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Logan Bohlinger

University of Missouri-St. Louis, ldbg9t@umsystem.edu

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Recommended Citation

Bohlinger, Logan, "Intentional Passing and Closeted Agency" (2023). *Theses*. 442.
<https://irl.umsl.edu/thesis/442>

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Intentional Passing and Closeted Agency

By

Logan Bohlinger

Bachelor of Arts — Albion College, 2020

A Thesis

Submitted to the Graduate School of the

University of Missouri-St. Louis
in partial fulfillment of the requirements for the degree

Master of Arts

In

Philosophy

May 2023

Advisory Committee

Eric Wiland, Ph.D.

Chairperson

Lauren Olin, Ph.D.

Sarah Paul, Ph.D.

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Here is a rough characterization of an episode of my practical life. I intend to go to my family Christmas party, and I know that many of those who will be in attendance have expressed reprehensible views about queer people in the past. So, I carefully remove the nail polish from my fingernails, making sure that not a single fleck of the mossy green lacquer remains. On arriving at the party, I hug the women in attendance, but merely shake the hands of most of the men. I focus all my attention on each handshake ensuring that I do not, even for a second, let my wrist go limp. I refrain from grabbing a glass of the white wine that my aunts and women cousins are drinking, instead opting for a beer. I keep my legs slightly spread and my heels on the floor when I sit down in the living room to join my cousins in conversation. I fight the urge to cross my legs in the distinctly feminine way that I feel most comfortable doing. I intend to not talk about my living arrangements (I currently live with my boyfriend of five years), and I dread the conversation moving into other risky territory. When I'm asked how I can afford rent on a graduate student stipend, I lie by saying that I found a fellow graduate student in the psychology department at my university who agreed to be my roommate. I immediately redirect the conversation towards a safer topic. If all goes well by the end of the evening, I will have survived another Bohlinger Christmas party without becoming known as the gay cousin.

Something like the above passage will be immediately recognizable to most queer people who have had to navigate hostile or unaccepting social environments. It is an admittedly brief and overly simplistic sketch of an episode of intentional straight/cisgender passing. I take it that many instances of passing, like the one described above,

are manifestations of one's agency. Investigating in what sense passing is a manifestation of our agency as well as how we practically reason to bring it that we pass will here be my primary goal. What attitudes do we rely upon in our practical reasoning when I bring it about that I pass? Perhaps more importantly, to what extent is passing something that I do? Is my passing as straight in situations like the one given as an example above something that is attributable to me as something I do intentionally? While I take these questions to be of particular interests to queer philosophers and queer people in general, I also believe that they are of wider philosophical interest. Answering these questions will shed light on certain features of intention and human practical psychology, while also leading us to consider certain questions about the metaphysics of agency as well.

But, before going further, we should begin by clarifying the relevant sense of the word "passing" that is at issue. This word is not univocal. The word passing in "Logan is passing" can be taken to have either an active or passive connotation. If we accept that something like the above passage is a fairly representative account of what it is like to conceal one's sexuality from others, then the above passage gives us good *prima facie* reasons for thinking that passing is something that we can do. Passing, in the words of Joseph Raz, can belong to the active side of our life.¹ My passing at the party is, for one, something I do for reasons; being outed as gay may create otherwise avoidable tensions between me and the Christian Fundamentalists in the family, thereby providing me reasons to avoid being outed. Secondly, practical reasoning is involved in my successfully passing at the party. I bring it about that my queerness is at least plausibly

deniable. I do this through action, but also through deliberate inaction. Passing understood in this sense can be plausibly, though imprecisely, interpreted to mean something like “bringing it about such that I pass.”

There is another sense of the word passing in which passing is not something that we do, but rather something that merely happens to us. In this sense of the word, to pass as straight, cisgender, white, American, etc. is merely to not have certain facts about one’s identity known and perhaps to not have certain judgements made about oneself. A German tourist might be said to pass as a natural-born American citizen if no one comes to know that he was born in, raised in, and currently lives in Germany. Further, we might say that his passing also consists in no one making certain judgements about him that are likely to raise doubts about his status as a citizen. His passing might also consist in no one judging that his accent sounds out of place or that his sense of style is distinctly European. Our German tourist need not do anything at all to pass in this sense. In speaking the way he normally speaks and in wearing the clothes that he typically wears, and in not having his national origin come up in conversation, he may pass as a citizen without doing anything at all to make this the case.

It is not this later form of passing that is of practical philosophical interest. Rather, it is passing in the sense of “bringing it about such that I pass” which is that of which I wish to give an account. While there are likely to be substantial practical similarities between passing as straight and other forms of passing, I will further delimit my topic to discuss only straight passing. This is not because I believe that straight passing is distinct in some philosophically interesting way among other forms of passing (perhaps it is,

perhaps it is not), but rather it because it is the form of passing of which I have experience. For purposes of economy, I will often simply use the word passing when talking about this topic, though by it I will mean straight passing that is attributable to an agent as something that agent, in some sense, does.

With this clarification out of the way, let me lay out some desiderata that an adequate action-theoretic account of passing ought to meet. I suggest three desiderata that correspond to aspects of what it is like to be an agent that seeks to pass. The first desiderata I have already discussed above. An adequate account of passing ought to make it clear how passing is something that we can intentionally do. While this may initially seem like an easy criterion for an account to meet, appearances are deceiving. One way that I can pass is by performing certain actions that contribute in some way to my passing. I can, for instance, force a laugh at a homophobic joke. There is no great mystery as to how passing can be intentional if it only consisted in performing certain actions. Yet we can also pass by refraining or omitting from performing certain actions. I can refrain from crossing my legs as I normally would, or I can refrain from contributing to a conversation my interlocutors are having about their dating lives. In situations where passing is absolutely essential, I can try and conceal my queerness by doing and saying as little as I possibly can. Refraining from performing certain actions, especially habitual ones, can be incredibly difficult. To refrain from performing actions that might ought one to others often requires a great deal of effort and attentiveness on the part of the closeted agent, and we can often reason to inaction. Our account should be able to explain how refraining from acting in “gay ways” can also be intentional. Yet the

status of being intentional is typically conferred upon actions. Refraining is the absence of an action. Our account must be able to explain how passing in cases of omission can be intentional all the while allowing us to distinguish the intentional cases from those cases where my passing has nothing at all to do with me.

The second desiderata for any adequate account of intentional straight passing is that it can link up in a fairly straightforward way with an action-theoretic account of being closeted. Perhaps more should be said as to why this is a desirable feature of an account of straight passing. It seems to me that there is a close conceptual relationship between passing and being in the closet, but that the one is not entirely reducible to the other. Perhaps some might claim that to be closeted in some relevant social domain just is to always pass in said social domain.² On this construal of what it means to be “in the closet,” being in the closet just refers to other people’s ignorance about facts of one’s sexual orientation or gender identity. “Closeted” would then share the same meaning of “passing” in the latter word’s passive sense. But I think we typically mean much more when we describe someone as being closeted. Were I to move to a new city where no one knew me or any facts about my sexuality or gender, I wouldn’t thereby be closeted. I may be out of the closet in this new city, and nonetheless no one there might know that I am gay. I think this shows that being closeted is best understood not as something that can happen accidentally. It is rather connected in some way to my agency; being closeted depends on the ignorance of others, but also upon something that I contribute.

I suggest that this “something else” is normative in nature. To be closeted is to have some set of normatively valenced attitudes that are in some way causally

productive of action. Perhaps we might say that being closeted is partially constitutive of an agent's "practical stance."³ To know that another is closeted is to know certain facts about her. We gain insight into what considerations she will see as a reason for action and, perhaps more often, what considerations she will take to count against performing that action. Knowing that another is closeted will also allow us to accurately predict what the closeted agent will do or won't do. We can be quite certain that our closeted friend will not kiss her partner in a busy public space. It is that these attitudes, whatever they are, that partially constitutes an agent's standpoint on what actions are or are not acceptable to do. These attitudes will likely be some kind of standing attitude. They are persistent features of a closeted agent's psychology. When these attitudes, whatever they are, are part of what explains other's ignorance of one's sexual orientation or gender identity, then we can say that our queer agent is in the closet.

