

"From Individual to Collective Responsibility: There and Back Again," in *The Routledge Handbook of Collective Responsibility*, eds. Saba Bazargan-Forward and Deborah Tollefsen, 2019.

PREPRINT

## **From Individual to Collective Responsibility:**

### **There and Back Again**

Kirk Ludwig

Philosophy Department

Indiana University, Bloomington

### **1. Introduction**

None of us *individually* is causally responsible for anthropogenic global warming. None of us can do anything alone to slow it or to stop it. It is only *collectively* that we are causally responsible for global warming. It is only collectively that we can reverse the processes contributing to it or ameliorate the harms it brings. Since we are only collectively and not individually causally responsible—and none of us can do anything about it alone—there is a strong *prima facie* case for saying that it is, in the first instance, we together who are *collectively morally responsible* for global warming. And it is we who are together collectively morally responsible for reducing greenhouse gas emissions and ameliorating the effects of greenhouse gases already released. Anthropogenic climate change is a salient real world example in which a *group* or *collection* of individual agents seems to be, in the first instance, the locus of both causal and moral responsibility. Other examples are stoning, riots, whisper campaigns, racketeering, acid rain, human trafficking, corporate crime and negligence, and the ocean plastic pollution crisis.

When we hold the group or collective morally responsible in the first instance, what does this entail about *individual* moral responsibilities? What degree of blame does each member of the group share when we hold the group *collectively* morally responsible for a harm? What *obligations* do members of the group have? It is not obvious that collective moral responsibility entails anything about individual moral responsibility. If the result is massively overdetermined, why should I be blamed for contributing to a harm or be required to stop? If there is nothing that I can do alone, then why should I have any obligation?<sup>1</sup> Yet if there is no route back from collective moral responsibility to individual moral responsibility, collective moral responsibility becomes detached from pressure to alter collective behavior. If its members are not morally required to change their individual behaviors in response to a finding that a collective is morally responsible for something, there is no normative mechanism by which holding collectives morally responsible can induce relevant change. Attributions of collective moral responsibility become idle.<sup>2</sup> We are led to the idea of collective moral responsibility by harms of agency that cannot be attributed solely to any one individual. But we must find our way back to individual moral responsibility if holding a collective morally responsible is to have any moral force in changing its behavior.

Some theorists argue that collectives are, in some cases, to some degree, morally autonomous from the individuals who constitute them, in the sense that they may be blamed or be responsible for things they do, though none of their realizers are, at least in the same way or to the same degree (Copp 2006, 2007, 2012; French 1979, 1984, 1995; List and Pettit 2011; Pettit 2007, 2009). I call this the AUTONOMY THESIS.

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AUTONOMY THESIS: Groups may be morally responsible for harms (or benefits) without their members being morally responsible, either at all, or in the same way or to the same degree as the group.

Beyond this, many who write about collective responsibility think that it requires a group level agent to be the bearer of the responsibility that attaches to the outcome that none of the members could bring about alone.

I reject this picture. Collective action and collective moral responsibility should be understood in terms of individual agency, on the one hand, and individual moral responsibility in the context of group action, on the other. I argue that all collective action is a matter of individual agents contributing to bringing about some event or state. I have criticized arguments for AUTONOMY THESIS. I will not repeat those arguments here (Ludwig 2007, 2016, 2017). If I am right, we have no need for group agents in our understanding of ordinary discourse about collective actions, either in the case of informal groups or in the case of organizations. If groups, in the contexts in which we attribute moral responsibility to them, are not themselves agents, they cannot be moral agents. If they are not moral agents, they cannot be the ultimate locus of moral responsibility. Given this, and that we cannot let moral responsibility become detached from a mechanism by which the behavior on the basis of which it is attributed can be changed, I advocate the factor model of collective moral responsibility (Ludwig 2007).<sup>3</sup>

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FACTOR MODEL: Any claim that a group is morally responsible for something must be resolved into a distribution of moral responsibility to its members, with none left over for the group per se.

This leave us with the question of the distribution of moral responsibility to members of a group judged to be collectively morally responsible for something.

DISTRIBUTION QUESTION: How is the collective moral responsibility of a group for a harm (or benefit) to be distributed across its members?

My focus in this chapter will be on the DISTRIBUTION QUESTION. My brief direct argument for the factor model was that otherwise moral responsibility of collectives becomes detached from any normative mechanism for changing its behavior. My indirect argument consists in showing how to distribute moral responsibility in a range of cases based on principles we apply to individuals and our understanding of the structure of collective action and shared intention.

The account that follows is incomplete in two respects (due to limitations of space). First, I focus on backwards looking moral responsibility, specifically for harm, rather than forward looking moral responsibility. Second, despite its importance, I cannot explore the significance of institutional structures, role responsibilities, authority, organizational hierarchies, and task delegation in assigning responsibility to individuals acting in organizations.<sup>4</sup> Nonetheless we will reach some conclusions which seem both surprising and ineluctable, when the principles upon which they are based are followed to their logical conclusions.

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A natural view is that degree of moral responsibility in collective action is proportional to one's causal contribution to a harm or benefit. This is the DILUTION PRINCIPLE.

DILUTION PRINCIPLE: The moral responsibility of a member of a group that is collectively morally responsible for the harms (or benefits) it brings about is proportional to the causal contribution of that member to the harms (or benefits).

