

STEVEN SVERDLIK

## COLLECTIVE RESPONSIBILITY

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Talk of collective responsibility is apt to excite deeply-conflicting sentiments. On the one hand there is commonly, at least in our society, a deep hostility to the idea. It conjures up the abhorrent associations of Biblical hereditary guilt, racism and even genocide. Oftentimes we are told that our moral outlook rests upon the idea of individual responsibility and hence certain proposals, such as affirmative action, are rejected as intolerable recrudescences of collective responsibility. On the other hand it is said that the notion of individual responsibility is to some degree outmoded in an era when much human activity is organized collectively and cooperatively. We would be naive to focus our attention on the acts of individuals, it is argued, when institutions like business corporations or nation-states not only influence the outlook and behavior of individuals, but actually constitute the behavior as being of a certain sort. For example, an act of declaring war as performed by an individual minister could not occur except within the framework of a system of authority embedded within a political order. To focus on the individual and ignore the institutional context would be, it is argued, to miss the forest and see only the trees.

There are, then, plausible arguments with apparently significant implications touching upon the concept of collective responsibility. Obviously what is called for is a careful sorting out of the arguments – in other words, analytic philosophy. I propose to offer here a way of understanding moral responsibility which will help to resolve the issue. When a certain distinction is understood – that of responsibility for states of affairs as opposed to responsibility for actions – it will be seen that both sides have reason in back of their conclusions. On the other hand there are considerations which I find compelling for holding that in the most interesting sense there is no collective responsibility, and that all moral responsibility is individual.

Before I discuss the distinction, however, I want to clarify the question under dispute. The term “responsibility” as it occurs in the phrase “collective responsibility” seems to mean, roughly, blameworthiness. To say, for example, that the Germans are collectively responsible for the Holocaust, or that the industrial democracies are collectively responsible for Third World starvation is to say that the Germans or the industrial democracies are blameworthy for what they did or are doing. There are a number of other senses that the word “responsibility” can take, as H. L. A. Hart has masterfully shown.<sup>1</sup> But as it occurs in discussions of collective responsibility this is clearly the sense at issue. Secondly, our dispute concerns collective *moral* responsibility. It may be that legal systems for various reasons impose liability, or attribute responsibility, collectively. It is well known that many legal systems impose liability on masters whose servants have broken the law even if the master’s conduct was blameless. Indeed a master can be punished if a servant flouts the employer’s directive and acts illegally by, say, serving alcohol to a minor. Whether such an imposition on an employee is morally acceptable is another question, in fact the very question here under consideration.<sup>2</sup>

Third, it is important to distinguish collective and corporate responsibility. Both concepts apply to responsibility as apportioned to groups. But collective responsibility is the idea that individual persons within a group are responsible for an outcome produced collectively. That is, responsibility is apportioned to individuals and to them alone. With corporate responsibility the group is treated as a being distinct from its members and responsibility for wrongdoing is attributed to it. If one supposes that corporate responsibility is possible then it is an open question whether the individuals in the group are also responsible for the outcome or whether the group as such is alone responsible.<sup>3</sup> If one accepts the idea of corporate responsibility then one can say that, for example, E. F. Hutton itself is responsible for fraudulently manipulating its bank balances. It would be a further question whether any individual employee was also responsible for these actions. It seems clear that corporate and collective responsibility are distinct ideas and that one may accept the existence of one and deny the other. The more probable circumstance is that someone will accept collective responsibility but not corporate since the latter has many more presup-

positions, both ontological and moral. If groups as such are to be supposed morally responsible it would seem necessary to establish that groups as such, as distinct from their members, *exist* and, moreover, that groups as such can act rationally and properly be blamed if they neglect to do obligatory actions. On the other hand, collective responsibility seems to rest only on the indubitable fact that people can and do act collectively and can be properly blamed for doing, or failing to do, so.

