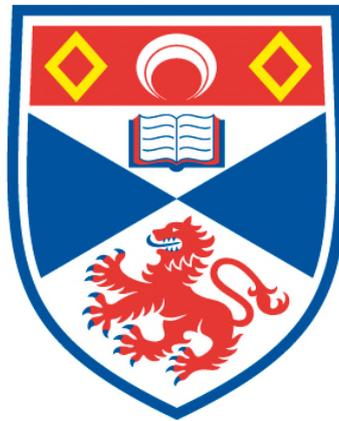


**EXPANDING INDIVIDUALISM:  
MORAL RESPONSIBILITY FOR SOCIAL STRUCTURAL HARMS**

**Rebecca Elizabeth Mary Curzon**

**A Thesis Submitted for the Degree of PhD  
at the  
University of St Andrews**



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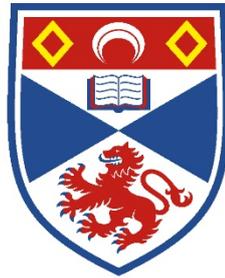
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Expanding Individualism:  
Moral Responsibility for Social Structural Harms

Rebecca Elizabeth Mary Curzon



University of  
St Andrews

A thesis submitted for the degree of PhD  
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University of St Andrews

August 2015

*For Jamie*

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## Abstract

The central concern of this thesis is the examination of individual agents' moral responsibilities in large-scale social structures. I begin with a discussion of the emergence of social structural harm and the history of the collective responsibility debate. I suggest that previous attempts to make accurate responsibility ascriptions in cases of social structural harm have fallen short, leaving responsibility for the harm caused underdetermined. Arguing that collectivist approaches to large-scale harms are inadequate, because those participating in social structures cannot satisfy the criteria for responsibility-bearing groups required by these accounts, I turn to an attempt to provide an individualist account of responsibility in these cases presented by Young. I argue that there are many interesting ideas in her work that support an account of collective responsibility for social structures, but that her specific attempt to develop a new kind of non-moral responsibility ultimately fails. I therefore examine an alternative account of joint responsibility based on agent motivation and attitude presented by Bjornsson, who focusses on the reasons why agents become involved and complicit in collective harms. Through the further development of Bjornsson's discussion of the importance of agent motivation and participation in harmful practices, and Young's analysis of the relationship between individual agents and social structures, I suggest an alternative approach to analysing social structural harm: expanded individualism. To support this account, I analyse the ways in which agents come to be involved in these harms in a blameworthy manner, and the reasons why participation makes individuals responsible for addressing the harms caused by the social structures in which they participate.

# 1: Individual Responsibility in Collective Contexts

## 1.1 Introduction

In what way are we responsible for harms that we have collectively brought about with many other agents? The debate over collective responsibility has overwhelmingly concentrated on the possibility of group agency and group structure. However, many of the most pressing harms in the world today are the product of large-scale coordinated human interactions performed by agents participating in quite different types of groups from those usually discussed. This leaves current debate unable to adequately account for some of the most wide-spread and devastating harms we currently face. The aim of this work is to develop an account of collective responsibility that incorporates these large-scale non-standard group harms.

In order to discuss these harms, in this introduction I shall offer an outline of the nature of large-scale harms, their emergence, and how they fit into the collective responsibility debate. I argue throughout that large-scale harms are difficult to incorporate into traditional responsibility models and most of the collective responsibility models currently found in the literature. I begin with a brief contrast between more traditional concerns regarding collective responsibility and contemporary large-scale harms. In the next section I discuss the emergence of large-scale harms as a distinct form of collective harm that does not fit into group-orientated forms of collective responsibility due to the nature of the relationships between participating agents. In section 3 I discuss the problem of collective responsibility and of holding groups responsible, outlining the two main positions that have been taken in the debate so far, before outlining the history of the collective responsibility debate in section 4. I highlight the ways in which large-scale harms cannot be incorporated into either of the main accounts of collective responsibility. The introduction concludes with an outline of the thesis, detailing the way in which I aim to develop an account of responsibility for large scale harms which is ultimately individualist, but that takes an expanded view of the responsibility agents bear for their participation in large-scale harms.

Over the last century, globalisation has changed the way societies are organised and the way that people live their lives. Our lives are increasingly complicated and the interactions and interdependence we have with, often distant, others continues to increase. Along with this increased interaction comes wider impact, with the effects of social, economic, and political changes in the developed world having global implications. In a time when most individuals are contributing to a variety of collective harms through their participation in these social institutions every day, answering this question of responsibility for collective harms is more important than ever before.

Traditionally, moral responsibility was largely seen as a matter concerning individual agents and the specific harms or benefits each individual causes. Whilst there has been an increase in interest regarding collective responsibility over the last seventy years, much of this revolves around the problem of highly organised groups with easily identifiable members. This approach leads to an emphasis on analysing group agency and group member interactions in an attempt to establish grounds on which to treat groups as moral agents and therefore as capable of bearing moral responsibility. However, many contemporary collective harms are the result of much bigger groups of agents participating in large-scale social institutions, processes, and practices, what Young refers to as ‘social structures’.<sup>1</sup> These are organised ways of coordinating agent interaction that facilitate extended agency and allow agents to pursue their goals through structured social interactions. Social structures can be economic, political, or social, can vary in levels of organisation, but are all ways in which large numbers of agents are able to participate in large-scale social structural groups. Such groups do not fit well within the established framework of the collective responsibility debate.

The kind of groups involved in many contemporary large-scale harms are not the highly organised tight knit groups that are the usual focus of collective responsibility theories. Nor are they merely random sets of individuals all acting independently in isolation; agents act and interact in structured ways through participation in social structures. These institutions and processes that underpin social structures allow for the coordinated interactions of vast numbers of people in social, economic, and political exchanges. Social structures have their own sets of rules, procedures, customs, and traditions. Participants engage with others in social structures through established methods of interaction. For example, people participate in democratic government through voting, and people participate in economic institutions through the exchange of money for goods and services. There are specific interactions that need to take place in order for an agent to vote or buy goods, high levels of organisation and coordination, as well as a wide acceptance and knowledge of established methods of participation, are required for these social and economic structures to function.

The individuals participating in these structures may not even be aware that they are involved in any such institutions, and not identify themselves as members of any group. Although some members of these structures have organisational and decision making roles, many may not be directly involved in any decision making processes. Social structures need not have a specific goal and participants need not have any shared intentions. All of these characteristics exclude social structures from the kind of group analysis commonly involved in discussion of collective

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<sup>1</sup> Iris Marion Young *Responsibility for Justice*, (Oxford: Oxford University Press, 2011).

responsibility. This leaves these large-scale harms stranded between the two main approaches to collective responsibility. The harms are not simply individualistic; when considered individually, agents may make such small contributions to these harms that their input appears insignificant. Neither are they collective in the collectivist sense, the social structures are not necessarily traditional groups with clearly defined aims, decision-making procedures, or any of the other defining characteristics put forward by collectivists.

## 1.2 The Emergence of Large Scale Multi-Agent Harms

Over a billion people are currently believed to be living in extreme poverty,<sup>2</sup> air pollution caused an estimated 3.7 million premature deaths in 2012,<sup>3</sup> and global warming is estimated to be costing at least 140,000 lives a year, rising to 250,000 annually by 2030.<sup>4</sup> Whilst such statistics are deeply troubling, they are not necessarily thought to be the subject of collective responsibility, particularly not any kind of moral responsibility. Sometimes they are put down to bad luck, or thought to be the responsibility of small groups of powerful and influential individuals, or the personal responsibilities of those affected. Far less frequently is it suggested that these harms are the result of large-scale social structures in which most individuals participate on some level. The circumstances that lead to these harms, however, are often not the result of random acts of bad luck, or the acts of an isolated few, but rather are a consequence of wider social, economic, and political practices that constitute the framework of most people's lives.

The idea that these harms are the responsibility of a great many people is widely rejected.<sup>5</sup> Claims of over-demandingness, of a lack of connection between agents and the harms, or the responsibility lying with other specific agents or groups, such as corporations or governments, make this position seem untenable.<sup>6</sup> In order to hold an agent responsible we usually insist that there be some clear and relevant link between that individual and the harm caused. Claiming that

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<sup>2</sup> 'Ending Poverty and Sharing Prosperity: Global Monitoring Report 2014/2015', *World Bank*, <[http://www.worldbank.org/content/dam/Worldbank/gmr/gmr2014/GMR\\_2014\\_Full\\_Report.pdf](http://www.worldbank.org/content/dam/Worldbank/gmr/gmr2014/GMR_2014_Full_Report.pdf)>, xi.

<sup>3</sup> 'Ambient (outdoor) air quality and health', *World Health Organisation Fact Sheet No 313* (2014), <<http://www.who.int/mediacentre/factsheets/fs313/en/>>.

<sup>4</sup> 'Climate change and health', *World Health Organisation Fact Sheet No 266* (2014), <<http://www.who.int/mediacentre/factsheets/fs266/en/>>.

<sup>5</sup> Even those who accept collective responsibility often deny that harms such as global warming and global poverty could be collective. See Christopher Kutz, *Complicity: Ethics and Law for a Collective Age*, (Cambridge University Press: Cambridge, 2007) chapter 6; Tracy Isaacs, *Moral Responsibility in Collective Contexts*, (Oxford: Oxford University Press, 2011) chapter 5.

<sup>6</sup> See Garrett Cullity, *The Moral Demands of Affluence*, (Oxford: Oxford University Press, 2004); David Miller, *National Responsibility and Global Justice*, (Oxford: Oxford University Press, 2007) chapter 9 and 'Collective Responsibility and Global Poverty', *Ethical Perspectives*, 19 (2012) 627-648; Samuel Scheffler, *Boundaries and Allegiances*, (Oxford: Oxford University Press, 2002); and John Kekes, 'On the Supposed Obligation to Relieve Famine', *Philosophy*, (2002), 503-517.

individuals are responsible in any way for harms that they have not caused either directly or indirectly, nor through act or omission, is argued to be unreasonable and unfair. No individuals cause these harms, so, it is argued, none are responsible for them. Maintaining this divide between responsibility ascriptions for large-scale harms and their contributing agents leaves us with a gap in our explanation as to how these harms come about and who bears responsibility for them.

Identifying large-scale harms and the actions which contribute to them is in many cases quite straightforward. The difficulty lies in trying to identify the exact harm that any particular agent or group has caused. The specific relationships involved between individual agents and wider social processes are complex, individual contributing acts can appear insignificant. It is only when these acts are considered as part of a wider social process that we can identify that individual actions contribute to large-scale harms.

Once actions are contextualised in this way, it becomes much easier to recognise relationships between social institutions and harms. For example, affluent societies' demands for cheap goods have profound effects on the economies of less developed countries as well as the environment.<sup>7</sup> As companies compete to provide goods at the cheapest price, there is an increased use of cheap labour, where individuals are employed in low paid, unsafe jobs, often for extremely long hours in awful conditions. Despite knowledge of the working conditions in sweatshops consumers continue to purchase products manufactured in this way, providing companies with little incentive to change their processes. This link between consumer demands and producer and environmental harms is clearly identifiable, and in many cases readily predictable. When it is established that a harm is attributable to the organised, coordinated actions of multiple agents, often interacting on a large scale across national boundaries, suggestions that these harms are a matter of luck, or only the responsibility of a select few, are harder to justify.

Large-scale multi agent harms can be quite varied. Some widely recognised examples include reliance on sweatshops in the global fashion industry and the increase in global warming due to the use of fossil fuels. Neither of these problems are the result of random or uncoordinated actions. The design, manufacture and distribution of clothes, and the drilling, processing, and distribution of fossil fuels both require a high degree of cooperation and organisation between large numbers of individuals around the world. The effects that these processes have on people and the environment are foreseeable. Although harms like environmental damage could in theory

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<sup>7</sup> See Andrew Brooks, *Clothing Poverty: The Hidden World of Fast Fashion and Second-hand Clothes*, (London: Zed Books, 2015) for a discussion of the effect of the fashion industry on developing countries and Emma Seery and Ana Caistor Arendar, 'Even it Up: Time to end extreme inequality', *Oxfam International Campaign Report* (2014), <<http://policy-practice.oxfam.org.uk/publications/even-it-up-time-to-end-extreme-inequality-333012>> for a report on the problem of the effects of extreme inequality on developing countries.

be caused by other sources, there is an almost universal agreement that current climate change is caused by the wide-spread use of fossil fuels. These are fuels that almost everyone uses either directly or indirectly in their daily lives, without duress, and with knowledge of their effects on the environment. A similar explanation can be provided of most people's use of sweatshop produced items. In both cases the harms result from the coordinated actions and participation of huge numbers of agents around the world, rather than from the isolated, independent actions of individuals or small-scale traditional groups.

The individuals who make up the participants in large-scale social structural harms do not fit any of the standard criteria for groups as presented in the collective responsibility debate. Denying their group status, however, still leaves us with the problem of explaining what these collections of people are if not groups. They are not random sets, the relationships involved can be identified, explained, and predicted. Their actions are not isolated nor independent, in many cases the organisation required to maintain such complex social structures is vast. But those involved are not necessarily united around a common goal or shared intention. Many individuals participate in order to better pursue their own goals, without thought to the nature of the wider process of which they are a part. This lack of cohesion or shared sense of membership causes problems in terms of analysing responsibilities of participants. Questions may be raised about the knowledge or awareness of participants, or how voluntary their participation is, but these do not detract from the fact that these large-scale harms are collective, despite not fitting the standard definitions of groups that can be found in collective responsibility literature.

When we have such an established set of criteria for groups and group agency, and so much discussion regarding their status and the possibility of agency, it may be wondered why these looser collections of agents warrant special consideration. Social structures require more attention than they have been given up until now because of the huge role they play in people's lives and the effect they have on both people and the environment. Some of the biggest and most well-established social structures have become ubiquitous. Their normalisation into society has led to people viewing them as naturally occurring and beyond the influence of agents, like forces of nature.<sup>8</sup> This leads to a lack of motivation or awareness to address the harms caused by these structures. When people view a process and its consequences for others and the environment as a matter of luck, they are not motivated to address the process itself. That the majority of agents do not seem to think that such social structures are their responsibility or concern is problematic, not least because most agents are perpetuating the existence of these structures and contributing to the harm they cause. Whilst this continues to be the status quo, social structures will continue to

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<sup>8</sup> Young, *Responsibility*, p. 40.

cause a great deal of harm in the world without any agents taking responsibility for their part in this harm.

### 1.3 The Problem of Collective Responsibility

The problem of collective responsibility rises from the question of how to analyse situations where a group, rather than an individual, has brought about a state of affairs. The main area of interest is cases in which determining the individual effect of the contributing actions of group members cannot necessarily be measured or identified. Sometimes it seems to make sense to say that a group did something rather than the individuals involved. We may say that the team won the football match, that the club went bust, or that the company polluted the river. Each statement is intelligible, and we refer to groups in this way regularly. In each case, it can be asked whether the group in question is responsible, the members, or both. The problem is how we analyse who, or what, is responsible in these group situations.

The collective responsibility debate has for the most part focussed on establishing whether or not a group of agents can be held responsible in the same way as an individual agent. This involves analysing whether or not a group can meet the criteria we usually set for agency. Although these criteria are the subject of ongoing debate, generally an agent is thought to need to be able to have interests, form intentions, make decisions, and act on these. The approach of many engaging in the collective responsibility debate is then to argue as to the circumstances that groups may be said to meet these criteria, or argue why such criteria can only be applied to individual agents. Part of the reason for the narrow line of discussion stems from widely held conceptions of the relationship between agency and responsibility. If, as is often argued, only agents can be held responsible in a moral or legal sense, then for a group to be responsible it needs to satisfy the criteria for agency. The two main positions in to which responses to this problem fall are individualism and collectivism. Individualist accounts argue that all responsibility can be reduced to responsibility of individual agents, and that groups qua groups cannot be the bearers of responsibility in any robust sense. Collectivists, on the other hand, argue that under certain conditions groups are the appropriate bearers of responsibility.

We may hold agents and non-agents *causally* responsible for something, but this kind of responsibility is not the central concern of collective responsibility. Downie, for example, has argued that if groups are responsible, it can only be in the same way that non-agents can also be causally responsible.<sup>9</sup> A group's actions can result in a harm, but it is argued there is no agent

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<sup>9</sup> R. S. Downie, 'Collective Responsibility', *Philosophy*, 44 (1969), 66-69.

involved which we can hold accountable for the harm, in the same way that we cannot hold the weather accountable for rain that causes a flood. The question we are most interested in when discussing cases of collective responsibility is that of *holding* agents or groups responsible, and associated questions of blame, praise, duty, and obligations that come along with bearing these kinds of responsibilities.<sup>10</sup> Therefore, when people who argue against group agency suggest that groups can only bear causal responsibility<sup>11</sup>, and not responsibility in any blameworthy sense, supporters of collective responsibility find this position inadequate. Collectivists, and some individualists, argue that this response to collective responsibility underestimates the role of groups and agent interaction on individual responsibility.<sup>12</sup>

#### 1.4 The History of the Collective Responsibility Debate

The idea of collective responsibility is not a new one. Problems of common, shared, and collectively held responsibility have been discussed since Aristotle, who observed a problem that continues to the present day, that ‘what is common to the greatest number has the least care bestowed upon it’.<sup>13</sup> However, discussion of collective responsibility became increasingly common in the years following the Second World War, particularly in the work of Karl Jaspers<sup>14</sup> and Hannah Arendt<sup>15</sup>. The main question they were discussing was whether a nation could be held collectively responsible, particularly whether the whole of Germany was responsible for the horrors of the Holocaust. The emergence of harms on such a huge scale, in which so many people were involved, raised concerns for more traditional approaches to responsibility. Although few agents were directly involved in acts of violence and murder, many were indirectly involved, supported such acts, or turned a blind eye. It was argued that in order for the kinds of large-scale harms that were perpetrated in Germany to come about, the majority of citizens needed to support these at least passively, otherwise such wide-spread harms would be impossible to achieve. The

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<sup>10</sup> Antony Duff, ‘Legal and Moral Responsibility’, *Philosophical Compass*, 4/6 (2009), 978-986, (p. 980) discusses the way in which responsibility can be understood in terms of answerability, “we attribute an action or event to the person as its author, and request (or demand) that she answer for it.” This does not entail that we must also blame an agent for their action, they may have an excuse that exculpates them, but without an adequate excuse we will still hold an agent answerable regarding restitution for their role in bringing about the harm.

<sup>11</sup> On this account, a group can be cited in the explanation of the way in which a particular state of affairs came about, that the team won the match for example, but that this simply an abbreviated way of outlining the chain of events which led to the particular state of affairs.

<sup>12</sup> Individualists including Young and May, and collectivists such as Gilbert and Bratman have all discussed the problem of denying group responsibility and underestimating the effect of groups on individual responsibility.

<sup>13</sup> Aristotle, *The Politics*, trans. T. A Sinclair, (London: Penguin Books, 1992).

<sup>14</sup> Karl Jaspers, *The Question of German Guilt*, (New York: Fordham University Press, 2000).