If the DILUTION PRINCIPLE were true, however, then in the case of harms whose etiology involves millions of people, very little moral responsibility would attach to any individual—so little, in fact, that it would have no weight against other responsibilities that each of us has. The responsibility gets diluted when it is distributed down to individuals, until there is hardly anything of significance left. In fact, in cases in which the harm is overdetermined, one might plausibly argue that since nothing one could do alone would make any difference, no responsibility attaches to any individual at all. This leads to an additional principle, which I will call the ABSOLUTION PRINCIPLE:

ABSOLUTION PRINCIPLE: A member of a group is not responsible to any degree for the harm (or benefit) for which the group is collectively responsible if that member's contribution is not necessary to bring it about.

It is clear what the relevance of the DILUTION PRINCIPLE and the ABSOLUTION PRINCIPLE are to climate change and many other examples of harms brought about by large scale collective activity. If we are collectively morally responsible, but the causal contribution that

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each of us makes is insignificant, and even unnecessary, then these principles would have the consequence that none of us were individually to any significant extent morally responsible for human induced climate change or morally responsible for doing something about it. This, I argue, is an important and perilous mistake.

Here is the program for the chapter. In section 2, I sketch the theory of collective action that I work with. In section 3, I sketch the corresponding theory of shared intention. In section 4, I argue against the DILUTION PRINCIPLE and the ABSOLUTION PRINCIPLE in the case of collective action intentionally directed at harm. In section 5, I extend the argument to collective action in which a harm is foreseen but not intended. Section 6 summarizes. The method is to work through a series of cases, starting with a case that challenges the DILUTION PRINCIPLE, and explain why responsibility for the collective harm is in that case not diluted at all. Then I argue from that case, using the NO RELEVANT DIFFERENCE PRINCIPLE, that other similar cases likewise do not involve dilution, and then that overdetermination cannot make a difference.

#### NO RELEVANT DIFFERENCE PRINCIPLE

If in two cases we can identify no relevant differences, and in one of them a certain distribution of responsibility to members of a group which is collectively responsible for something is called for, the same distribution is called for in the other case.<sup>5</sup>

This leads to the view that when we are collectively morally responsible for a harm or for doing something about a potential harm, each of us is morally responsible to the degree that he would be if he were the sole agent concerned.

## 2. Collective Action

I summarize a view about the general structure of collective action and shared intention that I have developed elsewhere (Ludwig 2016; 2017). However, the main conclusions reached will not depend on the details that separate it from other individualistic accounts of collective action and shared intention.

I distinguish between plural and institutional action. In plural action discourse we use plural noun phrases as grammatical subjects of action verbs: *we* lifted the bench, *they* danced the tango, *the girls* teased *the boys*, and so on. In institutional action discourse we use grammatically singular noun phrases designating institutions as grammatical subjects of action verbs: *The Supreme Court* ruled in Plessy vs. Ferguson that segregation is constitutional, *The Congress* passed the War Powers Act in 1974, *The British Eighth Army* defeated *the Panzer Army Afrika* at the Second Battle of El Alamein. Since the subject positions are occupied by terms that refer to groups, there is a prima facie case for our conceptualizing the groups themselves as agents. I argue elsewhere that this is a mistake for both plural and institutional action. I have argued instead for the MULTIPLE AGENTS ACCOUNT of collective action.

MULTIPLE AGENTS ACCOUNT: Collective action is a matter of all the members of a group (and only them) contributing (in the right way) to bringing about some event or state.

Consider a simple plural action sentence such as [1].

[1] We lifted a bench.

This is ambiguous between a distributive reading on which we each lifted a bench and a collective reading on which we lifted a bench together. On the distributive reading it is clear that we are saying that there is something that each one of us did individually, namely, grasp parts of the bench and exerted upward force, that led to the bench rising. What goes on when the collective reading is true? There is still just one event of the bench rising, but now there are multiple contributions to its going up. On the distributive reading, each of us individually does something that causes a bench to go up; on the collective reading, a bench goes up as a result of contributions from all of us (and no one else). It follows from the MULTIPLE AGENTS ACCOUNT that collective action is not essentially intentional because while to do something individually always involves an intention to do something, we might fail to share an intention to do something together though individually intending to do something separately. For example, we may each intend to lift an end of the bench not know the other is going to lift the other end, so lift the bench together without intending to do so.

Institutional action sentences also turn out to be about what (the then) members of the institution do. The agency of all of members (at the time) is implicated in what the group does, though sometimes *very* indirectly, especially when the group employs proxy agents institutionally authorized to act in the name of the organization.<sup>6</sup> We get a sense of how the basic account can be extended in noticing that [2] exhibits the same distributive/collective ambiguity as [1].

[2] The Supreme Court went to lunch after the morning's session.



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They could have gone individually or together. On the collective reading it is a matter of each of them contributing to their lunching together. The same idea extends to the Supreme Court exercising its essentially collective constitutional duties. For example, [3]

[3] The Supreme Court ruled in *Brown vs. Board of Education* that segregation is unconstitutional.

just says that each justice (and no one else) contributed in their roles as justices to bringing about a ruling in *Brown vs. Board of Education* that segregation is unconstitutional—by each voting in a decision procedure that results in a ruling.

