again, these are the puzzles, old and new:

Original puzzle: Are agents in Frankfurt-style omission cases responsible (as in Frankfurt-style action cases) or not responsible (as in Sharks)?

New puzzle: If agents in Frankfurt-style omission cases are not responsible, then who is?

Let me say a bit more about the new puzzle and why it's puzzling. Consider, again, a variant of the Sharks scenario that I introduced in the last section:

Planted Sharks: The neuroscientist decides that monitoring John's brain is too much trouble. Having predicted ahead of time that John might be in a situation where the child would start to drown and John would have to decide whether to save him, he planted the sharks in the water so that John couldn't save the child, even if he tried. As it turns out, John (unaware of the sharks' presence) decides, completely on his own, not to attempt a rescue.

Is John responsible for his failing to save the child and for the child's death in this case? It seems that, if he is not responsible in Sharks, then he can't be responsible here either. Note, however, that Planted Sharks differs from Sharks in that the child's death is no accident in this case. As in the Omissive Frank scenario, the child wouldn't have died had it not been for the morally reproachable behavior of two evil agents who wanted the child dead and who did what they thought was necessary for the child to die. So someone is surely responsible for the child's death in this case. And, if it's not John, it must be the neuroscientist.⁸

p. 139 But, again, note that this raises the question: How *could* he be responsible? All he did was release the sharks, and the sharks never got to intervene, since John never jumped into the water to attempt a rescue. If the sharks were not causally efficacious in any way, then it seems that whoever put them in the water cannot be morally responsible for the child's death by virtue of putting them there. And, if planting the sharks is all the neuroscientist did, it seems to follow that the neuroscientist cannot be responsible for the child's death (or for John's failure to save the child).

On the other hand, however, I hope everyone will agree with me that the neuroscientist *does* seem responsible for the child's death in Planted Sharks. For some reason, this seems a lot clearer in this case than in Omissive Frank. (Probably, because it seems a lot clearer in this case that the agent, John, *isn't* responsible for the child's death, given the close analogy with Sharks, and this leaves the neuroscientist as the obvious culprit.)⁹ So, at least in Planted Sharks, it seems that we *do* want to say that the neuroscientist is responsible for the child's death (and for John's failure to save the child). But it is still unclear *how* we can say this. Given this, it's also unclear how we can say that the neuroscientist is responsible for those things in Omissive Frank.

We have seen that a scenario like Planted Sharks can be used to at least soften us up to the idea that the neuroscientist *can* indeed be responsible for the child's death (and for John's failure to save the child), even if all he does is start a process that never fully goes to completion and remains as a mere backup. But it's still a mystery how that can be. So the new puzzle remains, but takes a more precise form:

New puzzle (made more precise): If the neuroscientist is responsible for the agent's omission in Frankfurt-style omission cases, then how is he responsible?

Again, the puzzle keeps getting more and more puzzling, and thus more and more interesting.

p. 140 By the way, note that another interesting potential asymmetry between actions and omissions emerges from the discussion so far. The standard debate over Frankfurt-style omission cases concerns the agent's own responsibility for his omission (Is he responsible for his omission, in the same way he is responsible for his action in a Frankfurt-style action case? Or is he not responsible for his omission, as in Sharks?) But, as we have seen, there is a different (related) question concerning a potential asymmetry between

action and omission cases, one that doesn't concern the agent's responsibility, but *the neuroscientist's* responsibility. An implicit assumption about standard Frankfurt-style action cases is that the neuroscientist is *not* responsible for what the agent does in the actual scenario, where the neuroscientist doesn't intervene (he would have been responsible for what the agent does if he had intervened, but he is not responsible in the actual case, given that he doesn't intervene). But, as we have seen, matters are much less clear in omission cases. It's much less clear that the agent is responsible *and* it's also much less clear that the neuroscientist isn't. The two issues are connected: the issue of whether the agent is responsible is connected with the issue of whether the neuroscientist is responsible. Presumably, if one of them is not responsible, then the other one is.

7.3. Solving the New Puzzle: Causal Structures

I think that the key to solving the new puzzle generated by Frankfurt-style omission cases consists in realizing that there is really nothing special about such cases. The basic puzzle is in fact much more general, and it has been discussed in the philosophical literature under a different guise, mainly as a puzzle about causation.

