



# Co-responsibility for Individualists

David Atenasio<sup>1</sup> 

Published online: 4 October 2018  
© Springer Nature B.V. 2018

## Abstract

Some argue that if an agent intentionally participates in collective wrongdoing, that agent bears responsibility for contributing actions performed by other members of the agent's collective. Some of these intention-state theorists distribute co-responsibility to group members by appeal to participatory intentions alone, while others require participants to instantiate additional beliefs or perform additional actions. I argue that prominent intention-state theories of co-responsibility fail to provide a compelling rationale for why participation in collective wrongdoing merits responsibility not only for one's own actions but the contributing actions of others as well. I propose that authorization agreements provide us with a suitable rationale. Authorization may be expressly given, as when one person signs a document authorizing another to advance her aims. Or, authorization may be tacitly or implicitly given by participating in and sufficiently contributing to a common plan. If a person authorizes an agent to act, it is right to blame the authorizer for what the agent does on the authorizer's behalf. An authorization theory justifies the distribution of co-responsibility by appeal to the morally transformative power of agreement, thereby providing a compelling rationale for why a person may be to blame for contributing actions performed by other agents.

**Keywords** Responsibility · Authorization · Blame · Christopher Kutz · Intentions · Co-responsibility · Shared responsibility · Collective responsibility

## Introduction

On the morning of March 16, 1968, a group of American soldiers from Charlie Company murdered 350–500 unarmed villagers in a handful of South Vietnamese hamlets. The U.S. Army convicted only Lieutenant William Calley of premeditated murder for ordering the killings. Many also felt that Captain Ernest Medina deserved some blame. In an interview given following his conviction, Calley responded that

---

✉ David Atenasio  
datenasio@luc.edu

<sup>1</sup> Loyola University Chicago, 1032 W Sheridan Rd, Chicago, IL 60660, USA

‘the captain was no more a villain than any American from the President down. The guilt: as Medina said, we all as American citizens share it. I agree.... I say if there’s guilt, we must suffer it’ (qtd in French 1972, p. 2).

Due in part to the massacre, philosophers developed a renewed interest in theories of collective and shared responsibility. Many agreed with Calley that American citizens shared responsibility for atrocities committed during the war (see French 1972). Philosophers have since offered arguments to establish the proposition that groups or group members may rightfully be held responsible for collective wrongdoing (Copp 2006; French 1979, 1984; Gilbert 2006; Isaacs 2006, 2011; May 1987, 1992; Mellema 1997; Miller 2001; Pettit 2007; Sverdlik 1986).

Some grant that group members may collectively bear a form of responsibility with others, but argue that there is no easy way to infer personal responsibility from participation in collective wrongdoing (Cooper 1968, pp. 262–263; French 1984, p. 14; Gilbert 2006, p. 109; Held 2002, p. 162). However, there are theorists who argue that when certain conditions obtain, individual participants inherit a form of personal responsibility by participating in collective wrongdoing. Their theories make individual co-responsibility for collective wrongdoing a function of individual intention states: if one intentionally participates in a collective endeavor aimed at wrongdoing, one is in some way co-responsible for the contributing actions performed by one’s fellow group members (Isaacs 2006, pp. 68–69; Kutz 2000, p. 122; Sadler 2006, pp. 139–140; Sverdlik 1986, p. 66; Tuomela and Mäkelä 2016, p. 307).<sup>1</sup>

I argue that prominent intention-state theories of co-responsibility fail to sufficiently justify the ascription of responsibility to some group members for the actions of others. The guiding notion behind these intention-state theories of distributing responsibility is that once one instantiates a certain mental state or states, one acquires moral responsibility for contributing actions made by one’s group members that aim at a collective goal. I believe this notion is on the right track, but prominent intention-state accounts fail to give a compelling reason why, once one instantiates the relevant mental state or states, one becomes to blame not only for one’s personal contributing action toward a collective aim, but for the contributing actions of others as well.

Kutz (2000) presents a few considerations to justify holding some individuals responsible for the actions of others, but I argue that each is unconvincing. Tuomela and Mäkelä (2016) increase the number of mental states or requirements necessary for the distribution of responsibility, but this strategy also comes up short, because it still fails to provide a compelling rationale for why the instantiation of additional mental states entails that a person is to blame for the actions of other agents.

<sup>1</sup> While intention-state theories of distributing co-responsibility tend to dominate the literature, there are other competing theories as well. Sepinwall (2011, pp. 248–260) argues that we ought to distribute co-responsibility to those who are suitable targets of certain reactive attitudes, such as resentment or blame. May (1992; May and Strikwerda 1994) argues that all individuals who negligently cultivate harmful attitudes are in a way co-responsible for hate crimes carried out by community members who share those attitudes. Neither theory makes an intention to participate in wrongdoing a necessary condition for acquiring responsibility for the independent actions of others. Because both theories differ significantly from the intention-state theories covered in this paper, I do not have the space to consider them fairly.

In the second half of the paper, I offer a rationale for distributing co-responsibility for collective wrongdoing. I argue that we can understand co-responsibility as a function of authorization, whether express or tacit.<sup>2</sup> Individuals are rightly held to blame for the actions of others when they authorize others to act on their behalf. If an agent performs an action on behalf of a principal, then it is right to blame the principal for what the agent does. This is so because authorization relationships are morally transformative.<sup>3</sup> An authorization theory of co-responsibility offers a rationale for distributing responsibility on account of actions and intention states: once one instantiates the necessary mental states and performs the relevant actions to constitute an authorization relationship with an agent, one becomes to blame for the actions one's agent performs on one's behalf.

This paper proceeds as follows: after clarifying and defining some terms, I canvass some intention-state theories of co-responsibility and argue that they fail to adequately justify the ascription of responsibility to some agents for the actions of others. I then propose an authorization account of co-responsibility and defend it from several objections.

## Collective and Shared Responsibility

I use the term 'moral responsibility' to denote backward-looking credit, fault or blame due to an agent.<sup>4</sup> I follow Feinberg (1970, p. 128) in defining moral responsibility as a single relation between an agent and a state of affairs. To say that person A is morally responsible for  $\phi$  is to ascribe  $\phi$  to person A's social record or reputation. Others contend that moral responsibility is a three-place relation between an agent, a state of affairs and a normative property of desert (Neuhäuser 2014, p. 234). Not much in this paper will depend on whether we understand responsibility as a two-, three- or even four-place relation. I keep responsibility as a two-place relation to remain agnostic about whether being at fault for a state of affairs entails any

<sup>2</sup> Some philosophers and legal theorists have hinted at the possibility of an authorization or agreement account of co-responsibility; see Feinberg (1970, pp. 226–227), Pasternak (2011, pp. 117–118), Rescher (1998, p. 51) and Kadish (1985, pp. 354–355). Gilbert (2006) argues that what she calls 'shared responsibility' is a function of the commitments we make to pursue collective aims. However, Gilbert's notion of commitment is weaker than the theory of authorization I propose. Gilbert argues that making a commitment to participate in a collective endeavor is not sufficient for acquiring responsibility for any actions performed by others (p. 109), but authorization is sufficient for acquiring moral responsibility for the authorized actions of others, absent any excusing or justifying conditions. May (1987, pp. 55–57) utilizes authorization to explicate collective or corporate action, but adopts a different approach in (1992), distributing co-responsibility to group members by appeal to an agent's negligent attitudes.