### 3. Shared Intention

If the MULTIPLE AGENTS ACCOUNT of collective action is right, then for a group to do something is just for its members (or some of its members) to all make contributions to something's coming about. What then is it for a group to *intend* to do something together and to do it *intentionally*? We can say that when a group intends to do something, they share an intention. A shared intention is attributed using a sentence like [4].

[4] We intend to lift the bench.

[4] has a distributive and a collective reading. On the distributive reading it just means that each of us herself intended to lift the bench. On the collective reading it means we intend to lift the bench together. Since we have no need for a group to be the agent of a group action, we have no need for the group per se to intend anything. Instead, when we say that a group intends to do

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something, we mean each of them has an intentional directed toward their doing something together. In the case of [4], we mean that each us intends us to left the bench together. Thus, it is just a matter of each of us having an appropriate intention directed our acting together. We can call the individual intentions directed toward joint action that make up a shared intention *we-intentions* (Tuomela and Miller, 1988). A group shares an intention when they all have *we-intentions* directed toward doing something together. They do something together intentionally then when their *we-intentions* are carried out successfully.

However, it is not enough for us to share an intention that we each intend that we do something together. If we each intend to trick each other into our lifting the bench together, we do not share an intention. What's special about *we-intentions* can be located in a special mode of intending (Gilbert 2009; Searle 1990) or in the content (Bratman 1992, 2014; Miller 2001; Tuomela 2005, 2013). I favor an account in terms of the content (Ludwig 2016, chs. 12-14)), which I call the SHARED PLAN ACCOUNT.

SHARED PLAN ACCOUNT:  $x$  *we-intends* that we  $J$  iff  $x$  intends that  $x$  contribute (in accordance with a plan  $x$  has at the time of acting) to there being a plan in accordance with which each of us makes our contribution to our  $J$ -ing (at the time of acting).

If this intention is carried out, then when we act together in  $J$ -ing, we each have the same joint action plan in mind (in the sense that we can locate the plan that is the same for all and know our part). To put it informally: we all intend to be on the same page about what we are doing together when we act. Since we each intend this, *we each intend something that will result in our  $J$ -ing if*

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*successful*. This feature is shared by most individualistic accounts of shared intention and will be what we rely on in analyzing collective responsibility in the next section.

#### **4. Collective Responsibility When Harm is Intended**

With this as background we can turn to the question of collective responsibility. I focus on cases of backwards looking collective responsibility for a harm. In this case, (a) a group has done something that results in a harm, and (b) it is the group that is the causal locus of the harm in the sense that the group is causally responsible for it but (c) while all of its members make contributions, none of them are individually causally responsible for the harm. We have rejected the view that the group is an autonomous agent. Our primary question then is the DISTRIBUTION QUESTION, that is, what the implications are of the attribution of collective responsibility to the group for the individual responsibilities of its members. I develop a response to this question by taking up the challenges presented by the DILUTION PRINCIPLE and the ABSOLUTION PRINCIPLE. I argue from examples that neither can be correct and explain why not in terms of the logic of responsibility and the structure of collective action.

I begin with cases of a group sharing an intention to cause harm that provide grounds for rejecting the DILUTION PRINCIPLE.

##### **EQUAL BLOWS**

A ten-man gang intentionally beats another man to death. They share an intention to do so and they kill him intentionally as a result of executing their shared intention. They each land an equal number of equally powerful blows on their victim, which contribute equally to his death. The contributions of each are necessary and jointly sufficient.

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The gang is collectively morally responsible for the victim's death but none alone is causally responsible for it. What is the extent of the blame for each? The DILUTION PRINCIPLE divides the responsibility evenly among them. Suppose that we can make sense of being morally responsible for  $1/10^{\text{th}}$  of a death. According to the DILUTION PRINCIPLE each of them is morally responsible only for the equivalent of  $1/10^{\text{th}}$  of a death. This is an unacceptable result. First, they all have the intention to kill. But it is not the weight of a death that any of them would be responsible for. The object of their intentions, which is realized, has disappeared from the moral calculus, and no one is morally responsible for an intended death brought about intentionally. Second, it would have the consequence that they could make themselves less and less to blame simply by making the group that shared the intention larger. If a million people contribute, then no individual bears any significant moral blame at all. We should in fact hold each of them *fully* responsible for the death. The degree to which each of them is blamable for participating is not reduced by adding more people to the gang. If two people each want to kill the same person, they do not become less responsible individually by joining forces.

To say that they are each fully responsible for the death is one thing, to explain it is another. Here are two possible explanations.

PRAGMATIC NEED: There is no deep explanation for this grounded in the structure of agency or the logic of responsibility; it is just that if we let people off for this reason it

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would be a license for collective murder and mayhem. So as a practical matter we don't dilute responsibility.

However, if there is no ground for it in the logic of responsibility and the structure of shared agency, then none of them are in fact fully responsible. This fails to explain how we can *legitimately* hold each of them fully responsible.

INDIVISIBLE HARM: The harm, the death, is indivisible. There is no group agent *per se* to blame. Therefore, on pain of it being assigned to no one, it must be assigned to all equally.

There is something to the idea that the harm is indivisible. How can the death be apportioned among them? The death is not the *sum* of their individual contributions, like contributing grains of sand to a heap. Even so, why isn't it an injustice to assign the whole harm to each, so that what we have is instead simply a moral paradox? Moreover, it is not clear that we would reach a different verdict in a case in which the harm is divisible as in MONEY HEIST.