<sup>15</sup> Hannah Arendt produced several works on this topic, particularly *Responsibility and Judgment*, ed. by Jerome Kohn, (New York: Schocken, 2003) and ‘Organised Guilt and Universal Responsibility’, in *Collective Responsibility: Five Decades of Debate in Theoretical and Applied Ethics*, ed. by Larry May and Stacey Hoffman (Savage, Md: Rowman and Littlefield, 1991) pp. 273-283.

discussion of whether whole nations could be held responsible, what the relationship was between members and groups, and the relationship between individual and collective responsibility has continued over the last seventy years, though the focus has shifted between discussion of groups such as States and smaller, more unified groups.

As the debate progressed into the 1980s, more attention fell on the responsibilities of corporations and other organisations. Peter French's account of collective responsibility in the form of corporations as moral agents, the decision-making capacities of highly organised groups, and the goals and intentions of these kinds of corporations came under much analysis. If a group could develop interests and intentions, display a complex decision making process, and survive changes in membership but retain these characteristics, then it was argued that such groups satisfy the criteria for agency.<sup>16</sup> Whilst this type of collectivism restricts the number and types of groups which are able to bear responsibility, it does manage to maintain the link between agency and responsibility.

Arguing against this narrow account of collective responsibility, Larry May put forward an account with foundations in social existentialism. May's account of collective responsibility suggests that it should be viewed as a responsibility shared by group members who have common attitudes. His account does not rely on the strict criteria for agency found in French, but rather relies on group members sharing certain attitudes and intentions, for which they should all be held accountable. We find in his account the suggestion that members of societies that share common prejudices share in a responsibility for prejudiced acts, such as hate crimes, even when not directly perpetrating these crimes themselves, because their shared prejudiced attitudes help support the occurrence of such acts.<sup>17</sup> Other theorists, such as Margaret Gilbert<sup>18</sup> and later Michael Bratman<sup>19</sup>, have suggested that shared intentions form the basis of collective responsibility. In these accounts, agents are collectively responsible for actions performed when a group is working on shared intentions to achieve common goals.

Whereas French's account is in danger of excluding groups of agents we may wish to hold responsible for collective acts, May's account is so inclusive that it is in danger of rendering the concept of collective responsibility meaningless. French's account would exclude most of the individuals participating in social structural harms from responsibility because these individuals do not clearly form part of the group decision-making process and social structures do not bear a close enough resemblance to agents, making them ineligible as responsibility-bearing candidates.

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<sup>16</sup> Peter French, 'The Corporation as a Moral Person', *American Philosophical Quarterly*, 16 (1979), 207-215.

<sup>17</sup> Larry May, *The Morality of Groups*, (Notre Dame: University of Notre Dame Press, 1987).

<sup>18</sup> Margaret Gilbert, *On Social Facts*, (Princeton: Princeton University Press, 1989).

<sup>19</sup> Michael Bratman, 'Shared Intention', *Ethics*, 104 (1993), 97-113.

May's account severs the important link between an individual agent's acts and omissions when considering their moral responsibility and instead suggests that responsibility through association is adequate. All of these accounts that rely on group membership of one kind or another face the added objection that they risk holding innocent members responsible for harms caused by other members, and that they weaken the link that we usually hold between agency and responsibility.

In order to overcome some of these problems, contemporary accounts of collective responsibility have suggested alternative foundations for group responsibility. Isaacs has suggested an account of collectivism which is conceived of on two levels.<sup>20</sup> On one level we have individual responsibility of agents for their actions and inaction, for their participation in and contribution to events. On the other level we have collective responsibility, held by the collectives of which individuals are a part. By separating these two kinds of responsibility, Isaacs attempts to maintain an account of collective responsibility without holding individual agents responsible for collective acts. Young has suggested an account that is individualist in nature, but that draws out the collective nature of many agent interactions and the effects these have on agents' choices and actions.<sup>21</sup> Although these recent accounts have made some progress in acknowledging the harms caused by social structures, none has managed to provide a fully satisfactory explanation of responsibility ascriptions for these kinds of groups.

## 1.5 Thesis Outline

The central concern of this work is to establish an account of moral responsibility regarding large-scale harms. Through a discussion of previous accounts of collective responsibility, I shall argue that both collectivist and individualist theories have so far failed to present an account that can incorporate harms involving the participation of large numbers of agents. In cases where agents are participating in processes and institutions that cause great harm, establishing the relationship between an agent's involvement and their moral responsibilities is an important step in developing an account of moral responsibilities for large-scale harms. Throughout the next two chapters I examine selected collectivist and individualist accounts in order to identify the ways in which they fail to incorporate social structural harm. From this, I suggest ways in which an alternative account may be developed that takes into consideration the importance of collectives in understanding and analysing agents' responsibilities. Using this expanded form of individualism, I analyse the problem of global poverty, particularly the use of

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<sup>20</sup> Isaacs.

<sup>21</sup> Young, *Responsibility for Justice*.

sweatshops in the global fashion industry, to illustrate how this account can help ground agent responsibility for participation in collective harms.

In chapter 2 I examine the collectivist response to questions of collective responsibility. I begin by explaining why many well-known accounts, such as that provided by French, whether or not they are found convincing in the case of smaller highly organised groups, will not help us analyse large-scale harms. The focus on establishing the criteria for agency overlooks many important aspects of collective actions and the ways in which collective interaction effects individual agents' actions. In order to explain why large-scale harms cannot be understood in collectivist terms, I discuss both Gilbert's and Isaacs' accounts in particular. Putting the kind of collectivism that is solely concerned with agency amongst small, tightly-knit groups aside, these two theories provide good examples of collectivist accounts that aim to include larger and broader collections of people under the category of responsibility-bearing groups.

Gilbert argues that in cases where members of a group are united by common intentions and shared goals, the group is responsible for actions carried out on those intentions and in pursuit of that goal. Due to members being united towards common goals, the whole group can be held responsible for actions carried out by a subsection of that group where those actions are performed relating to achieving the common goal. The key feature of Gilbert's account is that group members must share in common mental states. These states identify them as group members, bond group members together, and provide the foundations for holding the group as a whole responsible. Without these common mental states, there can be no responsibility-bearing group.

Isaacs, on the other hand, separates the responsibility of the individual group members from the responsibility of the group. This two-tier approach avoids problems relating to holding innocent group members responsible for the actions of fellow members, but it suffers from suggesting a rather more complicated account of collective responsibility. Isaacs maintains that groups can bear moral responsibility and suggests that in some cases a collective account is necessary in order to explain the moral significance of the actions of individual group members. For example, the moral significance of an individual taking part in a charity run needs to be explained in the collective context of the fundraising event. However, Isaacs also maintains that it can be the case that we could have a morally responsible group with no morally responsible group members. This raises questions regarding what exactly it means to hold a group morally responsible but not its members, and whether this provides the kind of account of responsibility ascriptions that helps us understand the moral import of contributing to harmful actions.

Neither of these more inclusive forms of collectivism is able to adequately account for large-scale social structural harms. Gilbert's reliance on common mental states excludes large-

scale harms because the relationships of the agents involved do not require them to share such states. Each can participate in a social structure for their own ends without having to share common intentions and goals with other participants. Isaacs' account, by separating the responsibility of groups from the responsibility of group members, undermines the moral responsibilities members have for participating in harmful groups and faces problems regarding what it means to hold an agent as accountable.

These accounts, as with other collectivist accounts, focus their attention on the wrong aspect of collective responsibility, namely the nature of the collective rather than the individuals and harms involved. Even those accounts which try to expand membership criteria to include the widest variety of groups still fail to capture responsibility ascriptions for agents participating in many social structures. Focussing their analysis on common membership traits fails to recognise the importance of agent coordination and interaction for participants' moral responsibilities, an individual's agency is expanded through their interaction with others. We facilitate a much wider range of options for each other through our coordinated daily endeavours than we could ever make available to ourselves working alone. Whether or not a group is an agent is not important when analysing large-scale harms, many of the ways in which agents organise themselves will not meet the criteria for agency,<sup>22</sup> but will still effect the individual participants' responsibilities. Where an agent's actions involve participating in a social structure that causes harm, the individuals involved bear some responsibility for that harm because of their participation, because their involvement is part of the explanation as to how that harm came about. This does not rely on the individuals involved sharing common traits, it is a result of their coordinated actions.

Having established that collectivist accounts of collective responsibility fail to adequately incorporate the kinds of large-scale harms in which most agents are involved and which cause so much harm, I turn to an analysis of individualism. In chapter 3 I discuss the problem that many individualist accounts face by attempting to reduce collective responsibility to solely individual responsibility. Agent interaction has a profound effect on individual agent intentions, choices, and actions. People act differently with others than they do alone. In some cases the effects that individual agents have when acting with others are difficult or epistemically impossible to separate out from the effects of others, or if considered in isolation do not appear to cause any harm. In these cases, focussing only on establishing the precise harm any one individual has

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<sup>22</sup> Social, political, and economic social structures are not organised in the required way to satisfy collectivist accounts. Whilst they involve a lot of coordination on the part of participating agents, they do not necessarily have a decision-making process in which most participants are involved. Even some groups that are widely taken to meet this criteria, such as states, may fail to maintain all their members on a collectivist account. Providing an explanation of membership for those individuals who do not share common mental states or shared intentions with their fellow citizens is problematic for these accounts.

caused can be implausible or misleading. This approach undermines the increased impact individual agent acts have when performed as part of a wider social process.

In an attempt to provide an individualist account that incorporates the importance of this increased agency through collective processes, Young developed her 'social structural' theory of collective responsibility. This account is intended to be based in individualism, but provides an explanation of the collective nature of many of our actions. Young argues that this collective aspect of our lives brings with it responsibilities that we would not have if our actions were performed in isolation. But, since few of our actions are performed in isolation, and because so many of our intentions, choices, and actions are informed and influenced by our participation in social structures, we bear responsibilities for the effects these structures have on others and on the environment.

Young's account provides some interesting observations regarding the importance of social interaction in analysing agent responsibilities. However, her account becomes problematic when she argues that collective responsibility is a distinct form of responsibility, different from moral or legal responsibility. On her account, collective responsibility is 'political' responsibility, it stems from involvement in social structures and bestows upon bearers a responsibility to improve those processes, but does not *hold* an agent responsible for their participation in the way that more traditional types of responsibility would. In this way political responsibility is weaker than standard forms, as it brings with it no notions of blame or accountability. I argue that this new form of responsibility is unsustainable, the conception of responsibility as suggested by Young does not hold up under analysis.

The distinctions Young makes between traditional responsibility models and political responsibility are problematic. Young's account raises important questions regarding participation in collective harms, but her answer to these does not provide a satisfactory account of responsibility ascriptions in social processes. In trying to avoid ascriptions of blame in relation to social structural harm, Young devalues the importance that participation in these harms has on individual responsibility. An agent's involvement is analysable in more familiar terms than those of political responsibility. There is no real *need* for a 'new' form of responsibility in order to analyse responsibility ascriptions for agent participation, particularly when this new form fails to make agents answerable for their part in bringing about harm. Young provides a good explanation of the ways in which participation in social structures leads to individuals helping to perpetuate harmful social structures, but fails to provide a satisfactory account of the responsibilities agents bear for their involvement in these harms.

In order to develop an account of moral responsibility that can incorporate participation in large-scale social structural harms, in chapter 4 I develop a theory based on expanding traditional conceptions of individualism to account for responsibility in collective contexts. I argue that in order to adequately analyse agent responsibility for actions that involve participation in wider social processes, the context of an agent's actions must be taken into account. Many actions that constitute participation in large-scale harms seem innocuous when viewed in isolation. When viewed in context as contributions to sometimes quite severe collective harms, a more accurate analysis of the moral import of an agent's actions can be developed. The key consideration when assessing an agent's actions becomes an explanation of the collective context of an agent's action, shifting focus from the consequences of the action viewed in isolation.

The development of this expanded form of individualism is aided by Bjornsson's *Explanation Hypotheses*.<sup>23</sup> Bjornsson's work focusses on the relationship between agent intentions and our reactive attitudes towards agents in cases of small-scale joint responsibility. He highlights the importance of establishing the role an agent plays in bringing about a harm, whether their actions form part of the explanation of events. By providing part of the explanation, an agent's action needs to contribute to or be related to the harm in a meaningful and morally relevant way. Developing this idea further and applying it to an analysis of social structural harms, I suggest that analysing agent participation in terms of contribution and facilitation of larger harms is an essential factor for providing responsibility ascriptions in these cases. Contextualisation in the form of explanation of the relation of an agent's acts to the social processes of which they are a part is a necessary part of understanding the nature and impact of such actions, and therefore also the responsibilities these actions create.

Expanded individualism overcomes the shortfalls of both collectivist and narrow individualist accounts regarding the analysis of social structural harms. By analysing responsibility in terms of participation in social structures, rather than sharing common mental states or traits, we can explain the responsibility ascriptions of all of those involved in social structural harms, without fear of including agents who are not involved or excluding those who are. Expanded individualism also provides an account that holds agents responsible for their participation in harms that they bring about with many others, where their individual action may appear insignificant. By analysing agents' actions in their context as instances of participation in larger harms, we can explain responsibility ascriptions for participants in cases of large-scale harm involving minute contributions from vast numbers of agents where narrow individualist

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<sup>23</sup> Gunnar Bjornsson, 'Joint Responsibility without Individual Control: Applying the Explanation Hypothesis', in *Compatibilist Responsibility: Beyond free will and determinism*, ed. by Jeroen van de Hoven, Ibo van de Poel, & Nicole A. Vincent, (Netherlands: Springer, 2011), pp. 181-199.

positions cannot. This account therefore more accurately captures agents' responsibilities for participating in social structures, an important consideration given the role social structures have come to play around the world in everyone's daily lives.

Once I have outlined an expanded form of individualism and discussed the ways in which it is better suited to incorporate contemporary collective responsibility problems, I consider the way in which this account helps provide a better understanding of moral responsibility ascriptions in social structural harms in chapter 5, with a particular focus on the case of harms caused by the global clothing industry. The wide-spread use of sweatshops to produce cheap goods by workers in terrible conditions is one of the most prevalent large-scale harms caused by the global clothing industry. Whether or not agents think of themselves as participants in the fashion industry, all agents are involved with it in some way since clothing is viewed almost universally as a necessity.

I discuss the importance of viewing social structural harms collectively, instead of focussing on an individual difference-making condition. By focussing on the connection between agent's actions, motivations, sensitivity to causing harm, and assumptions regarding their participation in harmful social processes, we can explain the ways in which agents are often culpably ignorant of the significance of their participation. The problem of the nature of the harm caused by individual participants has led to further problems with agents failing to appreciate their role in social structural harms, as well as suggestions that some harmful consequences of social structures, such as sweatshops, are not harmful if they make people better off.<sup>24</sup> I argue that this final position rests on a number of questionable assumptions regarding the emergence, use and effects of sweatshops on developing economies.

Over recent decades, clothing production around the world has developed into a global industry.<sup>25</sup> This process has speeded up considerably over the last 40 years as fashions around the world have become homogenised and many fashion designers and retailers have become globally recognisable. Whether agents buy high-end fashion or supermarket economy lines, the vast majority of clothes on sale are produced in sweatshops. It is an economic institution in which a lot of people participate unreflectively, concerning themselves with their personal desires regarding acquiring garments, often with little or no thought as to how those items are produced. However, through the continued participation in this social institution, the use of sweatshops continues. These factories are used to produce goods as inexpensively as possible, the working conditions of those employed in them are often unsafe and insanitary. Knowledge of the use of

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<sup>24</sup> Matt Zwolinski, 'Sweatshops, Choice, and Exploitation', *Business Ethics Quarterly*, 17 (2007), 689-727.

<sup>25</sup> Denis G. Arnold and Laura P. Hartman, 'Moral Imagination and the Future of Sweatshops', *Business and Society Review*, 108 (2003), 425-461.

these factories in garment production is extremely wide-spread amongst those purchasing the items these factories produce. Since consumers continue to buy these goods regardless of the treatment of those who produce them, or the effect the production has on the environment, producers continue to use the cheapest, and often most harmful, methods of production.

An agent's individual purchase of a sweatshop produced garment appears to make no discernible difference to the life of any particular factory worker, nor does refusing to buy the item appear to help reduce any worker's suffering, and therefore an individual purchase is not considered immoral. However, I argue that this is not the correct analysis of the morality of the agent's action. They are not performing this purchase in a vacuum, they are one of many agents faced with a similar choice regarding their participation in a known harmful social process. Were they to acknowledge the fact that their action is one of many that contribute to the continued use of sweatshops in clothing manufacturing, an agent would be better situated to see the moral import of their action, and that by continuing to contribute to a harm they are responsible for perpetuating it. Expanding individualism to explain why participation in social structures can lead to significant harms can help provide an important link between an agent's seemingly unimportant contributing act and the harms which it perpetuates.

In chapter 6 I turn to the question of how agents should take up their responsibility for participating in social structural harm. Changing social structures is not something agents can do alone, and withdrawing from social structures leaves agents less able to redress the harms in which they have been involved. It is therefore important for agents to become actively involved in collective action to change the social structures in which they participate, that they must recognise and raise awareness of the importance of agent participation in perpetuating large-scale harm. Agents need to take up their responsibility for social structural harm in three main ways, they must work towards reform, compensate those who have been harmed through social structures, and attempt to avoid causing further harm.

I also address the concern that holding individual agents morally responsible for large-scale harms such as those caused by the global clothing industry seems susceptible to criticisms of over-demandingness due to the scale of the harms involved and the relatively small contribution of each participant. However, I argue that holding agents responsible for their participation and for their contribution to such harms is justified when it is an accurate reflection of their involvement in these harms. It expands an agent's moral responsibilities further than many other accounts currently do, but as it more accurately accounts for the impact agents have on others and the world, and is more closely related to the way their actions affect others, this expansion is fair. If it is currently very demanding on the individuals involved, this only reflects

the scale of the current harms being perpetuated in the world at the moment. In a world full of extreme inequality, poverty, and global warming, it is hardly surprising that morality should ask a lot of moral agents.

By incorporating responsibility for all harms in which we participate, rather than singling out only those we cause alone, we have a more complete account of moral responsibility. Without the contextualisation that identifies participation, we are left with a situation where there are harms produced by the coordinated actions of many agents, where such harms are traceable to the actions of these groups of agents, but where instead of holding those causing the harm responsible, we instead put these harms down to a matter of bad luck or to forces beyond our control. These attitudes towards collective responsibility serve to undermine individual agency, suggesting that people are not interacting with each other as agents at all, which is an undesirable and implausible conclusion. My aim in this work is to provide an explanation of how and why agents bear moral responsibility for their participation in social structural harms, how this responsibility is best understood, and how it can be best addressed by responsible moral agents.

## 2: Collectivism and Social Structural Harms

### 2.1 Introduction

As one of the two main approaches to collective responsibility problems, collectivism has been influential throughout the debate. Collectivism can broadly be divided into two main camps, group-agent and shared-intention, which differ in their accounts of the nature of the groups involved. However, the central argument of all collectivist accounts is that in some cases groups can be held morally responsible *as groups*, rather than simply holding each individual member of a group as morally responsible for their own actions. Indeed, some collectivists maintain that it is possible for groups to be morally responsible without any of their members being individually morally responsible.<sup>26</sup> All collectivist accounts agree that in certain circumstances, the appropriate bearer of responsibility is the group that has brought about the state of affairs through some form of group action, rather than the individuals of which the group is composed.