The present essay limits itself to considering collective responsibility. As I just indicated, the idea seems plain common sense when attention is focused on results that can only be achieved collectively. Suppose, for example, that I want to push an enemy's car off a ledge and into a lake. I cannot do it myself and so I recruit three compliant passersby. We all push it into the lake and it seems reasonable to suggest that we four are collectively responsible for destroying someone's car. A number of philosophers have insisted that parity of reasoning demands that we say of people omitting to do acts that could have prevented an outcome that they, too, are collectively responsible for the undesirable outcome. So, for example, if three passersby refuse to cooperate and lift a heavy beam off a person pinned under it by an accident, and the person dies, then the three are collectively responsible for the victim's death, if their cooperative activity would have prevented it.<sup>4</sup> In the case of positive activity as well as in that of negative omissions what seems to be at issue is an outcome which only comes to pass if certain people cooperate. In other words, the individual "contributions" may be necessary if the outcome is to come to pass, but the cooperation of others is also necessary (and sufficient) to bring it about. (We must construe "cooperate" broadly so as to include willful refusal to contribute, as in the second example above.) What is noteworthy about the doctrine of collective responsibility is that responsibility for the entire outcome is attributed to each member of the group. In the first example, *each* of the four people who pushed the car is said to be responsible for the destruction of it; in the second example, *each* of the three people is said to be responsible for the death of the accident victim. If one is going to resist this sort of conclusion one has to argue that each person involved is only responsible for, as it were, a part of the outcome, and not the whole of it. Obviously this

becomes difficult to do if the outcome is something physically indivisible like the death of a single individual, and yet such a position has been taken.<sup>5</sup>

Why, then, would anyone object to a doctrine of collective responsibility? Let us consider a set of acts that we can presume would be condemned by any morally sensitive person. Consider, then, the Nazi massacre of Lidice. Czech partisans killed the SS leader Heydrich, and in retaliation the Germans murdered all the male inhabitants of the village of Lidice (as well as 152 Jews in Berlin). If someone were seriously to ask what was wrong with killing all these people the obvious answer would be that they were being held responsible for something they didn't do. Or it would be said that they were being punished for someone else's actions. This sort of answer begins, I think, to bring out the manner in which the dispute about collective responsibility gets generated. The opponent of the idea insists on the fact that people are only responsible for their own *acts*, not for anyone else's. The proponent of the idea insists on the fact that more than one person can be responsible for an *outcome*. This brings us, then, to the distinction I mentioned – responsibility for results as opposed to responsibility for acts.

It is clear that we can speak of responsibility, in the sense under consideration here, as applied both to the results of actions and to the actions that produce the results. One could say, on the one hand, that Jones was responsible for Smith's death or, on the other hand, that Jones was responsible for killing or murdering Smith. It is true that in the latter case the result of Jones' action is already incorporated into the description of Jones' act by a process that Joel Feinberg has called "the accordion effect."<sup>6</sup> But a separation of act and result does not always seem possible. A fundamentalist might find dancing to be blameworthy, and there doesn't seem to be some extrinsic product of dancing (or of its component actions) that such a fundamentalist could say a dancer was responsible for bringing about. It is true that it sounds somewhat odd to say that Jones is responsible for dancing last night, but there does not seem to be any other way in English to speak of Jones' responsibility that ties this concept to a separable result of his activity. Does it sound *less* odd to say that Jones is responsible for dancing a dance last night? (And here, of course, we still do not have a

logically independent result.) To say of someone that he or she is responsible for an outcome is apparently to say that the person is responsible for acting in a way that is at least partly the cause of the resultant state of affairs. Responsibility for outcomes is a matter of being responsible for acts that contribute to the existence of the outcome. (As always we must construe omissions as actions.)<sup>7</sup>

How does this distinction help to deal with the question of collective responsibility? As we have seen, advocates of collective responsibility hold that more than one person can be responsible for an *outcome*. Opponents of collective responsibility tend to say that a person is responsible only for his or her own *actions*. We can cut the Gordian knot if we can find reason for thinking that one of these two modes of speech is more fundamental than the other. And we will have established a case if we can show both how what is attractive in one of the ideas can be explained by means of the other, and yet also how the one might limit the applicability of the other subsidiary concept. I will now try to show how responsibility for actions is the more fundamental idea, and how this both explains the appeal yet limits the applicability of the concept of collective responsibility.

