

COLLECTIVE OMISSIONS AND RESPONSIBILITY*

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ABSTRACT: As Virginia Held, Larry May and Torbjörn Tännsjö have argued, it can be plausible to hold loosely structured sets of individuals morally responsible for failing to act collectively, if this would be needed to prevent some harm. On the other hand it is commonly assumed that (collective) agency is a necessary condition for (collective) responsibility. I show that loosely structured inactive groups sometimes meet this requirement if we employ a weak (but nonetheless non-reductionist) notion of collective agency. This notion can be defended on independent grounds. The resulting position on distribution of responsibility is more restrictive than Held's, May's or Tännsjö's, and I find this consequence intuitively attractive.

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1. Introduction

In an influential article from 1970, Virginia Held claims that it can be reasonable to hold “a random collection of individuals”, collectively responsible for omitting to take collective action. Later advocates of this view are Larry May (1990) and Torbjörn Tännsjö (2005).¹

The position they defend involves the positive assumption (which I shall not question) that groups can be held responsible in a non-reductive sense, i.e. in a sense clearly distinct from a mere elliptical summation of judgments about the responsibility of individuals. A second important feature of their view is that a set of individuals can be morally responsible even if the set is “loosely structured”, as May puts it.² The morally responsible set need not have a common decision procedure, let alone be formally constituted as a group. On the contrary, its blameworthy failure might be precisely that it did not constitute itself as a group, or adopt a decision-procedure, if any of this would have been needed to prevent some harm.

May, Held and Tännsjö explicitly reject the idea that a common decision procedure is necessary for a group as such to become a proper target for moral blame. This negative claim means that some standard ways of grounding collective responsibility are inapplicable. Advocates of collective responsibility differ in their characterizations of the features they take to be essential to groups of the kind that sensibly can be held morally responsible. However, almost all proceed from some distinction between,

¹ Held, V “Can a Random Collection of Individuals be Morally Responsible?” *Journal of Philosophy*, 1970, 14 July 471-81. May, L. “Collective Inaction and Shared Responsibility”, *Noûs* 24(2) 1990 pp. 269-277, Tännsjö, T, “The Myth of Innocence. On Collective Responsibility and Collective Punishment”, forthcoming in *Philosophical Papers*.

² May, L. “Collective Inaction and Shared Responsibility”, p.270

on one side, conglomerate, corporate, or joint activities, and on the other side, aggregates or mere collections of individual acts. In different ways, they attempt to show that a set of individuals that performs the first kind of activities can be regarded as a collective agent, and therefore become a target for meaningful moral blame or praise. In the present case, though, we cannot argue with philosophers like Peter French or Phillip Pettit that these sets of passive individuals are proper objects of assignments of moral responsibility because they can be regarded as continuous corporate agents. In order for a set of individuals to be such an agent, it must at least have a procedure for collective decision-making.³

It is less clear whether Held and May also would reject weaker conditions for collective agency as prerequisites for collective responsibility in these cases, such as shared intentions (Bratman) or joint commitments (Gilbert).⁴ Stanley Bates points out that the thought experiments from which Held draws her conclusions all concern groups that have at least an informal decision procedure and discuss possible common courses of actions.⁵ David Copp thinks that May should have conceded that “a collective cannot be responsible for a failure to act unless it has the characteristics that prerequisite for collective action”.⁶ On the face of it, nothing in Held’s or May’s positions appears to prevent the

³ Pettit, P, "Groups with Minds of Their Own", in *Socializing Metaphysics*, ed. F. Schmitt, Rowman & Littlefield, New York 2002. French, P *Collective and Corporate Responsibility* Columbia University Press, New York 1984.

⁴ Bratman, M “Shared Cooperative Activity,” (1992) and “I Intend That We J,” (1997), both in in *Faces of Intention*, Cambridge University Press 1999. Kutz, C, *Complicity*, Cambridge University Press 2000, Gilbert, M, *Sociality and Responsibility*, Boston, Rowman & Littlefield 2000.

⁵ Bates, S, "The Responsibility of 'Random Collections'", *Ethics*, 81, 4, July 1971, p.345

⁶ Copp, D, “Responsibility for Collective Inaction”, *Journal of Social Philosophy*, Fall 22:2 1991 p.75

addition of some positive requirement of agency that has to be fulfilled for a collective omission to ground moral responsibility.