Collectivism is considered by many to be a controversial position, so much so that it has led some to label it ‘barbarous’.<sup>27</sup> It raises problems concerning the possibility of blaming innocent people for the actions of others, as well as being accused of undermining individual responsibility. The argument for holding groups morally responsible is not a new one. The idea of communities bearing responsibility is discussed in the works of Plato and Aristotle, and the practice of holding groups such as States or the Church responsible has been discussed for centuries. Although current focus has largely moved to a more individualist view of responsibility, collective forms of responsibility have historically been seen as very important.<sup>28</sup> The twentieth century saw a sharp increase in the discussion of collective responsibility, particularly after the Second World War. Jaspers<sup>29</sup> and Arendt’s<sup>30</sup> post-war work on collective responsibility in Germany marked the beginning of an ongoing debate regarding moral responsibility and groups. Today the debate continues, with a recent increase in discussion regarding collective responsibility for harms such as global warming.

Despite its perceived problems, part of the continuing appeal of collectivism lies in the importance collectivist accounts place on the effect of sociality in our understanding of morality. Collectivists attempt to offer explanations for the effects of acting with others on our understanding of moral responsibility. These accounts focus their analysis on the fact that we do

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<sup>26</sup> Both Gilbert and Isaacs hold this view, a position that Stanley Bates in ‘The Responsibility of “Random Collections”’, *Ethics*, 81 (1971), 343-349, (p. 346) argues is ‘not a possibility’.

<sup>27</sup> H. D. Lewis, ‘Collective Responsibility’, *Philosophy*, 23 (1948), 3-18, (p. 3).

<sup>28</sup> H. Gomperz, ‘Individual, Collective, and Social Responsibility’, *Ethics*, 49 (1939), 329-342, (p. 332).

<sup>29</sup> Jaspers.

<sup>30</sup> Arendt.

not live in isolation, we are engaged in a variety of social groups and our lives involve a great deal of interaction with others. Group membership can often play an important part in the way agents self-identify. The fact that agents may act differently as part of a group than they would alone, and that group membership can have a profound effect on an agent's world-view has been discussed by several authors. Mathiesen has argued that these social groups 'extend our agency' allowing us to do 'things that we could never do alone',<sup>31</sup> and May has stated that whilst communities enable us to achieve more, they also bring increased responsibilities for those involved.<sup>32</sup> Collectivist accounts attempt to explain this expanded responsibility, either through an analysis of the nature of the group itself, or of the actions being undertaken by the group.

In this chapter I shall explain why collectivist accounts are unable to adequately account for social structural harms. Even if we were to accept either of the main forms of collectivism, the agents involved in social structures neither meet the criteria for agency, nor necessarily share common mental states that would enable them to be incorporated into a collectivist analysis. In section 2.2 I provide an outline of the key aspects of collectivism, discuss some of the main objections it has faced, and how different collectivist accounts have approached these criticisms. I then analyse group agent approaches to collective responsibility. I suggest that the nature of groups like social structures excludes them from being regarded as collectives in group-agent collectivist accounts. Their structure prevents them from meeting the strict criteria for achieving agency that these theories posit, they are not groups in the required sense. My argument against collectivism shall be twofold. Firstly, collectivism is a problematic position, it often makes high epistemic demands of group members, and risks blaming innocent members for the actions of others. Secondly, even if we did accept that in certain circumstances a group can be held responsible as an agent, this would not help us analyse social structural harms, as they cannot satisfy the group criteria required by collectivist accounts.

However, social structures do involve the cooperation and participation of agents. The agents comprising these structures coordinate their actions, often in highly organised processes, and these structures do satisfy some common criteria for being described as collectives or groups. With this in mind, section 2.3 outlines Gilbert's plural subject collectivist theory. Gilbert's account rests on groups sharing common knowledge and mental states, rather than adhering to specific decision-making structures. This, she argues, allows very large groups to be held accountable for harms they cause. Although this appears better able to account for social structural harms, I argue in section 2.4 that Gilbert's position faces several problems, particularly when used

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<sup>31</sup> Kay Mathiesen, 'We're all in this together: Responsibility of Collective Agents and Their Members', *Midwest Studies in Philosophy*, 30 (2006), 240-255, (p. 240).

<sup>32</sup> Larry May, *Sharing Responsibility*, (Chicago: University Chicago Press, 1992), p. 4.

in an analysis of social structures. The epistemic demands of her position, as well as questions regarding establishing membership and the nature of the responsibility Gilbert has in mind, demonstrate the problems involved in a shared-mental-state collectivist approach to social structural responsibilities.

A more recent suggestion of an alternative conception of collective responsibility has been offered by Isaacs, who presents a two-tier model of collective responsibility. I outline her position in section 2.5, examining her suggestion that some actions can only be properly explained as part of a collective context operating at a different level from individual actions. By analysing situations at both the collective and individual levels, Isaacs argues we can develop a better understanding of both individual and collective responsibility ascriptions. She suggests that there are many instances where the moral import of individual actions is only discernible when considered as part of a collective action. Isaacs argues that analysing responsibility at both levels allows us to identify responsible groups even in cases where we cannot identify responsible individuals. However, I argue in section 2.6 that by separating the collective from the individual in the way she suggests, Isaacs' position fails to produce an adequate account of moral responsibility in collective contexts. Whilst her account provides some interesting support to the importance of collective contexts on the analysis of individual contributing actions, the separation of collective from individual responsibility is problematic and, I argue, ultimately fails. In conclusion I suggest that collectivism is unable to provide an adequate account of moral responsibility in cases of social structural harm.

## 2.2 Collectivism

A recurring observation by collectivists is that we commonly hold attitudes towards groups which indicate that we think of them as agents in their own right. These attitudes have been discussed by several authors. Tollefsen argues that we have emotional responses towards groups; we love our favourite sports teams and get angry at our local government,<sup>33</sup> Cooper observes that we blame groups for harms they cause just as we blame individuals.<sup>34</sup> Gilbert focuses on the fact that we routinely ascribe emotional states and attitudes to groups,<sup>35</sup> and Cooper argues that when we experience or ascribe these emotional states, we are often unable to identify specific group members to which we might assign them, the feelings are held towards or by the

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<sup>33</sup> Deborah Tollefsen, 'The Rationality of Collective Guilt', *Midwest Studies in Philosophy*, 30 (2006), 222–239, (p. 222).

<sup>34</sup> David Cooper, 'Collective Responsibility', *Philosophy*, 43, (1968), 153–155, (p. 258).

<sup>35</sup> Margaret Gilbert 'Who's to Blame? Collective Moral Responsibility and Its Implications for Group Members', *Midwest Studies in Philosophy*, 30 (2006), 94–114, (p. 107).

group *qua* group, not its members.<sup>36</sup> Arguing that there is no reason to suppose that all such attitudes and beliefs are misplaced or mistaken, many collectivists take our widely held customs regarding holding groups responsible and referring to them as agents as appropriate in certain situations.

Individualists, however, object that our attitudes towards groups do not determine their moral status. Although we may refer to groups *as if* they were agents, this in itself does not demonstrate that groups can bear responsibility. For individualists, all group responsibility ascriptions are reducible to ascriptions to individual agents, and groups themselves are unable to be held morally responsible for actions. Downie, for example, has argued that our tendency to hold groups responsible should only be understood in terms of causal responsibility, where the actions of a group causes a state of affairs. However, any moral responsibility relating to such a state would need to be attributed to group members.<sup>37</sup> Narveson goes further, arguing that attributions to groups can always be broken down to the attitudes and actions of group members. Whatever our emotional responses regarding groups may be, ultimately all group actions are the actions of individual group members, whatever their relation to others in the group.<sup>38</sup>

Whatever our emotional attitudes towards groups may be, the question of the reducibility of group actions remains. Collectivists maintain that in some situations reducing group actions to actions of specific group members is not possible. Group members are thought to interact and contribute to the action in such a way that separating out the actions of each is either impossible, impractical, or misleading. Consider the example of a football team winning a match. In this case, it was the actions of all the team's members playing together which brought about the victory. Whilst a few specific individual members may be identified as the players who scored the goals, their opportunity to do so was facilitated by the other team members. Cases such as this are often used to illustrate the problem of attempting to separate out the individual contributions of group members from the collective action.

Not all groups, however, are presented as equally irreducible in this way, and the structure and relationships thought to be essential to group responsibility vary between theories. In the example of a team, we have a group in which membership is easily established and where we can identify group actions and outcomes such as playing a match and winning or losing. Other groups have membership that is harder to accurately capture and where attributing actions to the group is more difficult. States, for instance, are frequently discussed as potential responsibility-bearing

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<sup>36</sup> Cooper, p. 260.

<sup>37</sup> Downie, p. 66.

<sup>38</sup> Jan Narveson, 'Collective Responsibility', *Journal of Ethics*, 6 (2002), 179-198, (p. 183).

groups. Group membership is established through citizenship, and States are often referred to as agents acting in the world through our frequent use of phrases like ‘country *X* declared war’. These groups are very different in terms of the way in which agents become members and the extent to which they play a part in influencing group decision-making. When agents do not choose to be citizens of a State but have no option to leave, and when a state is not democratic so that most members have no say in the group’s actions, attributing an action to the whole group is very problematic. Determining which kinds of groups can bear responsibility, and in which situations, is central to the collectivist debate.

The most widely discussed theory of group-agent collectivism is that offered by French. French’s central claim is that groups that meet the standard criteria for agency should be treated as agents. Agency criteria includes the ability to have interests and intentions, and the ability to act on these. French argues that some groups, particularly corporations, meet these criteria. They have policies, they form intentions based on corporate interests and act on these.<sup>39</sup> Corporate goals can be identified as distinct from the ‘transient self-interest of directors, managers, etc.’<sup>40</sup> which means a corporation can have interests and intentions that are irreducible to and independent from the interests and intentions of its members. In order to meet the demands of agency, corporations must have highly organised decision-making procedures and corporate policies.<sup>41</sup> Further criteria have been suggested, including the need for groups to be capable of reflectively endorsing corporate intentions,<sup>42</sup> which further restricts the number of groups that could be held as moral agents.

This approach faces criticisms from those who argue that morality is solely the concern of persons. McKenna argues that irreducible agency is not enough to establish moral responsibility, non-persons cannot be morally responsible agents because moral responsibility can only be held by persons.<sup>43</sup> The reason for this restriction lies in moral agents being part of a moral community, able to understand and react to moral reasoning.<sup>44</sup> This requires a level of reasoning that few people are willing to attribute to groups. However, Mathiesen has suggested

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<sup>39</sup> French, p. 213.

<sup>40</sup> *Ibid.* p. 214.

<sup>41</sup> Even Christian List and Philip Pettit’s *Group Agency: The Possibility, Design, and Status of Corporate Agents*, (Oxford: Oxford University Press, 2011) extension of French’s account, intended to incorporate a wider variety of group agents, is still too restrictive to accommodate social structures. It requires that group members ‘each intend that they together act so as to form and enact a single system of belief and desire’ (p. 34), and that they form a level of coordination that allows the group to exhibit rationality (p. 36). The organisation of social structures does not mirror individual agency in this way, participating agents need not share beliefs and desires nor be able to act as a united group. On this account, social structures cannot meet the criteria to be analysed as a responsibility-bearing group.

<sup>42</sup> Denis Arnold, ‘Corporate Moral Agency’, *Midwest Studies in Philosophy*, 30 (2006), 279-291, (p. 291).

<sup>43</sup> Michael McKenna, ‘Collective Responsibility and an Agent Meaning Theory’, *Midwest Studies in Philosophy*, 30 (2006), 16-34, (p. 21).

<sup>44</sup> See David Shoemaker, ‘Moral Address, Moral Responsibility, and the Boundaries of the Moral Community’, *Ethics*, 118 (2007), 70-108, for a discussion of the limits of the moral community.

that it is precisely because some groups are able to display sensitivity to praise and blame and modify their behaviour accordingly that we can accept them as part of the moral community.<sup>45</sup> Even if we accept that some groups do reach this level of moral reasoning and sensitivity, we still face the problem of explaining the moral status of non-person members of the moral community. Members are usually thought to have certain rights, including the right to life,<sup>46</sup> which we may not want to attribute to groups. However, if we accept groups as moral agents, we must explain their position in the moral community or face inconsistencies regarding our identification and treatment of moral agents.

The group-agent approach benefits from working from a traditional view of morality being the reserve of agents and finding ways of incorporating groups into this model. It does not require alterations of concepts of morality, but rather suggests expanding the range of candidates for agency. Although this allows some groups to be held morally responsible, very few groups are capable of meeting the strict criteria required for agency. This approach is therefore of little help to explain social structural collective responsibility, since social structures are unlikely to develop the high levels of unified decision-making procedures needed for agency. Agents participating in social structures like the global clothing industry are not part of any formal decision-making processes that holds across the structure. The nature and effects of social structures are influenced by the actions performed by its members, in the case of clothing a demand for cheap fashion has led to the proliferation of sweatshops for instance. If lots of the agents involved campaign to end the use of sweatshops and choose to buy non-sweatshop produced goods, the social structure will change to reflect this change in attitudes. There is a large amount of coordination and organisation throughout such social structural process, but it is not at all like that of a moral agent, and so is not compatible with group-agent approaches to collective responsibility.

The main collectivist alternative to group-agency is shared-intention collectivism. Although shared intention positions still argue for responsibility-bearing groups and the treatment of groups as morally responsible entities, they do not suggest that groups need to meet the organisational requirements we see in group-agent accounts. The make-up of shared intention groups is therefore quite different, and a range of theories have been proposed focussing on different kinds of intentions and relations between group members that may allow groups to bear moral responsibility. These can include certain shared mental states including intentions, common goals, or common knowledge. Shared-intention theories all argue that in some circumstances the

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<sup>45</sup> Mathiesen, p. 245.

<sup>46</sup> McKenna, p. 22.

members of a group can be so united around a shared mental state that they can be held accountable as a whole group, rather than at the individual agent level.

One of the benefits of shared intention collectivism is that a much broader range of groups are potentially capable of meeting the criteria for moral responsibility. Many groups are united by common knowledge, goals, interests, culture, traditions, and other unifying shared experiences or intentions. For most agents, various group memberships play an important role in their understanding of their own identity, from their nationality and religion, to support for local sports team, club membership, and family ties. All these different kinds of groups rest on different relationships between members, and few would fit into a group-agent analysis. At first this may seem to bode well for an analysis of social structural harms, where group members lack the unified decision-making procedures that group agency requires. However, despite the less rigorous criteria of shared-intention accounts, the requirement for all members to be unified around specific shared mental states still excludes many groups from bearing moral responsibility, including social structures.

A common suggestion amongst shared intention accounts is that the intentions of individuals mix together in group situations in a way that both alters the way individuals act and alters individual responsibility. In group situations, agent intentions are not formed individually and then somehow aggregated, instead agents form intention together, influencing one another's attitudes and desires. Bratman refers to this as 'meshing',<sup>47</sup> the process by which those individuals involved modify their individual intentions in order to develop shared intentions with others in group environments. This occurs in all manner of circumstances, from two people painting a house together,<sup>48</sup> teams playing a match, or friends organising a trip together. In these cases, agents must coordinate their intentions so that they can act together, it is insufficient for each individual to simply have an intention to do something with the others. Consider the problems teams have when members fail to adhere to a team plan, or those which would occur if the friends intending to travel together failed to coordinate their actions. Without the meshing of the intentions of those involved, there is a danger that each member will develop their own (potentially conflicting) ideas of what the shared intention should be, rather than a group sharing an intention to perform an action together.

May argues that in these situations, individual responsibility models cease to be useful, because 'the causal contribution of each person often cannot easily be ascertained, except to say

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<sup>47</sup> Michael Bratman 'Shared Intention', and 'Modest Sociality and the Distinctiveness of Intention', *Philosophical Studies*, 144 (2009), 149-165.

<sup>48</sup> Bratman 'Shared Intention', p. 98.

that all parties played a necessary causal role in the harm, and that no one party played a sufficient role'.<sup>49</sup> Even in very small groups, it may be difficult to discern precisely whose idea a particular aspect of a shared plan of action was as members develop shared intentions collaboratively. In cases where the intentions are irreducible to individual members, shared-intention accounts argue that those sharing the intentions constitute a responsibility-bearing group.

What kinds of shared mental states can unify agents in this way is disputed. May argues, for example, that shared attitudes amongst group members are sufficient for members to share in group harms, such attitudes providing support for group actions even in cases where only a few members act on these intentions.<sup>50</sup> Other theorists have argued that attitudes alone are insufficient for the level of group unity required to hold a group morally responsible. Instead it is suggested that by forming shared intentions, agents bond together in important ways. Alonso has suggested that shared intentions involve mutual reliance amongst members,<sup>51</sup> whilst Sadler states that we become 'bound to each other in an especially gripping way that is distinctive'.<sup>52</sup> This distinction comes from the fact that in the case of shared intentions in the sense used by collectivists, it is not simply the case that two people happen to develop the same intention, for example to take a walk, but that they have the shared intention of taking a walk together.<sup>53</sup> Similar examples include two people developing the shared intention of jumping into a pool together, an intention neither may have developed alone.<sup>54</sup> The intentions involved are argued to be distinctive from individual intentions because they unite agents around a common cause, they require a level of coordination between agents to developed intentions together. In this way, shared intention approaches to collectivism focus more on group relationships than specific group organisational structures.

A more relaxed membership requirement allows for a wider range of groups to be included in the analysis. For example, a shared-intention account may help explain responsibility ascriptions in difficult cases, such as random groups. Held has suggested that in some cases random groups of individuals can be held morally responsible for failing to act in a given situation. The kinds of groups she has in mind are people who are distinguished from 'the set of all persons' by a particular characteristic, geographic location at a particular time for instance, but

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<sup>49</sup> May, *Sharing Responsibility*, p. 39.

<sup>50</sup> May, *Morality of Groups*. Howard McGary, ('Morality and Collective Liability', *Journal of Value Inquiry*, 20 (1986), 157-165) suggests a similarly broad responsibility account based of shared practices, where members of groups who share commonly accepted behaviours all share responsibility for those practices whether they personally perform them or not.

<sup>51</sup> Facundo Alonso, 'Shared Intention, Reliance, and Interpersonal Obligations', *Ethics*, 119 (2009), 444-475, (p. 446).

<sup>52</sup> Brook Jenkins Sadler, 'Shared Intentions and Shared Responsibility', *Midwest Studies in Philosophy*, 30 (2006), 115-144, (p. 130).

<sup>53</sup> Gilbert frequently uses this example as a paradigm case of a shared intention.

<sup>54</sup> Sadler, p. 140.

that lack the decision-making processes or structure of more common groups.<sup>55</sup> Examples include a group of passengers on a subway, or pedestrians passing an accident on a street. In certain situations, we may think that such random collectives should act together as a group to assist someone. Holding these kinds of random groups responsible has been criticised as misusing the idea of ‘collective’<sup>56</sup> and the idea of ‘random’,<sup>57</sup> but there remain cases where many are inclined to think that a collection of people should act together, such as to join together to save someone trapped under rubble or drowning in a river. Despite not meeting traditional group criteria, we might still want to be able to support the intuition that agents should form a group in these kinds of situations. Shared intentions may provide a means of doing so.