The remarks already made suggest that responsibility for results is logically derivative with respect to responsibility for actions. Wherever there is responsibility for a result there is responsibility for an action that causes, at least in part, that outcome, but the converse is not true. Jones can be responsible (blameworthy) for dancing, or masturbating, or having premarital sex without there being a result external to the action that Jones is responsible for. Or at least we can say that there is no natural way in English to speak of responsibility for a result in such cases. There is a second sort of case in which there is this kind of asymmetry between responsibility for actions and results, namely, failed attempts. Suppose that Smith shoots intentionally at Jones, hoping to kill Jones, but misses. Here we must say that Smith is responsible for trying to kill Jones, or for shooting at Jones, and we have no intelligible candidate for the resultant state of affairs Smith is supposed to be responsible for. If Smith winds up hitting a fence with a bullet it would be absurd to say that Smith is responsible for there being a chink in the fence. It is the act of shooting (with a certain intention) that Smith is responsible for, and there is no resultant state of affairs that can be

spoken of in terms of responsibility. On the other hand, I cannot think of a case where a person is said to be responsible for an outcome or result that cannot be paraphrased as involving the person's being responsible for an action that at least partly produced the result. We may conclude, I think, that responsibility for actions is logically the more fundamental idea.

What now needs to be shown is that a measure of truth is to be discerned in the idea of collective responsibility. This would mean showing that more than one person can be morally responsible for an outcome even though it is true that every person is only responsible for his or her own actions. Moral responsibility pertains fundamentally to actions, and only derivatively to outcomes. It seems reasonable to infer further that the actions that Jones is responsible for are Jones' actions and no other's (except when Jones brings about the other's actions). This thesis is not entailed by the logical point made in the previous paragraph, but it is a natural enough corollary. (After all, I can only influence the actions of others because I can control my own behavior.) In any case it is the fundamental proposition of those who oppose doctrines of collective responsibility. Can people who accept this thesis explain how more than one individual can properly be thought responsible for a result? I think that the answer is affirmative.

The key lies in acknowledging two often-noted facts, namely, that actions are not mere bodily movements and that therefore illuminating descriptions of actions oftentimes must mention, implicitly or explicitly, the actor's intention in acting. One place where this requirement is especially noteworthy is in failed attempts. One could hardly make Smith's shooting at Jones an intelligible activity without mentioning what it was that he was trying to do. It follows that in discussing responsibility for actions it is necessary to state the intention with which an action is done, for it is often the intention that is the crux of the act's moral status. It is intention that is the solution to the problem of collective responsibility. The fact is that more than one person can intend the same result. Therefore, more than one person can be responsible for the result *even though* each person is only responsible for his or her own actions. Each of the people who pushes the car off the ledge is responsible for its destruction if that is what each intended. Each of the people who refuses to help lift the beam is responsible for

the victim's death if that is what each intended. Indeed, we can say not only that each is responsible for the result *even though* each person is only responsible for his or her actions. We can say that each is responsible for the result precisely *because* each is responsible for an action aiming at this result. Obviously in real cases it is unlikely that each agent in a cooperative activity has precisely the same intentions. In the case of refusing to lift the beam it would be unlikely that three ordinary passersby would really intend the death of the victim. But the critical point remains that a theory based on the notion of individual responsibility can explain how it is that more than one person can be responsible for an outcome. J. L. Austin once compared intentions to a miner's lamp which illuminates the future.<sup>8</sup> Using this picture we can say that responsibility is collective when more than one person has his or her lamp trained on the same state of affairs.

