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Keywords (separated by " - ")	Political philosophy - Ethics - Publ Collective action problems	ic health - Antimicrobial resistance -

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Anne Schwenkenbecher

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23.1 Introduction

Anti-microbial resistance and a decline in anti-microbial efficacy are urgent collective action problems. Who should act on this problem? According to the World Health Organisation's recommendations, concerted action on this issue requires efforts from a diverse array of actors: patients, drug prescribers and dispensers, hospitals, policy makers, and food producers (WHO 2001: 68–70, see also Littmann and Viens 2015). 26

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In this chapter I explore the idea of an 'antimicrobial footprint' and discuss 27 whether or not individual agents are under a moral obligation to reduce theirs. 28 Importantly, I am not suggesting that reducing our antimicrobial footprints by way 29 of individual behavioural change is the best or most efficient way of decelerating 30 antimicrobial resistance, since that is an empirical question. However, given that the 31 WHO identified individual agents such as patients and prescribers as agents of 32 change, it seems that individuals' moral obligations deserve some discussion, which 33 is why I will focus on those in this chapter. But before I do so, let me briefly point 34 to another way in which individual agents are implicated in anti-microbial resis-35 tance: as consumers of products from animal industries. Notably, the aforemen-36 tioned WHO report treats the implications of our aggregate meat consumption as an 37 issue for regulation, but not one for individual behavioural change. In contrast, my 38 argument includes individual consumer choices amongst the options individuals 39 have for addressing antimicrobial resistance. 40

I will focus on two lines of argument for moral obligations to reduce one's anti microbial footprint: whether a failure to reduce it is *unfair* and whether it constitutes
 wrongdoing because it is *harmful*. I conclude by suggesting that the argument from
 collective harm is ultimately more successful.

45 23.2 Antimicrobial Resistance as a Collective Moral 46 Action Problem

Antimicrobial resistance is a collective action problem in that it is the result of many
different agents' activities, it can only be solved by the concerted efforts of many
different agents, and it seems rational for individual actors to free-ride because individual behavioural change (if taken in isolation) is neither responsible for the problem's occurrence nor could it ever remedy the problem.

Crucially, too, antimicrobial resistance is the *inevitable* result of using antimicro-52 bials and thereby selecting microorganisms that are resistant to our drugs. Resistance 53 will eventually emerge to any antimicrobial agent we use. This means that resis-54 tance as such is an effect that has to be factored into the 'good' that specific antimi-55 crobials provide. To put it differently, it is only a matter of time for any antimicrobial 56 drug to lose its efficacy. To undermine the public good of antimicrobial efficacy is 57 to reduce overall efficacy and to produce resistance at a faster-than-necessary rate. 58 Some have warned that we might be in danger of losing this public good altogether 59 one day – a worst-case scenario, which we are currently capable of preventing. In 60 order to do that, we need to slow down the process of emerging resistance through 61 a more limited and more considerate use of such drugs. 62

But who is meant by 'we'? Unsurprisingly, many call for global regulation or even the socialization of the use of antibiotics in order to delay the erosion of this good (Smith and Coast 2002; Anomaly 2010). And no doubt, regulators, policymakers and industry leaders must be at the forefront of restricting the use of antimicrobials in a way that secures their continued efficacy. But what about ordinary people – individual agents who consume antibiotics 68 either directly (as patients) or indirectly (as consumers of animal products) or who 69 prescribe them (as medical doctors)? The 'general community' was identified by 70 the WHO as a target of intervention (WHO 2001). The assumption behind that 71 seems to be that individual members of the general community *can* jointly reduce 72 resistance. If that is the case, does it follow that we *ought to* do something about 73 reducing resistance? 74

One of the starting points for answering this question is to establish what causal 75 relationship obtains between our use of antibiotics and emerging resistance. 76 According to WHO authors, "the relationship between use and resistance is not a 77 simple correlation" when it comes to antimicrobials. "Paradoxically, underuse 78 through lack of access, inadequate dosing, poor adherence and sub-standard antimicrobials may play as important a role as overuse" (WHO 2001: 15). 80