2. Collective responsibility without collective agency?

Suppose an injured person was trapped under a girder and that the joint effort of two people would have been needed to lift it. If any two people had made a unified wrench, the victim would not have died. In terms of pure causal dependence, any pair of people that did not lift the girder would have been equally involved in the victim's death.⁷ Most of us believe that it would be unjust to blame any two people for the victim's death, though. We would confine blame to the groups that could have helped but knowingly and willfully neglected to do so.

By contrast, Torbjörn Tännsjö argues that it might be fair to punish collectives that have not willfully acted wrong, solely with reference to their causal involvement. He defends that claim against worries of

⁷ I presuppose here that our omissions *can* make us causally involved. Two terminological points:

a) By stipulation here, an event E is *causally dependent* upon another event C *iff* if C had not occurred, E would not have occurred (or E would not have occurred exactly in that way or exactly at that point in time). An agent is *causally involved* in an event if that event is causally dependent upon the agent's behavior. I leave open the difficult question of how these broad notions of causal involvement and causal dependence are related to the central concept of *causation*. See Lewis, D, 'Causation as Influence', *Journal of Philosophy* 97 2000, and Petersson, B "The Second Mistake in Moral Mathematics is Not About the Worth of Mere Participation", *Utilitas* 16:3 Nov. 2004, section II.

b) In line with a suggestion by Bruce Vermazen, I prefer to treat *omissions* as behavioral events, negatively described, but I believe that the main points of this paper would be compatible with any account of omissions that allows them to be causally relevant. On this issue, see e.g. Vermazen, B "Negative Acts" in Vermazen/Hintikka *Essays on Davidson. Actions and Events*, Oxford U P 1985, p.93. Bennett, J, *The Act Itself*, Clarendon Press, Oxford 1994 esp. pp.87-95, Thomson, J, "Causation: Omission", *Philosophy and Phenomenological Research*, LXVI (1) 2003, p.98, McGrath, S, "Causation by Omission: A Dilemma", *Philosophical Studies* 123, 2005, p.125-148.

unfairness by way of an analogy between moral assignments of collective responsibility and legal assignments of strict liability. “But if there is room for strict liability at all, I think it applies in particular to collectivities who are responsible for disastrous consequences of their actions.”⁸

A person is strictly liable for a damage when she is legally to answer for it just because she caused it, regardless of fault or intention. It is worth noting that some of the areas in which strict liability is typically applied concern effects of omissions. Failure to make a product sufficiently safe can make a producer strictly liable for damages caused by the product, for instance.

In terms of strict liability, any pair of persons who did not lift the girder should be held to account for the victim’s death. Legal expositions of strict liability usually also restrict the scope of liability to effects that were foreseeable, if not foreseen, and where the causal chain was appropriately short. Even with those additional restrictions, strict liability could justify punishment for a large number of groups who cannot be blamed for any intentional action or omission with respect to the victim’s death.

I find the analogy between strict liability and collective moral responsibility misleading. In legal contexts, strict liability is almost exclusively confined to tort law, where focus lies explicitly on compensation and prevention, rather than on punishment and desert. The few exceptions that concern criminal law relates either to minor offenses (such as wrong parking) or to other areas where the state makes an explicit point of being concerned with prevention of harm rather than with punishing wrongdoing. Applying strict liability, as opposed to *mens rea*, means that questions of fault and culpability are laid aside for the benefit of

⁸ Tännsjö. “The Myth of Innocence”, p.16

long-term safety (or simply to cut down administrative costs, as with minor traffic offenses). So, to claim that a collective is strictly liable for a bad consequence of their actions is just another way of saying that cost-effectiveness of sanctions against the collective justifies measuring out such sanctions, regardless of moral guilt. The analogy does nothing to meet the worry that it was supposed to mitigate.

The practical conclusion of Tännsjö's paper is that sanctions against entire nations or populations may be justifiable. I think that he could have defended this conclusion without employing the notion of collective moral responsibility. Then, what he in effect would have been saying is that sanctions against a nation or population can be justified even though the subject is *not* morally responsible for the harm that makes us measure out sanctions against it. I see no reason to doubt that this could be a defensible claim about some political sanctions against nations. The permissibility (under international law) of such sanctions can probably best be justified in the terms associated with strict liability, *as opposed to* the terms connected with moral responsibility.