MONEY HEIST: Suppose that ten thieves working together steal \$100,000,000 from the Denver mint, each contributing equally to the theft, which they carry out intentionally.

Do we want to say that each is responsible for only a tenth of the theft? If so, then if we increase the number of thieves, eventually none of them will be guilty of more than the moral equivalent

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of a misdemeanor. Do they all get a slap on the wrist for stealing 100 million dollars? The fact that they are working together in carrying out the theft is morally significant.

We have been thinking about harms caused, causal contributions, and numbers of agents. We have not been thinking about the structure of their intentions when they act. It becomes clear why we should hold each of them equally responsible when we consider the structure of their intentions. Thus, we arrive at an explanation in terms of logic of responsibility and the structure of shared agency

On the SHARED PLAN ACCOUNT to share an intention to kill their victim each gang member must have a we-intention of the form:

I intend to bring it about (in accordance with a plan I have at the time of acting) that there is a plan in accordance with which we bring it about that X dies.

Each has an intention whose successful execution requires that X die. Thus, their intentions are not relevantly different from someone whose intention is of the form:

I intend to bring it about (in accordance with a plan I have at the time of acting) that X dies.

The difference lies only in what the content of the plan is. In the first case it goes by way of our several contributions. In the second case it may but need not involve cooperation with others. One intends to do something that leads to another's death either way. Consequently, each

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individual in EQUAL BLOWS is just as liable for blame as he would be if he were the sole agent of the death.<sup>7</sup>

This explanation works for any account of shared intention which resolves it into an intention (or commitment) of an individual to contribute to a group doing something. This includes all of the major individualistic accounts of shared intention: Searle (1990), Miller (2001), Gilbert (2013), Tuomela (2013), and Bratman (2014). So it is not an explanation that is sensitive to the details of the account of we-intentions.

One might object: when one intends oneself to kill someone, one thinks it is in one's power alone. But when cooperating with others, one does not typically think it lies in one's power alone. If it does not lie in one's power alone to do it, the case of individual intentions and we-intentions is not parallel.<sup>8</sup>

Everything we do requires the cooperation of the world. If I shoot someone, I rely on the operation of the gun, the absence of obstacles intervening at the last second, enough sunlight to see by, and so on. As Davidson wrote, "We never do more than move our bodies: the rest is up to nature" (2001: p. 59). Sometimes the conditions required for our contributions to bring about the end involve others acting in certain ways. This can be so even for an assassination attempt. I rely on my victim's regular habits while I lie in wait. In the case of joint intentional action involving the cooperation of others, their contributions are, relative to my intention, parts of what I expect to happen, given my contribution, which sets the stage for the victim's death. So there is not after all any relevant difference between the case of killing someone with others or by oneself.

The explanation extends straightforwardly to variations on EQUAL BLOWS in which the contributions of the members differ causally but are all still insufficient by themselves to bring about the harm for which the group is responsible, as in UNEQUAL BLOWS.

UNEQUAL BLOWS: As for EQUAL BLOWS except that the blows are not all equal. Some contribute more or harder blows than others, so that the distribution of causal responsibility is not equal. The contribution of each of them is necessary but none alone are sufficient.

When we keep in mind what it is that each intends, we can see that the blows being unequal does not make a difference. Each intends what the others do be part of the background against which what they do is seen as contributing to the death. Thus, it is still not relevantly different from forming and executing an individual intention to kill someone. A consequence is that one is still equally to blame for the death even if one's contribution is small relative to the contributions of others.

This shows that the DILUTION PRINCIPLE is false for joint intentional action directed at bringing about a harm. But in the cases considered so far the contributions of each is at least necessary for the harm. What if the contributions overdetermine the result as in OVERDETERMINED BLOWS?

#### OVERDETERMINED BLOWS

A gang of ten men intentionally beat another man to death. They share an intention to do so. They kill him intentionally as a result of executing their shared intention. They each land an equal number of equally powerful blows on their victim. The blows of any nine of them are sufficient to bring about the victim's death.



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In OVERDETERMINED BLOWS none of the contributions of individual gang members is either necessary or sufficient. The ABSOLUTION PRINCIPLE says that none of them are responsible to any degree.

This can't be right. It would let all of them off. Nobody would be responsible for the death, when if they had done less violence, they would all be equally responsible. But the death would have occurred even if any one of them had not contributed. How can I be responsible for something that would have happened anyway?<sup>9</sup>

One might suggest that one intends to make one's contribution even if one of the others drops out: so one both makes a contribution and is willing that it be a necessary contribution. This can't be the explanation because we wouldn't let everyone off if each intended to make his contribution only if it weren't necessary.

There are three justifications one might consider. First, when  $n$  many people intentionally contribute to a harm, where any  $m < n$  contributing would have been sufficient, each is a necessary part of some sufficient condition for the death. If one's contribution is a necessary part of *some* (even if not every) sufficient condition for the death one intends, then one is to blame as if one did it alone. These are INUS conditions in Mackie's sense (1974), insufficient necessary parts of unnecessary but sufficient conditions, which Mackie identified as causes. So, in Mackie's terms, being an intentional cause of the death suffices for full responsibility.

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#### NECESSARY PART OF A SUFFICIENT CONDITION

If one participates in a joint action A intentionally to bring about harm H, then one is liable to full blame for H if one's contribution is a necessary part of some sufficient condition for H.