The puzzle I have in mind concerns scenarios of a phenomenon sometimes called "preemptive prevention" (the label is from Collins [2000]; McDermott [1995] originally introduced scenarios of that type). Consider the following case:

The Catcher and the Wall: You throw a baseball at me and I catch it with my mitt. Behind me there was a solid brick wall; behind the wall, there was a glass window. The window remains intact throughout this time.

p. 141 The puzzle is this: What caused the window to remain intact? If it hadn't been for the catcher and the wall, it would have shattered into pieces. But, arguably, the catcher didn't cause it to stay intact, since the wall would have ↪ stopped it anyway, and the wall also didn't cause it to stay intact, since the ball never touched it. So it seems that nothing caused it to stay intact. But, again, something surely did!¹⁰

There is a well-known puzzle in the literature on causation in the law that has a similar structure. In one of its versions, it goes like this:

The Thirsty Traveler: A man is about to take a trip into the desert, so he fills his canteen with water in preparation. The man has two enemies, X and Y, who want him to die. At T1, X drains the water out of the canteen and refills it with sand (so that it won't feel empty and the traveler won't notice the change). Unaware of what X has done, Y then steals the canteen, at T2, thinking that it's still filled with water. The thirsty traveler dies of thirst at some later time, T3.

Here the puzzle is: Who caused the man's death? He wouldn't have died had it not been for what the two enemies did. On the other hand, however, it is unclear how either of them could have caused his death. For, first, it is hard to see how stealing a canteen filled with sand can causally contribute to the death of someone by thirst. And the same goes for draining the water out of a canteen that will be miles away from the man at the time when he'll need it.

These scenarios share a similar structure. The structure is this. Some outcome wouldn't have occurred had it not been for the fact that two different factors obtained. Now, each one of the factors seems to make the other causally irrelevant. So, although we want to pin the blame on at least one of those factors, it seems that we can't; hence the puzzle.

Notice that Planted Sharks also has that kind of structure. In that case the two factors are the neuroscientist's planting the sharks and the agent's failing to attempt a rescue. The child dies as a result of a combination of these two factors (if the neuroscientist hadn't planted the sharks, *and* if the agent had attempted a rescue, the child wouldn't have died). However, neither seems to be causally relevant on its own, given the existence of the other. In particular, as we have seen, the fact that the agent never jumps in, and thus the sharks never intervene, seems to stand in the way of blaming the neuroscientist for the child's death and for the agent's failure to rescue him.

p. 142 What about Frankfurt-style omission cases, like Omissive Frank? I submit that they have that kind of structure too. Again, the child dies as a result of a combination of two factors, one involving the agent and one involving the neuroscientist. Here the factor

involving the neuroscientist is something like his forming the intention to intervene and mess with the agent's brain if things don't go as planned. And the factor involving the agent is something like his not being moved by the reasons to save the child. The child wouldn't have died had it not been for the combination of these factors (if the neuroscientist hadn't formed the intention to intervene if things don't go as planned, *and* if the agent had been moved by the reasons to save the child, then the child wouldn't have died). And the presence of each of these factors seems to make the other causally irrelevant, as in the other cases.

Frankfurt-style omission cases, then, instantiate a more general pattern, one involving scenarios with a certain type of structure that has proved puzzling in other contexts, in particular, in the metaphysics-of-causation literature and in the literature on causation in the law. No wonder they are puzzling too!

One thing that follows from this is that, if we think we know the answer to one of these puzzles, the same solution should extend to the others. Elsewhere I have offered a solution to the puzzle involving the Thirsty Traveler case discussed above (see Sartorio 2015). So in the next section I briefly explain what it is, and then I apply it to Frankfurt-style omission cases.

7.4. Solving the New Puzzle: Disjunctive Causation

In a nutshell, my proposed solution to the Thirsty Traveler puzzle is this. The Thirsty Traveler scenario involves collective causation that doesn't distribute across the agents as individual causes. That is to say, the two enemies collectively caused the thirsty traveler's death, but neither individually caused it. Notice that the man died because his water-filled canteen was not available to him at the time. And notice that this is a fact that obtains whenever *either* the canteen was not available to him *or* it was not filled with water (or both). This is a disjunctive fact. If there is causation in this case, then, the relevant form of causation is a type of disjunctive causation.¹¹

p. 143 In this case, each enemy is responsible for one of the disjuncts: X is responsible for the canteen's not containing water, and Y for its not being available to the man at the time. And, of course, either of the disjuncts' obtaining is sufficient for the disjunctive fact to obtain. However, in this case there is still an asymmetry between what X does and what Y does, namely, X acts *before* Y. As a result, X provides a truth-maker for the disjunctive fact (the cause of the death) earlier than Y. And it seems plausible to argue that this asymmetry is sufficient grounds for claiming that X is responsible for the death and Y is not (Y comes into the picture too late, when a truth-maker for the cause of the death has already been provided by X).