The worry about unfairness that Tännsjö's analogy was meant to relieve stems from a thick notion of moral responsibility, which (as Mill noted) is central to our moral practices. In this thick sense, moral responsibility is essentially connected to the justifiability of blame and other moral sanctions.⁹ Moreover, as Strawson, Gibbard and others have stressed, moral (unlike at least some legal) sanctions have an essentially "involving" character.¹⁰ They should be such that they at least in principle could be justified in terms of reasons that could appeal to the subject

⁹ Mill, *Utilitarianism*, ch.5.

blamed. Part of their efficiency stems from the implicit assumption that when you receive them, you are supposed to understand that you do so because you have performed a certain action willingly and knowingly. Like James Rachels and others, I believe that our use of this moral tool can be justified, regardless of whether our overall justification of moral practices is consequentialist or non-consequentialist.¹¹ It might be debated whether this notion of moral responsibility is essential to all moral practices.¹² But we should at least admit with Gibbard that morality in the sense delimited by Mill is a “central region in our moral thought”. In this sense of morality, to refute guilt, blame and other essentially moral sanctions is to “deny that anything is ever morally reprehensible”.¹³

The question discussed throughout this paper is whether certain types of groups should be held morally responsible in the mentioned thick sense. However, proponents of collective moral responsibility often separate moral responsibility from justifiability of sanctions, probably to avoid unpalatable implications concerning collective punishment.¹⁴ Unless it is

¹⁰ Strawson P F “Freedom and Resentment”, *Proceedings from the British Academy* 1962 (at *The Determinism and Freedom Website*, ed. Honderich), Gibbard, A, *Wise Choices, Apt Feelings*, Oxford U P, Oxford 1990, p.50.

¹¹ Rachels, J *The Elements of Moral Philosophy* McGraw-Hill New York (5th ed. 2007 by Stuart Rachels) sections 13.2, 13.5.

¹² Stern, L "Freedom, Blame, and Moral Community" *The Journal of Philosophy*, LXXI, 3, February (1974) p.78

¹³ Gibbard, A, *Wise Choices, Apt Feelings*, , p.52.

¹⁴ Virginia Held ends her list of possible conditions for responsibility with the suggestion "which I shall not employ" that if these other conditions are fulfilled, then the agent deserves blame. (Held, V “Can a Random Collection of Individuals be Morally Responsible?”, p.474) Deborah Tollefsen's argument for collective responsibility explicitly presupposes that issues of moral responsibility can be pursued independently of the problems about punishment. ("Participant Reactive Attitudes and Collective Responsibility", *Philosophical Explorations* vol. VI, no 3 2003, p.220.) Others have suggested that in assigning collective responsibility, we employ a distinct notion of 'responsibility,' distinguished from the ordinary one

made clear that this strategy requires us to employ a thinner notion of moral responsibility, clearly distinct from the concept that is typically focussed in the discourse on moral responsibility, I find that maneuver misleading. It risks making assignments of moral responsibility toothless.

To hold a collective morally responsible (in the thick sense) for some harm is to imply that moral sanctions are in place. That, in turn, presupposes that the subject is deserving of sanctions for what it has done, on account of something it has done intentionally. So, moral responsibility in this sense simply presupposes agency. Moreover, since collective sanctions inevitably strike individual members, our method for delimiting the collective agent that is morally responsible for a specific harm should be such that it picks individuals that justifiably can be blamed for what the group has done. In that sense, collective responsibility presupposes *co-responsibility*. In this matter, I dissent from Margaret Gilbert, who thinks that judgments of collective responsibility have no implications either way for judgments about members' responsibility.¹⁵

'Co-responsibility' is distinct from 'individual responsibility' in the standard sense. A person may be co-responsible for an effect of a group's behavior without being responsible for any intentional marginal contribution to that effect.¹⁶ To say that an individual is co-responsible is to imply that she/he is morally tainted or compromised by the overall effect of the group's behavior. In that sense, the relation between collective responsibility and co-responsibility is "top-down". That might be

precisely by being unconnected with blame or punishment. See Cooper, D E (1968) "Collective Responsibility" *Philosophy*, XLIII, 165, p.265.