Second, one's intention represents one as doing something that brings about something sufficient for the death, namely, the whole group's doing something more than sufficient for the death.

Compare this with the case of TWO-GUN PETE.

#### TWO-GUN PETE

Two Gun Pete wears a holster on either hip. When he decides to kill someone, he draws both guns and shoots the victim through each eye simultaneously.

Two-Gun Pete intends something more than sufficient to bring about his victim's death. But we do not let him off on that account. Since the content of the we-intention in OVERDETERMINED BLOWS is that we all make our contributions so as to bring about the death, we each intend to contribute to a more than sufficient condition for the death. There is no relevant difference from the individual case. Two-Gun Pete intends to do something more than sufficient for the death of his victim. Hence, he intends to do something sufficient. Thus, one's contribution might not be causally necessary in the sense that counterfactually holding the contributions of others fixed and removing yours, the victim would still have been killed, but since one intended to bring about a sufficient condition, one is liable for the blame just as if one had done it alone.

### INTENDING SOMETHING SUFFICIENT

If one intends to bring about something sufficient for a harm H in acting with others intentionally, then even if one's contribution is not counterfactually necessary, one is fully to blame for H.

Third, one's contribution was a necessary part of the actual cause of the death. A ten-man firing squad shoots their victim through the heart, and any shot, the others' guns jamming at that moment, would have been sufficient to kill the victim.<sup>10</sup> Nonetheless, the actual cause was the totality of the forces exerted on his body by the impact of ten bullets. In any counterfactual scenario in which one or more of the guns failed to fire, the cause of his death would have been different. Alternatively suppose ten men decide to suffocate their victim by standing on his chest so that he cannot take a breath. Any four of them would have been sufficient, in the sense that the force exerted by four of them standing on his chest would be sufficient to prevent him from drawing a breath. Nonetheless, the total force is the force exerted by the ten of them. So they each make necessary contributions to the actual cause of his death, which was a force 2.5 times that needed to suffocate him.

### NECESSARY PART OF THE ACTUAL CAUSE

If one's contribution to a harm H that a group brings about jointly intentionally is a necessary part of the actual cause of H, then one is fully to blame for H.

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If any of these justifications is sufficient, the ABSOLUTION PRINCIPLE is false in application to joint intentional action. But it is not merely that one does not get off scot free. No matter how large the group, no matter how overdetermined counterfactually, no matter whether one's contribution is large or small, one is as responsible for the harm as if one had done it by oneself.

## **5. Collective Responsibility When Harm is a Foreseen Side-Effect of Collective Action**

Many harmful effects of aggregate human activity are not intended. If these results bear on responsibility for climate change, ocean plastic pollution, and so on, they must extend to foreseen as well as intended harm. I look first at a group doing one thing intentionally while recognizing it has a harmful side effect. Then I consider cases in which a group is not acting together intentionally but its members foresee that what they do together unintentionally will have a harmful side effect. I do not consider overdetermination because the reasoning of the previous section can be repeated once we reach the conclusion that in cases in which there is no overdetermination there is undiluted distribution of responsibility to members of a group collectively responsible for something.

Intentional collective action with a foreseen harmful side effect is illustrated in FILLING THE TANK.

### **FILLING THE TANK**

Ten men are hired to fill a tank at the aquarium by dipping buckets in a salt water pool and then pouring the water into the tank. They get a bonus if they fill the tank by noon. They notice that a toddler has fallen into the tank. They do not intend to harm him, but they foresee that when they fill the tank he will drown. The boy drowns.

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In FILLING THE TANK, the ten men are collectively responsible for a toddler's death. What are their individual responsibilities? From the moral standpoint there is no relevant difference between this case and cases in which the group intends to bring about the harm. Why is there no relevant difference?

First, we can apply the NO RELEVANT DIFFERENCE principle by way of analogy. Consider a single person first who intends to drown the toddler by filling the tank. He is fully morally responsible for the death. Now suppose that he merely intends to fill the tank and foresees that the toddler will drown. He is equally morally responsible. There is no morally relevant difference. This is an act evaluation rather than an agent evaluation. Intending harm may reveal a more vicious character than indifference. However, our concern is the relation of the agent to an outcome *for* which he can be held morally responsible. It is with respect to the latter that there is no morally relevant difference. By parity of reasoning, if members of a group who jointly intend to bring about a harm and do so are each fully responsible, so are members of a group who each foresee a harm as a side effect of something they do together intentionally and then do it.<sup>11</sup>

Second, we can explain why there is no morally relevant difference. One has a duty not to harm others (extenuating circumstances aside). This is why it is wrong to aim intentionally at harming someone and why you are to blame if you do. The duty not to harm others is not a duty merely not to harm others *intentionally*, but a duty not to harm others *period*, whether intentionally or not. We derive from the duty not to cause harm that it is wrong to intentionally do so—not the other way around. So there can be no relevant moral difference between the case of intended and foreseen harm.

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Next, what if we foresee harm as a result of our doing something together which is not intentional under any description, like causing global warming? First, we consider harms brought about by unintentional group action in which the total harm is not simply the aggregate of individual harms foreseen but brought about unintentionally by members of the group. Second, we consider harms that are aggregative in the sense that the total harm is simply the sum of the individual harms.