All shared-intention accounts therefore need to explain membership requirements, how groups are formed and maintained, and provide a good explanation of how the intentions and mental states of members support holding the entire group morally responsible, rather than singling out individual group members. To do this, accounts require a strong argument for collective responsibility that explains how group unity can support group moral responsibility and what it means to hold a group morally responsible. Without such an account of the basis on which the group can be held accountable, responsibility will have to be worked out on an individual agent basis, which is particularly difficult in complex group contexts. One of the most thoroughly argued and well known attempts to ground collective responsibility on shared mental states is that offered by Gilbert. In the following section I shall therefore discuss her account in detail and examine the problems that occur when trying to analyse responsibility for social structural harms through her model.

### 2.3 Gilbert’s Plural Subject Approach

Gilbert’s account is interesting as it draws on both types of collectivist accounts, she argues that some groups meet the criteria for agency because they are so closely bonded by common mental states. She starts from the position that when something satisfies the criteria for agency, it should be viewed and treated as an agent. However, instead of focussing on decision-making organisational structures which mimic individual agents, Gilbert develops an approach based on unified groups acting *as if they were* individual agents. After arguing that many common

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<sup>55</sup> Virginia Held, ‘Can a random collection of individuals be morally responsible?’, *Journal of Philosophy*, 67 (1970), 471-481, (p. 471).

<sup>56</sup> Arendt ‘Organised Guilt’ (p. 149), argues that without first establishing some kind of organised collective, we cannot hold a group responsible at all.

<sup>57</sup> Bates suggests that the shared characteristics in all of Held’s examples undermines her claim that these groups are random (p. 343).

small social groups fall into this category, she goes on to suggest that larger social groups can be similarly united through shared mental states, enabling them to meet the criteria for agency. Starting with a discussion of the extent to which social groups dominate our lives, Gilbert's account is intended as an explanation as to the great influence that social interaction has on how individuals act. She begins with an analysis of our 'everyday concepts' regarding social groups. Taking her lead from Durkheim, Weber, and other sociologists, Gilbert wishes to establish that our everyday references and conceptions of certain social groups as being able to act in the world are not meaningless or misguided. The role played by social groups in our understanding of agent actions and interactions is an important one, and for Gilbert, our frequent use of social collective concepts is both appropriate and justified.

We often refer to social groups as single entities, to which we attribute interests, intentions, and actions. Families, town councils, sports teams, states, and army corps are all examples Gilbert suggests as being treated in this way.<sup>58</sup> This is our 'everyday' concept of group agents. We have little difficulty in using these concepts in daily life, they are widely understood and shared by agents. Social groups are extremely important to us, shaping how we see ourselves and others. Gilbert argues that these special social groups are an integral part of our moral lives, and as far as they act in the world for ill or good, are appropriate subjects of praise and blame.

In order to establish the kinds of groups that can bear agency, Gilbert makes a distinction between collectives, which are groups in the weakest sense, and 'collectivities', which she describes as tightly bonded social groups. Gilbert uses the term collectives to refer to any group of individuals who lack sufficient social bonds, but it can also refer to random collections of individuals. She argues that collectives are unable to achieve group agency because this is based on establishing strong social bonds between group members. Social bonds allow for the development of common interests, the formation of group intentions, and for group members to act in the world as a unified whole. Collectivities, then, are just such groups, where members share common mental states and so share a common sense of group membership and unity as a collective entity. Gilbert calls these collectivities 'plural subjects'.

Gilbert states, then, that some social groups share mental states that so unite them as a group that they can act as a single unit, and therefore meet the criteria for agency. She suggests that the argument for holding these groups morally responsible for their actions is common practise and quite intuitive. Her position can be broken down in the following way:

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<sup>58</sup> Gilbert *Social Facts*, p. 8.

1. Anything that satisfies the criteria for agency is an agent.
2. The relevant criteria for agency are the ability to have interests, form intentions and other similar mental states, and to be able to act on these.
3. Some groups of people (collectivities) can share common mental states.
4. Collectivities can know that all their members share a common mental state, can hold a common collective intention, and act on this accordingly.
5. Collectivities therefore meet the criteria for agency

When the shared mental state is common across group members and can be identified as a state concerning the group *qua* collectivity rather than *qua* individual members, and when members know this to be the case and act on this group intention rather than their individual intentions, a group has achieved the status of a ‘collectivity’ and can be held responsible as an agent.<sup>59</sup> Gilbert’s argument rests then on establishing the ways in which such collectivities come about. The nature of the mental states that are capable of uniting agents in this way, and the knowledge agents have regarding groups and group members, are the main focus of her discussion.

Through an analysis of the ways in which an agent’s mental states are affected by the social ties in which they are involved, Gilbert argues such collectivities are not only possible, but a common part of everyday life. Agents will often belong to several different groups at once, and such memberships will affect the ways in which agents act. The extent to which a member’s actions are influenced by group membership will depend on the social bonds produced within the group, stronger bonds having greater effects. In collectivities, members will act on the intentions and interests of the group to which they belong, considering these at the group level rather than at the individual level. This Gilbert refers to as the use of ‘we’ concepts in a group, and the correct usage of these concepts is essential for plural subjects.<sup>60</sup>

Gilbert argues that other methods of group formation, such as the repetition of social interactions, are inadequate foundations on which to build a collectivity. Through examples of groups of agents repeating social interactions, she argues that such interactions *by themselves* are an insufficient basis for social bonds. She discusses a group of mushroom pickers all living in the vicinity of a wood.<sup>61</sup> Each individual engages in brief but polite social exchanges when their paths cross, but have no other dealings with one another, no social ties, familial affiliation, or other

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<sup>59</sup> Seumas Miller, and Pekka Makela, ‘The Collectivist Approach to Collective Moral Responsibility’, *Metaphilosophy*, 36 (2005), 634-651, (p. 637) have argued that what they call Gilbert’s ‘internalist holism’ is problematic, the ‘group-view’ that Gilbert’s position requires member to take is neither reducible to interdependent individual ends nor we-attitudes like Tuomela. They argue are that Gilbert does not offer an explanation of how we are to understand this.

<sup>60</sup> Gilbert *Social Facts*, part IV.

<sup>61</sup> *Ibid.* p. 36.

connection which binds them as a group. Whilst such individuals may form a group in some sense, ‘all those individuals who live near the woods’ for example, their social exchanges do not provide grounds for describing them as a collectivity, nor would they have reason to see themselves as a group of that kind. Social exchanges alone fail to give members of an interacting group a sense of group identity, a common interest, or purpose. Although such groups would be social in the sense that all members perform social interactions with one another, they are only trivially social. Such interactions fail to develop the social relationships and bonds that are necessary for collectivities.

Shared mental states are therefore at the heart of Gilbert’s analysis of collectivities. It is through the development of common mental states that collectivities are formed and are able to act. Sharing mental states with others allows group members to share in a common identity, to share in common goals, and share a sense of being united with like-minded others. This sense of belonging is an important part of our social lives, as often demonstrated in our tendency to identify ourselves through our various group memberships. When it comes to the *types* of mental states which can perform this uniting role, Gilbert is quite vague. Collectivity members share ‘in some action, belief, attitude, or other such attribute’.<sup>62</sup> Whilst beliefs and attitudes seem viable candidates for this unifying role due to their ability to motivate agents more generally, the suggestion that actions are sufficient is problematic. Given Gilbert’s earlier rejection of social actions as an inadequate foundation for collectivities, more detail regarding the types of actions that would satisfy the criteria for shared mental states is required. Unfortunately, such detail is not offered. Gilbert’s argument appears to be that so long as a mental state performs the unifying role required in a collectivity, the precise nature of this mental state is of lesser importance than the effect it has on creating a group.

Gilbert states that one of the core identifiers of plural-subjects is whether or not members of the group are adequately bonded. One way of establishing this is through an analysis of the relationships between group members and how members view their connection to the group. Gilbert explains these relationships by describing the way group members can identify themselves and others as belonging to a particular group, part of which involves what Gilbert sees as the correct use of ‘we’ concepts by the members involved.<sup>63</sup> The ability of group members to apply the concept ‘we’ to themselves and the group(s) to which they belong is therefore not a trivial matter, it is this understanding of belonging to a group and the development of this kind of shared mental state that is the foundation of plural subjects. Without a sense of group identity, which

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<sup>62</sup> *Ibid.* p. 201.

<sup>63</sup> Other collectivist accounts suggest similar ‘we’ intentions as central to collective responsibility, particularly Bratman and Raimo Tuomela, ‘Joint Intention, We-Mode and I-Mode’, *Midwest Studies in Philosophy*, 30 (2006), 35-58.

only comes about through the conscious recognition of certain shared mental states, Gilbert argues that ‘collectivities’ cannot exist due to a lack of cohesion amongst members. This accounts for the importance she places on a thorough analysis of how this we-concept is best understood and utilised regarding plural-subjects or ‘collectivities’. When a group meets the criteria for collectivity, its members can correctly use the term ‘we’ to refer to themselves. Gilbert designates this special usage for collectivities as ‘we\*’.<sup>64</sup>

A number of scenarios are examined to establish the appropriate and inappropriate usage of ‘we’ and ‘we\*’.<sup>65</sup> Gilbert’s argument is not from semantics or grammar, nor is it intended to be. It is rather an examination of when the individuals included in the group being referred to as ‘we’ are connected with one another in what Gilbert argues is an appropriate way. Through analysis of the collectivity concept being utilized when one is able to correctly identify oneself as a member of a ‘we’-type group, Gilbert aims to identify the conditions necessary to establish plural-subjects and groups that can be seen as agents in their own right. I shall therefore focus on one example given by Gilbert that is intended to highlight the kinds of relationships and intuitions she believes we foster regarding we-type groups. After outlining this scenario, I shall attempt to draw out the intuitions to which Gilbert appeals, and explain the importance of the correct usage of the concept of ‘we’ on Gilbert’s account.

*The restaurant case:* Gilbert asks us to consider the scenario of a dinner taking place after a conference. Two of the party, Tony and Celia, are engaged to be married. Tony asks Celia ‘Shall we share a pastry?’ This seems intuitively acceptable, according to Gilbert. But then Bernard, another member of the party, hardly known to Celia but sitting next to her, turns to her and asks ‘Shall *we* share a pastry?’ Gilbert sees this use as inappropriate since it refers to a ‘group’ or ‘collectivity’ that she argues does not exist.<sup>66</sup>

Gilbert is making an appeal to our intuitions regarding group membership, the question is, on what do these depend? If we consider *the restaurant case*, whether or not we agree that there is no ‘we’ to which Bernard may refer depends entirely on whether we accept Gilbert’s intuition that this is an ‘inappropriate’ use of a ‘we’ concept. Whilst Tony and Celia have the kind of relationship to one another that could allow them to be referred to as a collective of some kind, Gilbert argues that no such connection exists between Bernard and Celia. This aspect of the example appears to be intended to highlight the necessity for certain types of relationship to be established before the use of ‘we’ is justified. This usage will still be context dependent. There are scenarios in which Bernard could refer to Celia and himself as ‘we’ in an appropriate way, if

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<sup>64</sup> Gilbert *Social Fact*, p. 200.

<sup>65</sup> *Ibid.* part IV, section 3.

<sup>66</sup> *Ibid.* p. 175, (Gilbert’s italics).

for example he was referring to both of them as part of the same conference in an utterance such as ‘we are taking part in an academic conference’. Since they do not know each other well, these instances would necessarily be impersonal. What seems to be intuitively troublesome about the restaurant case for Gilbert is the over-familiarity of Bernard’s suggestion.

Gilbert is attempting to draw attention to what she argues are common intuitions regarding group relationships. Her examples do address some of the ways we understand group membership, the nature of the relationships within certain groups, and the ways members within those groups interact. There are many ways we can place people into groups: through an identifiable physical feature, through geographical location, habits, biological features, shared birthday, the list goes on. Whilst labelling people in this way may be helpful from a social sciences perspective, members of many of these kinds of ‘groups’ would not see themselves as members of a group at all, and would not refer to themselves and others of the group as ‘we’. These groups lack solidarity and self-identification through sharing common mental states. The correct application of the concept of ‘we’ is a defining characteristic of group membership. Membership cannot be externally imposed on Gilbert’s account, and groups are therefore necessarily self-identifying.<sup>67</sup>

This aspect of self-identification and established relationships is the guiding force behind Gilbert’s understanding of the concept of ‘we’. She suggests that one way of identifying collectivities is to consider whether members of the collectivity can appropriately express the group’s shared mental state, such as a belief or intention.<sup>68</sup> Members must also openly acknowledge to one another their group membership, it is necessary that all members express that they share the common mental state and are therefore members of that particular group.<sup>69</sup> Here we can see the role of and importance of shared mental states for Gilbert’s account. Through close identification with other members in the form of shared attitudes, intentions, and goals, collectivity members can speak on each other’s behalf by speaking for the group as a whole. The shared acceptance of being able to speak on behalf of other members captures a lot of the intuitions Gilbert appeals to in the above restaurant example. The ability to do this rests on common knowledge amongst members which in turn requires an established relationship amongst members that allows members to act and speak for the group. It also, however, reveals one of

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<sup>67</sup> *Ibid.* p. 204.

<sup>68</sup> *Ibid.* p. 201.

<sup>69</sup> *Ibid.* p. 223.

several problems with Gilbert's account, namely that whole groups can be held accountable for the actions of individual members.<sup>70</sup>

In order for any shared mental states to ground strong social bonds, group members must be aware that such shared mental states exist. Without this common knowledge, mental states would be unable to fulfil their unifying role. Gilbert argues that all group members must share in the collectivity's common knowledge in order for a collectivity to exist.<sup>71</sup> Furthermore, all group members must know that all other group members share this common knowledge.<sup>72</sup> This final requirement places a rather heavy burden on groups that is difficult to fully satisfy. By outlining such high epistemic requirements for agent knowledge regarding other group members' knowledge, rather than, for example, accepting agents' beliefs regarding the mental states of other members, Gilbert has made the attainment of collectivity status incredibly hard to achieve.

## 2.4 Problems with Plural Subjects

Despite Gilbert's appeals to a more intuitive understanding of collective responsibility, her account faces several problems, particularly due to the high epistemic demands it places on group members. In this section I shall focus on those issues that are particularly problematic for the possibility of using Gilbert's account for an analysis of social structural group harms. The first three criticisms focus on the epistemic demandingness of her account: the common knowledge requirement, specific shared mental states, and inaccurate membership beliefs. The fourth concerns the problem of willing acknowledgment of membership amongst members.

### i. Common Knowledge

'Common knowledge' plays a significant part in Gilbert's conception of collectivity self-identification. Gilbert appeals to the idea that group members must know that they belong to a collectivity, and that they share certain intentions or attitudes with one another in the form of shared mental states. They know this because group members are defined by their common knowledge of these shared mental states. This raises many questions regarding the nature of this common knowledge, including how group members come to have this knowledge, how certain

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<sup>70</sup> Miller & Makela (p. 641) are particularly critical of this consequence of Gilbert's account. They argue that an occurrence can be considered a group action even when most members do not know about it.

<sup>71</sup> Gilbert *Social Facts*, p. 196.

<sup>72</sup> *Ibid.* p. 223.

they have to be that such knowledge is shared, and how similar the shared mental states need to be.

In order to examine these problems, let us first consider Gilbert's formulation of what constitutes 'common knowledge':

It is *common knowledge among A, B, and C that p*, if and only if (by definition) (1) the fact that p is open\* to A, B, and C, and (2) A, B, and C, have noticed this.<sup>73</sup>

Open\* is described by Gilbert as the state of being accessible to all agents if they were capable and able to exercise sound reasoning. She suggests expressions like "everything is out in the open" [...] reflect the grasp of the concept of openness\*.<sup>74</sup> Each individual involved needs to possess the knowledge, which seems to be a reasonable condition given that each individual must possess the common knowledge being shared, otherwise there would be no grounds on which to say that they are sharing in the mental state.

However, the further condition that each member must know that all other members have this knowledge presents problems for collectivity membership. Gilbert does not think that it is sufficient for members to simply *believe* that others have common knowledge of shared mental states, they must know that all members share common knowledge and that they therefore form a collectivity. This is a very strong condition to place on members. Having a reliable grasp and understanding of one's own mental states can often be difficult enough, but the necessity to be able to evaluate the mental states of many others, others you may not ever come into contact with, and assess their similarity and compatibility with one's own mental states seems not only unrealistic but rather an impossible demand.<sup>75</sup> Therefore, requiring the acknowledgement of common knowledge of all members for the formation of collectivities, especially large ones, makes the status of collectivity unobtainable for most groups.

Gilbert's interest in common knowledge is an important aspect of her argument, this shared knowledge is intended to open up collectivities and make them capable of including more individuals than other forms of collectivism allow. Her argument for groups based on common knowledge, however, fails to broaden the number of responsibility bearing groups because of the tight constraints placed on the way in which such collectivities can come about. Collectivities must self-identify and all members must be aware of their membership and the membership of

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<sup>73</sup> *Ibid.* p. 195.

<sup>74</sup> *Ibid.* p. 191.

<sup>75</sup> Alonso (footnote p. 458) highlights a key difference here between Gilbert's and Bratman's approaches to common knowledge: 'While Gilbert argues that unless we achieve common knowledge of our relevant attitudes we will not arrive at shared intention, Bratman argues that unless we achieve such common knowledge our shared intention will not function in the right way.'

the others of their group. Since such a high level of common knowledge regarding other members is hard to achieve, Gilbert's account fails to broaden group membership to incorporate large groups in the way she intended.

Common knowledge excludes social structures from qualifying as responsibility bearing groups for Gilbert because social structure members do not require any common knowledge to participate. Individual participants must be able to follow at least some of the accepted practices and customs used by fellow participants in order to engage with others within the social structural framework. They may have little knowledge of other participants from whom they are further removed, and they may never be moved to consider what mental states other participants hold regarding their shared social structure. Participants do not require common knowledge regarding the social structure itself, they may be aware of different aspect of the structure, different processes and effects that are related to the structure, and have different ideas regarding the nature of the structure and their involvement in it. The knowledge possessed by participants is therefore highly unlikely to meet the common knowledge requirement of Gilbert's collectivities.

ii. Shared mental states

Further to common knowledge requirements, Gilbert's account requires plural-subject members to hold specific shared mental states. Knowledge of these mental states allows the creation of collectivities, Gilbert argues that they provide the foundations on which individuals come to form strong social bonds which unite them and enable them to form collectivities. Given their importance to Gilbert's account, it is essential to establish what specific kinds of mental states can form such bonds. Here Gilbert's explanation of which mental states can perform this role is rather vague. She states that shared 'action, belief, attitude, or other such attribute'<sup>76</sup> could form the basis of shared mental states to form collectivities. However, it seems doubtful that all mental states could perform this function. These states are meant to form the foundations of strong social bonds, and, as Gilbert states, provide a type of 'unity' amongst members of the collectivity. Therefore the shared mental state would have to be sufficiently motivating to compel individuals to form social bonds of the kind that can unite them into plural-subjects.