An adequate account of straight passing should be able to explain how *particular* attitudes involved in passing behavior, like the intention to keep my feet on the floor and my legs spread while sitting, can result from these more persistent and *general* attitudes that partially constitute an agent's passing. However we get from a general attitude (or attitudes) in favor of passing (or against being outed) to particular attitudes that produce particular actions, we should try and avail ourselves only of the less controversial attitudes and rational processes already discussed in the action-theoretic literature. Queer agency isn't different in kind. We should build our account out of the same attitudes and patterns of reasoning that are already present in our more quotidian practical reasoning an action.

The final desiderata an adequate account of intentional straight passing ought to meet is that it ought to explain how passing, and the related notion of being closeted, is a constraint upon one's agency. For many queer people, coming out as gay, trans, non-binary, or whatever else have you is experienced as a sort of liberation. No longer concealing one's queer identity opens one's practical life to new possibilities of acting and being in the world that previously were off the table. This experience is one worth taking seriously in the philosophy of agency. It is one that, if taken seriously, provides further support for construing being closeted as, in the first instance, a practical phenomenon. When discussing periods of our lives when we were closeted, or contexts in which we still conceal our sexual orientation or gender identity, we are discussing certain features of our agency and our resulting practical life. More precisely, we are talking about the restrictions that are placed upon our agency that are manifested in the types of practical reasoning we permit ourselves to engage in and the types of actions we allow ourselves to perform. The idea under consideration is that agents who are "in the closet" experience an anemic form of agency that constitutes a substantial practical and moral harm.

We should take note that these restrictions seem to come from within rather than without. Conforming to heterosexist and cis-sexist social norms is typically a form of self-policing rather than the result of external coercion. Paradoxically, the ability to restrict our agency by remaining closeted is itself constitutive of our agency. I suggest, then, that understanding the phenomenon of intentionally passing as straight, and the phenomenon of closeted agency more generally, depends on characterizing the

complex of attitudes characteristically held by the closeted agent and also on demonstrating how this complex places rational constraints on the agent's practical reasoning and intentional action. However we characterize these attitudes and the role they play in our practical reasoning, we should also allow these restrictions to global and/ or local. My agency can be temporarily restricted while in certain settings, as when I am closeted only while at church, but these restrictions on our agency can be far more pervasive and insidious. A closeted gay person may fail to see getting married as a viable action that he can take. Perhaps to someone who is so thoroughly closeted, the possibility of marriage may never even occur to him.

To recap, the account that we are looking for must allow us to explain three aspects of intentionally passing. First, we must secure the intentionality of passing in all the various ways it may manifest. Secondly, we must be able to explain how intentional passing behavior and the practical attitudes associated with this behavior can, and often does, result in some way from more general standing attitudes that reflect an agents' normative orientation towards certain reason and action types. We must be able to get from certain attitudes about what ways of acting are or are not acceptable, or perhaps what reasons are or are not good reasons upon which to act, to specific intentions to act in such and such a way on this particular occasion. Finally, we must give an account that enables us to see how being closeted or being consistently called upon to pass as straight is a practical harm for the queer agent in question.

Of these three desiderata of an adequate account of passing, I can here only fully address the first desiderata and partially address the third. However, securing the

intentionality of passing on specific occasions will allow us to later supplement the account to explain the broader practical phenomenon of being closeted. While being closeted is not merely a matter of one intentionally passing with sufficient frequency, I suggest that we can't explain what being closeted consists in if we do not first understand what a closeted agent is disposed to do. So, let us first begin by securing the intentionality of straight passing and discussing the patterns of practical reasoning that enable it.

Securing the Intentionality of Passing Through Action

As mentioned above, securing the intentionality of passing is more difficult than it may initially seem. It will be helpful to taxonomize the different ways one can pass and work through each one, demonstrating how each way of passing can be something that one does intentionally. We can divide the ways one can pass into two broad categories. The first of these categories is passing by performing straight-coded actions. The second category consists in passing through omission. This category will be further divided into three subcategories detailing specific ways that we can refrain from acting. But let us begin by securing the intentionality of passing through straight-coded action.

Securing the intentionality of straight-coded actions will be the most straightforward of all the ways one can pass that we will consider, but it is not without difficulty. The most obvious way to do this is to demonstrate that passing is an action,

since if anything can be intentional, then actions are. Of course, passing, if it is an action, cannot be a basic action. There is no action of passing that we can do without doing something else. But there are many such things that we can do. When in the company of others at a bar, one can pass by feigning interest in a patron of a different gender than oneself, or one can pass by expressing interest in hobbies typically associated with one's gender. Let us say that someone successfully performs such an action with passing as an end, do they thereby perform an action of passing? Not obviously yes. Passing isn't something that we can do by oneself. One can attempt to pass by oneself, but it is only true that one is passing if others do not come to know about one's sexual orientation by inferring from things one has said or done. Whether or not we can be said to have performed an act of passing, then, will depend upon the consequences of our actions. Passing presupposes success in a way most actions do not. One can have been making a cup of tea, and yet never have made a cup of tea.⁴ But passing, like seducing or convincing, is not something that one can have been doing if one fails to have done it. I may stir my drink in a slow and sultry manner at a bar with the intention to seduce a man a few seats away. This much is clearly an intentional action, but whether this amounts to seducing depends upon whether or not I successfully pique the interest of that man. If I have, then I have seduced. If I have not, then all I have done is made a fool of myself. This gives us reason to be hesitant to assimilate seducing, passing, convincing, and other such verbs to the verbs of action. Such actions would be rather strange indeed since one cannot ever be said, in a strict sense, to have failed in an act of

seduction. Rather, it will turn out that one was never seducing in the first place.⁵

Mutatis Mutandis for passing.

“Passing” specifies a consequence while the action description “housebuilding” does not. Yet, as Donald Davidson argues, we can redescribe an intentional action in terms of its consequences. Those consequences may or may not be intentional, but they will be actions.⁶ The strangeness we noticed in the actions of passing, as well as in the actions of seducing or convincing, is only a quirk that arises out of describing an action in terms of its consequences rather than a quirk about the action itself. Passing and acting so as to pass specify one and the same action, but they merely do so differently. They both specify a single action that one can succeed or fail at, but the former way of describing the action is only made available to us once we know that the action has, in fact, succeeded.