¹⁵ Gilbert, M (2000) *Sociality and Responsibility*, Rowman & Littlefield, Maryland section 8.10

¹⁶ See Petersson, B, "The Second Mistake in Moral Mathematics is Not About the Worth of Mere Participation"

contrasted with the direction of the relation between a set of judgments about individual responsibility in the standard sense (for intentional marginal contribution) and a summative judgment about that sort of responsibility.

In popular debate, it is common to identify membership in morally relevant groups with salient shared features like ethnicity, nationality, or sex. Heterogeneous sets of people like “whites”, “Germans”, or “men” are seen as bearers of moral responsibility. These broad categories may refer to sets of individuals without any form of unifying attitudes or commitments. However, few people take seriously the idea that these categories are morally significant by themselves. In order to make claims of this kind plausible, one usually attempts to show that members of these collectives are united in some other trait that *is* morally relevant: that members at least share some attitude such that it explains the harm or injustice for which the collective is blamed. We need a link between the individual and the group’s act, allowing us to separate co-responsible members of the relevant group from innocent bystanders who may have been causally involved through no fault of their own.

So, in the collective omission-cases, are there any positive features that enable us to regard these collectives as agents, as well as to delimit the groups in a way that justifies moral sanctions striking the individual members? If no such features can be found, I think we should dismiss the idea of holding collectives to account for not acting jointly.

3. Collective agents as mere sums of individuals?

Tännsjö’s analogy between collective responsibility and strict liability would allow him to disregard the question of whether collectives can be intentionally acting agents. Nevertheless, he also sketches a weak notion of collective action, such that any randomly delimited collection of individual

actions will fulfill it. He finds it possible to regard any set of individuals as a collective agent, independently of whether they share any attitudes or are unified in some other sense. We can delimit these sets in any way we want, for purposes of efficient sanctions. “There is no limit to what collectivities we are allowed to countenance as mereological sums, it seems to me.”¹⁷ We can simply, Tännsjö claims, regard the sum of their individual actions as the set’s action, and the sum of their individual attitudes as the set’s attitude, which explain that collective action.

“A collective has beliefs and desires as well. We may think of them as represented by a vector where the relevant beliefs and desires of each individual making up the collectivity are represented. /.../ Once we know the shape of this vector, we can explain the action of the collectivity.”¹⁸

This seems to imply that we may infer a group’s decision merely from information about the member’s attitudes. The existence of discursive dilemmas of the kind discussed by Philip Pettit and others appears to falsify that view.¹⁹ A vector representing the beliefs and desires of the members of a population will not provide full information about which acts or decisions the population will undertake. Retrospectively, the vector will not suffice to explain the path they chose. A set of individual beliefs and desires explain a group’s action only given some assumption about their procedure for collective decision-making. Which act follows from a set of beliefs and

¹⁷ Tännsjö “The Myth of Innocence. On Collective Responsibility and Collective Punishment” p.12

¹⁸ Ibid. p.11

¹⁹ Pettit, “Groups with Minds of their Own” in Frederick Schmitt, ed., *Socializing Metaphysics*, Rowan and Littlefield, 2003, pp. 167-93.

desires depends on whether the group decides by dictatorship, unanimity, majority, or some other rule or less formal practice. Even if we know that this specific group practices, say, majority voting, we may also need to know whether their vote is premise-based or conclusion-based. As Pettit points out, we cannot solve these problems by inferring the group's choice of decision procedure solely from information about the individuals' beliefs and preferences on decision procedures, on pain of infinite regress. In other words, complete information about the members' individual beliefs and desires is not sufficient to explain the action of a collectivity.

Moreover, our ability to delimit the relevant sets of omissions appears to be undermined by the lack of a more substantial criterion of collective agency. How do we determine which these sets are to begin with? If no one has prevented a specific harm, there is no limit to the set of individuals that are causally involved in that harm. Unless we admit that membership in the morally responsible group has to do with features that link individuals to some relevant decision or intention explaining the set of not doings, everyone will be a member of that group.

4. Joint omissions

It should be clear by now that what I am after is a notion of collective agency, weak enough to accommodate collective omission-cases but nevertheless strong enough to substantiate judgments about collective moral responsibility in the thick sense. We need a way of distinguishing *joint* omissions from mere sets of not doings.