One consequence of Gilbert's position is that collectivities are self-identifying through knowledge of shared mental states; group membership cannot be decided externally. Groups have 'self-knowledge [and members] will all properly think of themselves as us\*'.<sup>77</sup> There is an

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<sup>76</sup> Gilbert *Social Facts*, p. 201.

<sup>77</sup> *Ibid.* p. 205. 'Us\*' is used by Gilbert similarly to 'we\*', in that it refers to a collectivity of which one is a part.

interesting consequence to this conception of collectivity identification and formation: such mental states would have to be pre-existing in the members forming the collective. This is because they form the conditions necessary to create the collectivity in the first place. This, however, is not the way all groups are formed. Membership of some paradigmatic social groups, such as family or religious groups, often comes from birth. Also, many group intentions seem to be developed through social interaction, where members modify their intentions in collaboration with others. Brewer criticises Gilbert's account of the development of shared mental states, particularly beliefs, arguing that it confuses the process of group formation. Brewer suggests that '[w]e arrive at shared beliefs by deliberating together about what propositions warrant our assent.'<sup>78</sup> In the case of many social groups we do not, he argues, necessarily decide what we believe and then go and seek out others who share these beliefs.<sup>79</sup>

Group self-knowledge may have its benefits, it does not allow for external group membership ascriptions for instance. This is important when considering the problem of discrimination or prejudices against agents on the basis of group membership. By denying the validity of external membership identification individuals and groups are free to self-identify without external judgments of what constitutes membership of a given group. However, membership still rests on the ability of individuals to *correctly* identify shared mental states with others. This is difficult enough in small groups, but gets much more difficult in larger groups. Since it is up to the collectivity to identify uniting mental states and legitimate members, adequate knowledge and understanding of the shared mental states is very important. Similarly to the condition of common knowledge, the condition that all members must be united by shared mental states also bars social structures from collectivity status. It is quite possible for participants in social structures to hold a variety of mental states, many of which could of course be similar, but there need not be any one mental state which is shared by all participants. Individuals may participate for their own reasons, acting on their own intentions and attitudes, without sharing mental states with others.

### iii. Inaccurate membership beliefs

The problem of inaccurate membership beliefs can occur in at least two ways. Agents can hold inaccurate beliefs regarding whether or not they are part of a particular collective, and they

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<sup>78</sup> Talbot Brewer, 'Two Kinds of Commitments (and Two Kinds of Social Groups)', *Philosophy and Phenomenological Research*, 66 (2003), 554-584, (p. 580).

<sup>79</sup> Bratman's conception of the formation of group beliefs is also differs from Gilbert, in that individual members develop 'meshing', intermingling intentions together.

can hold inaccurate beliefs regarding other members of the collectivity. Inaccurate belief problems are particularly damaging for any attempt to use Gilbert's account to analyse social structures, where many participants may have inaccurate beliefs regarding other group members, or may be unaware of some groups to which they belong.

Gilbert argues that collectivities, and therefore responsibility-bearing groups, only exist when the following conditions are met:

Human beings X, Y, and Z constitute a collectivity (social group) if and only if each correctly thinks of himself and the others, taken together, as 'us\*' or 'we\*'.<sup>80</sup>

This is in keeping with Gilbert's discussion of the appropriate use of 'we' conceptions. The restriction of collectivities to only those groups where all members are using the concept correctly leaves us with a number of questions. What status do groups have where some members of the group are using the concept incorrectly? If a member of the collectivity incorrectly assesses the status of one individual, excluding them from the group, is that individual excluded, or is there no longer a true collectivity to which they could belong? Neither are desirable outcomes, nor does it seem agreeable that a collectivity's existence, or an individual's membership of such a group, could rest on such insecure foundations.

If the first question is considered, following Gilbert's argument, only those individuals correctly using the same 'we'-concept are members of the collectivity in question. Other individuals may share mental states with members of the collectivity, but if they do not share the *same* conception of who constitutes the 'we\*' to which they are referring, they seem to be excluded from collectivity membership. This puts a lot of responsibility on the individual to ensure that they have a very good understanding of exactly which mental states unite the collectivity, and who has membership of the group to which they want to belong. It is less of a problem for membership, however, than the second question raised above: what is the status of individuals excluded by other members? One of the benefits of Gilbert's conception of collectivity membership is that group members are self-identifying; membership and association are not externally imposed. However, with the introduction of the condition that other members must correctly identify a group member, individuals could conceivably be excluded from groups to which they may feel they belong, and have good reasons for believing themselves to be members. We therefore encounter a difficulty in identifying collectivity members, unless in very small groups where membership is easier to establish and, possibly, shared mental states. This, then, provides further grounds for excluding social structures from being plural subjects.

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<sup>80</sup> Gilbert *Social Facts*, p. 147.

iv. Unwilling membership

The final problem I shall discuss is that of members being unwilling to acknowledge their membership of particular groups. Going beyond the need for members to be able to appropriately utilise ‘we’ concepts, Gilbert states that to become the member of a plural subject one must “openly express one’s willingness to do so with certain others”.<sup>81</sup> This places the emphasis on individual members of collectivities to declare their membership of a group. Placing group membership in the hands of the individuals involved helps avoid some of the problems associated with conceptions of group membership based on externally imposed criteria and assessment. Allowing individuals to *choose* with whom they form groups allows them to exercise their freedom of choice. It also avoids labelling individuals as group members who do not recognise any foundation for such group membership to hold between them. However, when a key condition for membership rests on the individual’s *willingness* to openly acknowledge group membership, the bonds of collectivity membership are in danger of being somewhat undermined in some groups.

Gilbert’s earlier criteria, that members share common mental states with certain others, where knowledge of this shared mentality is common to all involved, grounds membership in facts regarding a set of agents’ mental states. However, if membership rests on individuals’ willingness to ‘stand up and be counted’, membership seems less binding than Gilbert’s earlier conditions. Having shared mental states and common knowledge of these along the lines outlined by Gilbert allows group members to form close bonds, but this further condition of individual acknowledgement does not appeal to such strong social relationships, allowing agents to deny social bonds seemingly at will.

In cases where group activity is benign, deciding group membership on the basis of an individual’s willingness to be acknowledged as a member seems unproblematic. Little is at stake when the group in question performs only acts that bring about positive outcomes, for instance. In contrast, deciding group membership through members’ self-identification would be extremely problematic for nefarious groups. It is unlikely that individual members would be as willing to make their membership of some groups public knowledge. An example of this can be seen in the case of the Ku Klux Klan, where many members kept their identities secret, even from other members. Where a group is identified as prejudiced, harmful, or undesirable in some other way, relying on members to identify themselves as participants in these groups is unlikely to give us an accurate account of actual group membership. We would not, however, wish to support the

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<sup>81</sup> *Ibid.* p. 200.

idea that members of nefarious groups cannot be held responsible simply because their members choose not to make their membership publicly known.

The two main difficulties with Gilbert's statement regarding 'open acknowledgement' therefore concern the issue of to whom individuals need to express this acknowledgement, and how we are to understand cases where people do not *wish* to make such an acknowledgement. In the former case, it is problematic to require this criterion; whilst people may be happy to openly and publicly acknowledge membership of groups that bring about positive ends, they might not be so willing to make public knowledge of membership of groups that are perceived to be prejudiced, harmful, or harbouring 'negative' mental states. For groups with possible or perceived 'nefarious' intentions, members may indeed be willing to 'openly' express their willingness to form a collectivity with certain other likeminded people, but only in private. This would still satisfy Gilbert's criteria, and would be in keeping with earlier discussions regarding collectivities bonding due to shared mental states. As long as such 'open acknowledgement' is only required with regards to other *members*, the 'certain others' to which she refers, and not a *public* acknowledgement, Gilbert's account would still hold. If, however, Gilbert's account is understood to require such public acknowledgement, we are faced with the problem of understanding unwilling collectivity members.

Requiring such 'open acknowledgements' to define collectivity membership in *all* collectivities might make denying certain group associations rather easy. We are faced with the question of how we are to understand cases where an individual shares the kinds of mental states and associations with other members of the group that conform to Gilbert's account of collectivity membership, but does not wish to openly acknowledge membership of the collective. Such denial could be both public and to other collectivity members. Cases where this might happen include those where individuals might be in a position to benefit from membership of a collectivity, but where they do not wish to contribute towards it.<sup>82</sup> In these situations it is possible that individuals, regarded as group members by most other measures, could through denial dissociate themselves from the group.

Despite sharing in mental attitudes, intentions, and goals with group members, the ability to be able to 'escape' collectivity membership through refusing to acknowledge it is problematic for Gilbert's account of collective agency. If social bonds through mental states, which form the foundations of plural-subjects, can have their 'uniting' power overridden through denial, they do not seem to form a sound foundation for group agency. In these cases, requiring individuals

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<sup>82</sup> Free rider problems may in some instances be included in this set of cases.

involved to acknowledge their membership or at least association with harmful practices would allow individual members of the collectivity to deny association, an outcome that weakens the possibility for collective agency arguments from Gilbert's position. Therefore, having this form of individual responsibility to acknowledge collectivity membership as a necessary condition is problematic when it comes to analysing collective agency, the very concept that Gilbert's plural-subjects are meant to help us understand.

Gilbert attempts to incorporate the widest possible groups of agents into her collectivist account. As long as groups are unified to the extent that they can act as if they were one agent, they can be held collectively responsible as a group. However, groups without such unifying bonds cannot meet this criterion and cannot therefore be held responsible as a group. In these cases, on Gilbert's account responsibility is necessarily individual. If this is so, many collective contexts, in which agents act together to bring about certain states of affairs but do so without extremely strong social bonds, are not analysable collectively for Gilbert. This is problematic given the importance of interaction with others on an individual's range of options and actions, as well as cases where specific group actions and effects on the world are irreducible to the actions of specific individuals. Whilst Gilbert's account is therefore more inclusive than most other collectivist accounts, it still cannot adequately explain responsibility ascriptions in large-scale harms brought about by groups of people who coordinate and organise their interactions to a high degree but fail to form collectivities.

## 2.5 Isaacs' Collective Contexts

In quite a different argument for collectivism, Isaacs has suggested that collective responsibility can only adequately be addressed by a two-level theory of moral responsibility.<sup>83</sup> Her position avoids many of the criticisms aimed at collectivist attempts to explain groups in terms of group-agency or shared mental states. Isaacs argues that on one level we can analyse an agent's individual responsibility for their acts and omissions. This level is the more widely accepted and traditional form of individual moral responsibility. However, Isaacs also argues that a purely individualistic approach to moral responsibility fails to address the collective nature of some of our endeavours. For this reason, she proposes an additional collective level of analysis for those situations where a group is responsible for bringing about a state of affairs through their coordinated efforts.

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<sup>83</sup> Isaacs.

Isaacs proposes that an adequate account of moral responsibility in collective contexts needs to be both individualist and collectivist, a two-level theory that leaves no aspect of analysis out. Acknowledging the role that groups have in our lives is integral to Isaacs' position. She regularly points out that working together allows us to act in ways we would be incapable of acting in isolation, 'from moving a grand piano to significantly reducing humanity's carbon footprint'.<sup>84</sup> Rather than allowing us to simply achieve more, Isaacs observes that some of our actions are necessarily collective, such as performing orchestral works or playing a game of street hockey.<sup>85</sup> In cases like these, the individual actions of participants only make sense when considered as contributions to the collective actions of which they are a part.<sup>86</sup> Collective analysis alone is not enough, as it would not provide an adequate account of individual responsibility for contributions to the collective. Therefore, the individual contributions to these collective actions also require analysis, particularly of how they relate to the wider collective action, and thus Isaacs presents a two-level theory with both collectivist and individualist aspects.

Isaacs argues that an analysis of collective responsibility intended to fully capture the effect collectives have on our understanding of moral responsibility must incorporate collectives as agents. She sees this as the only way that necessarily collective actions can be adequately analysed.<sup>87</sup> Isaacs cites several examples of necessarily collective actions, actions that can only be performed by collectives. These fall broadly into two groups. Some are physically necessarily collective, both playing orchestral music and team sports cannot physically be done alone, they require multiple participants.<sup>88</sup> Other actions are necessarily collective in the sense that the collective endeavour is not something that would have been chosen by any of the individuals involved if acting alone. For example, when writing a paper with someone, she suggests that neither party alone might have come to the conclusion they collectively decided on. As Isaacs puts it, 'our interactions take us places where no one of us would even think to go alone'.<sup>89</sup> In these cases, Isaacs' argument is that we cannot separate out the independent intentions of the individuals when certain collectives collaboratively form intentions.

In both types of cases, Isaacs argues a collective agent is required in order to account for the action performed. No individual agent can play a team game, no individual agent can write a

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<sup>84</sup> *Ibid.* p. 8.

<sup>85</sup> *Ibid.* p. 34.

<sup>86</sup> Kenneth Shockley, 'Programming Collective Control', *Journal of Social Philosophy*, 38 (2007), 442-455 (p.448) makes a similar claim, arguing that in some cases collectives are 'explanatorily ineliminable' from state of affairs.

<sup>87</sup> Again, Shockley offers a similar argument, suggesting that 'the collective simultaneously (1) enables the production of a harm or benefit not available to individual members, (2) ensures the participation of members, and (3) generates through the actions of individual members a harm of a kind not properly attributable to individual members' (p. 448).

<sup>88</sup> Isaacs, p. 34.

<sup>89</sup> *Ibid.* p. 35.

collaborative paper. It is worth noting that it is not only necessarily collective actions that can be performed by a collective agent. Isaacs also argues for collective responsibility in cases where an act is performed collectively, but where it *could* conceivably have been performed by multiple agents acting randomly, in parallel, or by isolated individuals.<sup>90</sup> Isaacs is not concerned primarily with necessarily collective acts, her main concern is whether or not an action was performed collectively.

Whilst collectives are an essential part of our lives for Isaacs, not all collectives have the same moral status. During her discussion, Isaacs analyses several different types of collective, arguing that some are capable of being responsibility-bearing entities, whilst others are not. Isaacs' criteria for a collective to be capable of agency are quite broad. Members of a collective can share a trait such as a common interest, but the most important and essential criterion for Isaacs is organisation towards a common goal. Where agents are united in an organised institution, or where they coordinate their efforts to achieve a common goal, their actions become that of a collective. Organisations, like corporations or NGOs, are therefore the least contestable candidates for moral agency and are a large focus of Isaacs' discussion.<sup>91</sup> By organisation, Isaacs has something more specific than coordination in mind. Collectives require structure such as clear decision-making procedures and well-defined specific roles for members. Without this kind of organisation, Isaacs rejects the possibility of a group being capable of agency and responsibility. Collectives that have intentional structures are legitimate bearers of moral responsibility because they are capable of intentional action, which Isaacs argues demonstrates that they can exhibit agency.<sup>92</sup>

Apart from the focus on organisation, this collectivist aspect of Isaacs' analysis is certainly less restrictive than alternative collectivist accounts. The conditions for a collective to be capable of bearing responsibility are far less demanding than those of authors such as Gilbert. Common knowledge, for example, is reduced to a sufficient number of members having good grounds to believe that other members are also working towards the collective goal.<sup>93</sup> Compare this to Gilbert's account, where all members must share in the knowledge, and know that all other members share this knowledge. Isaacs provides a far more flexible approach to collectivism with less demanding criteria to fulfil. She argues that 'we may understand collective intentions as states of affairs, identifiable in part by their functional roles'.<sup>94</sup> Part of the reason for Isaacs' less rigorous outline of the specific ontological status of a responsibility-bearing collective seems to be that

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<sup>90</sup> *Ibid.* p. 38.

<sup>91</sup> *Ibid.* p. 24.

<sup>92</sup> *Ibid.* p. 53.

<sup>93</sup> *Ibid.* p. 44.

<sup>94</sup> *Ibid.* p. 37.

these collectives are only one part of her analysis, it is the intentions held by members of collectives that are her main concern.

Despite the less stringent criteria for establishing a responsibility-bearing group, collectives remain central to Isaacs' theory. The two-level theory is intended to aid us in the identification of the perpetrators of harm in cases where the harm is collectively brought about. In some cases, individual member's contributions to the harm can seem insignificant and of no consequence, if viewed in isolation they can appear harmless. However, Isaacs suggests that if we view the same action as part of a wider collective endeavour, we can see that the apparently inconsequential act is one of many contributions to a wider harm. Collective harm is contextual, only by examining the collective action and effects can we understand the moral nature of both the collective action and the contributing actions of individual agents involved. The conclusion of Isaacs' line of argument is therefore that individual acts require contextualisation, an explanation of their collective nature, in order for them to be fully understood. Without this collective context, our moral responsibility ascriptions are inadequate.

What we have then is an account that is designed to work on two levels. Isaacs intends that we analyse collective responsibility first by establishing whether the act in question was performed by a collective. When this is the case, we can explain the responsibility as being held by that collective because the collective is the agent that performed the act in question.<sup>95</sup> Once the collective's responsibility has been established, we can then turn to the individuals comprising the collective to assess their individual contributions to the collective act. Each individual's responsibility regarding this collective act will differ according to their relationship to the wider collective and the nature of their participation.<sup>96</sup> When both levels of responsibility have been analysed, the responsibility ascriptions can be thoroughly and accurately understood.

## 2.6 Limits of Isaacs' Two-Tier Theory Approach

Isaacs' account initially appears quite promising for an analysis of large-scale harms caused by social structures. She gives a lot of weight to the effects of participating in a group on individual agent responsibility, and does not restrict responsibility-bearing groups to only those that have a very specific shared mental state. This allows many more groups to be analysed as collectively responsible and helps to explain responsibility ascriptions in collective contexts where individualist approaches struggle to identify responsible agents. However, the two-tier

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<sup>95</sup> *Ibid.* chapter 2.

<sup>96</sup> *Ibid.* chapter 4.

account offered by Isaacs faces a number of problems when it comes to making sense of the nature and role of each tier, the relationships between the tiers, and which groups actually meet the criteria required for collective agency.

i. Ontological complexity

My first concern with Isaacs' position is the ontological status and function of the second (collective) level of her theory. Initially it appears that having a collective level of analysis provides invaluable explanatory power when evaluating collective harms; insignificant actions take on a different moral importance when viewed as part of a wider collective harm. However, the advantage of appealing to the collective level comes at a significant cost in terms of ontological complexity. Rather than providing an explanation of individual moral responsibility ascriptions, we are faced with explaining the status of an extra collective responsibility-bearing entity and the individual responsibility bearers of which it is comprised. It is necessary to ask what exactly these extra collective entities provide to the analysis and whether they are really essential to our moral understanding.

Isaacs suggests that in collective contexts, treating a collective as an agent provides a responsible party, a moral agent against whom we can make claims regarding harms that have been caused collectively. She argues that:

Collective agents, not their members, are the agents who perform collective actions. Therefore, collective moral responsibility is needed in order to account for moral responsibility for collective actions.<sup>97</sup>

Isaacs proposes that, without positing a collective agent, we cannot adequately explain who performed the collective action and therefore who is responsible for it. A strong motivation for Isaacs' second level is therefore the explanatory power the collective level offers. She cites the way in which Davidson, Feinberg, and Strawson have all discussed the role that context and explanation play in understanding an agent's actions and argues that the work of these authors demonstrates the importance of context to adequate evaluation.<sup>98</sup> She suggests that in some cases the *only* way we are able to provide an accurate analysis of an individual agent's behaviour is through a broad and thorough description of the context of an agent's action.