Further, Davidson argues that these consequences can be attributed to the agent as something the agent does, “an agent causes what his actions cause.”⁷ An agent’s intentional actions performed with the aim of convincing others that he is heterosexual are, in cases of success, a cause of those others’ mistaken judgements. It should not deter us that an agent’s passing behavior is not the only causally relevant factor in an agent’s successfully passing. Certainly, passing through deceptive action also causally depends up others’ interpretations of our actions. But the multifariousness of relevant causal factors in pulling of some action is not unique to passing. In nearly all cases of action, the agent will only be one cause among many. I may cause the death of another by poisoning his coffee. This poisoning just will be the actions of spooning in the

substance, stirring, and serving, yet we might say that the properties of the substance I use to poison is itself a cause of the victim's death. If we wish to say that only events can be causes, then the circulation of the substance through the victim's body will be a cause, perhaps so too will be the cessation of the victim's heart. None of these causes are directly up to me. Despite my best efforts, the poison can fail to stop my victim's heart. All I have immediate control over is my bodily movements, the rest follows according to certain natural laws that I anticipate in my act of poisoning. That passing through deception involves a causal contribution on the part of other agents does not give us reason to deny that I am a cause of my passing, but only that my causal contribution is insufficient to successfully pass. The rest is straightforward from here. On a widely held theory of intentional action, it is sufficient for an action to be intentional if it is caused in the right way by one's reasons and/or intentions. I can have (very) good reasons to pass. I form an intention to pass on this basis. This intention is further specified through my practical reasoning, and I come to also intend a means to passing. If, from this intention, I am non-deviantly caused to act, then my action is intentional, and it is an act of passing.⁸

Other Ways of Passing

Insofar as passing is the result of actions one takes as a means to passing, it seems that passing can be intentional on the part of a queer agent. Yet, performing some action that may be redescribed as an act of passing is only one of many ways we

can bring it about that we pass. Securing the intentionality of other cases is often not so straightforward. I take there to be three additional ways that we can bring it about that we pass. The first way is by doing nothing at all. Returning to the examples with which I began, one way that I bring it about that I pass at the Christmas Party is by not contributing to a conversation my interlocutors are having about their relationships. Let us presume that there is nothing that I do as a means to my not speaking. I do not bite my tongue. I do not clench my jaw. I do not get up and leave the room. I simply sit there quietly. Given that my not speaking is purposeful and responsive to the reasons I have for not outing myself, it seems natural to describe my being quiet as intentional. Though it is unclear how this could be. There is, we stipulated, no action that I am performing that can be redescribed as an action of passing. Indeed, I may be performing *no actions at all* for the duration of this conversation.

The second way that I can bring it about that I pass is through the performance of some action, but not an action that may be redescribed as an act of passing. My choosing the beer over the wine is one such case. My keeping my feet planted on the floor rather than crossing my legs is another. It is clear that my grabbing a beer and my planting my feet are things that I do intentionally, but can they be redescribed as acts of passing? I do not think so. While some actions performed by a stereotypically feminine gay man may lead his masculine heterosexual male peers to feel a “manly” camaraderie with him, and thus conceal his femininity and sexuality from them, drinking a beer and sitting in a certain way don’t seem to be good candidates for such actions. Put more

bluntly, a gay man forcing himself to laugh at a homophobic joke is straight-coded in a way that sitting with one's feet on the floor simply is not.

Heterosexuality is presupposed in the current culture of the United States. I am presumed to be straight until I give others good reason to think otherwise. When queer people attempt to pass, we use this to our advantage. A gay man need not act especially masculine to pass, nor need he actively mislead others into thinking he is straight by flirting with women or spinning stories about fictional ex-girlfriends. It is enough that he does not act stereotypically feminine and that he keeps certain facts about his life secret. It is typically sufficient to pass that we simply refrain from doing certain things we might otherwise do. Given that I am going to be sitting, I must decide upon the way that I am going to sit. Crossing my legs as I normally would is stereotyped as feminine, and thus I must not choose that option. I will instead sit some other way that is not so coded, and this other way of sitting need not be coded as masculine for me to pass. Given that I am going to get a beverage, I choose beer because I do not allow myself the option of wine.

Since I take it that sitting with my feet on the floor and drinking a beer are sufficiently gender-neutral (at least in my family), performing these actions make no *positive* contribution to my passing such as to be accurately redescribed as *acts* of passing. A different case that allows us to dispose of the complexities of gender stereotyping will make this point more explicit. A designated driver who is drinking water at the bar is not drinking water as a means to his being sober. He is already sober. Even if he were not, water will not make him so. His drinking water is merely a means to

his being hydrated that is compatible with his intention not to drink alcohol. His action of drinking water is not properly redescribed as an action of remaining sober. It is instead another instance of omitting to act, different from the former case of omission only in that there is some action that the designated driver performs where he might otherwise have performed no action at all. I grant that we do wish to say that a designated driver that drinks water at the bar is intentionally remaining sober. Likewise, I want to claim that by sitting in certain ways and consuming certain beverages I am intentionally bringing it about that I pass. But since there is no intentional action in the vicinity that can be described as passing in the latter case and remaining sober in the former, we are once again confronted with the puzzle of how the absence of an action can be intentional.

For reasons that will soon become clear, it is better to table this question for now and return to it later. I first wish to introduce the third way that I can bring it about that I pass. This third and final way of passing involves closely monitoring and guiding the manner of the performance of my actions. Modifying the manner of the performance of our actions is, of course, not something only queer agents do. Across many episodes in our practical lives, manner matters. A good surgeon doesn't merely remove a tumor. Rather, she removes a tumor precisely. A politician asserts his beliefs confidently. An uncle transports his niece's birthday cake cautiously. A flirtatious man might stir his negroni seductively. Adverbial modifiers on intention seem to be the most common way we linguistically express the manner with which we intend to perform an action, but it is not the only one. We can also express the manner of the performance of

an action with a “with” construction. A tumor is removed with precision. A cake is transported with caution. Likewise, we can explicitly state the manner of the performance of an action in precisely those words; I may stir my negroni in a seductive manner. While one may represent their intention to transport a cake cautiously in any of these various constructions, I take all of them to be practically equivalent for the agent in question. They have the same content and play the same roles in an agent’s practical reasoning. As such, I will focus on adverbial constructions of manner-modified intentions, but what I say about these will apply to the other constructions discussed above.

A closeted agent can form intentions whose manner of performance is modified such that the agent brings it about that they pass. The intention that corresponds to such manner-modified actions could be expressed somewhat clumsily as an intention to ϕ “passingly.” To act passingly is to perform one’s action in such a way that they are unlikely to draw suspicion about the agent’s sexual orientation. What precisely this consists in may vary from circumstance to circumstance, but I can perhaps illustrate with examples. I can ensure that my wrists don’t become limp while gesturing with my hands. I can flatten my affect and monitor my vocalizations to prevent lapsing into my so-called “gay voice.” I concede that the “passingly” adverbial modifier is unlikely to be an explicit part of a closeted queer agent’s practical reasoning and intention formation, but equivalent constructions abound. However a closeted queer agent linguistically represents the manner-modified intentions they form in bringing it about that they pass, all will be familiar with the phenomenology of acting in such a way. It involves

closely scrutinizing even the most minute movements of one's body, keeping these movements within a set of tightly circumscribed bounds that are less likely to draw suspicion to one's queerness than one's habitual movements. Construing the content of the relevant motivating mental states as intentions to ϕ passingly does no better or worse in capturing the queer agents practical psychology than other only superficially different linguistic constructions that one may substitute for it. As such, I will endeavor to provide an analysis of what mental states an adverbial modifier on an intention corresponds to in an agent's practical psychology to determine whether we can infer from the fact that someone intentionally ϕ -ed passingly that they intentionally passed. Specifically, if an adverbial modifier on intention corresponds to another intention that characteristically leads to action, then we can secure the intentionality of one's passing when he acts on some intention to ϕ passingly.

Four Analyses of Adverbial Modifiers on Intention

Since analyzing what it is to act passingly necessarily involves reference to complex social attitudes involving sexuality and gender, we should perhaps avail ourselves of simpler adverbial modifiers for the time being. After analyzing a variety of different adverbial modifiers on intention, we can assess which type of adverbial modifier on intention we should assimilate "passingly" to. We will have to analyze a variety of adverbial modifiers on intention since there is no neat and systematic way to

analyze them all. Though all adverbial modified intentions share a surface grammatical similarity, there appearances are deceiving. I contend, for example, that the proper analysis of an intention to shop quickly is quite distinct from how we should analyze an intention to stir a drink seductively.