<sup>3</sup> Agreements are 'morally transformative' when they alter the permissions, obligations, responsibilities or rights of those who voluntarily enter into them. In the context of consent agreements, Hurd (1996, p. 123) provides some instructive examples: 'consent turns a trespass into a dinner party; a battery into a handshake; a theft into a gift; an invasion of privacy into an intimate moment; a commercial appropriation of name and likeness into a biography'. In this paper, I argue that authorization agreements are similarly transformative.

<sup>4</sup> 'Responsibility' is also sometimes used to denote forward-looking obligations of aid or remediation; see Radzik (2001, p. 465), Stilz (2011, pp. 194–195) and Young (2011, p. 96).

obligations or deserved punitive reaction. This way, we can assert that a person is at fault for a transgression without making strong claims about how we should respond to that person or what that person owes to others.

An agent most commonly acquires moral responsibility by voluntarily and intentionally performing some morally prohibited action.<sup>5</sup> If Karen intentionally kills her husband Robert with a shotgun, then typically Karen is morally responsible for her husband's death, unless there are excusing or justifying conditions. The excusing or justifying conditions proviso protects agents from acquiring moral responsibility when they must act under conditions that excessively limit their freedom of choice or when they are justifiably unaware of the consequences of their actions.<sup>6</sup> For instance, if Karen, fearing for her life, shoots her husband Robert in self-defense, she may be exempt from bearing moral responsibility for Robert's death, on account of her lack of reasonable options.<sup>7</sup>

But some are not content to define moral responsibility solely as individual responsibility for personal wrongdoing. They introduce additional modes of responsibility: collective and shared responsibility. Theorists often use the expression 'collective responsibility' to denote the responsibility an organization, collective or corporation bears as a whole (Cooper 1968; Gilbert 2006; Tollefsen 2003).<sup>8</sup> For example, if it makes sense to say that the corporation BP negligently caused the Deepwater Horizon oil spill, then perhaps BP itself bears moral responsibility for the resulting ecological harm. However, arguments that establish the responsibility of a collective do not, on their own, give us a justifiable way to distribute fault or blame to individual group members (see Held 2002, pp. 162–163).

I use the expression 'shared responsibility' to denote the distribution of responsibility to individuals for wrongdoing or unjustified harm that results from collective action. Agents that share responsibility for wrongful actions or outcomes are personally to blame for those actions or outcomes in some way (May 1992, p. 38).<sup>9</sup>

<sup>5</sup> Hart and Honoré (1985, p. 65) argue that responsibility for an outcome typically requires that one causes that outcome. Matters become less clear when one 'causes' an unfortunate outcome by omitting to act, as theorists disagree about whether omissions have causal efficacy; see Dowe (2001) and McGrath (2005).

<sup>6</sup> Duff (2009, pp. 284–285) argues that excuses exempt one only from liability to be punished, but not from bearing moral responsibility for what one has done. He argues that moral responsibility is strictly applied to those who cause harm, whether or not they cause it intentionally (2006, p. 103). This strikes me as a rather controversial claim, as it entails that Karen is morally responsible for killing her husband, no matter the context. If Karen's husband were trying to rape and kill her, do we really want to say that she is still *morally* (and not merely causally) responsible for his death? This seems unfairly harsh to me, but I do not have the space to argue the point in detail.

<sup>7</sup> It is worth noting that some argue that we ought to get rid of moral responsibility altogether; see Perboom (2001), Smilansky (1994) and Strawson (1994).

<sup>8</sup> Unfortunately, philosophers sometimes use the terms 'collective responsibility', 'social responsibility', 'shared responsibility' and 'corporate responsibility' interchangeably and sometimes to denote separate concepts; see Gomperz (1939, pp. 331–332), May (1992, pp. 37–38), Mellema (1997, p. 3) and Sverdlik (1986, pp. 62–63).

<sup>9</sup> Not everyone understands shared responsibility as a form of distributive collective or group fault. Some argue that shared responsibility for larger, dispersed harms generates only forward-looking obligations to repair or remediate the harm; see Arendt (1987), Pasternak (2013) and Young (2011).

Consider a group of four bank robbers who conspire to rob a bank. Each robber performs a different task in the conspiracy: one drives the getaway car, one acts as the enforcer, one leads the operation and one breaks into security deposit boxes. Imagine that the enforcer shoots and kills a bank guard to intimidate the tellers. Let us assume that this murder is part of the criminal plan and that all members are aware of it. If we limit ourselves to individual responsibility, we would say that only the enforcer is responsible for the guard's murder. The getaway driver would be responsible for unjustly transporting people away from a murder and robbery, the safecracker for breaking open security deposit boxes and so on. However, a theory of shared responsibility produces different results. According to a theory of shared responsibility, every member of the team is at least partially responsible for the guard's death.<sup>10</sup> Among theories of shared responsibility, we can further distinguish between theories of co-responsibility and theories of complicity. To be co-responsible for another agent's action is to be at fault for that action, even though one did not personally perform it. To be co-responsible for an outcome is to be at fault for the entirety of an outcome collectively produced by a plurality of agents. We can justifiably blame an individual who is co-responsible for an injustice as if that individual had personally authored it in some way.

However, some also defend a weaker form of shared responsibility often called 'complicity' (Lepora and Goodin 2013; Mellema 2016). To be complicit in someone else's wrongdoing means that one is to blame only for contributing to or facilitating that person's wrongdoing. Complicity differs from co-responsibility, as when one is complicit, one is at fault only for one's personal contributing action to someone else's wrongdoing and not for any contributing actions made by others (Lepora and Goodin 2013, p. 80; Mellema 2016, p. 3). According to a theory of complicity, the getaway driver would be at fault for his role in facilitating the enforcer's murder, but not necessarily for the murder itself or any contributing actions performed by his co-conspirators.<sup>11</sup> The moral upshot of this distinction is thrown into relief when the collective action becomes larger: when one is complicit in genocide, one is justifiably blamed as performing an action (or set of actions) that facilitates genocide, while when one is co-responsible for genocide, one is justifiably blamed as a mass

---

<sup>10</sup> The idea that some individuals might bear responsibility for the free and intentional actions of others may seem odd at first, but such a principle informs precedents in U.S. law. In civil law, the doctrine of *respondeat superior* permits aggrieved parties to sue the employers of employees who cause unjustified harm on the job; see Davant (2002, p. 554). In criminal law, doctrines from conspiracy to felony murder hold some individuals liable for the wrongdoing personally carried out by other agents; see Schwartz (1985, p. 857) and Ohlin (2008, p. 147).