On the approach to collective action that I favor, the distinction between such actions and mere sets of intertwined or interdependent acts should be drawn in terms of the content of the participant's attitudes. This is a claim that the theories by Michael Bratman, Margaret Gilbert, and

Christopher Kutz, have in common.²⁰ In my version of that approach, in order for you to be a member of the group that performs a collective action, you have to conceive of the intended *activity* as collective. This means that you regard the group “as a body”, to use Gilbert’s phrase, or as a “unit of activity”, to borrow a term from Susan Hurley.²¹ You must regard yourself as part of a unit of causal agency. Moreover, that conception must figure in attitudes that explain your behavior. When a group’s behavior is explained in the right way by this sort of individual attitudes, it is a collective action.

This view of collective actions is less demanding than Bratman’s, Kutz’s or Gilbert’s. That difference is of relevance for the treatment of collective omission cases.

Elsewhere I offer a more detailed account of the analysis, but here is a brief sketch.²² The notion of collective activity that has to figure in the content of the individual attitudes that explain a collective action reflects a purely causal notion of agency that we employ in daily life when we say things like ‘the plant moves its leaves towards the sun’ or ‘the acid acts upon the metal’. (This is to be contrasted with a strong Davidsonian notion of acting according to which agency by definition is intentional under some description.²³) This broad merely causal notion of agency involves a claim about dispositional properties. To say that the chemical acts upon a substance is to assume that there is something about the constitution of the

²⁰ Bratman, M “Shared Cooperative Activity,” and “I Intend That We *J*”. Gilbert, M, *Sociality and Responsibility*. Kutz, C, *Complicity*, Cambridge University Press 2000.

²¹ Hurley, S, “Rational Agency, Cooperation, and Mind-reading” in Gold, *Teamwork, Multi-Disciplinary Perspectives*, New York, Palgrave 2004

²² Petersson, B, “Collectivity and Circularity”, forthcoming in anthology on collective intentionality, Ontos Verlag 2007.

²³ Davidson, D, “Agency” (1971) in Davidson, *Essays on Actions and Events*, Oxford U P 1980

chemical — a disposition or causal power — which explains what happens to the substance under the actual conditions. Furthermore, the notion of causal agency can be applied at different levels of explanation — different levels of assignment of dispositional properties.

Our conceptual ability to assign dispositional properties and causal agency at different levels makes no exception when it comes to sets of people. We can regard a group of individuals as the unit of causal agency, in a sense clearly distinct from that in which we view it as a set of causal agents. My contention is that to think of a set of individual actions as a collective activity is to regard the set as the unit of causal agency. In regarding the group as the unit of causal agency, we imply that there is some glue — there is something about the intrinsic features of the group and about the participants' role in the base of the group's causal powers, which distinguishes members from non-members — although we refrain from specifying this glue. This way of implying that there are internal features of an object responsible for the object's behavior, without specifying those internal features, is characteristic of any kind of assignment of dispositional properties.

I should stress that this requirement is meant to replace a central necessary (but not sufficient) condition for collective action within some framework of the kind suggested by Bratman or Gilbert. I leave it open here which additional conditions (like common knowledge, meshing subplans, or communication) that have to be fulfilled in order for a group's behavior to qualify as a collective action. Those details will not affect the main points of this paper.

So, what I suggest is that a group's failure to perform a certain collective action does not qualify as a joint omission unless this failure is explained in the right way by individual attitudes in which the group

figures as the unit of causal agency. This condition makes weaker assumptions about collective agency than what many proponents of collective responsibility require. To begin with, it does not require that the members of a collective agent have a common decision procedure (although formal or informal decision procedures may figure in the genealogy of group-directed attitudes.) Moreover, unlike Bratman, Gilbert and Kutz, I do not require that the notion of acting collectively must figure in the content of the intentions of the parties to a collective action. What that sort of claim implies is that each participant must have a self-reflexive attitude of a certain kind. Each must intend that each intends their action to be collective. That assumption gives rise to methodological problems. It also excludes a large number of apparently morally relevant but less sophisticated group actions from moral consideration.²⁴

Collective omissions by loosely structured sets of individuals are not likely to fulfill this stronger condition. Consider Held's example of a group that should be held responsible for failing to make a decision about how to help a victim that no individual is able to rescue alone. While they argue, the victim bleeds to death. It would seem farfetched to assume that they conceive of what they are doing — neglecting the victim — as a jointly intentional act. That would require each of them to have an intention or commitment in the content of which each participant's intending or being committed to neglecting the victim figures. In a situation like this, it seems more likely that they simply try to consider the group's causal capacities and options but fail to act together.