Let us begin by noting that some adverbial modifiers on an intention correspond to a second intention that is means-ends related to the modified intention. One such example is a pilot's intention to take off northwesterly. This intention is decomposable into two intentions related as means to ends. She simply intends to take off, and she intends to use the runway that is oriented towards the northwest as her means. We can in other cases drop the adverbial modifier from an adverbially modified intention by decomposing the intention into some intention to act and the further intention with which one acts. An example of this kind is the aforementioned intention to stir one's drink seductively. This intention decomposes into an intention to stir one's drink and a further intention to seduce the gentleman at the end of the bar by means of one's stirring. All that distinguishes the two cases above is that in the former case the adverbial modifier "northwesterly" designates the agent's intended means while "seductively" designates an agent's intended ends in the latter.

We want to ensure that our analyses of these adverbial modifiers preserve our intuitions that adverbially modified intentions guide or specify the manner in which an action is to be performed. In the case of the pilot, this is quite straightforward. The manner of her taking off is guided by her intention to take a specific means. Since she intends to take off to the northwest, the action this intention issues forth will be a

taking off in a northwest manner. However, the modifier “seductively” is a bit more complex. In this case, the specification of precisely how one is to stir one’s drink is not immediately contained in the adverbially modified intention. For an intention to stir one’s drink seductively to specify the manner of the performance of one’s stirring, one must engage in a further step of practical reasoning. Stirring is not a basic action. When one reasons about the means he is to take in stirring such that his stirring is itself a means to his seducing, rationality requires of him that his chosen means be both a means to his intended end of stirring *and* a means to his intended end of seducing. The agent in question is led by his practical reasoning to move his hand in such and such a way as to accomplish these aims simultaneously. In this way, a further intention with which one acts can rationally specify the manner with which one ought to be acting now.

It should be clear that an adverbially modified intention to ϕ passingly is not of either of these kinds. When I intend to walk passingly, my passing is not a means to my walking. Neither is my passing the end of my walking. My intention to walk passingly is not, then, decomposable into two intentions that are means-ends related. Rather, whatever attitude is playing this role must be auxiliary to the teleological ordering of the intentions which contain my intention to walk to some destination.

One alternative which suggests itself is that the adverbial modifier “passingly” may designate a normative belief that a closeted queer agent holds about the proper performance of their action. Normative judgements can and do play an important role in our reasoning about how we will act. John Broome argues that such judgements can

manifest in intention through a process of “enkratic reasoning.”⁹ Broome’s discussion is limited to how a belief that I ought to perform some action can lead, through reasoning, to an intention to perform that action. He discusses how a belief that I ought to ϕ in most cases rationally requires that we form a corresponding intention to ϕ . If we can do this, then I see no reason to dispute the possibility of producing an adverbially modified intention through a different, yet related, form of enkratic reasoning. Specifically, we should consider the possibility that a standing normative judgement about how some action type is to be performed can manifest in an adverbially modifier when one comes to intend an action token of the relevant type. In the case of passing, perhaps a queer agent has some belief that there is a proper way for him to walk, he comes to intend to walk, and he is moved by the norms of rationality to intend to walk in that proper manner. We can pursue this possibility by observing that some adverbially modified intentions contain a normative standard against which an agent evaluates the performance of her action.

Let us say that I intend to attend a friend’s surprise birthday party. I also intend to purchase some snacks at my local grocery store that I can bring to my friend’s party. I believe that I must be at the party by 7:30 if I am to surprise her. Additionally, I intend to change out of my work clothes and take a shower before I go to the party. I estimate that I will need to return from the store by 6:00 if I am to do these things and have enough time to arrive at my friend’s apartment by 7:30. Fearing that I may not be able to satisfy all these intentions jointly, I reason to the belief that I ought to return from shopping by 6:00. Let us also suppose that I form the normative belief that I ought to

shop quickly. Through my proposed form of enkratic reasoning I form two additional intentions. I intend to return from the store by 6:00, and I intend shop quickly. Let us further presume that these two latter intentions are not merely the same.¹⁰ I proceed to act on these intentions. I shop, but I arrive home at 6:05. If we suppose that I manage shower and get dressed and still arrive to the party on time, which other intentions have I satisfied?

I have clearly failed in my attempt to return from the store by 6:00, but have I failed to shop quickly? I do not see how there can be a fact of the matter. Intentions of the former kind carry with them the normative standards of success and failure that apply to all intentions. Success and failure, I suggest, are binary notions. These standards are the practical analogue to truth and falsity, the standards that govern belief. I fail to build a house if I build a structure that has a floor and roof but is only partially enclosed by three walls. To come close to success is still to fail. But what of the standards that govern my intention to shop quickly? There are certainly still standards of success and failure that govern this intention. If I resort to digging discarded food out of the dumpster, then I will not have shopped quickly. I fail to bring about what I intended insofar as my action is not an act of shopping. But I contend that meeting the standard that my shopping be quick is not a matter of success or failure. Instead, we evaluate our action as going well or poorly regarding its quickness. Perhaps we should say that in this case my shopping went well enough regarding its quickness, but that it could have (and perhaps should have) gone a bit quicker.

These standards need not be robustly normative, but they share some commonalities with ethical norms on actions. We may judge that there are morally better and worse ways of delivering bad news. My delivering of the bad news may go well or poorly as far as moral norms are concerned. Our conformity with certain moral standards, I take it, are also often a matter of degree. The practical norm introduced by my intention to shop quickly differs from moral norms in that I am bound by it only because, and only to the extent that, I take myself to be so bound. I can revoke this standard at any time. Shopping quickly might be exhausting. I may revoke this standard in light of my fatigue and come to intend merely that I shop. A further distinction is that it seems that I take priority over others when it comes to evaluating whether or not I meet these practical standards I myself impose. If I intended my shopping to be quick, and if I judge that it was quick, this is typically sufficient for me. Other's judgements as to whether my shopping was a quick shopping are typically only of secondary importance.¹¹

The above considerations speak against taking "quickly" to designate an intention to be quick, where being quick is an action. Being quick is not evaluable in the binary notions of success or failure like actions are, and the standards that govern quickness are self-imposed in ways that the standards governing action are not. I may take myself to have successfully assassinated a political figure, but if he makes a campaign speech from the hospital the next day, then I have failed regardless of what I think. Further, Davidson notes that attributive adjectives like "quick" don't refer to any singular term at all. There is no referent for the term "quick" that holds of some event

irrespective of how it is described, much less is “being quick” an event of in and of itself. Modifying an example from Davidson, a quick shopping may also be a slow jogging.¹² Do I simultaneously perform two contrary actions of being quick and being slow? Obviously not.

What, then, should we make of sentences like “don’t worry, I intend to be quick”? Such sentences seem to run against my claim that being quick is not something we properly intend. Are we simply misguided when we use such locutions? Perhaps we are a little misguided, but not grossly so. If I say that I intend to shop and that I intend to be quick, I take it that what I really intend is to shop and to take some means to my shopping that I *believe* will make it a quick shopping. Thus, an intention to be quick is really just an intention to take certain unspecified means. Saying that I intend to be quick does nothing to inform another what these means are, but it does reassure the person that I am addressing that I have some means in mind.

How might the adverbial modifier “quickly” guide our action if it does not refer to a practical attitude but rather a cognitive one about how an action ought to go? I suggest that this happens through practical reasoning we engage in to satisfy an enkaptic norm. If I believe that my action ought to meet some standard, then rationality will require of me that I take some means in performing that action that will make that action satisfy that standard. If my shopping ought to be a quick shopping, meandering down the aisles aimlessly will be incompatible with my belief about how my shopping ought to go. If I intend to meander down the aisles, then I am thereby irrational. To the extent that we care about having coherence among our attitudes, we will be motivated

to select some means that cohere with my normative belief while avoiding other means that conflict.