The case of non-aggregative harms is illustrated by UNINTENDED TANK FILLING.

#### UNINTENDED TANK FILLING

The aquarium pays \$1 for every bucket of water someone puts in the tank until it is full. Ten men independently carry buckets of water to the tank noticing the others doing the same thing. They are not working together but realize that they will together fill the tank. Each sees a toddler has fallen into the tank. None of them intends the toddler harm, but each realizes that when they have filled the tank through their independent actions, the toddler will drown. They fill the tank. The toddler drowns.

Is this relevantly morally different from FILLING THE TANK? No. In this case they are jointly morally responsible for drowning the toddler, and the distribution of blame is exactly the same as in the previous case. UNINTENDED FILLING THE TANK differs from FILLING THE TANK in there not being an intentional joint action that the men are undertaking. But it does not differ in their epistemic position with respect to what they are doing together (filling the tank) or with respect to their individual knowledge of what side effects they bring about by what they do jointly. The moral principle is not to do anything to harm another. It is immaterial that the

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background conditions for one's making a contribution to a sufficient condition for the harm is a state of nature or of society, and it is immaterial when background conditions involve the actions of others whether those contributions are jointly intended or not. Other aspects of this case can be brought out by the contrast with aggregative harms.

The case of aggregative harms is illustrated by ARMORED CAR.

#### ARMORED CAR

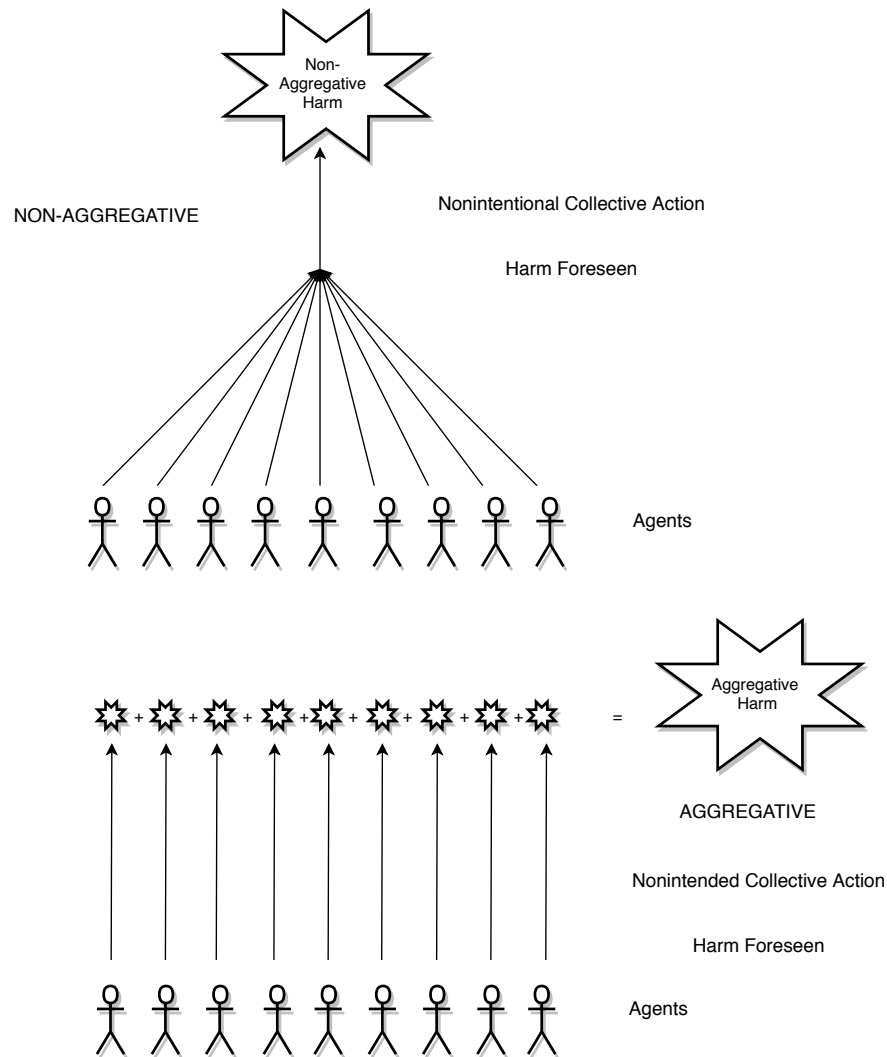
An armored car turns over on the road, the back doors pop open, a sack of money spills out. Twenty bystanders each take \$1000 in a stack of twenties. The total loss is \$20,000. Each sees the others taking a single stack and that the total loss will be \$20,000.

Is each responsible for the full amount? No. Why not? The main difference is the relation of the harm to what each does individually. In UNINTENDED TANK FILLING the harm was not the sum of the harm that each of them does. While there may be harms that each contributes as a sole agent, the death is not the sum of individual harms but a harm brought about only by all of them together. There is no separable portion of the death as such to be assigned to each. There may be differences in their causal contributions, but this doesn't isolate a portion of the death to assign to each. None do anything sufficient and what each does is not an incremental contribution to the death (as if it were the sum of a lot of smallish harms) as opposed to a partial cause of it. There is then no way to assign to each independently just a bit of the harm. ARMORED CAR differs in this respect. There is for each a harm for which he or she is solely responsible. When these have been taken into account, the total harm has been accounted for. In this case the group is not in the first instance the locus of responsibility but instead the individual members of the group. Thus,

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the case of foreseen but unintended aggregative harms does not engage the mechanism by which I argued that each member of a group is equally and fully responsible for what the group did.