Further, it is not simply the case that those who are *causally* responsible for anti-81 microbial resistance are automatically *morally* responsible. That is, knowing how a 82 problem came about, or which agent(s) caused it, does not necessarily tell us which 83 agent(s) can be blamed for its occurrence or even who should fix it. Retrospective 84 moral responsibility is often used synonymously with moral blameworthiness. The 85 focus in this chapter will be on prospective - or forward-looking - moral responsi-86 *bility* in the sense of having a moral obligation to act or to bring about a certain 87 outcome. 88

Clearly, any answer to the question of prospective moral obligations must be based on empirical data concerning which actions will really make a difference to antibiotic resistance. One of the great difficulties for making the case for moral obligations to change individuals' behaviour lies in the fact that no individual (human) agent's actions will make a measurable or perceptible difference to solving the problem. It is an issue on which only the aggregation and combination of countless individual actions and enduring behavioural change will have a real impact. 95

Both common-sense morality and traditional moral theory often struggle in deal-96 ing with collective moral action problems - cases where what is wrong or right 97 cannot be determined by looking at individuals and their actions in isolation, but 98 where instead these must be considered in conjunction or in aggregation. 99 Increasingly, scholars are making an effort to rethink traditional ethical approaches 100 with a view to better account for collective agents, actions and effects (May and 101 Hoffman 1991; French and Wettstein 2006; French and Wettstein 2014; Hess et al. 102 2018). One of the early attempts to do so will be discussed further down: Derek 103 Parfit proposed that we re-think our 'moral mathematics'. According to Parfit, we 104 need to revise our notions of wrong and right, harm and benefit regarding aggregate 105 effects, where individual actions only make a significant difference in conjunction 106 with countless actions of others (Parfit 1984). It is easy to see that such collective 107 moral action problems abound: Apart from anti-microbial resistance, climate 108 change, and overfishing are cases that come to mind. 109

So who should act on these problems? The most obvious response would be to point to states and state agents and the need for new policies and regulation. And there is no doubt that such agents are in principle best suited for dealing with such 112 complex large-scale problems. But there is a role for 'ordinary citizens' where governments fall short of doing what is required. Where climate change mitigation is concerned, for instance, the combined actions of individual agents can make a significant contribution to closing the so-called emissions gap, that is, the gap between the emission reductions countries have currently committed to and the reductions required for limiting global warming to a maximum of 2 °C (Dietz et al. 2009; Ostrom 2010; Wynes and Nicholas 2017).

Whether or not anti-microbial resistance is a problem that can be fixed or 120 improved through the aggregate effect of individual behavioural change by patients 121 and doctors, consumers and producers is ultimately an empirical question. But, in 122 line with the WHO Global Strategy for Containment of Antimicrobial Resistance, I 123 will proceed on the assumption that collectively individual actors can make a sig-124 nificant difference. Can this ground an obligation for patients, doctors, consumers 125 and producers to make a joint effort towards reducing the use of antibiotics? In the 126 following, I will re-assess some of the philosophical arguments defending ascrip-127 tions of individual obligations in combating collective action problems. I will intro-128 duce the idea of an 'antimicrobial footprint' and discuss whether not contributing to 129 the public good of antimicrobial efficacy is unfair and whether or not it constitutes 130 harmful behaviour. I will conclude by suggesting that not reducing your antimicro-131 bial footprint (where it is possible for you to do so at an acceptable cost) is poten-132 tially wrong because it is harmful (even if your individual actions as such make no 133 difference to antimicrobial resistance). 134

135 23.3 Antimicrobial Footprints

Let me start by introducing a new concept: that of an *antimicrobial footprint*. An 136 individual agent's antimicrobial footprint would result from the extent to which her 137 actions are causally linked to the use of antibiotics. The idea mirrors that of a carbon 138 footprint, a measure which – however imperfect (Wright et al. 2011) – reflects the 139 amount of greenhouse gases released into the atmosphere as a result of individuals' 140 actions. Importantly, it links global effects to individual behaviour and highlights 141 that our choices can collectively make a real difference. It may be a helpful tool, 142 then, to start talking about our antimicrobial footprint in a way we talk about our 143 carbon footprint. 144