<sup>11</sup> The distinction between complicity and co-responsibility roughly tracks the legal division between principal and accomplice liability. The principal to a crime is effectively its author. An accomplice is one who assists a principal in carrying out the crime. A principal might be to blame for murder, while an accomplice would be to blame for aiding and abetting murder. I say 'roughly' tracks, because American courts typically charge accomplices with the crimes of their principals (although they usually assess more lenient sentences to accomplices). However, the American doctrine of accomplice liability has been subject to severe criticism, and many other jurisdictions charge accomplices with a lesser crime for aiding or facilitating wrongdoing; see Chiesa (2014, pp. 6–8), Dressler (2008) and Moore (2007).

murderer. For this reason, co-responsibility for wrongdoing typically sanctions far more severe legal and moral punitive reactions than complicity.

Because my focus is on how one person might be to blame for the free and intentional actions of another agent, I limit my analysis and arguments to theories of co-responsibility. I also limit my discussion to theories of co-responsibility for structured or coordinated wrongdoing, leaving open the question of how we should think of those who participate intentionally or unintentionally in dispersed or uncoordinated harms, such as climate change. I do so because uncoordinated harms are often more attributable to negligence or carelessness than intentional participation. In addition, intention-state theorists who consider responsibility for dispersed or uncoordinated harms assess these cases by different standards than coordinated or structured harms (Kutz 2000, pp. 154–155, 168–191), and I do not have the space to address those theories here.

## Intentional Participation in Collective Wrongdoing

One influential account of co-responsibility comes from Kutz (2000).<sup>12</sup> Kutz argues that individuals are co-responsible<sup>13</sup> for wrongful actions performed by others when they participate intentionally in a collective activity that aims at wrongdoing (p. 122). In his own example, Kutz argues that all the bomber pilots who participated in the firebombing of Dresden bear co-responsibility for the full consequences of the fiery inferno (p. 141). Each bomber instantiates what Kutz denotes a ‘participatory intention’ to commit wrongdoing (p. 74). A participatory intention has two forms of representational content: one must correctly conceive of a collective action as requiring the intentional participation of others and one must understand one’s contributing action as furthering the collective end (pp. 81–82). Once these criteria are met, one bears personal responsibility not only for one’s contributing action<sup>14</sup>

<sup>12</sup> As two reviewers of Kutz (2000) note, it is sometimes unclear whether Kutz offers a theory of co-responsibility or a theory of what I have called complicity; see Gardner (2004, p. 827) and Gilbert (2002, pp. 181–183). Despite the fact that his book is titled *Complicity*, I interpret Kutz as offering a theory of co-responsibility, as he insists that victims of collective wrongdoing may blame individual participants for the full outcome of a collectively produced harm, not merely for their personal contributing actions (2000, p. 142); see also Pettersson (2013). If Kutz intends to offer only a lesser theory of complicity, as I have defined the word, then he will need to make heavy revisions to his theory.

<sup>13</sup> Kutz uses the term ‘accountability’ instead of ‘responsibility’. By accountability, Kutz means not only what I have termed fault or responsibility, but also liability to repair. In other words, an accountable agent is both to blame for wrongdoing and obligated to repair or address that wrongdoing; see Kutz (2000, pp. 18, 122, 129).

<sup>14</sup> By ‘contribution’ or ‘contributing action’, I mean any action that aims at furthering a collective end. For Kutz, an action that contributes to a collective aim need not make an outcome more likely, as he contends that many collective actions are overdetermined, so that many contributing actions do not end up making a difference (2000, p. 122). To not beg the question against Kutz, I stay agnostic about whether or not a contribution or contributing action must make a difference to be blameworthy.

toward the collective endeavor, but for the contributing actions performed by one's fellow participants as well.<sup>15</sup>

Kutz only goes so far as to say that intentional participation merits 'inclusive' responsibility (p. 146). Others call this form of responsibility 'joint' responsibility for collective wrongdoing (Miller 2001, p. 69; Tuomela and Mäkelä 2016, p. 302). Inclusive or joint responsibility is a form of personal responsibility, but it is one that is shared with others, so it differs from sole individual responsibility.<sup>16</sup>

Few will object to the claim that by participating in collective wrongdoing, one bears personal responsibility for one's contributing actions toward that wrongdoing. For instance, if a civilian employee helps an extermination camp function properly, we can justifiably blame the civilian for helping others commit murder. But it is worth inquiring how we go from holding an individual complicit or personally responsible for contributing to someone else's wrongdoing to holding that individual co-responsible for contributing actions performed by other members of the collective (Gilbert 2002, pp. 181–183). In other words, at what point is it fair to call the civilian a mass murderer and hold her personally responsible for the murders carried out by other workers at the extermination camp? There does not appear to be anything about the person's individual intention to contribute that would warrant this expansion of responsibility. An individual intention to contribute to collective wrongdoing *prima facie* justifies only an ascription of responsibility for one's personal contributing actions.

Kutz offers primarily three considerations to justify holding participating members of a collective to blame for the contributing actions of other participants: two arguments in defense of a 'complicity principle' and a manifesting wills argument. The complicity principle states: 'I am accountable for what others do when I intentionally participate in the wrong they do or harm they cause' (2000, p. 122). If Kutz's principle proves defensible, it effectively explains how a person's individual contributing actions toward a collective aim entail responsibility for

---

<sup>15</sup> Kutz formulates his account of co-responsibility primarily in opposition to consequentialist difference-making accounts of responsibility for collective wrongdoing. Parfit (1984, p. 80) argues that even if one's actions make no discernable difference to a collectively produced harm, one can nevertheless see oneself as a member of a set of individuals who do make a difference. But as Kutz rightly notes, it is not clear that we can draw moral conclusions about personal responsibility from the fact that a person is a member of a set of individuals who collectively cause harm together (2000, p. 131). Kagan (2011) solves this problem by both denying that any harms are imperceptible and positing that agents are to blame for the antecedent probability that their actions would make a difference to a collectively produced harm. Because Kagan assigns responsibility only on account of the personal risks that individuals take when acting, his theory more resembles a theory of complicity than co-responsibility. If it is possible to sufficiently assess blame only by appeal to the antecedent risks that people take, there is no need to hold some to blame for actions carried out by others, and therefore no need for a theory of co-responsibility.

<sup>16</sup> There is still some ambiguity in the literature as to how inclusive or joint responsibility functions. Kutz argues that inclusive responsibility merits a different response than sole personal responsibility for wrongdoing, but also that there is no guiding principle to determine how responses ought to differ (2000, pp. 146, 165; see also Lawson 2013). Presumably, inclusive or joint responsibility is more serious than personal responsibility only for one's personal contribution to wrongdoing but not as serious as sole personal responsibility for wrongdoing. However, where to draw the line between inclusive or joint responsibility and sole responsibility remains somewhat unclear.

the contributing actions of others. However, I argue that Kutz's arguments in favor of the complicity principle do not succeed.

Kutz first defends his principle by arguing that it is 'well-grounded in our intuitions, ethical practices, and psychologies' (p. 122). This defense may appeal to those who are already disposed to agree with Kutz, but it will not convince those skeptical of principles of co-responsibility (see Lewis 1948; Narveson 2002). Those who disagree may grant that the complicity principle is well-grounded in our attitudes and practices but question whether it should be. After all, principles that justified slavery and eugenics were once well-grounded in many people's practices and attitudes as well.