Held (like May on similar cases) stresses the negative facts of the case: the group fails to adopt a formal decision procedure; they do not

²⁴ Petersson B, "Collectivity and Circularity".

choose a representative to act on their behalf, etc. I think that one crucial element that is necessary to make the assignment of collective responsibility proper is the positive fact that the individual participants apparently consider options from the group perspective, and act wrongly with respect to those options. In that weak sense, they jointly fail to act together. There is a small but important difference between that sort of group failure and a mere set of parallel individual not doings.

This view of one of the prerequisites for collective responsibility also provides a way of understanding how collective blame and punishment that strikes individual members could be justified. Although the decision of the group need not reflect directly the preferences of its members, the set of members consist of those whose actions with respect to the group's alternatives are explained by considerations in which the group's options figures. Therefore it may be fair to regard them as co-responsible and as proper objects of moral sanctions.

This may be consistent with not finding them individually responsible in the standard sense. There may be no ground for assuming that any single individual omission could be regarded as an intentional marginal contribution to the victim's death, given the behavior of other members.

Consider again the injured victim under the girder. Suppose that you and I were the only ones who knew about this accident, and that we could have helped if we had acted together. The mere fact that none of us did anything about it would in my view not be sufficient for holding the group as such responsible. There may be various reasons for the fact that no collective effort took place. These reasons will be crucial to how moral responsibility should be measured out.

Maybe we were completely prevented from communicating, and thereby unable to co-ordinate our actions. Although it is still true that we could have helped if we had acted together, we could not form a unit of causal agency. In that case, no one should be blamed for the tragic circumstances that led to the victim's death.

On the other hand, the explanation might be that one or both of us simply refused to consider the group's options, i.e. to think about what we could do together. Then, each non-cooperator should be held individually responsible for the consequences of not seeking co-operation. We would individually be guilty of breaching the principle Donald Regan calls *Co-operative utilitarianism*, according to which the right thing to do "is to co-operate, with whoever else is co-operating, in the production of the best consequences possible given the behaviour of non-co-operators."²⁵ The point of this criterion of rightness is to stress that we never have the right to take the behaviour or attitudes of other people as given among the standing conditions. I am individually responsible for the consequences of my refusing to consider the options we would have as a group.

A third variation on the case might be that we both considered which options the group had as one unit of causal agency, and that we both agreed that a sudden simultaneous wrench would do the trick, but that we could not agree upon whether to do the tug on "three" or "ten". While we argued about this, the victim died. This case would be similar to Held's example. Like Held, I find it reasonable to think that the group might be morally responsible in such a case.

The assumption that collective agency (understood in terms of the content of the participant's attitudes in the way sketched) is a necessary

²⁵ Regan, D, *Utilitarianism and Co-operation*, Clarendon Press Oxford 1980, p.124

condition for collective responsibility produces results that are intuitively plausible in the three cases described, I think. Firstly, we would not blame people for not acting together if they were unable to form joint attitudes to begin with. Secondly, if the attitudes of individual members of a group hinder joint efforts, these individuals are the ones to be blamed for the effects of not acting jointly. Finally, in the third type of case, where a harm is caused by a failure to act that can be explained by attitudes concerning a group's options regarding that harm, we find it less inappropriate hold the group as such morally responsible. Without a positive requirement of agency of the kind mentioned, it would be difficult to do justice to the intuitive difference (with respect to moral responsibility) between these cases.

Consider, now, large-scale omissions of the kind discussed by Held and Tännsjö. Suppose we discuss whether the inhabitants of a country are collectively responsible for omitting to organize in order to overthrow a certain political system.²⁶ Surely, in a real life case, if we wanted to delimit the collective that could be morally responsible for that omission, it would be too crude to identify membership with nationality. Suppose parts of the country are inhabited by illiterate shepherds that know nothing about how a society works, or about the possibilities that might be actualized through organization and co-ordination. Their omission to adopt a decision-procedure and thereby constitute themselves as a group in Held's formal sense would not be intentional. They are simply unaware of the options they would have as a collective. It would be absurd to blame that potential collective morally for not getting organized.