This contrast is illustrated in Figure 1.



*Figure 1: Non-Aggregative vs Aggregative Harms. In the top image the contributions of the individual agents combine to produce a harm that is not just the sum of their causing individual harms. In the bottom image, the contributions of each leads to a discrete harm and the total harm is the sum of the individual harms.*



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Why is it different with aggregative harms that are intended or foreseen side effects of intended action? For *intended* harm the individual members conceptualize what they are doing as contributing to bringing about the total harm. When successful they do it. They take on the responsibility for doing what they intended. In the case of foreseen harm that results from something one intends to do with a group, the foreseen harm is also seen as a consequence of something intended. Thus, members conceptualize it as a consequence of something they are doing. They take on the responsibility for foreseen harms that are the result of what they bring about intentionally.

## **6. Conclusion**

The view we have been led to is summarized in figure 2. An arrow with a "Yes" beside it indicates the condition in the box from which it originates is met. An arrow with a "No" beside it indicates the condition in the box is not met. A box with rounded corners contains conditions. Square boxes contain conclusions about collective and individual responsibility. A path through a series of conditions indicates the conjunction of their being met or not met.

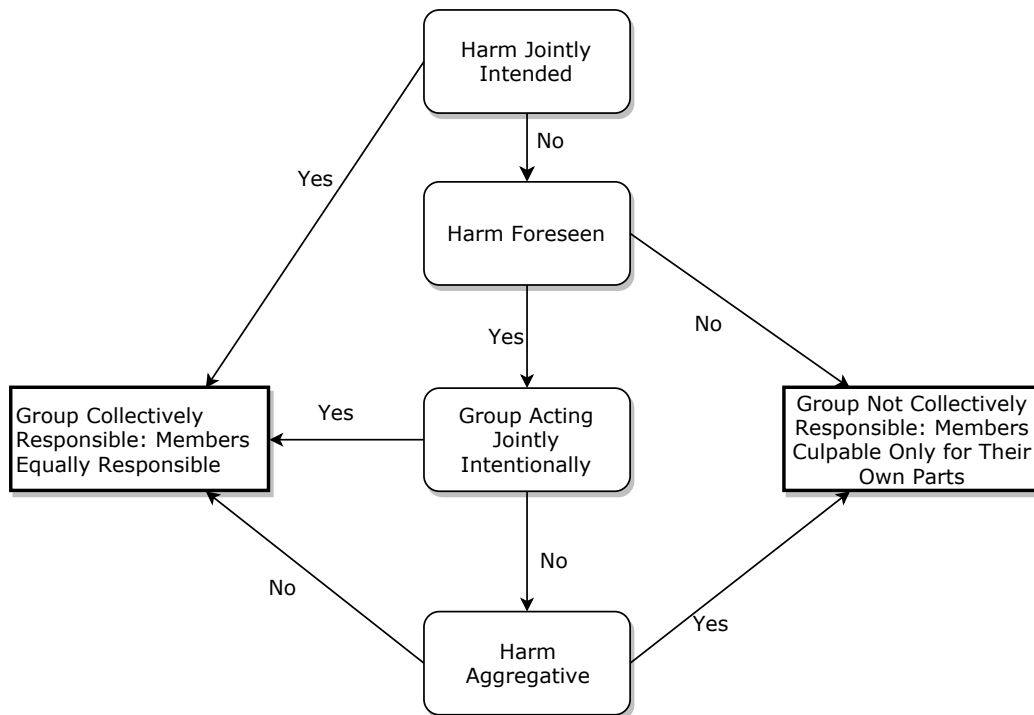


Figure 2: Conditions and Consequences of Collective Responsibility

We ascribe collective backwards looking moral responsibility to a group, in the first instance, for something that has been done when

- (a) all (or perhaps in institutional cases some) members of the group, and no one else, made contributions (of a relevant sort) to bringing it about,
- (b) it was a moral harm,
- (c) its having been done by a single individual, knowingly or under conditions under which she should have known what she was doing, would ground the claim that she was morally responsible for it,

AND

(d) (i) they intended to do it

OR

(ii) they foresaw (or should have foreseen) it as a side effect of something they intended to do

OR

(iii) it was non-aggregative and they foresaw (or should have foreseen) it as a side effect of something they were doing nonintentionally.

Responsibility distributes to members of the group on the basis of degree of culpability. In the case of *collective* backwards looking moral responsibility for a harm, each member of the group is culpable to degree he would be if acting alone regardless of the size of the causal contribution and regardless of whether it was overdetermined. Thus, the surprising result of this study is that the rejection of the DILUTION PRINCIPLE and the ABSOLUTION PRINCIPLE for collective responsibility leads directly to the view that the degree of responsibility in genuine cases of collective responsibility is indivisible. It passes undiminished to the individual members of the group, no matter how large it is.