Kutz also gives a competing-perspectives defense of the complicity principle. He argues that in cases of collective wrongdoing, there are three perspectives that we may adopt in response. First, there is the first-person perspective of the agent who participates in collective wrongdoing. From the agent's perspective, she should not be blamed too harshly, because she was merely one participant out of many. We might reach a similar conclusion from an objective, third-person standpoint. From a third-person standpoint, we distribute blame in proportion to the magnitude of causal contribution, which for many participants in a large collective endeavor could be quite small (Kutz 2000, p. 122). However, when we adopt a second-person standpoint, our perspective changes. From the second-person standpoint, we consider other moral agents not as causal objects but as autonomous agents worthy of respect (see Darwall 2006). Kutz argues that, from the second-person perspective, we realize that the victim's experience is 'dominated by the fact of suffering' (2000, p. 123).

Kutz contends that we need to reconcile reactive judgments made from each of the three perspectives. While the first- and third-person perspectives favor an individualist moral theory, Kutz argues that the second-person perspective provides warrant for the complicity principle (p. 123). Kutz concludes that the best way to balance the three perspectives is to weaken our traditionally individualist moral principles to make room for the complicity principle.

But a lot more work needs to be done to show that the complicity principle is a necessary component of balancing the three perspectives. How we form reactive judgments from the second-person perspective changes depending on the values we hold and the moral concepts we are disposed to employ. A person could very well adopt a second-person perspective toward victims of collective wrongdoing and still resolutely believe that the complicity principle goes too far. She could consistently say: 'were I in the victim's place, I would only want responsibility to fall on the planners or leaders of such wrongdoing'. So there is reason to think that, even after ideal deliberation and reflection, many may still question the necessity of the complicity principle, as Kutz states it. It is therefore not at all obvious that the complicity principle is the best way to balance judgments from the first-, second- and third-person perspectives.

Kutz also offers a third consideration to justify holding individuals responsible for contributing actions made by one or more other agents. He writes:



If a set of agents' participatory intentions overlap, then the will of each is represented in what each other does qua group member, as well as what they do together. The logical overlap permits us to say that they manifest their attitudes through one another's actions. (pp. 141–142)

In other words, it is right to hold a person responsible for the actions of another agent if that agent's actions manifest<sup>17</sup> her will. Another agent's actions manifest a person's will when each instantiates a participatory intention that aims at contributing to the same (or similar) collective goal. If you tear down signs at the park and I knock over a picnic table, our actions manifest each other's wills, so long as we both conceive of our contributing actions as furthering the collective end of vandalizing the park. This manifesting relationship provides a rationale for why I can justifiably be held responsible for your acts of vandalism.

Because the wills of participants in a collective act cannot literally overlap, we should understand the notion of 'overlap' as a normative or logical relationship between the content of one participant's will to the content of another participant's will. If the contents of participants' wills overlap in normative or logical space, we are justified in claiming that each participant's will manifests the wills of the other participants. According to Kutz, for the contents of participants' wills to overlap, there need only be some agreement among participants as to the kinds of outcomes or states of affairs that would satisfy some collective aim (Kutz 2000, pp. 94–95, 139; Lawson 2013, p. 231).

The manifesting wills argument, while intriguing, is not yet successful, as the notions of overlapping contents and manifesting wills require a lot more clarification. It is not immediately clear why partial (or full) identity conditions between mental state contents leads to a normative or logical overlap relationship. Some equivalent mental state contents do not appear to overlap. If you and I both perceive a red ball, the contents of our perceptions do not necessarily overlap. We therefore need an explanation for why intending similar states of affairs creates a normatively significant form of overlap while perceiving similar states of affairs does not. If by 'overlap' Kutz means no more than partial or full logical equivalence, this mitigates the preceding worry, but it also weakens the manifesting wills argument. People often instantiate mental states with identical or partially identical contents without creating manifesting relationships. Imagine that 30 people all simultaneously believe the proposition 'It is raining in Seattle'. The contents of their belief states are logically equivalent, but their acts of believing do not manifest each other's acts of believing. We therefore need a lot more clarity as to how and when the equivalence of two mental state contents creates a manifesting relationship.

The manifesting wills argument aims to solve a crucial normative problem: how an intention to participate in collective wrongdoing entails responsibility not merely for one's own contributing actions, but the contributing actions of others as well.

---

<sup>17</sup> I focus on manifestation instead of representation to avoid wading into discussions about the meaning of representation; see Pitkin (1967). Alternatively, we could also say that my actions express or embody my will.

Unfortunately, it does so by appeal to spatial metaphors: that of ‘overlapping’ contents and ‘manifesting’ or ‘representing’ wills. If we wish to introduce a concept as controversial as co-responsibility, we ought to have a really good justification for doing so. Without compelling theories of how contents overlap and how an action might manifest another’s mental states, a skeptic of co-responsibility could justifiably argue that those metaphors are too vague to do serious normative work.

Kutz’s paradigmatic example of co-responsibility, the firebombing of Dresden, does not make the idea of manifesting wills any clearer (2000, pp. 115–122). Kutz argues that every individual who intentionally participates in a coordinated atrocity with the relevant participatory intention bears responsibility for that atrocity (p. 141). He finds this intuitive when talking about a group of bombers who coordinate to destroy a set of targets. However, there are many more individuals who contribute to the war effort. Some mess hall attendants and cooks contribute intentionally to bombing campaigns by helping to feed the bomber pilots. Intelligence agents gather information to help facilitate bombing operations. Dispatchers and radio operators help to coordinate the attack.

At the level of mere participation, we can include many marginal participants as part of a bombing raid. Many of these marginal participants are no more or less informed and enthusiastic about the war effort than the bomber pilots. Without a clear reason to exclude some participants rather than others, we must admit that the baker who provides bread for the bomber pilots will manifest the wills of the bomber pilots, as long as the baker conceives of providing bread as a way to further the collective end of destroying Dresden. The baker thereby becomes responsible for *everything* others intentionally do to further this end. In other words, the baker becomes responsible for mass murder.

But the more marginal participation becomes, the less plausible it is to say that the wills of participants manifest each other’s wills. Why should the intentional actions of a baker or intelligence agent manifest the wills of bomber pilots when they have never spoken, never met, have no authority over each other and may not know of each other’s existence? Kutz’s example of a dispersed, loosely coordinated injustice such as the bombing of Dresden actually gives us reason to deny the proposition that all participants who aim at a collective end manifest one another’s wills.

One might attempt to save the manifesting wills argument by increasing the amount of mental states or requirements necessary for the distribution of responsibility to individual participants. For instance, Tuomela and Mäkelä (2016, p. 307) argue that when group members instantiate a ‘collective intention’, then ‘every member qua group member is responsible for the group’s actions and indeed for every other group member’s participatory actions’. Tuomela (2006, p. 43) elaborates that a collective intention obtains when an individual intends to participate in a collective action, believes that she will have the opportunity to contribute to the collective action, believes that other members of the collective action will do their part and believes that the group members are aware of each other’s aims to carry out the collective action.