Is the modifier “passingly” a modifier of the kind just discussed? Perhaps sometimes. In some circumstances it may be correct to say that my actions can go better or worse regarding my ability to pass. Suspicions about one’s sexuality can be more or less pronounced. But typically, a closeted agent is concerned with passing as a matter of success or failure. I succeed at passing in an interview if my potential employer doesn’t suspect my sexuality during the interview and subsequent hiring process. I fail if he comes to believe that I am gay. It matters very little to me if my potential employer suspects that I am queer or if he is absolutely certain. If I have good reason to suspect it will impact my ability to get the job, the outcome is the same in either case. Being successful in my attempt to pass, not merely doing a decent job, is what is of utmost importance. Further, “passing,” unlike “being quick,” does have a determinate referent. It refers to a factual state of affairs that we can sometimes bring about through action. Finally, while my judging that my shopping was quick is sufficient so far as my intention to shop quickly is concerned, the same cannot be said for my intentions modified by the adverb “passingly.” When I intend to pass while performing some action, I do not give priority to my assessment the same way I do when I intend to shop quickly. “Passingly,” then, does not correspond to a normative belief.

The above considerations suggest that “passingly” corresponds to an intention after all. But an intention to ϕ passingly cannot be a conjunction of intentions that are means-ends related. I take it that an intention to act in a passing manner is properly

understood as a conjunction of two intentions unrelated intentions. Or, more precisely, an intention to ϕ in a passing manner is not a single intention, but rather a linguistic construction that express two of an agent's intentions simultaneously. To take a different example, if I have a prior intention to be quiet and I form a new intention to make a sandwich, I might verbally express these two intentions with one sentence by saying that I intend to make a sandwich quietly. While there are only a few natural-sounding linguistic expressions of intention which allow for this treatment, I do not think there is any principled reason to deny that we can do this with any two intentions whatsoever. If I intend to go to the store, and I intend to pay a visit to my childhood home on the way, I can say that I intend to go shopping childhood-home-visitingly. The only limit seems to be that these constructions are only legitimate when the two intentions conjoined are such that we aim to pull them off simultaneously. To intend to knit a sweater *buy-a-home-in-ten-years-timely* is clearly absurd. Indeed, expressing the simultaneity of our intended actions seems to be the very point of these types of adverbial modifiers.

Does this suggest that an intention to, say, deliver news cruelly is actually three intentions? Namely, an intention to insult, and intention to inform, and an intention to do both at the same time? Perhaps, but I am not convinced. It is sufficient for me to perform two actions simultaneously that I intend to perform both actions during some shared interval of time. If I intend to insult from t_1 to t_2 , and if I intend to inform from t_1 to t_2 , I need no further intention to do both simultaneously. Nor, I take it, do I need this

third intention to be aware of the intended simultaneity of my actions such that I can express them through a single adverbially modified statement of intent.

Analyzing an intention to ϕ passingly this way allows the relevant standards of evaluation in ϕ -ing passingly to be success and failure. Importantly, there are two dimensions of evaluation at play. I can succeed or fail in my ϕ -ing and I can succeed or fail in my passing. This feature, along with the simultaneity of intended execution, is shared with the means-ends adverbial modifiers with which we began. Just as in intend to pass and ϕ simultaneously when I intend to ϕ passingly, I intend to stir and seduce simultaneously when I intend to stir seductively. But in the latter case, my stirring just is my seducing. With the former case, and for reasons which will be discussed later on, this isn't so.

If an intention to ϕ passingly just is an intention to ϕ and an intention to pass, there is no mystery as to how the adverbial modifier "passingly" guides actions. Intentions place rational constraints on our practical reasoning. Importantly, forming intentions involves committing oneself to a course of action (or, foreshadowing somewhat, inaction). That which is settled upon in intention is treated as fixed for the purposes of one's practical reasoning. This sense of the word fixed is not meant to imply that an intention exhibits a greater degree of stability than one's desires. Some desires remain constant over a whole life. However, where an intention is formed prior to an episode of practical reasoning, it is treated as settled in one's subsequent practical reasoning. My attitude towards passing exhibits exactly this quality. I settle upon it prior

to entering a homophobic social environment and, upon doing so, structure all my subsequent practical reasoning around this prior intention.¹³

Reasoning about how to walk, talk, and act while also intending to pass is thus a kind of balancing act. One is trying to achieve two ends simultaneously. The intention to pass places constraints on one's reasoning because rationality requires of us that intentions cohere. My intention to talk with my homophobic grandfather is coherent with my prior intention to pass, but only insofar as the intended manner of my speaking coheres with my prior intention. Some intonations of my voice will be rationally coherent with my intention to pass while others will not. Likewise, the use of some turns of phrase will be rationally permissible, while using gay slang will not be. This role prior intentions play in structuring practical reasoning leads Bratman to describe prior intentions as being "framework reasons."¹⁴ The intentions that we already possess, even if they are not means-ends related to subsequent intentions we form, place constraints on the means that are available for us to take. If I intend to ϕ and I intend to Ψ , the means I take in Ψ -ing must be compatible with my bring it about that I ϕ .

This brings us back to where we started. Passing by bringing the manner of the performance of my actions under control isn't a wholly distinct way that we can pass, but merely a special case of passing by doing something rather than another. When I choose beer at the Christmas Party instead of the wine, it is because I have a standing intention to pass which place rational constraints on what I can intend as ends. I want a beverage, but I cannot rationally intend to drink wine if I believe that it conflicts with my intention to pass. So, I instead intend to get beer. Walking, talking, and otherwise acting

in a straight passing manner is merely the same phenomenon except that our intention to pass places constraints on our intended *means*. The manner of the performance of an action just is the means we take in acting when examined with a high degree of granularity. Walking, at least for the queer agent who intends to pass, is not a basic action. It is composed of countless minute bodily movements. The queer agent who intends to pass and believes that restricting the manner of his walking is required to do this brings the means of his walking under rational scrutiny. “This way of moving my leg,” he may think to himself, “is unacceptable. Therefore I will not walk in this way.” To say someone walks in a feminine manner is to say something about the means they take in walking.

Our analysis of the adverbial modifier “passingly” also brings us back to the problem we left tabled. Namely, how is it that passing is intentional? The three ways of passing that we have discussed raise this issue because passing became a matter of not what we do, but rather what we *refrain* from doing. I may intend to pass and therefore come to intend not to contribute to a conversation. I may intend to pass and so come to intend not to grab the beer. I may intend to pass and so come to intend not to talk in such and such a way. If passing is typically a matter of *not* doing certain actions, how can this not-doing be intentional?

The Intentionality of Omissions

It seems that that we have good *prima facie* reasons to accept that we can intend to refrain from acting. Refraining (or omitting) to act seems to be something that we can, in some sense, do.¹⁵ It belongs to the active part of our life.¹⁶ We refrain from acting for reasons. A pacifist may refuse to purchase Russian goods. A vegetarian may forswear eating meat. Both will be able to proffer reasons for their particular inactions should a rationalization be called for. Those reasons will be the considerations those agents appealed to in settling their intentions not to perform those actions. This intention won't merely be an intention to eat something else on some specific occasions, or to buy some American made good as an alternative during a particular act of shopping. The resulting attitude from episodes of practical reasoning about what not to do can persist for very long durations without reconsideration. These attitudes are stable in precisely the way intentions are stable.¹⁷ Intentions to refrain seem to be genuine mental entities. But now we must determine what role these attitudes play in our practical lives. If passing, in all its forms, is to be attributable to an agent as something they do intentionally, we must demonstrate that the inaction that results from an intention to pass can be attributed to an agent as something they intentionally did.