If something like this works, then it is easy to extend the solution to the other cases. In all cases of this type involving two moral agents, the morally responsible agent would be the one who performs the relevant action or forms the relevant intention first. For example, in *Planted Sharks*, the neuroscientist (and not the agent) would be responsible for the child's death and for the agent's failure to save the child, by virtue of having planted the sharks. This is so even if the sharks never intervened and thus, even if the planting of the sharks is not itself a cause of the child's death. Again, the scenario involves a form of disjunctive causation: the child dies because (among other things) the agent doesn't attempt a rescue in shark-free waters. This is a fact that obtains whenever either the agent doesn't attempt the rescue or the waters aren't shark-free (or both). By planting the sharks earlier, the neuroscientist provides a truth-maker for this disjunctive fact before the agent does. Thus the neuroscientist is responsible for the child's death (and for the agent's failure to rescue the child), and the agent is not.

Our Frankfurt-style omission case, *Omissive Frank*, is similar. The neuroscientist is responsible for the child's death, and for Frank's failure to save the child, and Frank is not. This is so even if the neuroscientist's forming the intention to intervene if things don't go according to plan is not itself a cause of the child's death. Here, too, there is disjunctive causation: the child dies because (among other things) it is not the case that Frank is moved by the reasons to save the child in circumstances where the neuroscientist didn't form the intention to intervene. This is a fact that obtains whenever either Frank isn't moved by those reasons or the neuroscientist forms the intention to intervene if things don't go as planned (or both). By forming the intention to intervene, the neuroscientist provides a truth-maker for this disjunctive fact before Frank does. Thus, the neuroscientist is responsible for the child's death (and for Frank's failure to save the child) and Frank is not.

We have now provided tentative answers to all of the puzzles about Frankfurt-style omissions. Recall that the puzzles were these:

Original puzzle: Are agents in Frankfurt-style omission cases responsible (as in Frankfurt-style action cases) or not responsible (as in Sharks)?

New puzzle: If agents in Frankfurt-style omission cases are not responsible, then who is?

New puzzle (made more precise): If the neuroscientist is responsible for the agent's omission in Frankfurt-style omission cases, then how is he responsible?

I have argued that the answer to the original puzzle is "Not responsible," the answer to the new puzzle is "The neuroscientist," and the answer to the new puzzle made more precise is the story I told concerning disjunctive facts and their truth-makers. These strike me as satisfying answers to those puzzles.

7.5. Implications for Theories of Responsibility

The fascinating nature of Frankfurt-style omission cases doesn't end here. The puzzles we have examined are not just interesting in themselves, but also because of the potential implications that the right solutions to those puzzles might have for broader issues concerning responsibility. I'll end with a brief discussion of what I take those issues to be.

I have argued that Frankfurt-style cases help uncover an interesting asymmetry between actions and omissions. The asymmetry is that, whereas in Frankfurt-style action cases the agent is responsible for his action and the neuroscientist isn't, in Frankfurt-style omission cases it's in fact the other way around: the neuroscientist is responsible for the agent's omission, and the agent isn't. Now, Frankfurt-style cases were originally thought to illustrate how the traditional view of responsibility is wrong and responsibility isn't grounded in the agent's access to alternative possibilities, but only in "actual sequences" or the actual causal history of the agent's behavior. So an important question that arises is: Is the asymmetry I have argued for compatible with this type of view of responsibility, an actual-sequence view of responsibility? In particular, is the claim about omission cases compatible with that view?

p. 145 If the neuroscientist is responsible in those cases even though he's not part of the actual sequence, isn't this in conflict with an actual-sequence view of responsibility?

Although I can't go into much detail on this here, I believe that the arguments in this chapter are perfectly compatible with an actual-sequence view of responsibility. As we have seen, the asymmetry between action and omission cases arises from the kind of *causal history* that the behavior has in a case of action and in a case of omission. In a Frankfurt-style action case, the causal history of the agent's action straightforwardly involves the agent himself in a way that it doesn't involve the neuroscientist. No disjunctive causation is involved in that case; only causation by the agent's own reasons and his ordinary process of deliberation. The agent (or the relevant states involving the agent) individually causes his own behavior and the neuroscientist does not.¹² By contrast, in a Frankfurt-style omission case, the causal history is in a way more complex, in the sense that it involves disjunctive facts. Neither the agent nor the neuroscientist individually causes the agent's omission; instead, they both participate in a form of (nondistributive) collective causation. Their responsibility (or lack thereof) is then determined in a different way, by means of their contributions to the truth-makers for the relevant disjunctive fact. Arguably, all of this is compatible with the claim that responsibility is a function of actual sequences only (and not of alternative possibilities). For the actual-sequence view is not committed to the idea that the actual sequence is *the same* (or even *of the same kind*, generally speaking) in action and omission cases. All it is committed to, roughly, is the idea that responsibility is only a matter of the actual sequence, whatever the actual sequence may be in each particular case.¹³