By increasing the number of mental states or actions necessary for the instantiation of a manifesting relationship between participants’ wills, we limit those relationships to individuals who are centrally connected to a common plan. But a

problem remains: it is still not clear why increasing the number of required beliefs or actions generates a manifesting relationship. While increasing the number of necessary beliefs or actions may increase the intuitive appeal of a theory of distributing co-responsibility, it still does not provide a compelling rationale for why any set of beliefs or actions is sufficient to generate a manifesting relationship between the wills of participants in a collective action.

In response, some may argue that the instantiation of an irreducibly ‘collective’ or ‘we-’ intention of the sort described by Tuomela and Mäkelä creates a manifesting relationship and transfers co-responsibility for the group action to each participant. Just as individual intentions to commit wrongdoing lead to individual responsibility for that wrongdoing, individually instantiated collective or we-intentions to participate in collective wrongdoing entail co-responsibility, absent justifying or excusing conditions. But this strategy is also unsuccessful. When an individual intentionally carries out wrongdoing, we blame that individual on account of the individual’s intention *to* perform some prohibited action. In a collective action, an individual intends to play her part and instantiates additional belief or intending-*that* states related to the actions of others in the collective. But belief and intending-that states are rather different mental states than an intention to personally perform some prohibited action. Denoting a set of belief and intending-that states a ‘collective intention’ does not solve the problem so much as give it a name, for it is not clear that collective or we-intentions so described entail any meaningful normative considerations. We still need a compelling justification for why any belief or intending-that states entail responsibility for contributing actions performed by others.

If we can tell a convincing story of how and why one person’s intentional actions manifest the will of another, we have a compelling account of how one person may acquire co-responsibility for the free and intentional actions of another. As I have argued, Kutz’s proposal does not get us there. Accounts such as Tuomela and Mäkelä’s that increase the belief requirements do better, but they still lack a compelling rationale to justify distributing co-responsibility among participating group members.

## Co-responsibility by Agreement

In the last section we considered the idea that, once one instantiates sufficient belief and intention states, another person’s actions may manifest one’s will. But we were left wondering why this might be the case. In this section, I argue that authorization agreements provide us with a suitable rationale.<sup>18</sup> When one person authorizes

---

<sup>18</sup> Pasternak (2013, pp. 365–367) considers authorization as a solution to the problem of distributing liability for collective wrongdoing. However, because she aims to distribute liability for a nation’s wrongdoing to its citizens, she is forced to reject it as a plausible rationale. The problem is that it makes little sense to say that a citizen expressly or tacitly authorizes the state to act on her behalf simply by being a citizen. Stilz (2011) argues that citizens of a state acquire liability to repair the state’s wrongdoing because they necessarily authorize the state to advance their interests on their behalf. The citizens of a state necessarily authorize the state to act on their behalf if the state credibly interprets their rights. Stilz therefore tries to use facts about what citizens would authorize under ideal conditions to distribute liability; for some problems with this approach, see Begby (2012) and Dworkin (1989).

another to carry out wrongdoing on her behalf, we rightfully blame the authorizer for the actions performed by her agent. We do this because the authorizer has freely and intentionally entered into an agreement with the agent to further her interests. The authorizer thereby acquires co-responsibility for what her agent does on account of the agreement. Because an authorization relationship is morally transformative between two individuals, we have a compelling rationale to explain how one individual's intentional actions might manifest the wills of other participating agents.

Let us define authorization as the expression or signification of willingness to have another carry out an action or set of actions on one's behalf, in one's name or to further one's aims in one's stead.<sup>19</sup> One signals one's willingness by performing a conventionally recognized action or set of actions in the appropriate social context.<sup>20</sup> Frequently, individuals signal their willingness through formally recognized measures, such as signing a document or swearing a vow. However, people enter into authorization agreements in less formal ways as well, such as verbal agreement.

Typically, if one authorizes another to commit wrongdoing, then one is responsible for that wrongdoing, absent any justifying or excusing conditions. Similar to consent, which can transform an act of sexual assault to consensual sex, authorization agreements alter the moral status of individuals who share in a common plan (Hurd 1996, pp. 123–124). If Clytemnestra hires Aegisthus to kill her husband Agamemnon, then we rightfully blame Clytemnestra (in addition to Aegisthus) for Agamemnon's death on account of her voluntarily entering into a conspiratorial agreement. If Aegisthus decides to kill Agamemnon on his own, we do not hold Clytemnestra responsible. Whether or not Clytemnestra enters into an authorization agreement changes her moral relationship to Aegisthus's actions and Agamemnon's death.<sup>21</sup>

So much may not be controversial, but neither does it produce a compelling theory of co-responsibility. Explicit authorization agreements are common, but they obtain in only a subsection of all collective wrongdoing. Consider again the four bank robbers: the enforcer, the getaway driver, the safecracker and the leader of the operation. While the leader of the criminal plan may expressly authorize the getaway driver to transport the robbers away from the crime scene, the other members may not expressly authorize each other to perform their tasks. The enforcer likely does not say to the safecracker, 'I authorize you to break open this safe on my behalf'. So explicit authorization may only transfer co-responsibility among some of the bank robbers for each other's contributing actions. If the enforcer shoots and kills a guard,

<sup>19</sup> There are two types of authorization agreements: permissive and representative. Sometimes, one authorizes others by transferring or delegating authority to them to advance their own interests. We can call this form of authorization 'permissive authorization'. Or, one authorizes others with specific instructions to advance one's own aims. We can call this form of authorization 'representative authorization'. When I speak of authorization, I mean exclusively representative authorization, as representative authorization is sufficient (absent any justifying or excusing conditions) to make one individual responsible for the authorized actions of another. It is unclear to me whether permissive authorization entails co-responsibility or even complicity for the wrongful actions of others; see Copp (1980, pp. 590–591).

<sup>20</sup> I adapt this definition from Malm's (1996, pp. 147–148) definition of consent.

<sup>21</sup> Anglo-American law typically makes little moral distinction between directly killing another and intentionally causing that person's death through another agent; see Hart and Honoré (1985, p. 378).

only those who expressly authorized the murder would be co-responsible for that murder.

A theory of co-responsibility should at minimum assign responsibility for the murder of the bank guard to the other major participants in the conspiracy, as long as murder was a clear part of the common plan. We therefore need to augment an authorization theory of co-responsibility with a theory of implicit or tacit authorization. Recall that authorization requires one to signal one's willingness to have another carry out an action or set of actions on one's behalf. One can also signal one's willingness to have others act on one's behalf by sufficiently participating in a collective endeavor such that it would be reasonable for all involved to interpret one's participation as constituting an authorization relationship. Once a person's participation reaches a certain threshold and satisfies certain requirements, it is reasonable for the other members of the common plan to infer that they have that person's authorization to act on her behalf.

It is worth noting that we should not understand tacit authorization as a post hoc rationalization that justifies every intuitively appealing claim of co-responsibility. Limiting co-responsibility to authors and authorizers produces a narrower theory of co-responsibility than those proposed by Kutz (2000) or May (1992). According to an authorization theory, marginal participants in collective wrongdoing typically do not acquire co-responsibility for the actions of other participants, because it is not plausible to think that they tacitly enter into authorization agreements with them, especially if marginal participants have no authority over other participants and have never met or spoken with them. In an unpublished work, I argue that tacit authorization requires uncoerced and intentional membership in a common plan, adequate knowledge about the common plan and a substantial<sup>22</sup> contribution that aims to further the common plan. Such criteria exclude most marginal participants in collective wrongdoing from co-responsibility for contributing actions performed by other participants. However, for the sake of this paper, I am happy to leave the criteria for successful tacit authorization as an open question.