With regard to antibiotics, a person's antimicrobial footprint would not necessar-145 ily be a measure of her contribution to resistance, but merely of her overall direct 146 and indirect use. Direct use would involve using such drugs as a patient, prescriber 147 or agricultural producer. Indirect use would involve the consumption of goods from 148 animal industries that were produced by overusing antimicrobials. Our diet, then, 149 plays a major role in accelerating resistance (Giubilini et al. 2017) (see also the 150 chapter by Anomaly "Antibiotics and Animal Agriculture). It is important to note, 151 though, that underuse of antibiotics also causally contributes to resistance, not just 152 overuse. 153

To reiterate, the anti-microbial footprint is – just like one's carbon footprint – an imperfect measure. As mentioned above, the causal links between our use of antimicrobials and resistance are not always straightforward. But the concept as such draws attention to an important fact – that every single one of us is causally and morally implicated in the problem of antimicrobial resistance. 158

Note further that - just like with our carbon footprint - our antimicrobial foot-159 print will differ depending on our needs and circumstances. If we live in a climate 160 which forces us to heat or cool our dwellings during major parts of the year in order 161 to be healthy and safe then our carbon footprint will necessarily be greater than that 162 of a person living in a milder climate. Likewise, if we suffer from health conditions 163 that require the use of antibiotics we will necessarily have a greater antimicrobial 164 footprint. Reducing our carbon footprint as well as reducing our antimicrobial foot-165 print must not involve unacceptable cost. 166

But just like in the case of greenhouse gas emissions, there are many instances 167 where we can reduce our antimicrobial footprint at an acceptable cost. First, research 168 shows that patients often ask for such drugs (and are prescribed such drugs) when it 169 would not have been necessary (WHO 2001, see also chapter by Oakley). If doctors 170 can avoid prescribing such drugs and patients stop insisting on them where they are 171 not needed this can make a significant difference for the better. 172

Another way to reduce one's antimicrobial footprint at an acceptable cost (and with numerous co-benefits such as improved health) is to become vegetarian (or vegan) or at least to have a meat-reduced diet (or else to resort to game and fish caught in the wild). This is a factor that is missing from many public debates concerning antimicrobial resistance and also missing from the WHO report (2001) mentioned earlier.

Let us assume for the sake of argument that a reasonable way of promoting the 179 idea of antimicrobial footprint reductions can be found - one which does not unduly 180 jeopardize individuals' health and which promotes reductions that are truly effec-181 tive. Do we have moral obligations to reduce our antimicrobial footprint? Why 182 would anyone have such an obligation? The question is a serious one: by them-183 selves, none of our individual antimicrobial footprint reductions would make a dif-184 ference to local, or regional, let alone global antimicrobial efficacy. I call this the 185 impotence objection, or the no-effect-view. The issue is a familiar one: can we be 186 morally obligated to make a contribution to resolving a collective action problem 187 when our individual contributions make no discernible difference? The view that we 188 cannot be obligated to perform an action if it makes no discernible positive differ-189 ence to a morally desirable outcome seems to be entailed by standard individualist 190 act-consequentialism. The discussion of obligations to contribute to collective 191 endeavours even where our individual actions make no perceptible difference is 192 ongoing (Parfit 1984; Cullity 1995; Kagan 2011; Nefsky 2011; Schwenkenbecher 193 2014; Spiekermann 2014; Pinkert 2015). 194

I will not rehearse all positions here, nor even the main ones, but instead focus on two solutions that appear particularly interesting and suitable to the kind of problem we are faced with and which move outside the standard act-consequentialist framework: the argument from unfairness and the argument from collective harm (for a 198 different argument based on solidarity, see chapter by Holm and Ploug "Solidarity
and Antimicrobial Resistance"). Most importantly, these solutions avoid the problem of impotence or imperceptible effects by locating the wrongness of failing to
contribute somewhere other than in the effects of one's individual actions.