This result may seem incredible. Is each of us in affluent or industrialized societies who contributes to global warming really fully to blame for its consequences and called on to act in light of the magnitude of the full harm? And what exactly are we called upon to do? If we can't do anything to stop it, are we really called upon to do something? The answer is complicated in this case for at least two reasons. First, there is not only one moral demand or other demand on us. We have many obligations to others both in particular and in general, and many others that are connected with collective action, on-going or potential, together with our life projects. We

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are called on to balance all of them as best we can, with limited informational and computational resources. Second, we must consider what are the most effective means to the end of the reducing the accumulations of greenhouse gases and addressing other conditions that cause harm that are the side-effects of massive unintentional collective activity. Effective response requires collectivizing. Yet there is already a vehicle for collectivizing action for the public good, namely, governmental action. Thus, the single most effective thing that individuals can do is to try to influence governmental policy to respond effectively to anthropogenic climate change. A primary and minimal duty then is to contribute to effective governmental and intergovernmental policy to address especially unintended harmful side-effects of human activity. This is something that it is in everyone's power to do in a democracy by voting for representatives who will advocate for policy changes that address recognized harmful side-effects of human activity. If everyone did their minimal duty, we would respond effectively. Anyone who does not therefore cannot be relieved of responsibility for the consequences.

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### BIOGRAPHICAL NOTE

Kirk Ludwig is Professor of Philosophy and Cognitive Science at Indiana University, Bloomington. He works on philosophy of language, philosophy of mind and action, epistemology, and metaphysics. He is editor of *Donald Davidson* (2003), co-author with Ernest Lepore of *Donald Davidson: Meaning, Truth, Language and Reality* (2005) and *Donald Davidson's Truth-theoretic Semantics* (2007), and co-editor with Ernest Lepore of *A Companion to Donald Davidson* (2013). His most recent books are *From Individual to Plural Agency: Collective Action 1* (2016), *From Plural to Institutional Agency: Collective Action 2* (2017), and *The Routledge Handbook of Collective Intentionality* ed. with Marija Jankovic (2018).

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## Notes

<sup>1</sup> See (Sinnott-Armstrong 2005) for some of the puzzles in the case of climate change.

<sup>2</sup> There is a conceptual tie between moral responsibility and moral reasons for action, and hence between holding morally responsible and the possibility of change of behavior. Darwall expresses the general idea: "In a slogan: the moral sense of 'responsible for' is conceptually tied to 'responsible to' (whether to individuals or to one another as members of a moral community)" (Darwall 2008: 68). Being responsible to others implies an obligation and so gives one moral reasons for action in response to being found responsible for something. This connects being responsible to the possibility of change of behavior in agents who are responsive to moral reasons.

<sup>3</sup> For some responses to the claim that corporations per se are suitable subjects for ascription of moral responsibility see (Garrett 1989; Velasquez 1989, 2003; Ashman and Winstanley 2007; Hasnas (2012); Rönnegard 2015).

<sup>4</sup> Many organizations delegate authority to individuals or subgroups to act for, or in the name of, the group. The role occupiers are the locus of moral responsibility for those organizational actions over which they exercise control. Sometimes moral responsibility rests wholly with the person or subgroup. In this case, their failing their role responsibilities screens off the other members of the group from moral responsibility. Sometimes others bear moral responsibility, e.g., those who execute decisions they recognize as harmful, careless, negligent, etc., those who fail oversight responsibilities, or those who assign roles irresponsibly.

<sup>5</sup> While principle as stated is trivial, it serves as a schema we can apply on the basis of more substantive considerations in particular cases.

<sup>6</sup> Ultimately it is not important whether the agency of everyone in an organization is involved when we say it acts. What is important here is that the basis for saying the organization acts is that all *or* some of its members have acted in their roles in the organization—see (Tuomela 1995: ch. 5; Tollefsen 2015).

<sup>7</sup> When I hire an assassin to kill someone, he and I are both equally and fully responsible for the death. But in this case my plan does involve other agents contributing, and in more direct ways than I do. The same goes if I hire a team of assassins. I am still equally and fully responsible.

<sup>8</sup> One objection to we-intending being directed at what the group does is that it requires us to think we will make others cooperate, so that joint action becomes mutual coercion (David Velleman, 1997; Stoutland, 1997). All it requires, however, is that one think that what one does, given what else one expects will most likely happen, will bring about what one aims at (Ludwig 2016: ch. 14.1; Bratman 1999).

<sup>9</sup> One reason might be that someone else would have done it if I had not, though if I do it, no one else contributes. In this case I would be fully responsible even though it would have occurred anyway. But in the present case it is not that counterfactually another cause would have taken my place, but just that my contribution could be subtracted without replacement and it would still have happened.

<sup>10</sup> Sometimes a gun with a blank or wax bullet, a “conscience round,” is distributed randomly to one member of the firing squad with the intention of diffusing responsibility or at least allowing each member of the firing squad to think that he is not responsible for the death. Does this

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relieve the person who fires the conscience round (or any of the others) of moral responsibility for the death? No. Each member of the firing squad shares an intention with the others to kill the victim, and intends to make a contribution to their doing so, the same contribution—firing a gun aimed at the victim which has a 1/10 (e.g.) chance of having the conscience round—and so to contribute to a sufficient condition for the death of the victim. My thanks to Allen Wood for raising this case.

<sup>11</sup> What about the doctrine of double effect? The doctrine of double effect only applies to foreseen but unintended harm resulting from *intending something morally good that outweighs the harm*. The workmen are not intending to do something morally good but morally neutral; and whatever good outcomes there might be do not outweigh the harm.