If we expand the notion of authorization to include both tacit and express authorization, we have something more closely resembling a theory of co-responsibility. According to an authorization theory, the four bank robbers are not merely responsible for their own contributing actions toward the criminal conspiracy, they are co-responsible for the contributing actions of their co-conspirators as well. If the enforcer murders a bank guard as part of the common plan, then all four bank robbers are murderers themselves, as they authorized the enforcer to perform this task on their behalf. We can therefore rightfully hold all four members of the conspiracy personally at fault for the bank guard's death, not merely for assisting the enforcer's murder.

---

<sup>22</sup> The concept of a 'substantial' contribution is admittedly vague, but it is meant to capture the difference between actions that aim to play a central and integral role in facilitating some collective endeavor from those that aim to play trivial or non-essential roles.

## Objections

Some may worry that an authorization theory of co-responsibility downplays the various ways in which marginal participants may be to blame for collective wrongdoing.<sup>23</sup> Others may object that an authorization theory discounts alternate grounds of co-responsibility, such as legitimating wrongdoing or voluntarily benefiting from wrongdoing.<sup>24</sup>

Mellema (2016, p. 19) lists nine ways that one might become implicated in another's wrongdoing: by command, counsel, consent, flattery, giving shelter, participation, silence, not preventing and not denouncing. Many of these examples do not involve giving authorization. Simply remaining silent about another's crime does not amount to authorizing that person to act on one's behalf. If a theory of co-responsibility must account for such examples, then an authorization account will prove inadequate.

But I see no need to unify all examples of collective wrongdoing under a single theory of co-responsibility. We can interpret some forms of participatory wrongdoing as genuine examples of co-responsibility and some as lesser forms of complicity.<sup>25</sup> Recall that being complicit in another's wrongdoing makes one to blame for one's personal contributing actions to facilitate another's wrongdoing but not necessarily for the wrongdoing itself or any contributing actions made by others. Commanding another to do wrong and certain forms of culpable participation may make one genuinely co-responsible for the actions of another person. But perhaps flattering another or failing to prevent her wrongdoing does not entail co-responsibility. That people sometimes unify these act-types under terms such as 'collective responsibility', 'shared responsibility' or 'complicity' is somewhat beside the point. It could be that people utilize these terms vaguely or inconsistently.<sup>26</sup>

One might also worry that there are additional grounds of co-responsibility besides authorization. Perhaps legitimating another's wrongdoing or voluntarily benefiting from it makes one co-responsible for that wrongdoing, even in the absence of personal authorization. I am willing to grant that there may be other grounds of co-responsibility besides authorization. I offer an authorization theory as

<sup>23</sup> Some will contend that I need to account for examples such as those provided by Cooper (1968, pp. 262–263) where a tennis club is held responsible for its premature closure or French (1972, p. 8) where a football team is responsible for its loss to an inferior opponent. An authorization theory will not help us there, as members of the club or team do not authorize each other to lose the game or fail to keep the club open. But I propose an authorization theory of co-responsibility only to distribute fault to group members for intentional wrongdoing. We utilize a different notion of blame in examples such as the tennis club or football team. In both cases, we blame a collective of individuals for coming up short according to some level of expected performance, not for intentionally committing wrongdoing. In neither case do we utilize the sort of blame which might justify or warrant criminal sanctions. So it is not necessarily a weakness that an authorization account of co-responsibility fails to explain how we distribute blame to team members for losing a football game.

<sup>24</sup> I would like to thank an anonymous referee for raising this objection.

<sup>25</sup> As the title of Mellema's book indicates, he interprets all nine categories of participatory wrongdoing as forms of complicity; see (2016, p. 3).

<sup>26</sup> Moore (2007) makes a similar argument about the doctrine of accomplice liability.

one rationally defensible justification for distributing co-responsibility. Those who contend that voluntarily benefiting from another's wrongdoing entails co-responsibility for that wrongdoing are free to produce a rational justification or compelling rationale to explain why this may be the case, although I have some doubts that such a rationale exists. But even lacking such a justification, we may still blame those who voluntarily benefit from and legitimate wrongdoing for their complicity. They may be to blame for voluntarily benefiting from or legitimating wrongdoing, even if they are not to blame for the wrongdoing itself or any other participants' contributing actions.

Another objection to an authorization theory of co-responsibility is that one could imagine a situation where all four bank robbers agree not to act on each other's behalf in order to escape responsibility for each other's actions. A bank robber may say to the enforcer: 'I hope you shoot the bank guard, but do not do it on my behalf'. If no bank robber authorizes his fellow bank robbers to act, then no bank robber is responsible for his fellow bank robbers' contributing actions. This seems like too simple a way to escape responsibility.

There are two horns to this dilemma. One could argue that express disauthorization always overrides tacit authorization. But if so, then it appears that the bank robbers can exempt themselves from sharing co-responsibility by expressly withholding their authorization. Or, one could argue that the bank robbers' tacit authorization overrides their express attempts at withholding authorization. But accepting such a principle may give us too little deliberate control over what we authorize and disauthorize.

If we limit the extent to which tacit authorization may cancel or override express disauthorization, this objection loses some of its force. We can stipulate that tacit authorization overrides express disauthorization when an individual attempts to utilize express disauthorization disingenuously to subvert the ordinary moral consequences of the agreement. Imagine that a husband visits a hitman, leaves a large pile of money on the hitman's kitchen table and says: 'It would be great if you killed my wife, but I'm not going to ask you to do it *on my behalf*. Here is some money I am generously gifting to you. If you do not kill my wife, I ask that you return the money'. I think it is fair to say that the husband's tacit authorization of the hitman to kill his wife overrides his express attempts at exempting himself from responsibility. We do not disrespect the husband's agency or autonomy by recognizing his clear tacit authorization and discounting his disingenuous disauthorization. No court of law would countenance the husband's disingenuous disauthorization, and neither should we.

An additional worry with an authorization account of co-responsibility is that it may make voting citizens co-responsible for the actions of their government, as voting citizens authorize the government to advance their interests on their behalf.<sup>27</sup> This would entail that all citizens who vote for a regime that engages in an unjust war bear responsibility for all the death and destruction caused by the war. This seems rather unfair. While I do believe that we ought to take voting a lot more

<sup>27</sup> I would like to thank an anonymous referee for inspiring this objection.

seriously than we do in assigning responsibility for state wrongdoing, it is usually the case that individuals are forced to vote for imperfect candidates and parties with whom they disagree on any number of issues. Voting is therefore typically not sufficient to personally authorize *all* of a candidate's or party's policies. However, if one votes, lobbies, raises money, advocates and organizes on behalf of a party that explicitly makes an illegal war a part of its platform, then it is far more plausible to say that one does give one's personal authorization for the war and one ought to be blamed for all the foreseeable devastation.