Randolph Clarke discusses a few strategies that one could undertake to demonstrate that omissions can be intentional on the part of an omitting agent. The most obvious strategy is to claim that inaction is itself a kind of action. Actions are intentional if anything is, so showing how omissions are actually just a (peculiar) type of action will allow us to uncontroversially extend the status of intentional to some instances of

purposive inaction. One strategy would be to identify intentional inaction with some intentional action of restraining ourselves. This may be a viable strategy in some cases, but it clearly gives the wrong verdict in others. Consider a man who has previously been charged for driving while under the influence of alcohol.¹⁸ Having learned from his mistake, this man now hides his keys every time he attends a friend's party where he knows alcohol will be served. On one occasion, the man becomes quite intoxicated and intends to drive back home and go to bed. He furiously scours his friend's house for where he hid the keys. He is unable to find them and instead falls asleep on his friend's couch. This man does not perform the action of driving home. He does intentionally hide his keys so as to not drive home later in the evening. Is this sufficient to make his not driving home intentional? Certainly not. The man in this example does everything within his power to drive home while intoxicated. He has an intention to drive home, he takes means towards his end of driving home (searching for the keys), and the only reason he does not drive home is because there is an external impediment to his doing so that he could not successfully overcome. It seems to me that it should make no difference that this impediment is self-imposed. Neither our actions nor inactions can be made intentional by the things we intended in the past if we do not intend them still.

Intentionally restraining ourselves is not sufficient for inaction to be intentional, but is it necessary? Clarke says no, and I agree. I need not literally bite my tongue to resist the temptation to hurl an insult at another in order for my resisting the temptation to be something attributable to me as a good thing that I have done.

Likewise, I need not put braces on my wrist for my not letting my wrists go limp to be a thing I intentionally do.¹⁹

Clarke discusses another strategy of identifying inactions with positive actions. He notes that sometimes we describe an action in terms of what that action is not. Importantly, this is not to say that there are such things as “negative actions.” Rather, it is to say that intentional inactions are intentional (positive) actions that we are referring to in a strange way. Take the following example from Davidson: “So if someone intends to climb the Matterhorn but climbs the Eiger by mistake, his climbing of the Eiger is his not climbing the Matterhorn.”²⁰ In cases where the action with which an omission is to be identified is an intentional action, the omission will be intentional as well since the omission will just be the action.

This works in some cases, but clearly not all. Identifying an omission with a positive action requires that that which we can predicate to the omission can also be predicated to the action and vice versa. For many cases of omissions this will not be possible. Clarke argues that the strategy of identifying some omission with an action the agent is performing instead does not even cover Davidson’s mistaken mountain climber example, “Similarly, the climber’s failure to scale the Matterhorn might be unavoidable by early morning, while he still has time to turn back from his ascent of the Eiger.”²¹ He continues to argue that even if this objection were to be overcome, there are many cases in which there are no good candidates for an action with which some omission is to be identified. If I intentionally do not talk in a philosophy seminar, is my not talking to be identified with my twiddling my thumbs? Certainly not.

Are there other ways of satisfactorily demonstrating that intentional inaction is, in all cases, a type of action? I suspect not. Actions are particulars. They happen over some range of time and across some region of space. They are, in principle, identifiable. Most omissions do not seem to share this quality. If I intend to go to the drug store to pick up a birthday card and a tube of toothpaste but forget to do so on my drive home from work, do we have any way to distinguish my omission of purchasing the toothpaste from my omission of purchasing the birthday card or from my omission to stop by the drug store? It seems that we do not.

Further, an intentional action of not doing something would be a strange action indeed. To see this, we should note some of the other features of intentional action that have been commented on by philosophers of otherwise quite diverse commitments on the nature of intention. Take, for instance, Michael Thompson who sees intention as a teleological structure within which actions bear rationalizing relations to one another. An action is intentional iff, within this teleological structure, some other action is performed for the latter action's sake.²² It is easy to see how house-building can be made intentional by building a frame for the house. Framing the house for the sake of building a house ensures that house-building belongs to a teleological ordering of events characteristic of human action. But most of our omissions are things that we take no means to secure. I need take no means to not discuss my romantic life. I need take no means to not touch a freshly painted wall. While some omissions will meet Thompson's criteria, as when we walk to a bus stop in order to wait at the bus stop, both of which

are part of my plan to go to the art museum, yet I see no good reason to assert that waiting at a bus stop is intentional while resisting the temptation to touch the art is not.

A Davidsonian picture of intentional action leaves no room for negative actions either. Actions, for Davidson, are events that happen in the world that are identifiable as actions due to two characteristic features the events possess. Actions are rationalizable, that is they can be explained by reasons. Further, actions are events of which reasons are a cause.²³ Omission are not events, nor are they caused by anything. If causation be a relationship between two entities, what would the relation in cases of omission be? I am unaware of any plausible account of intentional action that will allow us to claim that passing is an action, and one that we can do intentionally.

Let us then conclude that an intentional omission is not an action. Is there still some hope of securing the intentionality of inaction, that is to say that the intentionality of an absence of anything at all? Yes, and no. We can secure the intentionality of the omissions that intuitively seem intentional by noticing that they are not totally an absence. Such omissions leave a trace in our conduct and thought that may be enough for securing their intentionality. Further, intentions to refrain from acting manifest intention's characteristic causal powers by causing these traces. Having an intention to refrain from acting that causes subsequent thought and conduct is, then, sufficient for a lack of action to be intentional. Clarke argues offers the following argument to this end. He asks us to consider a case in which he come across a child drowning in a pond. He

forms the intention to not jump in and save the child. Having settled this matter, he then turns his attention about what to do instead. However, at this very moment, a microchip is activated in his brain that causes him to form an intention to get an ice cream cone, and he proceeds to act on this intention. He asks us whether his intentionally refrained from saving the child. He continues:

“It seems clear that I didn’t. My not jumping in was intended—and I’m guilty of so intending—but I didn’t intentionally omit to jump in. And my not jumping in seems not to be intentional because my intention not to jump in didn’t in any way influence my subsequent thought and conduct. It’s pure happenstance that what I did conformed in any way with my intention. For all that my intention had to do with things, what I was caused to do might just as well have been to jump in the water and save the child.”²⁴

When we intend not to perform some action, it is no accident that we do not do it. In cases where we do not do it and we intend not to do it, but our not doing it is not caused by our intention we do not think such omissions are intentional. Such cases seem to be clearly relevant for our moral responsibility. Clarke also argues that it is only the mental state of intention that is capable of securing the intentionality of inaction. It is no surprise that someone who desires not to exercise often will not, but possessing such a desire would make every instance of one’s not exercising an omission that is attributable to the agent as something the agent in some sense does. Desire doesn’t share the characteristic role that intention possesses in settling what it is that we will or will not do; further, we do not take the desire to perform some action and the

awareness that we are already doing it to be sufficient for intentional action. By parity of reasoning, desires are also insufficient to make our inactions intentional.²⁵

Can we follow these leads to form a precise set of necessary and sufficient criteria for intentional omissions? Yes and no. For reasons Clarke expounds upon, the following is the best that we can do:

Intentional Omissions: An omission to perform some action *A* is intentional iff

1. One does not perform some action that falls within the range of behaviors described by *A*.
2. One possesses an intention with content relevant to one's not *A*-ing.
3. One possesses this intention at some time(s) pertinent to their not *A*-ing.
4. One's intention has non-deviant causal effects on their subsequent thought and conduct.

Clarke's discussion of why we can't expect to do much better than this in formulating our criteria spans his entire chapter on intentional omissions, but perhaps I ought to distill some of his main points.²⁶ There is no systematic way of determining what possible contents of an intention can be relevant to some omission. An intention not to *A* will certainly be relevant to one's not *A*-ing and will thus meet the second criteria. Other contents can also be relevant in certain circumstances. If I must make a choice between two incompatible actions *A* and *B*, and if I know that I cannot perform both,

and if I intend to perform *A*, then the intention to *A* can have content relevant to my not doing *B* such that my not doing *B* can be intentional. An intention to perform some action can render an omission of mine intentional, but in most cases it will not. Which content counts as relevant will depend on the details of the case, making the specification of what contents are relevant in the abstract a non-starter.