Moreover, we can further assert that it is *only* when more than one person intends the result that responsibility for it is collective. I said above that the case for seeing moral responsibility as essentially individual would consist, first, in showing that what is true about collective responsibility can be explained on individualistic assumptions. This has now been done. I said further that the case would be strengthened if it could be shown that whatever limits there are to collective responsibility can only be explained as deriving from individualistic premises. This is what I now shall do. The way to see that this further point is true is to imagine a case where two or more people produce a result, and where the result would not have taken place but for their actions, but where one intends the result and the other does not. Suppose, for example, that terrorists plant dynamite on a railroad trestle and blow it up as a train goes over it. Many people die as a result. Now the wreck would not have occurred had the engineer not been driving the train over the bridge, and the engineer's actions contributed causally to the destruction. But we can suppose the engineer to be a conscientious driver who neither collaborated with the terrorists nor even had reason to know of them. Thus the engineer is in no way morally responsible for the deaths of the passengers while the terrorists are.<sup>9</sup> Why is this? Surely the only way this can be explained is by saying that the terrorists intended these deaths while the engineer did not. People who were not seeking this result are utterly innocent, no matter how significant their

causal contribution. It is only by, as it were, working forward from the miner's lamps on each person's head that responsibility can be assigned.

I claim, then, that the principles underlying collective responsibility are no different from those underlying the acts of a single individual. If all that people who defend the idea of collective responsibility mean is that more than one person can be responsible for an outcome then there is no argument. But, if proponents of this view mean to suggest that this idea represents some supplementation or modification of the idea that people are only responsible for their own actions then they are radically mistaken. It would be unfair, whether we are considering a result produced by more than one person's action or by a single person, to blame a person for a result that he or she did not intend to produce.

There is one objection that will spring to mind at this point. It will be said that my position only seems plausible when the state of mind at issue is intention. But in many instances of collective responsibility – for example, Held's case of the passersby refusing to lift the beam together – the result that people are responsible for it is not *intended* by the agents. Therefore, it cannot be supposed that people are collectively responsible for a result only if they individually intend it.

This objection is correct in noting that moral responsibility exists in cases other than that of intentional production of a given result. The law customarily distinguishes among intention, recklessness, negligence and strict liability as varying degrees of *mens rea*. To be more exact, the first three terms (or sometimes the first two) are held to be types of *mens rea*, and strict liability is said to exist when the mental state of the accused law-breaker is deemed legally irrelevant to responsibility. There is no reason to doubt that a person is capable of being *morally* responsible for an outcome if he or she produces it recklessly or even negligently. (Strict liability, as is well known, has created many doubt as to its moral acceptability. Surely advocates of collective responsibility would be reluctant to base their case on the existence of strict moral responsibility.) What is mistaken in the objection is the suggestion that moral responsibility in cases of negligent or reckless collective activity operates any differently than in cases of negligent or reckless individual action.



The way to see this is, once again, to suppose that two people are both connected causally to a result, but that one is reckless with respect to it and the other is not. Let us thus modify Held's example. Three people pass by a person pinned unconscious under a beam. The victim will die if the beam is not lifted, and it could be lifted if three people all cooperate. Suppose, further, that two of the people notice the pinned person and come to believe that unless they secure help the person will die. They continue walking, however, in reckless disregard of the death they have reason to believe will take place unless they help. The third person, in contrast, is absorbed in some activity like reading a book or looking for a cab and does not notice the unconscious victim. It is true that the victim's death only takes place if all three people do not cooperate, but is it true that the third, non-reckless person is responsible for the victim's death? Recklessness, too, rests upon individualistic assumptions and only those individuals with the appropriate mental state can be regarded as responsible for the state of affairs they causally contribute to.