203 23.4 The Argument from Unfairness

The first of these arguments is about fairness: Under certain conditions, it is unfair not to contribute to schemes that we benefit from, regardless of the immediate effect of our free-riding, that is, regardless of whether or not we undermine the scheme or make people worse off by defecting. According to Garrett Cullity's *Principle of Fairness* (Cullity 1995), if a person receives benefits from a scheme that satisfies the following conditions, it is unfair of her not to meet the requirements the scheme makes on those enjoying its benefits:

(i) The practice of participation in the scheme represents a net benefit for her;

212 (ii) Similarly, this practice does not make most others worse off either;

(iii) She is not raising a legitimate moral objection to the scheme. (p. 18f, paraphrased)

According to Cullity, the free-rider's unfairness lies in giving herself *objection-ably preferential treatment* in such cases. The benefits she seeks to gain from freeriding "only exist because others who seek them take it upon themselves to contribute toward their production". In other words, her choice to free-ride is motivated by the benefits that others provide, while she grants herself the privilege of enjoying those benefits without providing them (1995: 22–23).

In a later paper, Cullity specifies that unfair actions are failures of *appropriate impartiality* (Cullity 2008). Judgments about fairness and unfairness concern actions for which one particular way of being impartial is morally required (2008: 3). "Unfairness requires not just that the impartiality you fail to display would have been appropriate, but that it is the appropriate way of doing what ought to be done, as it ought to be done." (2008: 5). Cullity gives the following general description of what is common to unfair actions:

- 228 "Not Φ -ing is unfair when:
- (i) something ought, all things considered, to be done;
- 230 (ii) doing it as it ought to be done requires a form of impartiality;
- 231 (iii) Φ -ing is the appropriate form for that impartiality to take; and
- (iv) the failure of appropriate impartiality can contribute to a non-instrumentalexplanation of the failure to do what ought to be done." (ibid.)

According to Cullity, then, what matters for assessing the wrongness of freeriding is not only whether there is an action that ought to be performed (or an outcome to be produced or a scheme to be implemented) but that there is a specific way in which this ought to be done, which requires people to apply some kind of impartial rule, rather than look to their own advantage. Doing "what ought to be done as it ought to be done" (ibid.) requires that individuals do not exempt themselves from 239 contributing. That is, out of the two imperatives that bind agents in such cases – the 240 imperative to produce the collective good and the imperative of distributive (or procedural) justice – the free-rider violates the latter even where she cannot be said to 242 clearly violate the former (because she does not jeopardize the collective outcome 243 with her defection alone). 244

How does this relate to our specific problem of antimicrobial footprint reductions? Let us assume that Cullity is correct in claiming that the above features characterise unfair actions. Is failing to reduce one's antimicrobial footprint unfair? In order for that to be true, it would have to be the case that reducing or limiting antimicrobial resistance is something that all-things-considered ought to be done. Such a claim implies that it can be done at an acceptable overall cost. I think we can safely assume that both are the case.

But what about doing it as it ought to be done? Is reducing our individual anti-252 microbial footprint the method by which we ought to combat anti-microbial resis-253 tance? Cullity rejects the idea that whenever a group ought to collectively act or 254 produce a good, individual group members ought to be doing something to produce 255 that good: "That would have odd implications for collective actions to which no one 256 is contributing" (2008: 11). He thinks that it is not unfair if I do not unilaterally 257 pursue a goal if there is no collectively agreed method for pursuing it (ibid.). 258 Defecting (or exempting yourself from contributing to a collective good) is only 259 unfair if there is such a method. 260

According to Cullity, a collectively agreed method for addressing a collective 261 action problem is in place where the required course of action was decided in a fair 262 procedure. He makes two qualifications though: first, that sometimes decisions produced by fair procedures can be bad and therefore need not to be respected. Second, 264 that we may sometimes be obligated to respect the outcomes of procedures that 265 though not perfectly fair are good enough. Unfortunately, Cullity does not specify 266 what it means for a procedure to be good enough. 267