Similar considerations apply to determining at what time(s) possessing an intention will be pertinent for one's omission. In some cases, I must possess an intention, say, not to *A* during the time interval in which I could have *A*-ed. My intention to not talk can only render my not talking intentional if I possess the intention during that interval in which I keep myself quiet. This will not be true for other cases. I can intentionally not go to a conference by intending not to make the required preparations. If I drop this intention after it is too late to travel to the conference, but before the conference begins, my not attending the conference can still be intentional. There is no way that we can determine which times will be pertinent in the abstract.

Perhaps the fourth criterion also needs some clarification. Just as causal accounts of intentional action face the problem of deviant causation, so to does Clarke's causal account of intentional omissions. Such cases would be exceedingly rare in practice but are nonetheless easy to create. Perhaps I form the intention not to save a drowning child. I become aware that I so intend; I am overwhelmed by my shame and my fear for the child's life. I lose consciousness and fail to jump in the pond to save the child. While my intention to not save the child caused by omission, it did so deviantly. There is a sense in which I did not have the requisite control over my omission that is

required for my omission to be intentional. An adequate analysis of non-deviant causation is still in the offing. However, such an analysis will not be necessary for our purposes. It is enough that we can identify deviant causation when we see it.

Passing Intentionally

We now have the resources to demonstrate that the various ways one can pass through omission can be, and often are, intentional. The three ways of passing through omission that were discussed were not performing some action *A*, *A*-ing instead of *B*-ing, and *A*-ing in a particular manner. Let us take each of them in turn.

Let us say that in some circumstance I refrain from contributing to a conversation where my interlocutors are discussing their romantic lives, and this refraining is an instance of me passing. What will it take for my so omitting to be intentional? Since my omitting consists in doing nothing at all, I must possess some intention that is relevant to this form of omission. It seems that the only candidate content for an intention that can render my not talking intentional in such cases where I do not prevent myself from talking by taking means to my not talking is simply an intention not to talk. Further, this intention must be held during some time pertinent to my omission. In this case, the pertinent time seems to be during the entire interval in which my interlocutors talk about their romantic lives. Finally, my intention must exert intention's characteristic causal powers on my downstream thought and conduct. An intention not to talk need not cause any particular behavior. If I do not take some means

to my not talking, it would be hard to see why such an intention would. The most plausible way in which an intention not to talk can exert its causal powers is by having effects on my practical reasoning. I may consider how I would respond to my interlocutors in conversation, or perhaps possible responses to my interlocutors merely occur to me. However, my responding in these ways is inhibited by intention not to talk. That discussing my recent date with my partner would be an apt reply to a question asked by an interlocutor ceases to be a reason for so responding that I give weight in my deliberation. If I satisfy these requirements, I intentionally pass by intentionally not talking. These requirements are not particularly hard to meet, and it seems that I very often meet them. When I intend to pass in some hostile social setting, my not contributing to such conversations is more often than not something that I attend to. I do not typically refrain from such conversations by mere happenstance. Very often, then, my passing by means of inaction is something that I intentionally do.

What about cases where I bring it about that I pass by performing some action rather than another? I choose beer at the Christmas party rather than wine. Let us grant that my grabbing a beer is intentional. Is my not choosing the wine also intentional? Yes. I'll discuss two ways that it can be intentional depending on the contingent features of how I reason to my intention to get the beer. Perhaps I reason to my intention in a straightforward manner. I intend to get one alcoholic beverage, and I know that beer and wine are my only options. I deliberate about which beverage I will choose. I weigh my reasons both for and against drinking the beer and drinking the wine. I know that I will likely enjoy the wine more. The beers in the fridge are brown ales, a type that I tend

not to enjoy. But I also notice that none of the men at the party are drinking white wine, though many of the women are. I believe that carrying a wine glass around will cause me to be visually grouped with the women of the family, perhaps thereby calling more attention to my more feminine mannerisms. Weighing these and other reasons, I come to intend to get the beer, but I don't intend not to get the wine. I simply don't intend to get the wine. Is my not getting the wine intentional? It seems that it is. I intend to get a beer, and I intend only to get one beverage. I know that my getting beer is incompatible with my getting wine. This knowledge enables the content of my intention to get the beer to be relevant to my omission to get the wine. I know that my getting beer *is* my not getting wine. If my intention to get the beer causes my getting the beer in the right way, my getting the beer is intentional. Thus, my not getting wine is intentional by virtue of being identified with my getting beer.

A different path to my getting beer might go as follows. I intend to get a beverage. I weigh my reasons for and against getting the wine. I find my reasons against getting the wine to be so conclusive that I intend not to get the wine. My intention to get an alcohol beverage disposes me to reason as to which beverage to get and how, yet my intention not to get wine places rational constraints on my reasoning. These restraints cause me to intend to get the beer since the wine is no longer an available option insofar as I am rational. My not getting wine in this case is intentional in virtue of meeting Clarke's criteria. I have an intention with relevant content (not to get the wine) at a pertinent time (during my reasoning about what beverage to get), and this intention

causes my subsequent thought and conduct. It constrains my practical reasoning, and this practical reasoning causes my later conduct.

Are either of these ways of bringing it about that I pass at the Christmas party instances of intentionally passing? More precisely, is my intentionally not getting wine intentional under the description of passing? Perhaps, perhaps not. If I know that my getting beer is a way for me to pass, perhaps I need not intend to pass to make my intentionally not getting wine also an intentional passing. Regardless, all it will take to ensure that my passing is intentional is that I have an intention to pass. If I intend to pass, and if I intend not to get wine, and if I see my not getting wine as a means to my passing, then my not getting wine can be intentional under the description of passing. In the vast majority of cases where I believe myself to have good reason to pass, I will have this intention. Most cases like those above will be intentional under the description of passing.

Finally, does my performing of an intentional action in a passing manner typically constitute an intentional passing? Remember that we construed acting in a straight passing manner as a matter of possessing some intention not to act in such ways that makes others suspect one's sexual orientation while acting on some other intention. This case seems to be fairly straightforward. My intention to pass manifests itself in my conduct by limiting which means I take in performing my positive actions. Given that I will move my hands while talking, my moving some ways rather than others is caused by my intention to pass. Likewise, I will often attend to how I will perform some action before I actually do it. When reasoning about how to perform this upcoming action, my

intention to pass directly affects my subsequent thought. When I do perform the action, it will be performed in the manner that it is because my intention to pass structured my practical reasoning. Further, my intention to pass will rationalize my subsequent action in a thin sense. I cannot offer “I intend to pass” as a rationalization for my walking. But given that I am walking, I can be asked why I am going about it in the manner that I am. It is in response to these kinds of questions that my intention to pass shows itself to be a relevant consideration in my practical reasoning. I walk in the manner that I do because this manner, and not others, is compatible with my intention to pass.

Conclusion

I began by stating three desiderata for an account of intentional straight-passing. First, an adequate account of the phenomena must explain how passing can be intentional. I believe that I have done this. First, some ways we bring it about that we pass are intentional in the straightforward way of simply being intentional actions. Flirting with a person of a different gender is something we can intentionally do, and it can be an act of passing. Secondly, we can intentionally refrain from acting. The other ways we can bring it about that we pass belong to this second category. If something like Randolph Clarke’s theory of intentional omissions is correct, then these ways of passing can equally be intentional.