Negligence is a more interesting case because in pure cases of it a harm results which the agent neither intended nor foresaw at the time of the negligent act. This means that the theory that I have been advancing cannot be straightforwardly applied to cases of collective negligence. If a team of surgeons negligently leaves a sponge in a patient, no one on the team either intended to leave it there or was even aware, at the relevant time, that it was there, yet we may wish to say that each team member was responsible for the harm to the patient of having had a sponge left inside of him or her.

The question remains, however, of whether this sort of case involves collective responsibility in a sense that departs from that of individual responsibility. One's doubts are raised by the fact that the same difficulty exists when action is not collective. If a single dentist negligently leaves a swab of cotton in a tooth that is subsequently filled, he or she neither intends nor – at the time – is aware of the swab, but may be responsible for the resulting harm. I do not want to claim that I have a fully worked-out theory as to when an action can be said to have negligently caused a harm. What I will assert is that it seems likely that any such theory will entail that a negligent act involves an agent who could have foreseen the harm that resulted, though he or she in fact did not

foresee it. If the team of surgeons were negligent in leaving the sponge then they could have foreseen that the sponge would be left in the patient. If negligence involves at least this much – i.e., ability to foresee the result – then it seems clear that negligently caused harms involve individual responsibility. The reason is that only those people are responsible for the harm who indeed could have foreseen it. Once again one must imagine a group of individuals causing an outcome through joint activity but where some could have foreseen a harm ensuing while another person could not. Suppose, then, that a construction firm negligently omits to screen off the roofing job it is doing so that a tile falls from the roof and hits a passerby. Suppose, too, that on the day of the accident the manager's ten-year old son is being allowed to get some first-hand experience on the job and he is the person who hands the tile to a worker who accidentally drops it on the pedestrian. The son, the worker, and the manager all had a causal role to play in the injury but there is a moral difference among them. The manager (and, probably, the worker) could have foreseen the injury had they been more conscientious, but the same cannot be said of the ten-year old boy. And we wish to refrain from holding the boy responsible for the harm for this very reason.

I conclude that neither recklessness nor negligence introduces any factor into the assessing of moral responsibility that involves its abandoning individualistic premises. In both cases responsibility is assigned on the basis of factors (foresight, ability to foresee) that have to be assessed with regard to each individual involved. I do not wish to deny that one's presence in a certain group or organization has an important *evidential* role to play in assessing moral responsibility. Thus, for example, membership in the SS could certainly be taken as good evidence that one was aware of the extermination of the Jews (and thus at least responsible for some deaths because of recklessness). But one must always determine whether such evidence is probative, and if it emerges that some SS member did not actually know of the program to exterminate the Jews then he could not be responsible in the same way as those who did know. (Such a person could still be negligent, of course.)<sup>10</sup> Nor do I wish to deny that in some cases very many people are all responsible for an outcome – this was certainly true of the Holocaust, for example. But the reason it is true is simply that very

many individuals knew of or intended the deaths of European Jewry.<sup>11</sup> On the other hand, it must be said that in any complicated pattern of activity involving many organizations and individuals it is likely that the relevant states of mind vary widely from open-eyed, whole-hearted commitment to uneasy, self-induced ignorance. But, of course, this strengthens the case for seeing responsibility in individualistic terms, since the blameworthiness of individuals is going to vary with just these factors.

In conclusion, I would like to address some further possible objections. First, consider again the most straightforward instance of collective responsibility. A group of people causes a result which none of them could have achieved alone. I have said that every group member may be responsible for the result if each intended to produce it. The following difficulty may be offered. One can only intend to do those things that one believes one is able to do. By hypothesis, each of the agents in the case of collective action could not produce the result alone. Therefore, so long as all the agents believed that they each could not produce the result alone, none of them could intend it. But if none intended the result none could be responsible for it, as I argued. For example, if no one of four people could push a car off a cliff (and thereby destroy it), and if each of them knew this then none of them could intend to destroy the car. Yet my position only allows us to say that they are all morally responsible for the destruction of the car if each of them intended it. Since none could intend it none did intend it, and therefore individualistic assumptions could never explain how, in cases of cooperative activity, more than one person could be responsible for a given result.