²⁶ Held, V "Can a Random Collection of Individuals be Morally Responsible?" p.480

In real life, entire populations of a country will rarely if ever fulfill the requirements that I defend here. If we want to examine the claim that a whole population is collectively responsible for a certain harm (like the continued rule of a brutal dictator) through their omission to perform a joint action (like revolt), the starting point is to consider which individuals and groups were causally involved in the production of this harm. We might begin by asking whether the harmful event would not have occurred, or at least would not have occurred exactly in the same manner or the same point in time if this or that individual or group had acted differently.²⁷

Secondly, we may ask whether joint action would have been possible at all. Perhaps the regime would have been overthrown if most of the population had acted jointly for that purpose, but no single individual or subgroup had the capacity to initiate large scale joint action (say, because the regime severely restricted their ability to communicate between them). Then, there is one sense in which the collective could have overthrown the regime. They could have done so if they had acted jointly. However, in this situation, they cannot come to form joint intentions. The collective project can never get off the ground. Again, it would be a mistake to hold them morally responsible, individually or collectively, for their failure.

In a realistic case, individual members of the population would probably in varying degrees (depending on leadership skills, etc.) be capable of making others start thinking in terms of what “we” can do

²⁷ Due to epistemic and causal complications (like undetectability of causal links or overdetermined effects) some have argued that we should abandon the idea that causal involvement is a condition for moral responsibility altogether. (See Kutz, C, *Complicity* ch. 4.) I fear this would lead to unacceptable arbitrariness in our practices of blame and sanctions. These sorts of difficulties should instead make us admit that some questions of responsibility have no determinate answer. See Petersson, B, “The Second Mistake in Moral Mathematics is Not About the Worth of Mere Participation”.

together, and of persuading others to join them in the intention to rise in revolt. Eventually, that could lead to sufficiently forceful joint action. Then, I would say, these specific members are individually morally responsible for not initiating this process. Some subgroups may also be collectively responsible for the effects of their joint omissions. But still, there need not be any blameworthy failure on the part of the entire population as such. This collective may have no unifying attitudes regarding revolution, and in that case there is no moral group fault committed by the whole population.

In order for you to be a co-responsible member of the group that jointly omits to overthrow your country's regime, some of your actions must at least be explained by attitudes in the content of which the collective in question figures as the unit of causal agency. That is a minimal prerequisite for endorsing or accepting the collective behavior. That sort of endorsement may conflict with the attitudes that explain your behavior with reference to individual options. There is simply no guarantee that the choices you will make with reference to the group's options are such that they coincide with the choices you would make when concentrating on the options that lie within your own causal powers.

Consider, finally, some popular views about collective responsibility, such as the collective responsibility, at least by omission, of men (for the oppression of women) or a generation of Germans (for the Holocaust). How should we go about to examine the plausibility of such claims? To begin with, we should try to find out whether these expressions are really meant to be about collective responsibility in the non-reductive sense. Some of those who bring forward these claims probably want to say that each member of the group is individually responsible for intentionally contributing to the harm in question, at least by omission.

If we want to understand whether they might be true as claims about the groups as such, we should, firstly, delimit the relevant group by considering causal involvement, bearing in mind the epistemic and causal complications that might make a simple “but for” test unfeasible. The alternative to taking on this work is to allow for arbitrariness and insecurity in the practices of moral blame and punishment.

Secondly, we should investigate the attitudes that explain the collective’s actions and inactions with regard to the harm in question. Are the individual acts that make up the collective behavior explained by attitudes in which the collective figures as a unit of agency? Are the acts and omissions that have this harmful consequence performed from a group perspective?

I do not think that these ways of approaching the issue would differ radically from how we ordinarily discuss these things. Most assumptions about collective responsibility starts out from tracing the causes of some overall harm to specific sets of people, and continues by searching for unifying traits in the attitudes of those individuals. A crucial issue that authors like Goldhagen and Sereny appear to be interested in when it comes to the collective responsibility of Germans is in what way and to which degree their acts could be explained by shared and unifying attitudes concerning themselves as a group. And questions about the degree to which men’s acts and omissions are explained by attitudes concerning the options for the collective as a whole (e.g. with respect to the preservation of power structures) are central in the controversy about men’s collective responsibility for the oppression of women.