For the second desiderata, I can only offer a promissory note. I stated that a good account of intentional passing must be able to link up with an account of the

practical phenomena of being closeted. I argued that being closeted is a matter of holding certain practically relevant standing attitudes that somehow partially constitute an agent's practical stance. Passing is a "local" practical phenomenon, while being closeted is "global." I have not provided an account of being closeted here, but I can suggest two plausible accounts that, with some work, can readily link up to the account I have given of the more local phenomena of passing. One plausible account of being closeted as a practical phenomenon is to identify being closeted with a set of standing self-governing policies of the kind Michael Bratman argues for in his "Valuing and the Will."²⁷ Though I expect that characterizing the relationship between self-governing policies and intentions to pass may be more complicated than initially it might seem. Another, perhaps more left-field, strategy for explaining being closeted is to assimilate the attitudes involved in being closeted to the attitudes John McDowell takes to be involved in acting from virtue. On this strategy, being closeted is a matter of an agent possessing a complex and uncodifiable conception of how one ought to act that encompasses a variety of gendered norms and expectations. That is, the agent will have some complex belief about either how one should act so as to pass, or perhaps how one should act *simpliciter*. In certain social contexts, specific features of the situation will present themselves to the agent as relevant to their complying with this complex of gendered norms through the agent's contextual sensitivity. The closeted agent, then, is one who knowingly or unknowing keeps their actions compliant with a complex of normative and gendered beliefs about proper action. Being closeted, on this strategy, is a global cognitive phenomenon that can produce the local practical phenomenon of

straight-passing. But like with a Bratmanian strategy, much work is required to work out the details of how this practical reasoning takes place. Assessing which of these strategies, if either, is the correct one for linking straight-passing action to an account of closeted agency writ-large will depend on working out the details and assessing after the fact. I will not be doing this here.

Yet, as concerns the third desiderata, there are some things that the account that has been given can make clear about why being closeted is a burden. A closeted agent is disposed to act or not act so as to pass. We have begun to see why this can be so taxing for the closeted agent. Passing requires a great deal more practical reasoning, and therefore cognitive processing, than acting without regard to whether one passes or not. One must check all of their intentions against their standing intention to pass, reasoning about whether some intended means or ends is compatible with that prior intention. Often the closeted agent can't merely without regard to how their actions will be perceived by others. While a non-closeted agent can walk, talk, and act without specifying the exact means they will take, (e.g. whether they will sink into their steps or not), the closeted agent often must deliberate about the minutest of means of their actions. What are (epistemically) basic actions for the non-closeted agent can be complex actions for the closeted one.²⁸ This increased cognitive load not only fatigues the closeted agent, but also directs their practical reasoning to mundane tasks rather than leaving it free to consider other matters. A closeted agent is a poor conversationalist if they spend less time attending to what they will say and more to how they will sound when they say it. Further, medium-term and long-term practical

reasoning is sidelined while short-term practical reasoning monopolizes the queer agent's cognitive processing. Other forms of practical reasoning are also inhibited. Imaginative thinking, daydreaming and the like, are in part forms of as-if practical reasoning. The closeted agent when in a situation where they must pass is thus locked in the immediate present.

This is enough of a demand on one's practical reasoning to make one feel less than fully free as an agent, but it is not the whole of it. Nothing that has been said so far can explain how a closeted agent's long-term practical reasoning is also constrained. The idea that I could find genuine love or potentially get married never occurred to me as a possibility when I was deep in the closet. This lack of practical imagination cannot be explained simply by an intention to pass. So, my account of intentional straight-passing is also in this regard an incomplete account of the phenomena I set out to capture. But, with an account of intentional passing in hand, a completed picture of closeted agency is now within reach.

¹Joseph Raz, "The Active and the Passive."

² To be “in the closet” as I use the term can be indexed to specific social environments or relationships. One can be closeted at one’s church while being out of the closet in other domains of one’s life. Similarly, one can be closeted only to/ around their mother. Of course, one can also be closeted *simpliciter*. It’s helpful to think of being closeted as a matter of degree and, depending on the kind of judgement we are making, dependent on context. It is perfectly sensible to say of someone that she is “out,” but that she is still “in the closet” at work. The former judgement is about her life as a whole while the latter is indexed only to the relationships she has with her coworkers.

³ Michael Bratman, “Valuing and the Will.”

⁴ G.E.M. Anscombe, *Intention*.

⁵ There are some complications here. One can have been seducing and yet have failed to seduce if there is some time in which the target of the seduction was seduced. I can be successfully seducing during the time interval from t_1 to t_2 such that at t_2 the target of my seduction has had their romantic interests piqued. Yet, immediately after t_2 I may let out an unflattering belch that irreversibly turns him off. In this sense, I can be said to have seduced him only if we limit the relevant time to the interval between t_1 and t_2 . To say that I was seducing and yet failed to seduce is simply to say that I was successful during this interval, but I was unsuccessful when we consider my evening at the bar in its totality. That an act of seduction implies success in seducing remains intact is impugned.

⁶ Donald Davidson, “Agency” in *Essays on Actions and Events*, pp. 53-54.

⁷ *Ibid*, 53.

⁸ I here hew most closely Michael Bratman’s theory of intentional action in his *Intentions, Plans, and Practical Reason*. I say that it is merely sufficient for an action to be intentional for it to be caused by an intention so to act since Bratman claims that actions can still be intentional in some cases where the action performed was not intended. His example is of a runner who does not intend to wear down the soles of his shoe, but wears them down knowingly as a consequence of an action that the runner does intend, namely running.

⁹ See John Broome’s *Rationality Through Reasoning*, chapter 16.

¹⁰ It may be that I come to intend to shop quickly because I intend to return at 6:00, but this is not to say that the intentions are equivalent. An intention to shop quickly is able, by itself, to place rational constraints on my practical reasoning and my action of shopping that an intention to return by 6:00 does not. Strolling aimlessly down the aisles is incompatible with my intention to shop quickly, but it isn’t necessarily incompatible with returning by 6:00. It is only contingently incompatible with the case under consideration. These two intentions, then, seem to perform different functions in one’s practical reasoning. We wouldn’t bother to have two intentions if this weren’t so.

¹¹ This will not be true in cases of deceptive action. If I intend to play pool poorly as a ploy to swindle people out of their money, then other’s judgements of the quality of my pool playing will be of the utmost importance.

¹² Donald Davidson, “The Logical Form of Action Sentences” in *Essays on Actions and Events*, 106-107

¹³ Michael Bratman, *Intentions, Plans, and Practical Reasoning*, 32-35.

¹⁴ *Ibid* pp. 32-35

¹⁵ “Do” here is used very loosely. It is meant to confer attributability to the agent who is inactive, but it is not intended to imply that their inaction is, in fact, a type of action. An example: my not watering the plants is a doing, in this limited sense, if it is something attributable to me as an intentional omission. My not watering the plants because my roommate neglected to ask me to is not similarly a doing on my part.

¹⁶ Joseph Raz “The Active and the Passive.”

¹⁷ Michael Bratman, *Intentions, Plans, and Practical Reasoning*, pp. 31

¹⁸ I here modify an example given by Randolph Clarke on page 15 of *Omissions: Agency, Metaphysics, and Responsibility*.

¹⁹ *Ibid*, pp. 16

²⁰ Donald Davidson, “Reply to Bruce Vermazen” (1985) as quoted in Randolph Clarke’s *Omissions*.

²¹ Clarke, *Omissions*, 26.

²² Michael Thompson, *Life and Action*, 112.

²³ Donald Davidson, “Actions, Reasons, Causes” in *Essays on Actions and Events*.

²⁴ Randolph Clarke, *Omissions*, 75.

²⁵ Ibid, 68.

²⁶ What follows is a summary of some of the points found in Clarke's "Omissions" pp. 65-82 which have bearing on my topic.

²⁷ Michael Bratman, "Valuing and the Will."

²⁸ See Will Small's "Basic Action and Practical Knowledge" for his discussion of skill and the distinction between epistemically and metaphysically basic action. But briefly, he contends that even if actions have no smallest constitutive parts, there are still actions that we can perform such that we do not have to deliberate about how to do them. Walking is an excellent candidate for such an action. If I intend to walk to start walking, straightaway I walk. For the closeted queer agent, this is not so. An intention to walk may lead to practical reasoning about how to walk.

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