The first thing to note about this argument is that it slides in a familiar fashion from talk about intending actions to talk about intending results. It is certainly true that just as we can talk about responsibility for actions and for results we can talk about intending actions and intending results. However, the crucial premise in the objection – that one can only intend what one believes to be possible – is applicable straightforwardly only to intending actions and can be understood in a harmless way when applied to intending results. Let it be granted for the sake of the argument that I can only intend to act – in the sense of “move my body” – in a way that I believe it is possible for

me to. It does not follow that I can therefore only intend a result that I believe it is possible for me alone to produce. Indeed I never act, that is, move my body, in a vacuum, and any result I intend is one that I intend to take place because of the concomitant activity of other factors. If I intend to light a match it is true that I believe that it is possible for me to move my hands in the appropriate way. However, it is also true that the air, the sulfur, the matchbook cover and so on must all operate as I believe they will in order for the match to light. When the crucial premise in the objection is applied to the intending of results all that it means is that I must believe that my own bodily movements *along with the activity of the other causally relevant factors I believe to be present* are capable of producing the desired result. I do not need to believe – what is in fact absurd anyway – that my movements alone could produce the result *ex nihilo*. All I need to believe is that the consort of factors including my movements is capable of producing the result. The situation is morally the same in cases where the factors include other agents and where they don't.<sup>12</sup> For what really matters, and what gives my bodily activity the moral significance it has, is the resultant state of the world I want to exist. In the case of the car I would be disappointed if it were not destroyed, and so would each of the other agents. In this sense we each have the same intention, for we each want our own bodily activity to contribute to a certain state of affairs, and we each would be frustrated if it did not come to be. Notice that once this point is kept in mind it is easy to see why I can be morally responsible for the results of others' acts – as in a case of hiring someone else to commit murder – for I may desire that this outcome take place, and I may intend that my actions contribute to the production of it. Whether the factors, human and natural, which contribute to the intended result operate simultaneously with my action or only after it is morally irrelevant just so long as I intend the result of the whole process. And the temporal length of the process is irrelevant: it would not matter how many exchanges were involved if I were to give money to *A* who was to pay *B* who was to pay *C*... who was to kill *X*, so long as I intend that *X* die.

The response I have just presented may invite a second objection. I argued at the outset that responsibility for actions was conceptually prior to responsibility for results since the latter could always be

explained by the former, along with the notion of causal contribution. But, it will be said, when I came to discussing the moral character of actions I said it was based upon the actor's intention. This intention, I said, is to produce a certain result. Therefore, it is concluded, the moral quality of actions depends on the sort of results they aim at, and it emerges that responsibility for results is conceptually prior to responsibility for actions.

This objection contains at least two confusions. First, I do not hold that the moral character of an action always depends on the intention to produce a certain result. When a person engages in an activity like dancing there is no result distinct from dancing that he or she intends to produce. Nonetheless the person may be responsible for dancing. Since I have been concerned to deal with cases of apparent collective responsibility I have had to concentrate on acts that are characterized by an intention to produce a result. But not all acts are so characterizable. Second, even in the cases where acts are described by the results they aim at it does not follow that *responsibility* for results is primary. It is true that the *intention* has to be characterized in terms of the result aimed at. But it does not follow that responsibility for results has a conceptual priority over responsibility for actions. Indeed, the relationship is just the opposite, as is shown by responsibility for failed attempts. In such cases there is no result one is responsible for, but one is responsible for the act nonetheless. It is true that one is responsible for an act aiming at a certain result, but one is responsible for the act whether the result ensues or not.