According to an authorization theory of co-responsibility, co-responsibility for state wrongdoing typically moves upstream to military and political leaders who personally authorize or command the offending policies and military operations. While everyday citizens may be complicit in an unjust war, unless any citizen individually has the power or authority to personally authorize an illegal military campaign, citizens will not bear co-responsibility for the full consequences of an unjust war.<sup>28</sup> Typically, soldiers are also not co-responsible for the full consequences of an unjust war either, as they have no knowledge of what soldiers in other platoons are up to, have no authority over their fellow soldiers and do not personally coordinate with soldiers outside of their unit. Soldiers may be co-responsible for local events, such as a coordinated attack on a town or village, but generally an authorization theory limits co-responsibility for war crimes and crimes against humanity to the political and military leaders who use their authority to direct and facilitate unjust wars.<sup>29</sup>

Finally, some may question my use of tacit authorization, as many are critical of Locke's attempts to generate substantial political obligations from tacit consent (Simmons 1976, 1979). Without a self-conscious act of delegating authority to another, it may not make sense to say that one individual authorizes another.<sup>30</sup> Because tacit authorization delegates authority without a single express act of agreement, tacit authorization might prove insufficient to generate a morally transformative relationship between two individuals.

Two considerations mitigate this worry. First, tacit authorization need not perform nearly as great a normative labor as Locke attempts to extract from tacit consent. Locke argues that by accepting legal or political benefits, one tacitly consents to be ruled by the government that protects or administers those benefits (1988, §2.119). The problem here is that it is not clear why allowing the government to remove one's trash entails agreeing to pay taxes to fund every government program. According to Locke's view, there is a rather large conceptual divide between what

<sup>28</sup> It is possible that an entire voting citizenry might be collectively responsible for jointly authorizing an illegal war. But it is not clear what follows from the fact that one is a member of a set of individuals who collectively authorize an illegal war together.

<sup>29</sup> International courts largely assign criminal liability along these lines. While prosecutor Robert Jackson considered the possibility of charging all SS members with conspiracy to commit murder at the Nuremberg trials, no such charges were assessed; see Darcy (2007, p. 225). Recent International Criminal Court and ad hoc tribunal trials have targeted generals and high-ranking officials, not soldiers or low-level bureaucrats; for a list of criminal defendants tried by the ICC and ICTY, see <https://www.icc-cpi.int/> and <http://www.icty.org/> respectively.

<sup>30</sup> I thank an anonymous referee for helping me formulate this objection.



one intentionally does and the sorts of things to which one tacitly consents. But this is not the case with my use of tacit authorization. If tacit authorization requires coordination and a substantial contributing action or set of actions, then there is a close connection between what one intentionally does and what one authorizes. If we coordinate closely to achieve a shared end, it is reasonable to infer that you authorize me to help you advance your aims. Even though you do not express your willingness in a discrete statement, you express your willingness in other ways.<sup>31</sup> So as long as we do not set the threshold for successful tacit authorization too low, we avoid Locke's strong disconnect between what one does and what one consents to or authorizes.

Many also feel that successful consent ought to require a strong, clear and deliberate expression of willingness to establish a specific permission. This is because consent typically protects us from serious violations of our personal or bodily interests, such as rape or involuntary organ extraction. However, having one's trash removed is not reasonably understood as consenting to any potential infringement of one's bodily rights. But authorization relationships typically do not function to protect our bodily interests from violation. Rather, they delegate authority to help individuals advance their aims and acquire, sell and protect property interests. For this reason, it is not at all clear that tacit authorization ought to require the same strong, clear and deliberate expression of willingness that we require of tacit consent. Perhaps tacit authorization relationships obtain in situations where we would not allow that tacit consent relationships obtain. In any case, there is no necessary reason that consent and authorization agreements ought to function according to identical norms.<sup>32</sup>

## Conclusion

One common explanation of how responsibility distributes to members of a collective is by appeal to shared or overlapping participatory intentions. According to such a theory, if participants in a collective action all share the relevant intention and belief states, then all are to blame in some way for each other's actions. I have argued that existing intention-state theories of co-responsibility fail to give a compelling normative account: how one justifies ascribing responsibility to some for the free and intentional actions of other agents.

I further argued that a theory of authorization provides this normative rationale. When an individual authorizes another to commit wrongdoing, we rightfully hold the authorizer to blame for what her agent does on her behalf. We do this because the authorizer is at fault for the agreement she makes, an agreement that changes the moral status of both parties involved. Individuals who sufficiently coordinate with

---

<sup>31</sup> As Harris (1992, p. 667) notes, these sorts of tacit agreements often constitute legally binding contracts.

<sup>32</sup> This point is obscured by a tendency among philosophers to conflate consent as giving permission with authorization as asking another to further one's aims on one's behalf; see Beauchamp and Childress (2009, p. 119) and Simmons (1979, p. 76).

others and substantially contribute to a common plan expressly or tacitly authorize their fellow participants to contribute to the common plan on their behalf. It is therefore fair to hold them responsible for what their fellow participants do to realize the common plan.

**Acknowledgements** I would like to thank Thomas L. Carson, Joseph Vukov, Richard Kim, Joy Gordon, Heidi Malm and three anonymous referees for their comments on various iterations of this paper.

## References

- Arendt, Hannah. 1987. Collective responsibility. In *Amor mundi*, ed. James Bernhauer, 43–50. Dordrecht: M. Nijhoff.
- Beauchamp, Tom, and James Childress. 2009. *Principles of biomedical ethics*. 6th edn. Oxford: Oxford University Press.
- Begby, Endre. 2012. Collective responsibility for unjust wars. *Politics* 12 (2): 100–108.
- Chiesa, Luis E. 2014. Reassessing professor Dressler's plea for complicity reform: Lessons from civil law jurisdictions. *Criminal and Civil Confinement* 40(1): 1–19.
- Cooper, David E. 1968. Collective responsibility. *Philosophy* 43(165): 258–268.
- Copp, David. 1980. Hobbes on artificial persons and collective actions. *The Philosophical Review* 89(4): 579–606.
- Copp, David. 2006. On the agency of certain collective entities: An argument from 'normative autonomy'. *Midwest Studies in Philosophy* 30: 194–221.
- Darcy, Shane. 2007. *Collective responsibility and accountability under international law*. Ardsley, NY: Transnational.
- Darwall, Stephen. 2006. *The second-person standpoint: Morality, respect, and accountability*. Cambridge, MA: Harvard University Press.
- Davant, Charles. 2002. Employer liability for employee fraud: Apparent authority or respondeat superior? *South Dakota Law Review* 47: 554–582.
- Dowe, Phil. 2001. A counterfactual theory of prevention and 'causation' by omission. *Australasian Journal of Philosophy* 79(2): 216–226.
- Dressler, Joshua. 2008. Reforming complicity law: Trivial assistance as a lesser offense. *Ohio State Journal of Criminal Law* 5(2): 427–448.
- Duff, R. A. 2006. Answering for crime. *Proceedings of the Aristotelian Society* 106: 87–113.
- Duff, R. A. 2009. *Answering for crime: Responsibility and liability in the criminal law*. Oxford: Hart Publishing.
- Dworkin, Ronald. 1989. The original position. In *Reading Rawls*, ed. Norman Daniels, 16–52. Stanford: Stanford University Press.
- Feinberg, Joel. 1970. *Doing and deserving: Essays in the theory of responsibility*. Princeton, NJ: Princeton University Press.
- French, Peter (ed.). 1972. *Individual and collective responsibility*. Cambridge: Schenkman Publishing Company.
- French, Peter. 1979. The corporation as a moral person. *American Philosophical Quarterly* 16(3): 207–215.
- French, Peter. 1984. *Collective and corporate responsibility*. New York, NY: Columbia University Press.
- Gardner, John. 2004. Book reviews. *Ethics* 114(4): 827–830.
- Gilbert, Margaret. 2002. Collective wrongdoing: Moral and legal responses. *Social Theory and Practice* 28 (1): 167–187.
- Gilbert, Margaret. 2006. Who's to blame? Collective moral responsibility and its implications for group members. *Midwest Studies in Philosophy* 30: 94–114.
- Gomperz, Heinrich. 1939. Individual, collective and social responsibility. *Ethics* 49(3): 329–342.
- Harris, Edward A. 1992. From social contract to hypothetical agreement: Consent and the obligation to obey the law. *Columbia Law Review* 92(3): 651–683.
- Hart, H. L. A., and Tony Honoré. 1985. *Causation in the law*. 2nd edn. Oxford: Oxford University Press.
- Held, Virginia. 2002. Group responsibility for ethnic conflict. *The Journal of Ethics* 6: 157–178.