Finally, and crucially, note that I haven't argued that, in an omission case, the neuroscientist is responsible for the agent's omission (and for the child's death) even though he is completely causally disconnected from those things. Surely, that would be crazy!¹⁴ On the contrary, my solution rests on the claim that he *is* connected to those things; it's just that the connection doesn't involve individual causation but (nondistributive) collective causation.

In conclusion, the solutions I have developed to the puzzles involving Frankfurt-style omission cases are happily consistent with an actual-sequence approach to responsibility, an approach that is based on Frankfurt's important insights about the nature of moral responsibility.

p. 146

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Notes

1. I am assuming that agents can be responsible for things other than their choices. As will be apparent later, this assumption is required for the puzzles about Frankfurt-style omission cases to arise.
2. More recently, Clarke seems less sure about this (see Clarke 2014, chapter 6).
3. See, notably, Clarke (2011).
4. Here and in what follows, and for simplicity's sake, I assume that absences can enter in causal relations, so the relevant “resulting” relation is causal. Nothing important hangs on this. Everything I say here can be reformulated in terms of other relations that are sufficiently close to causation to be relevant to responsibility, for example, Dowe's relation of “quasi-causation” (see Dowe 2000 and 2001).
5. Incidentally, notice that this could account for the ambivalence that gives rise to the puzzle of Frankfurt-style omission cases: in some important respects Omissive Frank is like Active Frank, but in other important respects it is like Sharks.
6. Moore (2009) argues otherwise. But, again, I'm not convinced. I discuss Moore's views and how we should try to resist them in Sartorio (2012).
7. Clarke's view in his (2014, chapter 6) seems to be that agents can be responsible for outcomes that they didn't cause and that they couldn't have prevented, to the extent that they are responsible for lacking the ability to prevent them in the first place (i.e., they can be responsible for outcomes by providing a *noncausal sufficient* condition for the occurrence of those outcomes). I have some reservations about this account. One of them is that it's hard to reconcile it with Frankfurt's insight. I'll revisit this issue below, in the last section of this chapter.
8. Clarke (2014, chapter 6) discusses a similar case: first, an agent, Gwenda, negligently allows the sharks to escape from their pen; then, when John sees the child drowning, he independently decides not to attempt a rescue (not being aware of the presence of the sharks).
9. Also, imagine that (instead of the neuroscientist) John himself negligently released the sharks the day before. In that case it is clear that John is responsible for the death (and for his not saving the child). But it is equally clear that he is responsible by virtue of having planted the sharks, not by not jumping in when the sharks are already in the water. This seems to suggest that, when the neuroscientist plants the sharks and then John decides not to jump in, the neuroscientist (not John) is responsible for the child's death. Clarke (2014, chapter 6) discusses a similar case (“Forgotten Planted Sharks”) where John plants the sharks in the water at an earlier time, and then, having forgotten all about this at the time when he sees the child drowning, decides not to attempt a rescue.
10. This is so even if we think of the window remaining intact as an absence (the *nonshattering* of the window). Recall that I'm assuming that causation involving absences is possible (see note 4 above). Thus, the nonshattering of the window must have causes, if absences in general have causes.
11. A brief note on disjunctive causation: however odd disjunctive causation may seem, I don't think it's much weirder than absence causation itself (after all, absences seem to be disjunctive in nature: say, my omission to water the plants obtains just in case I do any of a number of things incompatible with watering the plant). Also, even those who don't accept the possibility of absence causation tend to accept the possibility of other *quasi-causal* relations that can make agents responsible in omission cases (see, again, Dowe 2000 and 2001). Disjunctive quasi-causal relations would do just as well for my purposes as disjunctive causal relations. Clarke (2014, chapter 6) expresses reservations about my appeal to disjunctive causation in these types of cases. For a more general defense of disjunctive causation, see Sartorio (2006).
12. I discuss this in more detail in Sartorio (2016; see especially chapter 2). In that work I also develop my own version of the actual-sequence view.
13. Again, I discuss these issues in a lot more detail in Sartorio (2016).
14. At least, I think it would be crazy. But, then again, others don't seem to think so (see Clarke's remarks in his 2014,

chapter 6).