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<sup>97</sup> *Ibid.* p. 54.

<sup>98</sup> *Ibid.* chapter 4. See also Donald Davidson, *Essays on Actions and Events*, (Oxford: Clarendon Press, 1980); Joel Feinberg, *Doing and Deserving: Essays in the Theory of Responsibility*, (New Jersey: Princeton University Press, 1970); and Peter Strawson, *Freedom and Resentment*, (Oxford: Routledge, 2008).

However, the collective level of Isaacs' theory is not solely a descriptive tool, and it does more than simply provide background information to explain the collective context of a particular action performed by an individual. Isaacs explicitly argues that some collectives are themselves *agents*, capable of moral and immoral action.<sup>99</sup> Rather than supporting her argument for group agents, Isaacs' discussion of Davidson, Feinberg, and Strawson does more to demonstrate that her position fails to provide clarity when making responsibility ascriptions in collective contexts. This is because the presentation of an extra entity is not essential to our understanding of the fact that some of our actions are collective and are performed with and influenced by others.

Consider a collective act, such as a game of street hockey. Isaacs suggests that without the collective agent we are missing a vital part of the explanation of the situation, the collective agent of the team provides the contextual explanation that grounds all the actions of the participating individuals. I might, for example, stand in front of the net and try to prevent any goals from being scored. Explaining what I am doing, and why I am doing it, requires some contextual information. It also requires some other people to join in the match; if I stand in front of goal when no-one else is playing, I am not taking part in a match at all. Certainly, no one individual can play a match of street hockey by themselves.

When we analyse a collective action by explaining the actions of individuals through the wider collective context, we gain a greater and more accurate insight and understanding as to the intentions and motivations of the individuals. This contextualisation is possible without the need for a collective agent. Rather, we can suggest that there are some actions that can only be performed with other people. A game of hockey is something that cannot be performed alone. We can explain the importance of coordinating our actions with others and the ways in which this allows us to achieve more, and changes our individual intentions and goals as we join a wider group, without having to posit the collective agent as separate to the individuals involved. My actions as a goalkeeper are perfectly comprehensible when explained in terms of my desire to play a team game with others, and the required actions I need to perform in my role as a particular member of that team. Suggesting that a collective agent is required here to explain our collective endeavour of playing a game of street hockey does not add anything helpful to the explanation of my, or my teammates', actions.

The unnecessary nature of positing an extra collective agent, rather than simply providing a collective context, can also be seen in Isaacs' discussion of how we are to identify praise and blameworthy agents. Isaacs argues that collective agents are required because some actions are

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<sup>99</sup> Isaacs, p. 55.

performed by collectives and cannot be understood in terms of the actions of the individuals who form the collective. For example, when the Terry Fox Run in Canada raises \$20 million each year for charity, the collective raises this money, no individuals do so. Therefore, Isaacs argues, if we do not allocate moral praiseworthiness for the fundraising at the collective level, then we are left with a situation where no-one is responsible for raising \$20 million.<sup>100</sup> She argues that in cases like this collective agents are necessary in order to identify the correct recipients of praise and blame. However the suggestion that collectives do not simply provide explanatory background, but are themselves moral agents, makes the analysis of responsibility ascriptions in cases of collective harm more, rather than less, complicated. This is because we have an extra responsibility-bearing entity to consider, one which cannot act to address the harms in which it is implicated without its constituent members acting.

Collective acts only come about through the various actions of the collective's individual members. If we wish to analyse the success or praiseworthiness of the collective action, we must look at the overall result of the collective action to assess its consequences, but this overall result only comes about through the actions of individual participating members. Whilst it is true that, in the case of the Terry Fox run, no *individual* raises \$20m, and that therefore no individual is morally praiseworthy for raising \$20m,<sup>101</sup> we can identify who is morally praiseworthy for raising this money through an analysis of which agents were involved in the collective action that led to \$20m being raised. We can provide this explanation of moral responsibility ascriptions in collective contexts without appeals to a collective agent.

The information we can provide regarding an agent's part of a wider group activity, the context in which the action is performed, is often invaluable in allowing us to make an accurate assessment of the moral import of that action. For example, the context of the Terry Fox Run allows us to identify the actions of the participating individuals as contributions to a successful charitable event. This extra information can make us view this act in a different light. The question is then whether seeing this action as a contribution to the collective act of a collective *agent* provides us with more, or more helpful information that would allow us to make a more accurate analysis of the morality of the situation. There seem to be no compelling grounds for this extra conceptual leap.

If we were to take Isaacs' next step and accept that the team is a collective agent, the explanatory benefit provided by the collective contextualisation would in fact be reduced. This is because the introduction of the further, somewhat complicated, collective agent and the

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<sup>100</sup> *Ibid.* p. 55.

<sup>101</sup> *Ibid.*

corresponding relationships between this agent and its constituent members will require its own analysis in addition to the analysis of the individual participants. The collective agent, the second level of analysis, becomes an extra aspect that requires further explanation, rather than just providing contextual information that helps inform our moral analysis of the contributing agents' actions. As with other collectivist accounts, there remains a tension in Isaacs' work regarding the relationship between collectives as independent agents and their constituent members. This tension obscures the explanatory power of the two-level approach.

ii. The relationship between members and their groups

The second concern I have regarding Isaacs' theory is the relationship between the responsibility ascriptions of individual agents and those of the collectives to which they belong. This relationship is crucial, as both levels interact and inform any analysis of the other. She argues that either level on its own is insufficient to provide a complete account of responsibility ascriptions in group situations. For Isaacs, we cannot understand the moral status of an agent's contribution to a collective action without understanding the relationship between the individual and the group of which they are a member. These relationships are important in a number of ways. For example, she argues that in some cases individual acts only derive their moral status from the collective acts to which they belong, and individuals' responsibilities are shaped both by the types of collective of which they are members and their position within those collectives. All of these connections are problematic in Isaacs' account.

Isaacs states that the acts of individuals who are members of a collective sometimes get their moral features from the collective act of which they are a part.<sup>102</sup> An example she uses frequently is that of a contribution to genocide. An isolated murder, whilst morally wrong, is morally more significant if that murder is a contribution to genocide. The act performed by the collective agent informs the moral nature of the individual contribution. In the case of genocide, since genocides are necessarily carried out by collective agents for Isaacs, individual contributions can only be adequately understood through these collective actions. She argues that genocides are not simply cumulative, and that the collective act of genocide is different in character from the murders or individual acts of genocide of which it is comprised.<sup>103</sup> Without the wider collective action of genocide, we would not be able to adequately evaluate the individual

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<sup>102</sup> *Ibid.* p. 57.

<sup>103</sup> *Ibid.* p. 68.

acts that contribute to the atrocity, we would not be able to appreciate the moral significance of an act as a contribution to genocide.<sup>104</sup>

There is, however, an alternative way of viewing this relationship between the individual and wider collective. We are only aware of the different nature of these acts once we are aware that they are not in fact isolated, and instead are part of a wider collective effort to try to eradicate a group of people. We are only made aware of what Isaacs describes as a difference in character between the acts once we have the information regarding their relation to associated acts performed by other group members. When we have this further explanation of the context in which the act is performed, we analyse the act differently, though the act itself does not change. Contextualising the act as part of a wider group action does affect our moral evaluation of the act. In this way establishing that there is a relationship between an individual and a group informs our analysis and can be essential to accurately assessing the morality of an agent's action. This is possible without positing a collective agent. The interactions of the agents involved is intelligible, and the resulting harm is explicable, without further appeals to a unified agent that causes the harm as a whole.

The relationship between collective agent responsibility and the responsibility of individual members is further complicated when we consider Isaacs' discussion of the importance of position and power for collective agent members. Isaacs states that participants with different associations to a collective have different levels of power within the group, and so some members have more ability to affect change within a collective than others. Leaders, for example, are seen as more responsible for collective actions than other members because a collective's organisation empowers them to act in ways that they would not be able to but for the roles they inhabit in the structure.<sup>105</sup> Leaders have more influence in collective decisions, and a greater ability to effect the collective goal, because they occupy a position of power in relation to the other members of the collective. This higher degree of influence, for Isaacs, means a greater degree of responsibility. Holding leaders more responsible than other group members seems perfectly reasonable and a common practice in our moral evaluations. However, it highlights a problem in Isaacs' account with her desire to maintain a distinction between the moral responsibilities of collective agents and of their constituent members.

A collective's intentions and decisions are thought to be that of the collective itself for Isaacs, and not that of its leader or leaders. Isaacs argues that collective decisions and intentions

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<sup>104</sup> *Ibid.* p. 58.

<sup>105</sup> *Ibid.* p. 100.

are different *in kind* from the decisions and intentions of their individual members.<sup>106</sup> If this is so, the necessity of identifying the ways in which some individual members have had more influence over a decision or intention than others, in order to establish who is morally responsible for addressing the harm caused collectively, undermines the suggestion that collective decisions and intentions are fundamentally different from the decisions and intentions of individual members and that collectives can be held morally responsible in their own right, as Isaacs wishes to maintain. Isaacs' suggestion that we can hold some agents more responsible for their role in forming collective intentions than other members requires us to analyse their individual contribution to the collective intention. In doing so, we seem to be reducing the collective intention to some kind of aggregate of participating agents' intentions, where leaders and those with a bigger role in the collective bear more responsibility for their larger input into the collective intention. If this is the case, then the argument that individual and collective intentions are different *kinds* of intentions is more difficult to maintain.

Whilst it is common practice to hold those in a position of power more responsible than other members, this discussion of position and power in collective contexts demonstrates the need for moral analysis at the individual participant level and the difficulty of justifying the need for responsibility-bearing collective agents. Although Isaacs argues that we need a collective agent in order to explain responsibility ascriptions in collective contexts, we cannot explain how collectively caused harms can be addressed without an appeal to the individual participating members. Stating that a collective is responsible may give us a convenient focus for our analysis, but as soon as we question what is required of a morally responsible collective, we are forced to assess its members and identify those in a position to act. The collective agent appears redundant, it is impotent in its ability to address its responsibilities and analysis of its actions immediately requires an analysis of its constituent members.

The suggestion that collective intentions are necessarily different from the intentions of the individuals involved is hard to maintain, especially as Isaacs rejects any kind of collective mind in which to house them.<sup>107</sup> Whilst I agree with her belief that the intentions of group members whilst they are part of a collective are different from the intentions the agents would have were they not group members, the suggestion that the collective intention is somehow different and independent from the agents' intentions is difficult to support. Agents curb and modify their individual preferences when they have to cooperate with others. This results in individuals having different intentions than they would in isolation. The intentions we form as

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<sup>106</sup> *Ibid.* p. 111.

<sup>107</sup> *Ibid.* p. 37.

group members, the intentions broadly shared by the group, are not different to the individual's intentions, but they are different to what the individual agents might have intended were they not group members.

iii. Identifying responsibility-bearing groups

The final problem that I shall discuss regarding Isaacs' theory is that of which groups she believes qualify as collectives. Throughout her discussion, Isaacs refers to a range of different collectives in order to draw out morally relevant similarities between different group types. One of the common features examined by Isaacs is group organisation. For a group to qualify as a collective agent and therefore be collectively responsible, group members have to interact in structured, organised ways with the aim of achieving a common goal.<sup>108</sup> Isaacs suggests that only organised collectives working towards a specific goal can qualify as collectives capable of bearing responsibility. Where this condition does not hold, there is no collective responsibility only individual responsibility. Throughout her discussion, she differentiates between organised and coordinated collectives, and random groups or people performing parallel actions. Isaacs' use of the terms 'coordinated' and 'organised' is implicitly narrow in scope. From her discussion, 'goal-orientated' might be a better way of defining the kind of coordination and organisation she has in mind. Working towards a common goal is therefore an essential part of Isaacs understanding of an organised collective. Without a single common goal, she argues, people are only acting in parallel with one another.

This distinction is somewhat misleading. Isaacs fails to differentiate between non-goal-orientated organised interaction and random action. This is a significant oversight given the importance of collective contexts to her overall account. It is perfectly possible for a group of individuals to coordinate and organise their actions without having a specific common goal. Instances of these high levels of organisation allow agents to do far more than they would be capable of doing alone. An example of a highly structured human activity that requires a great deal of organisation and cooperation from participants is driving. Within a given territory, such as the UK, car owners must coordinate their actions and cooperate with other drivers to be able to use the roads. There is a set of rules and a framework that participants must follow. Failure to do so results in an individual being excluded from the group of legal drivers.

The acts of participants are not random, each participant interacts with other road users in a very structured way. Their acts are also not being performed in the pursuit of one, unified

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<sup>108</sup> *Ibid.* p. 24ff.

collective goal. Each participant can have different goals, intentions, and motivations for participating in the group. Some members may participate for convenience, or in order to avoid punishment for not following the rules. It would be disingenuous to suggest that the people participating in this activity are acting randomly, there would be far more accidents and chaos on the roads if this were the case. However, since this kind of group of coordinated agents does not fit with Isaacs' definition of collectives as being organised around a common goal, on her account they would be described as a random collection of agents working in parallel. This seems a rather unfair description of the kind of agent coordination and cooperation required for the level of organisation this activity requires and which participating agents have been able to achieve.

Isaacs' restriction of collective responsibility to goal-orientated groups excludes many of the kind of collective situations that we might think the perfect cases for her two-level analysis. In particular, it rules out social structural harms brought about by multiple agents participating in highly organised social processes, where the individual contributions of agents may appear unimportant, but taken together produce huge harms. In these cases a collective context, which is able to explain the moral significance of these individual contributions through the harm caused by the wider collective of which they are a part, is essential for a full analysis of the situation. However, Isaacs argues that a lack of common goals means that in these situations the activities of those involved cannot be analysed collectively, and are instead only analysable on an individual level.

For instance, as a result of her analysis, Isaacs rejects the possibility of global warming being a collective harm, though she does argue that it can only be addressed collectively. She maintains that humanity causes global warming but without wrongdoing as there is no collective agent.<sup>109</sup> This is because contributors to global warming are not part of an organisation,<sup>110</sup> and there is 'no joint or coordinated effort behind the outcome'.<sup>111</sup> This is true, insofar as there is no coordinated effort to achieve global warming. However, this does not mean that the agents responsible for causing global warming are not acting collectively and are not organised or coordinating their efforts. There is a significant difference between a group of people not being coordinated and not being coordinated to achieve a particular goal.

Global warming is a consequence of our current lifestyles, it is largely a result of our use of fossil fuels. The production of fossil fuels is a highly organised system of processing and distributing fuel around the world. These actions are not random and uncoordinated, but they do

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<sup>109</sup> *Ibid.* p. 100.

<sup>110</sup> *Ibid.* p. 25.

<sup>111</sup> *Ibid.* p. 6.

not fit Isaacs' description of collective action and so fall out with her analysis. To say that humanity's actions concerning global warming are performed in parallel or randomly is to massively underplay the level of coordinated interaction that allows people to cause so much environmental damage in the first place. As Isaacs observes, 'aggregating individual intentions does not take seriously the interrelations between the intentions of individuals.'<sup>112</sup> This, however, is exactly what Isaacs seems to do in the case of global warming and other large-scale multi-agent harms.

Throughout her discussion, Isaacs highlights some deep problems facing current collective responsibility accounts. Both sides of the debate face problems when trying to address group harms, missing essential aspects of the morality of these complicated situations. The motivation and worries that lie behind Isaacs' account are, I think, justified. However, if we are to take Isaacs' line and posit collective agents as essential for contextualising contributions to collective actions, the explanatory role provided by this wider context becomes lost. Her account makes the assessment of individual contributions harder to determine, and renders some collective endeavours as non-collective despite the high level of coordination they involve. I agree that contextualisation is essential for adequate analysis of actions performed by group members, but collective agents do not aid the development of accurate contexts.

## 2.7 Conclusion

Collectivism attempts to offer an account of collective responsibility that captures the central role of groups in our lives. Collectivists have suggested different grounds for group agency, suggesting that shared intentions, attitudes, nationality, or other shared traits provide the basis of a collective agent. Throughout this chapter I have discussed some of the most inclusive accounts of collective agency. In Gilbert's work we find a well-argued justification for group agency based on common knowledge. However, her account is unhelpful in an analysis of social structural harms for two main reasons. Firstly, the epistemic demandingness of Gilbert's position calls into question whether any groups could actually attain the level of shared epistemic states Gilbert requires. Secondly, whilst her account rejects the inflexibility of accounts like that of French, it is still unable to accommodate social structures and loosely organised groups.

In Isaacs' alternative collectivist approach we encounter another set of problems which leave it unable to incorporate structural harms. Firstly, Isaacs' suggestion that we require extra responsibility-bearing entities in the form of collective agents does not actually seem necessary

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<sup>112</sup> *Ibid.* p. 68.

to our analysis of moral responsibility ascriptions in collective contexts. Secondly, her focus on goal-orientated groups ultimately excludes many organised collective endeavours which would benefit from analysis at the collective level.

Collectivist accounts struggle to provide a convincing general account of collective agency and are unable to incorporate contemporary large-scale harms into their analysis. Despite the collective nature of social structures, they do not fit traditional ideas of what constitutes a 'group' and therefore are not compatible with collectivist account. In order to fully explain responsibility ascriptions in cases of social structural harm, I suggest we must turn to individualism. However, individualist accounts also struggle to explain responsibility ascriptions in social structures due to the nature of individual participating acts. In the next chapter I shall discuss why individualism often faces this problem, focusing on one particular attempt to overcome this difficulty and incorporate social structures into an individualist framework.

## 3: Young's Social Connection Model

### 3.1 Introduction

Having considered the collectivist approach to collective responsibility problems and found it unsatisfactory, particularly for an analysis of social structural harms, we are left with the more traditional approach of individualism. In this chapter I examine one particular individualist account, that of Young, who attempts to overcome problems that many individualist accounts encounter regarding under-determination of responsibility ascriptions in cases of structural harm.<sup>113</sup> Young argues that collective responsibility is based on structural participation, and results in a specific type of responsibility she labels 'political' which is different from moral and legal forms of responsibility. I suggest that Young's account draws out many of the most salient reasons that participation in social structures bestows responsibility upon participating agents. It focuses on the collective nature of our lives and the responsibilities this generates whilst remaining distinctly individualistic. However, I suggest that the type of responsibility for which Young argues is both unsustainable and unnecessary. Her account provides much of the foundation for an explanation of individual moral responsibility in cases of social structural harm without the need to appeal to new or alternative forms of responsibility.