- Hurd, Heidi. 1996. The moral magic of consent. *Legal Theory* 2: 121–146.
- Isaacs, Tracy. 2006. Collective moral responsibility and collective intention. *Midwest Studies in Philosophy* 30: 59–73.
- Isaacs, Tracy. 2011. *Moral responsibility in collective contexts*. Oxford: Oxford University Press.
- Kadish, Sanford. 1985. Complicity, cause and blame: A study in the interpretation of doctrine. *California Law Review* 73(2): 323–410.
- Kagan, Shelly. 2011. Do I make a difference? *Philosophy and Public Affairs* 39(2): 105–141.
- Kutz, Christopher. 2000. *Complicity: Ethics and law for a collective age*. Cambridge: Cambridge University Press.
- Lawson, Brian. 2013. Individual complicity in collective wrongdoing. *Ethical Theory and Moral Practice* 16: 227–243.
- Lepora, Chiara, and Robert Goodin. 2013. *On complicity and compromise*. Oxford: Oxford University Press.
- Lewis, H. D. 1948. Collective responsibility. *Philosophy* 23(84): 3–18.
- Locke, John. 1988. *Two treatises of government*, ed. Peter Laslett. New York: Cambridge University Press.
- Malm, Heidi. 1996. The ontological status of consent and its implications for the law on rape. *Legal Theory* 2: 147–164.
- May, Larry. 1987. *The morality of groups*. Notre Dame, IN: University of Notre Dame Press.
- May, Larry. 1992. *Sharing responsibility*. Chicago, IL: University of Chicago Press.
- May, Larry, and Robert Strikwerda. 1994. Men in groups: Collective responsibility for rape. *Hypatia* 9(2): 134–151.
- McGrath, Sarah. 2005. Causation by omission: A dilemma. *Philosophical Studies* 123(1): 125–148.
- Mellema, Gregory. 1997. *Collective responsibility*. Amsterdam: Rodopi.
- Mellema, Gregory. 2016. *Complicity and moral accountability*. Notre Dame, IN: University of Notre Dame Press.
- Miller, Seumas. 2001. Collective responsibility. *Public Affairs Quarterly* 15(1): 65–82.
- Moore, Michael. 2007. Causing, aiding, and the superfluity of accomplice liability. *University of Pennsylvania Law Review* 156: 395–452.
- Narveson, Jan. 2002. Collective responsibility. *The Journal of Ethics* 6(2): 179–198.
- Neuhäuser, Christian. 2014. Structural injustice and the distribution of forward-looking responsibility. *Midwest Studies in Philosophy* 38: 232–251.
- Ohlin, Jens D. 2008. Group think: The law of conspiracy and collective reason. *The Journal of Criminal Law and Criminology* 98(1): 147–206.
- Parfit, Derek. 1984. *Reasons and persons*. Oxford: Oxford University Press.
- Pasternak, Avia. 2011. The collective responsibility of democratic publics. *Canadian Journal of Philosophy* 41(1): 99–124.
- Pasternak, Avia. 2013. Limiting states' corporate responsibility. *The Journal of Political Philosophy* 21(4): 361–381.
- Pereboom, Derk. 2001. *Living without free will*. New York, NY: Cambridge University Press.
- Petersson, Björn. 2013. Co-responsibility and causal involvement. *Philosophia* 41: 847–866.
- Pettit, Philip. 2007. Responsibility incorporated. *Ethics* 117: 171–201.
- Pitkin, Hanna. 1967. *The concept of representation*. Berkeley, CA: University of California Press.
- Radzik, Linda. 2001. Collective responsibility and duties to respond. *Social Theory and Practice* 27: 455–471.
- Rescher, Nicholas. 1998. Collective responsibility. *Journal of Social Philosophy* 29(3): 46–58.
- Sadler, Brook J. 2006. Shared intentions and shared responsibility. *Midwest Studies in Philosophy* 30: 115–144.
- Schwartz, Douglas. 1985. Imposing the death sentence for felony murder on a non-triggerman. *Stanford Law Review* 37(3): 857–888.
- Sepinwall, Amy. 2011. Citizen responsibility and the reactive attitudes: Blaming Americans for war crimes in Iraq. In *Accountability for collective wrongdoing*, ed. Tracy Isaacs and Richard Vernon, 231–260. Cambridge: Cambridge University Press.
- Simmons, A. John. 1976. Tacit consent and political obligation. *Philosophy and Public Affairs* 5(3): 274–291.
- Simmons, A. John. 1979. *Moral principles and political obligations*. Princeton, NJ: Princeton University Press.

- Smilansky, Saul. 1994. The ethical advantages of hard determinism. *Philosophy and Phenomenological Research* 54(2): 355–363.
- Stilz, Anna. 2011. Collective responsibility and the state. *The Journal of Political Philosophy* 19(2): 190–208.
- Strawson, Galen. 1994. The impossibility of moral responsibility. *Philosophical Studies* 75: 5–24.
- Sverdlik, Steven. 1986. Collective responsibility. *Philosophical Studies* 51: 61–76.
- Tollefsen, Deborah. 2003. Participant reactive attitudes and collective responsibility. *Philosophical Explorations* 6(3): 218–234.
- Tuomela, Raimo. 2006. Joint intention, we-mode and I-mode. *Midwest Studies in Philosophy* 30: 35–58.
- Tuomela, Raimo, and Pekka Mäkelä. 2016. Group agents and their responsibility. *Journal of Ethics* 20: 299–316.
- Young, Iris M. 2011. *Responsibility for justice*. New York, NY: Oxford University Press.