The response may elicit a final objection. Since I have claimed that the primary locus of moral responsibility is the action, it may seem that I leave myself open to the following absurd inference. Let us suppose that *A* intends to murder *B* and goes through with all the necessary steps but that, as it happens, *C* preempts *A* and kills *B*. Since, on my view, *A* is responsible for the actions which involved an intention to kill *B* and *B* dies, then *A* is responsible for *B*'s death. But this is absurd since *A* didn't kill *B*.

There is an absurdity here, but it is not one that my position commits me to. I said that responsibility for a result can be explicated as meaning that a person is responsible for an action *and* that that action contributes causally to the result. Therefore, since in the case at issue

*A*'s action did not contribute causally to *B*'s death *A* cannot be responsible for *that*. Of course, it is part of my position that *A* is morally responsible for the act of attempting to murder *B*, but it is not my position that *A* is responsible for *B*'s death. It is usually said<sup>13</sup> that *A* is as blameworthy morally as *C*. I do not want to examine that question here. But I do contend that my view about the priority of responsibility for actions does not commit me to the inference above.

In fact, it is precisely when the action/result distinction is neglected that people are led into difficulties. Even as surefooted a philosopher as Joel Feinberg slips somewhat on this matter. As one sort of collective responsibility he instances cases where virtually everyone engages in a sort of activity and a few are unlucky enough to cause harm. E.g., everyone drives once in a while when he or she is drunk but only a few of us are unlucky to hit pedestrians as a result. This he regards as a genuine form of collective responsibility, though he of course does not suggest that all of us contributed causally to the death of pedestrians.<sup>14</sup> But what he should have said is that some drunk drivers are responsible for the deaths of pedestrians and that the rest of us are responsible for driving while drunk. There is no reason to think that this type of "moral luck" involves any sort of collective responsibility.

#### NOTES

<sup>1</sup> See 'Postscript: Responsibility and retribution' in Hart's *Punishment and Responsibility*. New York: Oxford University Press, 1968, pp. 211–30. Another discussion of the concepts of responsibility which roughly follows Hart's is Kurt Baier, 'Responsibility and action' in *The Nature of Human Action*, ed. Myles Brand. Glenview, Illinois: Scott, Foresman, 1970, pp. 103–8.

<sup>2</sup> There is a good brief discussion of the various ways in which the law embodies collective responsibility in Joel Feinberg's 'Collective responsibility' in his *Doing and Deserving*. Princeton: Princeton University Press, 1970, pp. 222–33. The entire essay can be recommended for its treatment of the moral aspects of this phenomenon.

<sup>3</sup> Peter French, who has offered the most sustained defense of the idea of corporate responsibility, very briefly acknowledges this critical point in *Collective and Corporate Responsibility*. New York: Columbia University Press, 1984, p. 124.

<sup>4</sup> The example and the conclusion come from one of the most discussed articles defending the notion of collective responsibility, Virginia Held, 'Can a random collection of individuals be morally responsible?', *The Journal of Philosophy* 67, no. 14 (July 23, 1970), pp. 471–81. John Harris' book, *Violence and Responsibility*, Boston: Routledge and Kegan Paul, 1980, is an extended defense of the notion of "negative responsibility," that is, of the idea that people can be as responsible for the outcomes they omit to prevent as they are for the outcomes they actively produce. Harris does not devote much special attention to collective negative responsibility, however.

An anonymous referee has rightly reminded me that this notion of “negative responsibility” has been warmly contested, often on the grounds that omissions do not have consequences. It is of course true that if omissions have no consequences, then the sort of example Held uses to illustrate collective responsibility has serious problems. (It is interesting that the examples most often used of collective responsibility involve collective omissions.) On the other hand, if omissions have no consequences, then it follows that *individuals* are not responsible for the states of affairs following their solitary omissions, either. In other words, the act/omission distinction cuts across the individual/collective distinction. If omissions have no consequences, then there would still be a question as to whether collective responsibility exists in the case of collective actions. Since the problem of collective responsibility would persist in this way I have chosen for simplicity’s sake not to address the act/omission debate and my examples come from both categories. For discussion of the question whether omissions have consequences see Elazar Weinryb, ‘Omissions and responsibility’, *The Philosophical Quarterly* 30 (January 1980), pp. 1–18 and Douglas N. Husak, ‘Omissions, causation and liability’, *The Philosophical Quarterly* 30 (October 1980), pp. 318–26.