It is not possible here to have a detailed discussion on fair (or good enough) pro-268 cedures for deciding on the production of collective goods. Regulation and legisla-269 tion – where they result from legitimate democratic procedures – should arguably 270 count as such. What is crucial for Cullity's procedural condition is the underlying 271 rationale: that in order for a collective scheme to have legitimacy, in the sense that 272 it gives individual agents binding reasons for playing their role therein, such a 273 scheme must have been produced in the right way. If that is the case, then we as 274 individual agents can be bound by rules (including laws) that are not of our own 275 making and that we would in fact not have chosen ourselves. But these clarifications 276 do not help with our current enquiry, since our focus is precisely on actions that are 277 not called for by regulation and legislation, but on voluntary individual behavioural 278 change that might be necessary while regulation and legislation fall short of reining 279 in the problem. 280

This is the point where the fairness argument in favour of reducing our antimicrobial footprint crumbles, I believe. It is quite unclear what kind of method or procedure would count as fair where aggregate individual behavioural changes to reduce our use of antimicrobials are concerned. Would it be enough for such changes 284 285 286 286 287 288 288

to have been recommended by an authoritative, politically neutral global body such 285 as the WHO or other expert panels? According to WHO, its Global Strategy for 286 Containment of Antimicrobial Resistance report is the result of expert consultation, 287 workshops and consensus meetings. It is doubtful that this is the kind of procedure 288 Cullity had in mind. Moreover, even though the panel has made recommendations 289 for individual behaviour change, it has not in fact proposed an outright 'scheme' for 290 individual participation with clearly defined roles and contributory actions. For both 291 of these reasons, it does not constitute the kind of collective agreement that gives 292 potentially binding reasons to individual agents. In sum, the argument put forward 293 by Cullity cannot support the idea that individuals ought to take on a share in reduc-294 ing antimicrobial resistance as a matter of fairness. 295

A different and more promising approach might be built on an argument that antibiotic overuse or misuse is a way of wronging others in that it harms those who suffer its consequences. This argument relies on a notion of 'collective' harm – a relatively new concept that is increasingly gaining traction.

300 23.5 The Collective Harm Argument

According to Elizabeth Cripps (2011), individual agents can be collectively responsible for harm brought about by their aggregate individual actions in some cases:

a person becomes one of a group collectively responsible for harm once her contribution
 exceeds the amount such that, were everyone contributing only to that level, there would be
 no harm (p. 181)

In order for a person to be thus responsible for harm, certain conditions have to be met:

- "individuals acted in ways which, in aggregate, caused harm, and which they
 were aware (or could reasonably be expected to have foreseen) would, in aggre gate, cause harm (although each only intentionally performed his own act);
- 2. they were all aware (or could reasonably expected to have foreseen) that there
 were enough others similarly placed (and so similarly motivated to act) for the
 combined actions to bring about the harm; and
- 314 3. the harm was collectively avoidable: by acting otherwise (which they could reasonably have done), the individuals making up the putative group could between
 them have avoided the harm." (pp. 174f)

The crucial point to be noted is that in order to be *weakly collective responsible* (as Cripps puts it) for harm, individuals need to *know* (or be in a position to foresee) two things: (i) that if enough other people did what they do it will cause harm, and (ii) that there are enough other people doing what they do.

Whether or not a large enough number of people are in this position vis-à-vis antimicrobial resistance is an empirical question. However, I suspect that these epistemic conditions are not met when it comes to our antimicrobial footprint. The problem of antimicrobial resistance has much less presence in the media and public discourse than the problem of climate change and carbon footprint reductions, for 325 instance. 326

Cripps' criteria are clearly modelled on Derek Parfit's (1984) conditions for collectively doing wrong or harming others. He, too, relies on an epistemic condition that is – currently – unlikely to be met where antimicrobial resistance is concerned: 329