All individualist approaches to collective responsibility, then, argue that collective contexts can be analysed at the level of individual agents, rejecting the need for responsibility at the collective level. Whatever the nature of the group involved, all collective actions are ultimately performed by individuals, and it is therefore argued that the responsibility for those actions lies with the individuals involved. Individual agent responsibility is at the heart of much traditional moral thought, where agents are held to be the proper objects of blame or praise depending on their acts and omissions. Individualism sits better with these traditional accounts of moral responsibility and avoids many of the problems associated with collectivism; individualists avoid blaming innocent group members for the actions of others, or accounting for group agents. However, individualism regarding collective responsibility is not without problems. The main shortcoming of these accounts concerns responsibility ascriptions in cases where individual contribution to a collective harm is unclear, immeasurable, or epistemically unavailable to us in some way. In these situations, individualists are unable to adequately attribute responsibility for collective harms. This is a particular problem for large-scale harms, like those caused by social structures, where a great many individuals contribute to a harm but where the actual harm each individual produces cannot be identified or is minute.

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<sup>113</sup> Young *Responsibility for Justice*.

In an attempt to address the gap in standard individualist approaches to collective responsibility between harms and responsible agents, Young develops an account that focusses on the collective nature of our daily lives, particularly the large social structures which provide the framework for much of our social interactions. These structures, she argues, cause widespread injustice and harm, and result in most members of society bearing responsibility for harms caused by the structures in which they participate daily. Many harms have no ‘isolatable perpetrator’, but instead result from millions of people participating in institutions that cause harm.<sup>114</sup> Due to the lack of identifiable specific agents who can be held directly responsible for causing particular harms, Young argues that traditional responsibility models are unable to adequately explain responsibility ascriptions in cases of structural harm. She therefore develops an alternative account of collective responsibility based on participation in social structures, in which individuals bear responsibility for harms caused by the social structural processes of which they are a part.

Young’s account has a number of distinguishing features. Her focus on structure over individuals is unusual for an individualist account, as is her rejection of traditional models of responsibility in cases of large-scale harms. Her most controversial, and problematic claim, is that collective responsibility is what she describes as ‘political responsibility’. This is a distinct type of responsibility arising from participation in social structures, which is held by all participants and focuses on the duty to make such structures less harmful. It does not bring with it notions of praise and blame in the way that moral responsibility does, nor does it entail guilt. Collective responsibility for Young, then, is a responsibility to support social justice through the development of fair and harmless social structures. Participation in harmful structures is currently all but unavoidable, however this is not something agents need to feel guilty about, nor blameworthy. Political responsibility instead requires agents to endeavour to work with others to improve these structures.

The distinction Young tries to maintain between moral and political responsibility, however, faces a number of problems which I argue leave it unmaintainable. For example, Young attempts to develop a kind of responsibility that ‘is more forwards-looking than backwards-looking’<sup>115</sup> and rejects praising or blaming individuals for their previous involvement in collective harms. This is motivated by wishing to avoid the problem of attempting to discern the precise harm caused by specific individuals, which is unlikely to be possible, and also has a pragmatic motivation. Young worries that blaming people is unproductive and leads to defensiveness and

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<sup>114</sup> Iris Marion Young, ‘Responsibility and Global Labour Justice’, *Journal of Political Philosophy*, 12 (2004), 365-388, (p.377).

<sup>115</sup> Young *Responsibility for Justice*, p. 108.

‘blame-switching’.<sup>116</sup> Whilst blame can potentially demotivate, it can also provide agents with a specific reason to act. Understanding that previous actions have been blameworthy and that this generates a responsibility to address those wrongs can provide powerful motivation. Also, if the actions of an agent are identified as culpably causing harm and therefore blameworthy, the possibility that the agent might be demotivated by this analysis makes them no less responsible and blameworthy. Refraining from making responsibility ascriptions for this kind of reason fails to take moral responsibility seriously and fails to treat individuals as full moral agents.

In order to draw out the arguments for individual moral responsibility in collective harms from Young’s account, I begin with an analysis of Young’s ‘social connection model’ in section 2. I start with an examination of the motivation behind Young’s account, discussing some of the reasons for her development of an alternative form of responsibility. I then analyse her ‘social connection model’, particularly the five characteristics she argues distinguish political responsibility from moral responsibility. I argue that the distinctions Young draws are difficult to maintain, and that the arguments for conceiving of responsibility for participation in harmful structures as a separate form of responsibility is unsustainable. In section 3 I focus on the first of two aspects of Young’s account which I believe are most insightful and useful to an account of responsibility for structural harms, that social structures can be the generators of collective responsibility. Through a discussion of a variety of descriptions of social structures, I provide a more detailed analysis of their nature and their effects than is offered by Young. In section 4 I discuss the second of Young’s insights, namely the importance of participation in harmful institutions to an account of collective responsibility, analysing the way individuals become responsible for collective harms through participating in social structures. I conclude that from Young’s work we have a good foundation for the development of an account of individual moral responsibility for social structural harms.

### 3.2 Young’s ‘Social Connection Model’

Young attempts to develop an individualist account of responsibility that can accommodate analysis of large-scale harms caused by social structures, an account which ultimately suggests that such harms result in a new form of responsibility. In order to support this position, Young describes the way in which many contemporary harms are brought about collectively through participation in social structures, and provides an account of political responsibility that is held by all participants, but does not result in traditional practices of praise

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<sup>116</sup> *Ibid.* p. 117.

and blame. In the first half of this section I begin with an outline of Young's motivation for developing an account of collective responsibility based on social structures and a new form of non-liability responsibility. This includes a discussion of Young's argument for the necessity of structural analysis for harms where individual contributions appear unproblematic or harms appear to be a matter of luck. In the second half, I turn to a discussion of Young's account of political responsibility and the ways in which she argues it differs from traditional forms of moral and legal responsibility. I argue that the new form of responsibility Young develops is both untenable and unnecessary, many aspects of her account actually support holding individuals morally responsible for their participation in social structural harms.

i. The motivation for a social structural account of responsibility

The motivation for Young's social connection model stems from her belief that some harms in the world are structural in nature. Identifying a harm as structural means that it is the result of an organised social institution or process, where the interactions of many different agents result in harm and disadvantage to some people. This may be so even when each participant believes their actions to be unproblematic as they are 'acting within institutional rules and according to practices that most people regard as morally acceptable'.<sup>117</sup> Structural harms are distinct from individual harms, which have an identifiable perpetrator and where there is a clear causal link between the perpetrator and a specific harm. In the case of structural harms, individual contributing actions may appear unimportant, insignificant, or only very distantly connected to a structural harm. These acts, whether or not they appear innocuous, all contribute to social structures. When those social structures result in harm, making responsibility ascriptions can be particularly difficult. Young argues that by holding participants in social structures responsible for their contribution to structural harms and injustice, we can overcome the problem of identifying responsible agents where there is a lack of clear and direct causal links between specific perpetrators and harms.

In order to illustrate one of the ways in which structural harms may come about, Young presents us with *Sandy's Story*.<sup>118</sup> Based on Pogge's condo example,<sup>119</sup> Sandy is a single mother who, despite the best efforts of those she interacts with to assist her, is vulnerable to homelessness. Sandy's situation arises from a lack of affordable, safe housing near her place of work, and her inability to afford private transportation or an adequate deposit due to her low wage. No-one

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<sup>117</sup> *Ibid.* p. 95.

<sup>118</sup> *Ibid.* p. 43-44.

<sup>119</sup> Thomas Pogge, *World Poverty and Human Rights*, (Malden, MA: Polity Press, 2008), p. 83.

Sandy encounters treats her unfairly, everyone acts within established norms surrounding property letting, and some go out of their way to try to help her. However, she is ultimately left unable to secure housing for herself and her children. Young argues that despite the fact that no-one directly treats Sandy unfairly, many people would agree that there is something wrong with her situation.<sup>120</sup> The problem for Young is that the *structure* governing housing practices leads to harm, so that however we may judge the individual interactions themselves, the structural process of which they are a part will result in some people being disadvantaged or harmed. The harm is the result of the coordinated interactions of many agents performed as part of an established social structural practice, it is foreseeable, it is not random, and not beyond the ability of agents to change through collective endeavour. Sandy's predicament is therefore a case of structural harm.

Identifying and addressing cases of structural harm raises many problems. Young argues that the prevailing view has become to attribute many cases of structural harm to bad luck or to blame the individuals involved for their own misfortune.<sup>121</sup> In some cases people do contribute to their situation, but Young argues that for many people their poverty and disadvantage is due to circumstances out of their control. In these and many other cases, Young argues that individuals are adversely affected by social institutions that advantage some but often disadvantage many others. Through a discussion of welfare and housing policies in the United States, Young aims to establish that many social structures have developed to the disadvantage of the poorest people involved in the structure. In the case of housing, due to the limited amount of homes available in desirable areas, house prices increase the more competition there is for these properties, leaving many people priced out of areas with better amenities and schools. Young highlights the vast inequalities in access to education in the USA as a consequence of this process.<sup>122</sup> Her discussion suggests that holding individuals responsible for their lack of access to basic services and a decent level of education early in life, which in turn leads to reduced ability to obtain high paid work in adulthood, is unfair and unjustifiable.

Another significant problem for addressing social structural harm examined by Young is the tendency to put disadvantage and harm down to a matter of bad luck. In her discussion of Dworkin and other luck egalitarians' analysis of injustice, Young is at odds with their understanding of the role of luck in matters of justice. There are a great many things that fall to luck, but reducing all disadvantage to luck has the effect that people tend to think of the sources of misfortune as a matter of fate.<sup>123</sup> She suggests that treating economic forces as a matter of luck

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<sup>120</sup> Young *Responsibility for Justice*, p. 45.

<sup>121</sup> *Ibid.* chapter 1.

<sup>122</sup> *Ibid.* p. 21.

<sup>123</sup> *Ibid.* p. 32.

‘artificially reifies them,’<sup>124</sup> we begin to see them as forces of nature and therefore beyond human control. Considering Sandy’s situation, Young argues that Sandy is not the victim of ‘sheer bad luck, as though a hurricane had blown her house away’.<sup>125</sup> Sandy is vulnerable to homelessness not because of some kind of *force majeure*, but rather due to the predictable outcome of current house letting policies. These policies are devised and implemented by agents, and they are capable of being changed by agents. Viewing structural harms as matters of luck misrepresents the roles agents perform in bringing these harms about and unjustifiably removes them from ethical consideration.

One of the reasons structural harms are seen as a kind of natural force by many participants is that the vast numbers of agents involved, and the relatively small contribution of each individual, makes the ability of any individual to alter or control the structure appear impossible. Since the structural process is therefore seen as something that is beyond human control, agents do not see themselves as in any way personally responsible for the harm structures bring about. Young states that whilst the individual actions of participants do not directly cause harm to others in social structures, their actions contribute ‘indirectly, collectively, and cumulatively’<sup>126</sup> to bring about the harm. Structural harms only come about because agents participate in them, social structures are neither natural forces nor separate entities operating independently of agents, rather they are the result of certain organised ways of agents interacting. For Young, our responsibility stems from participating with others in systems of ‘interdependent processes of cooperation and competition’<sup>127</sup> within which we all live our lives. Therefore, although individuals are not directly responsible for specific harms caused by social structures, they do cause structural harms along with other agents through continued participation in structural processes.

Structural harms, then, are appropriate subjects of moral evaluation due the involvement of individual agents in bringing them about. Understanding the specific role agents have in structural harm, and the way in which their contribution is to be evaluated, forms the core of Young’s social connection model. Young argues that this new model is necessary because social structural harm does not fit into traditional responsibility models. She argues that moral and legal responsibility falls under a ‘liability’ model,<sup>128</sup> where responsibility is assigned to agents whose actions can be causally linked to those states of affairs for which we wish to discern responsibility ascriptions. As we have seen, this direct link between specific agents and harms is missing in

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<sup>124</sup> *Ibid.* p. 40.

<sup>125</sup> *Ibid.* p. 47.

<sup>126</sup> *Ibid.* p. 96.

<sup>127</sup> *Ibid.* p. 105.

<sup>128</sup> *Ibid.* p. 97.

cases of structural harm. Although it is not possible to link individual acts with individual harms, Young suggests it is not hard to identify agents who participate in social structures.<sup>129</sup> Structural harms are collective in nature, they require the contributions of many agents through participation in social processes. We therefore require a form of responsibility that reflects this collective characteristic of structural harm, whilst still attributing responsibility to the individual agents who help bring these harms about.

Young bases her account of social connection on the work of Hannah Arendt. Through an analysis of Arendt's work on German responsibility for World War II, Young identifies a type of responsibility that arises from membership of a political community. Arendt argued that all members of a community share a responsibility for the actions of that community, and have a responsibility to actively participate in the community.<sup>130</sup> Arendt rejected the idea that political responsibility could bring with it notions of guilt and blame, these are the reserve of moral responsibility and can only be directed at individuals. Political responsibility, on the other hand, is held by all members in virtue of their membership, it is collectively held and must be collectively discharged with other community members. Whilst Young rejects responsibility from membership alone as a form of mystification,<sup>131</sup> she accepts the idea that agents bear a particular kind of responsibility that derives from social structural engagement. It is the participation and therefore the involvement of agents which bestows political responsibility on them, Young argues that agents must do, or fail to do, something in order to be held responsible. Therefore, on Young's account, once an agent is identified as a participant in a harmful social structure, they bear political responsibility for any harms that structure brings about.

ii. Young's political responsibility

Having discussed the motivations behind Young's account, we can now examine the five distinguishing characteristics that Young argues make political responsibility distinct from liability model forms of responsibility. The first of the distinguishing features she suggests is that political responsibility is *non-isolating*. Moral responsibility singles out individuals for judgment, whereas for Young, political responsibility falls on all participating agents. Political responsibility does not require us to identify specific individuals who have performed actions which contravene any social or moral norms, it is a responsibility we all bear regardless of the manner of our participation. Young does acknowledge that agents may be morally responsible for their

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<sup>129</sup> *Ibid.* p. 96.

<sup>130</sup> Arendt *Responsibility and Judgment*.

<sup>131</sup> Young *Responsibility for Justice*, p. 79.

individual contributions if these are morally problematic, but by virtue of their participation, all agents bear political responsibility. Each bears individual responsibility, but the responsibility is collective because it is held by every participating member.<sup>132</sup>

There are a number of problems with this feature of political responsibility. Firstly, whilst Young suggests that not singling individual agents out helps avoid problems of blame and guilt, it seems that we are required to single out at least some of an agents' contributing acts in order to establish whether or not they are indeed a participant in a social structure and therefore a responsibility bearer. Without this level of analysis we would be unable to identify which agents were involved in a social structure.

Young's discussion of her non-isolating condition also fails to address whether agents who are forced to participate through some form of duress, are tricked into participation, or accidentally participate, should be held responsible in the same way as those who voluntarily participate. An important feature of individualism is often argued to be that agents are only held responsible for their own acts and omissions, and that their individual circumstances and reasons for acting should be taken into account. A common criticism of collectivism is that people are held responsible for harms, regardless of their individual relationship to the harm, if they are identified as members of a responsible group. Since we have seen that Young rejects Arendt's argument that we bear responsibility simply through membership as being a form of 'mystification', Young's suggestion that all participants are responsible for structural harms, regardless of the circumstances of their participation, can be criticised for itself being closer to Arendt's position than Young cares to admit.

The second of Young's characteristics is that political responsibility *judges background conditions*. Young argues that liability-type responsibility tries to identify individuals who stray from accepted societal norms and punishes them accordingly.<sup>133</sup> Political responsibility, on the other hand, calls into question the societal norms themselves. In Young's example of Sandy, if we only consider the individual interactions involved, we will find it hard to identify any harmful actions. This is because Sandy is left disadvantaged by the social structure related to housing, rather than as a direct result of her interactions with letting agents and other participants in that structure. One of the main problems with structural harms is that we all contribute to them simply by following 'the accepted and expected rules and conventions of the communities and institutions in which we act.'<sup>134</sup> Since agents are all acting within the established rules of the

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<sup>132</sup> *Ibid.* p. 105.

<sup>133</sup> *Ibid.* p. 107.

<sup>134</sup> Young 'Global Labour Justice', p. 378.

structures in which they live, they find it difficult to appreciate that there is anything wrong with their actions. By judging the structures themselves, Young argues that the social connection model can address harms that liability models of responsibility struggle to identify.

Young suggests that in many cases, agents may actually view their contributing actions as morally praiseworthy. She presents another housing example where parents trying to secure the best education for their children push up house prices in areas with good schools. This prices low-income families out of the area, and results in their children facing disadvantage through a lack of access to good education.<sup>135</sup> The actions of the parents involved is praiseworthy in relation to their children, but the fact that it adversely effects poorer children is not something we would generally expect those parents to take into consideration. Even if they do understand that they are contributing towards this disadvantage, parents may feel that they are powerless to do anything about it on their own and therefore have little other option.<sup>136</sup>

There is again a problem with Young's discussion which here lies in the awareness of more affluent parents in their role of disadvantaging children from poor families. She suggest both that we would normally take the parent's actions to be praiseworthy, whilst at the same time admitting that some may understand that their actions harm others but feel they have no other options. However, these two stances are quite different. On Young's account, there is no difference between those parents who are aware that they are contributing to denying children an adequate education and carry on regardless, and those parents who are unaware of their contribution for non-culpable reasons. Whether or not parents are aware of the adverse effects of their actions makes no difference to Young's account, since singling out the acts of the individual for evaluation is not part of the social connection model. Further, since the object in this example is the structure that leads to the disadvantage, rather than the contributing actions, the parents' awareness of and attitude towards those contributions is not under evaluation. On Young's account, agents are equally as responsible for the disadvantage whether they deliberately or unwittingly helped bring it about.

The third characteristic Young puts forward in support of political responsibility is that it is more *forward-looking than backwards-looking*. Liability models, Young argues, are concerned with blame and guilt, they look back at what agents have done wrong and punish them accordingly. The social connection model, on the other hand, is not concerned with past actions, but rather with changing social institutions so that in the future they will be less harmful.<sup>137</sup> Young

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<sup>135</sup> Young *Responsibility for Justice*, p. 108.

<sup>136</sup> *Ibid.* p. 108.

<sup>137</sup> *Ibid.* p. 96.

argues that, since it is not possible to trace the exact contributions and harms caused by specific individuals, there is no point trying to get all and only those involved to proportionally redress their harms.<sup>138</sup> Instead, everyone who has participated bears political responsibility to change social structures.

As with her non-isolation characteristic, Young's desire to avoid backwards-looking considerations raises a number of difficulties for her account. Failing to identify all and only those who have participated leaves us unable to ascribe responsibility only to participants. This is problematic for an account which argues that agents bear responsibility on the basis of participation. Young's attempt to avoid backwards-looking considerations is also controversial because part of her motivation for doing so is to avoid the problem of demotivating people or prompting people to engage in 'blame-switching'.<sup>139</sup> By failing to identify individuals deserving of praise or blame for their actions, no-one is made to feel guilty about their participation nor able to push the blame onto other agents. However, this approach to developing an account of responsibility fails to treat individuals as fully capable moral agents. When individuals are identified as participating in a social structure, they are at the same time identified as bearing some responsibility for the effects that structure. When that structure has caused harm, agents should be held responsible for their part in bringing this about, regardless of how this might make them feel. Deciding responsibility ascriptions on the basis of whether or not agents will be motivated to address them is rather putting the cart before the horse.