<sup>5</sup> See L. Jonathan Cohen, ‘Who is starving whom?’, *Theoria* 48, no. 2 (1981), pp. 74–76, who argues that 100 people could each be responsible for one-one-hundredth of a death. The example of the car that I used above comes from Michael J. Zimmerman, ‘Sharing responsibility’, *American Philosophical Quarterly* 22, no. 2 (April 1985), pp. 115–22.

<sup>6</sup> ‘Action and responsibility’ in *op.cit.*, pp. 133–5.

<sup>7</sup> This analysis could well be refined by requiring, as Feinberg does, that the act one is responsible for causes the result in such a way that it is the faulty aspect of the act that is the causal condition of the result. In other words, one is not responsible (Feinberg speaks of being “at fault”) for a result, even if one is responsible for an act that caused the result, if the result was not conditioned by the aspects of the act that were blameworthy. But this sort of refinement will not, I think, alter any point of substance in what follows and so I neglect it. Feinberg, ‘Sua culpa’, in *Ibid.*, pp. 195ff. It is evident how often I am indebted to Feinberg’s stimulating work.

<sup>8</sup> ‘Three ways of spilling ink’, *Philosophical Papers*, second edition. Oxford: Oxford University Press, 1970, p. 284.

<sup>9</sup> I am indebted to Doug Ehring for this example, and for helpful discussion about the whole issue of collective responsibility.

<sup>10</sup> There is a useful discussion of the way in which the Nuremberg Tribunals accorded legal responsibility to the important surviving Nazis in Sanford Levinson, ‘Responsibility for crimes of war’, *Philosophy and Public Affairs* 2, no. 3 (Spring 1973), pp. 244–73. Levinson suggests that the standards were always individualistic, in the sense that group membership constituted a defeasible piece of evidence about one’s intentions and knowledge.

<sup>11</sup> For scrupulous documentation of this fact see Walter Laquer *The Terrible Secret*. Boston: Little, Brown, 1980.

<sup>12</sup> There is some useful discussion at this point from a slightly different perspective in Zimmerman, *op.cit.*, pp. 116–17. Notice that the fact that I believe that factors  $x$ ,  $y$ ,  $z$  will operate along with my act to produce a result in no way prejudices the morality of  $x$ ,  $y$  and  $z$  if they happen to be human actions. The acts  $x$ ,  $y$  and  $z$  may be morally innocent (say, the actions of children) or they may be culpable (say, the actions of co-conspirators). My action will have the moral quality it has (if I intend the result) regardless of which of these possibilities is realized or, indeed, even if  $x$ ,  $y$  and  $z$  only stand for naturally-occurring factors. On this point see Gregory Mellema, ‘Shared responsibility and ethical dilutionism’, *Australasian Journal of Philosophy* 63, no. 2 (June 1985), esp. pp. 181–2.

<sup>13</sup> The only philosopher I know of who has denied that people who fail in an attempt are as guilty morally as those who succeed is Peter Winch. See ‘Trying’ in his *Ethics and Action*. London: Routledge and Kegan Paul, 1972, pp. 130–50.

<sup>14</sup> Feinberg, 'Collective responsibility', *op. cit.*, pp. 241–3. See also the curious problem in George Schedler, 'A theory of collective responsibility and some applications', *The Heythrop Journal* 23, no. 4 (October 1982), pp. 399–400, where a person throwing a stone at a corpse he or she thinks is alive is said to be responsible for the person's death.

*Department of Philosophy,  
Southern Methodist University,  
Dallas, TX 75275,  
U.S.A.*