(C12) When (1) the outcome would be worse if people suffered more, and (2) each of the330members of some group could act in a certain way, and (3) they would cause other people331to suffer if *enough* of them act in this way, and (4) they would cause these people to suffer332*most* if they *all* act in this way, and (5) each of them both **knows** these facts and **believes**333that enough of them will act in this way, then (6) each of them would be acting wrongly if334he acted in this way. (p. 81, my emphasis in bold)335

According to both Cripps and Parfit, then, we only act wrongly if we know about 336 the effects of our own antimicrobial overuse or misuse and we are aware that enough 337 others are engaged in this practice. Consequently, public awareness campaigns 338 would make it the case that Cripps' and Parfit's conditions are met. Public knowl-339 edge - which obtains where most people know some proposition to be true and most 340 people know that most people know - would turn harmless actions into harm. But 341 still, on their accounts there is – currently – no harm or wrongdoing committed by 342 many if not most of those who contribute to antimicrobial resistance. Also, for 343 Cripps, weakly collective responsibility does not imply that any individual has 344 direct duties to avert the (aggregate) harm. Instead such duties fall to the group, first 345 and foremost. That is, even if we were collectively responsible for antimicrobial 346 resistance we would not be required to individually reduce our antimicrobial foot-347 print on her account. 348

Let me now turn to Judith Lichtenberg, who combines the unfairness argument 349 and the argument from aggregate harm (2010): If we knowingly contribute to harms 350 that "depend on the joint effects of many people's actions" (p. 568) we accept that 351 if a sufficient number of other persons act in the same way, these harms will occur. 352 She thinks that to do so is wrong because it means to act unfairly: "In the case of 353 aggregate harms, doing the right thing involves an appeal to the unfairness of acting 354 inconsistently with how one thinks others ought to act." (2010: 569). As I under-355 stand Lichtenberg, contributing to aggregate harms is not *intrinsically* wrong, but is 356 wrong because it cannot be justified in rule-consequentialist terms or by way of 357 universalizing. Similar to Cullity, she argues that the wrongness lies in exempting 358 oneself from a rule that one should accept as morally optimal. 359

Note that Lichtenberg's account is more demanding than Cripps' and Parfit's 360 because it does not have as strong a knowledge condition. For the wrongness of 361 contributing it does not matter whether or not an individual agent knows that enough 362 others will perform the same action and harm will be thus caused in aggregation. It 363 suffices for the individual to know that collectively we should adopt a rule prohibit-364 ing such actions. This is a more demanding account because it seems to require us 365 (pro tanto, at least) to individually refrain from doing what is collectively subopti-366 mal. As I understand it, Lichtenberg's rule, if applied to antimicrobial footprint 367 reductions, would imply that avoidable antimicrobial overuse and misuse are 368 instances of harming, from which we (pro tanto) ought to abstain. 369

In response, one might argue that to demand – as Lichtenberg appears to do – 370 that we individually do our part in a pattern that is collectively optimal is too strong 371 a requirement. After all, sometimes it may be right to do what is collectively subop-372 timal if no one else does what is collectively optimal and our individual 'sacrifice' 373 would be pointless. However, note that if Lichtenberg's proposal is safe from this 374 objection as long as it is understood as generating pro tanto obligations to avoid 375 contributing to collective harm, that is, obligations that can be overridden by other, 376 more important obligations. If the collective defection rate is too high, my pro tanto 377 obligations may simply fail to become all-out obligations. That is, if not enough 378 others contribute, I may not have an all-things-considered obligation to avoid col-379 lective harm. 380

381 23.6 Conclusion

In this chapter I discussed arguments in favour of a moral obligation to reduce one's 382 individual antimicrobial footprint. Despite the intuitive appeal of this idea, there 383 exists no simple, straightforward defence of an obligation to change our individual 384 behaviour. High levels of collective awareness and a genuine collective willingness 385 to address the problem of anti-microbial resistance appear to be important precondi-386 tions for motivating (all-out) obligations for individuals to reduce their antimicro-387 bial footprint. It is one of the most frustrating aspects of collective action problems 388 that it is precisely the publicly known lack of commitment to resolving them which 389 seems to sustain and justify a (further) lack of commitment for all those who could 390 potentially resolve it. 391

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