Attempting to place the temporal emphasis in one direction rather than the other also raises particular problems regarding an agent's discharging of duties relating to structural harm. Nussbaum observes that the argument for a forward-focussed form of responsibility is conceptually hard to maintain. She suggests that such a distinction leads to a situation where people get a 'free pass indefinitely, since no task they have failed to shoulder ever goes on to the debit or guilt side of their ledger'.<sup>140</sup> The problem lies in not being able to hold agents accountable for past failures, so that every time an agent fails to discharge her responsibilities regarding structural harm, we cannot blame her for failing to do so, as such singling out of specific acts and omissions is not a part of political responsibility. The only way we could hold agents responsible would be to employ a liability model of responsibility, overriding Young's social connection model. Doing so would bring into question quite what the function of Young's account is in this situation. Political responsibility lacks the ability to call agents up on their failure to discharge those responsibilities that political responsibility requires of them. It ultimately fails to offer

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<sup>138</sup> *Ibid.* p. 109.

<sup>139</sup> *Ibid.* p. 117.

<sup>140</sup> Nussbaum in Young *Moral Responsibility*, p. xxi.

motivation for agents to take up their responsibilities for structural harms. Whether they try to discharge their responsibilities or not, they will neither be blamed for failure nor be judged to have discharged their responsibilities as political responsibilities are always ongoing, whatever their actions.

Young's fourth characteristic of political responsibility is that it is a *shared* form of responsibility. Political responsibility is necessarily collective, agents can only bear this responsibility when they are participants in a social structure.<sup>141</sup> This feature is evident in Young's other characteristics, especially the non-isolation condition, where all are held responsible regardless of the nature of their contribution. It is borne individually, but also with others who themselves individually bear it. It is each individual's participatory acts which bestow this responsibility on them. This responsibility is shared because these contributory acts are performed with many others. Young attributes some of the motivation for this kind of responsibility to the work of Larry May.<sup>142</sup> May distinguishes between shared responsibility, which is concurrently but personally held by agents who each contributed to a harm, and collective responsibility, which is non-distributed and where a group may be held responsible for a harm without any of its constituent members being themselves responsible. Young distinguishes her form of shared responsibility from May's mainly by the different types of harms they are both addressing. May discusses past harms with identifiable perpetrators, whilst Young argues her account is designed to address ongoing harms.

This feature of political responsibility does not necessarily distinguish it from other forms of liability model responsibility because it is possible for agents to share both moral and legal responsibility for harms they jointly bring about with others. It does, however, distinguish Young's position from other types of collective responsibility, namely collectivist accounts. Whilst some of the characteristics of Young's account appear to undermine important aspects of individualism, particularly by not taking the specific actions of the individual into account when assessing responsibility ascriptions, arguing for shared rather than collective responsibility holds each individual responsible for their contribution to harm.

The final characteristic Young discusses as distinguishing political responsibility from other responsibility models is that political responsibility can be *discharged only through collective action*. Political responsibility requires agents to join with other participating agents to collectively alter the harmful structures in which they participate. Young argues that this feature follows from the shared nature of political responsibility, since no agent alone bears it or brings

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<sup>141</sup> Young *Moral Responsibility*, p. 109.

<sup>142</sup> May *Sharing Responsibility*.

these harms about, no agent alone can address it. It is the requirement that agents must work with other members of society to address the responsibilities surrounding social structures which Young argues makes this responsibility distinctly political.<sup>143</sup> Unlike liability models, where the onus is on individuals to address their own responsibilities, the social connection model requires a collective endeavour from all participants to address any harms caused by social structures.

The need to discharge this responsibility collectively again raises questions regarding agent motivation and abilities to discharge responsibilities. Individuals alone cannot address structural harms according to Young, they must work with others in order to have any effect on these social institutions. However, as May observes, when faced with situations requiring collective action, ‘people often feel no sense of personal responsibility, and hence they fail to do anything to solve the problems’.<sup>144</sup> If an agent is considered to be unable to effect change alone, their contribution to a solution to the problem may appear insignificant and provide little motivation to join with others in order to change social institutions. Additionally, since an agent is not blameworthy if they fail to address political responsibilities, and whether or not they attempt to do so, will continue to bear the responsibility as long as others in their social institutions engage in harmful practices, bearing political responsibility to effect change appears to offer little motivation to address harms caused by social structures.

Another consideration for the requirement that political responsibility be discharged collectively is the case of isolated responsibility dischargers. Consider an agent who is aware that the social structure in which she is participating is harmful. When she tries to address this harm through institutional change with her fellow participants, her calls to action fall upon deaf ears, her fellow contributors are unwilling to join her to address the problem. It seems that in this case the agent is unable to discharge her responsibility. Political responsibility leaves agents facing the possibility of bearing never-ending forward-facing responsibilities so long as other participants fail to take up their responsibility. It also raises the additional problem of the reliance on the willingness of others to act in order to be able to discharge personal political responsibilities. On Young’s account political responsibility can be difficult or in many cases impossible to ever discharge.

Along with the five distinguishing characteristics of political responsibility cited by Young, an important feature of the social connection model that is apparent from Young’s discussion is that political responsibility is all but unavoidable. The basis for this can again be seen in Arendt’s work, where she argues that we cannot escape political responsibility because

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<sup>143</sup> Young *Moral Responsibility*, p. 112.

<sup>144</sup> May *Sharing Responsibility*, p. 105.

we cannot live without belonging to a community, we can only exchange one community for another and therefore political responsibility for one community with another.<sup>145</sup> She describes political responsibility as ‘the price we pay for the fact that we live our lives not by ourselves but among our fellow men.’<sup>146</sup> The unavoidability of political responsibility, although not cited by Young as a distinguishing feature, makes it quite different from liability forms of responsibility. Whilst an agent can generally avoid bearing responsibility to address a moral or legal harm by avoiding acting illegally or immorally, an agent cannot avoid political responsibility. Even in cases where an agent did everything within her power to change social institutions and avoid harming others through any structured social exchange, whilst other agents continue to perpetuate harmful social structures, the agent’s responsibility is never fully discharged. This particular feature of political responsibility is interesting due to the high demands it places on individual agents. Throughout Young’s discussion, she rejects applying liability forms of responsibility on agents for cases of social structural harm as unfairly demanding, but Young’s own model bestows an unending form of responsibility on agents that no actions of theirs can ever fully discharge.

Young’s argument for collective responsibility can be summarised as follows:

1. Some harms are the result of structured social processes involving the participation of large numbers of people.
2. In these cases no distinct individuals have directly brought about the harm, but rather the harm is a result of a multitude of minute participatory acts.
3. The participatory acts themselves need not be morally blameworthy for the social institution to cause harm.
4. Social structural harms do not therefore fit traditional individualist responsibility models.
5. Young suggests a responsibility model based on participation, where agents bear political responsibility for their involvement in social structures.
6. This responsibility is distinct from moral and legal responsibility in that it is non-isolating, it judges background conditions, is forward looking, shared, and discharged collectively.

Many of Young’s observations regarding individual agents’ roles in social structural harms are particularly insightful. However, Young’s suggestion that these connections lead to a weaker form of responsibility is, I would argue, unsustainable. The distinctions she draws to differentiate political responsibility from the liability model cannot be maintained, and Young fails to provide an adequate reason that we should downplay agent’s participation in structural harms. This being the case, in the following I shall analyse the two most insightful aspects of Young’s argument, the role of social structures and the importance of participation, in order to

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<sup>145</sup> Arendt *Responsibility and Judgment*, p. 150.

<sup>146</sup> *Ibid.* p. 157.

establish their importance to a full account of moral responsibility in cases of social structural harm.

### 3.3. Social Structures and Harm

Despite the problems with Young's attempt to develop a new form of responsibility, her work provides some compelling arguments for a participation-based collective responsibility for social structural harms. In order to develop her ideas further, in this section I shall analyse the nature of social structures in more detail, expanding on Young's analysis and discussing some of the other descriptions of social structures that can be found in the literature. I explain the ways in which these structures lead individuals to participate in large-scale harms, often through seemingly harmless action, and some of the reasons why agents fail to recognise that their actions involve participation in social structures.

#### i. The nature of social structures

Young grounds her argument for collective responsibility in our involvement in social structures. She argues that our social interactions can be judged by the ways in which the institutions of which they are a part affect both participants and nonparticipants alike. We therefore bear responsibility to those harmed by these social structures, as well as having a responsibility to address problems with the structures themselves. Young suggests that the responsibility we bear regarding social structures is supplemental to our responsibility regarding our individual actions. Our actions may, if considered in isolation, appear morally unproblematic, but contribute to a harmful social structure. We therefore each bear collective responsibility for our contribution to social structures alongside our individual responsibility for our actions.

Given that social structures play such an important role in our moral lives, we require a clear explanation of what constitutes this broad range of organised human interactions. Young does not provide a detailed description of exactly what constitutes a social structure in her account, alternating between references to structures, processes, and institutions. She argues that structure is 'notoriously difficult to define', and opts not to offer a precise definition but rather to build an account throughout her discussion.<sup>147</sup> Whilst it is possible to gain a general understanding of what Young has in mind, developing a more substantial account will help draw out the way in which social structures and those participating in them can be argued to be the proper subjects of

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<sup>147</sup> Young *Responsibility for Justice*, p. 52.

moral evaluation. I shall begin with a discussion of other accounts of social structures which will be useful in filling the gaps in Young's account.

One of the most widely discussed structural accounts of responsibility is that presented by Rawls. Young identifies Rawls' social institutions as sharing some features in common with her account of social structures. Rawls describes a social institution as a 'public system of rules which defines offices and positions with their rights and duties, powers and immunities, and the like'.<sup>148</sup> These rules inform citizens which actions are permissible and forbidden, and what penalties violations will incur. The examples of social institutions he lists include 'games and rituals, trials and parliaments, markets and systems of property'.<sup>149</sup> Whilst this appears to be quite a wide ranging definition that would be able to incorporate all manner of social structures, Rawls' account is criticised by Young in a number of ways. Young voices concerns regarding the more narrow focus found in Rawls, she argues for a broader conception to accommodate international social groups, as well as viewing structures as a perspective on society, rather than as a distinct section of a society.

Young states that she broadly agrees with Rawls that there should be a distinction between moral analysis at the institutional and individual level. However, she argues that Rawls' account has a too limited scope and focus on national institutions.<sup>150</sup> Since many contemporary structural harms involve people from around the world, limiting institutions to national boundaries will not allow us to adequately analyse these particular social structures. She also finds Rawls' perception of institutions to be incorrect, arguing that they are not a separate part of society, as Rawls' account suggests, but rather a particular way of observing social practices within society.<sup>151</sup> This distinction is important to Young's analysis. Any attempt to present institutions as separate and distinct part of society, rather than as a way of categorising social interactions, misunderstands the nature of social institutions for Young. Social institutions are the frameworks in which we interact with one another, rather than distinct practices that we can opt in and out of at will.

An alternative conception has been offered by Pogge, who holds a more globally-oriented view of social structures and describes social institutions in a suitably broad fashion. Pogge suggests that social systems are more like rules governing games. They 'define and regulate property, the division of labour, sexual and kinship relations, as well as political and economic

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<sup>148</sup> John Rawls, *A Theory of Justice*, (Cambridge, MA: Harvard University Press, 1971), p. 55.

<sup>149</sup> *Ibid.* p. 55.

<sup>150</sup> Young *Responsibility for Justice*, p. 50.

<sup>151</sup> *Ibid.* p. 70.

competition'.<sup>152</sup> This loose definition enables Pogge to incorporate international organisations into his discussion, both formal and informal. He argues against a state-based conception of institutions, pointing to the global nature of many social and economic structures, which would be difficult to account for on a more restricted view. In this way his position seems closer to the all-encompassing theory Young has in mind.

Their accounts share many similar concerns regarding international structures and the problems individuals face in addressing the large-scale harms with which we are currently faced. However, the main difference between them is Pogge's focus on specific examples of powerful institutions, including governments, corporations, and certain NGOs, which work to the advantage of more affluent countries. For Young, Pogge's account seems to share a similar flaw with Rawls', in that it does not place enough importance on the way in which all members of society perpetuate structural harms, instead focussing on particular powerful organisations and the unjust international order they produce.<sup>153</sup> Whilst Young suggests that these organisations play an important role in structural harms, focussing on their contribution at the expense of individual contribution fails to adequately take into account the role all members of social institutions play in bringing about these harms. Therefore, whilst Pogge's account is closer to Young's in terms of its global scope, its focus on organisations over individual participants leads to its rejection by Young.

The effect of globalisation on traditional views of social, economic, and political institutions is also discussed by Scheffler. Scheffler discusses the tension between our everyday view of human relations as being 'primarily small-scale interactions, with clearly demarcated lines of causation, among independent individual agents' and the globalisation of our societies.<sup>154</sup> He argues that this conception has become naturalised, since it was largely the case until the last century, and effects our ability to understand the large-scale, international social institutions of which we are now all a part. This is particularly problematic when we try to insist that states can maintain closed institutional systems, separate from other countries, given the amount of interaction and interdependence on which we now all rely.<sup>155</sup> It is hard to justify the denial of ethical consideration to those outside a state with whom we interact in order to pursue our goals, but then reject as our responsibility when this interaction harms them. Scheffler's concerns regarding attempts to limit the scale of social institutions are similar again to Young's motivation for developing the social connection model. Although Scheffler does not develop his own

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<sup>152</sup> Pogge *World Poverty*, p. 37.

<sup>153</sup> Young *Responsibility for Justice*, p. 150.

<sup>154</sup> Scheffler, p. 38.

<sup>155</sup> *Ibid.* p. 33.

institutional account, many of his observations and arguments regarding responsibility to others support Young's work.

Whilst accounts of social structures do vary, we can identify important common themes and considerations running through some of the literature. These include the idea that social structures provide rules and guidelines that govern human interactions. Structural rules allow individuals to coordinate and organise their actions on both small and huge scales. Social structures can operate across borders and can incorporate agents on a global scale. These structures can be formal or informal, they can be cultural, political, economic, or social. Many have developed to facilitate institutions that allow participants to do far more within the structure than they could outside of it. Since all participants are aware of what is expected of them, large numbers of agents can interact with each other through established structures following rules which allow them to pursue their personal goals alongside many other agents.

Social structures remain difficult to define, but any account needs be broad in its scope to be able to incorporate the many different ways agents have developed of organising and coordinating their social interactions. Social structures are, then, the coordinated interactions of groups of agents, governed by rules outlining accepted social exchanges in particular situations, and prohibiting other exchanges in particular situations. Structures can exist on any scale, from small communities to international organisations, but require a widespread knowledge and understanding of which exchanges are viewed as appropriate and when this is so amongst the vast majority of participants. Without a high level of knowledge of and following of the rules amongst participants, a social structure would struggle to persist. Structures are not separate entities from agents, but are rather the frameworks within which participants interact with one another.

One example of a social structure, which I shall discuss in more detail in chapter 5, is that of the global clothing industry. This structure is incredibly highly organised and operates on an international scale. Most people participate in it in some way, in more affluent countries this usually takes the form of purchasing items produced in developing countries. This structure can be identified by the rules that govern exchanges within it. Agents wishing to buy goods do so through retailers, there is a supply chain between these retailers and manufactures across the world, with the different contributions of various agents taking places through established structural rules. As a consumer of these items, I cannot go directly to the factories to obtain the goods I want, nor am I able to access them at intermediate stages of their distribution to retail outlets. Factory workers cannot sell the goods they produce directly to consumers, agents operating at different levels of the structure are unlikely to ever have any direct interaction. No-one's participation in this structural process is random, all exchanges require a lot of organisation

and coordination in order to allow the process to function on such a large scale. Participants must follow the rules that govern interaction within a social structure in order to be a part of it.

It is the existence of these rules, whether more or less formal, that distinguishes social structures from more random exchanges. Where interactions lack the defining characteristics of traditional groups, we may be tempted to label the exchanges as random. Many social structures involve collections of agents interacting which, whilst organised, lack the cohesion of groups. Participants may not be acting towards any shared goal, or they may lack any common knowledge other than a general understanding of the rules governing the structure in which they are participating, such as is the case in the global clothing industry. This lack of a unifying element to their interactions can make structural interactions appear non-collective. However, this misjudges the nature of the interactions involved in structural exchanges. Structures rely on the organised interactions of participating agents, actions must be coordinated in order for the social structure to function. Were the actions of participants random, the high level of coordination many structures achieve would be unlikely to spontaneously occur. Thus, whilst social structures may fail to meet the criteria for groups as often presented in collectivism, they are neither random nor the result of the actions of isolated individuals.

The ability of social structures to facilitate large-scale coordination amongst individuals can bring many benefits, extending agency by allowing agents to coordinate their efforts to perform actions and produce many goods and services that would be unavailable to isolated agents. Social structures improve and enrich agents' lives in many ways. For example, both governance and healthcare are social structures that bring with them important benefits, but are only available through the coordinated efforts of many individuals. The vast technological advances that have taken place over the last century have only been achievable due to a massive amount of coordination between agents through vast social interdependence and interaction involving participation in many intricate social structures. This interdependence has become a part of daily life for most agents. It has changed our relationships to others as well as the way in which we lead our lives and meet our daily needs. Anderson argues, for example, that contemporary attempts to identify individual contributions to methods of production 'represents an arbitrary cut in the causal web', because nowadays everyone's contribution depends on what everyone else is doing.<sup>156</sup> We therefore benefit from the contributions of many other participating agents when we interact through social structures, but identifying the precise benefit each

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<sup>156</sup> Elizabeth Anderson, 'What is the Point of Equality?', *Ethics*, 109 (1999), 287-337, (p. 321).

contributor brings is not possible, because contributions are deeply intertwined and interdependent.

Whilst social structures can produce much good in the world, they also allow us to produce greater harms than the less well coordinated actions of multiple agents could. Since social structures are able to facilitate the organisation of vast numbers of people, they are able to coordinate the actions of those involved to create harms on a global scale. Young's example of Sandy facing vulnerability to homelessness is an example of the way in which structural processes can lead to harm.<sup>157</sup> Whilst outside of a social structure, Sandy may become homeless due to eviction by a particular landlord, or by being refused accommodation by another, in an uncoordinated social exchange it would be far less likely that she would be left systematically unable to meet her housing needs. One of the differences that is important to an analysis of the problem with Sandy's situation is that her predicament is predictable from the rules governing the structure of the housing sector. Before Sandy finds herself homeless, we can predict, given her background, level of education, type of employment, family commitments, and the current housing market in her area, that finding suitable housing will be extremely difficult for her. Were her situation brought about through a matter of luck or random exchanges, we would be unable to make such predictions regarding her ability obtain adequate housing. Through observations regarding the effects of social structures on vulnerable participants and non-participants alike, it becomes apparent that our participation in these structures raises serious questions regarding our responsibility to others.

ii. Participation and individual responsibility

So far, I have been discussing the nature of social structures and the way in which they shape our daily lives, both by allowing us to achieve many goals that would be unavailable to us in isolation, as well as facilitating great harms. Whether producing benefits or harms, social structures are a result of agents' coordinated interactions, rather than distinct entities operating separately from individuals. Only the continued participation of individuals allows social structures to perpetuate. Therefore, participants play an important role in the benefits and harms brought about by social structures. Participating in social structures can now be seen to have profound effects on agents' individual responsibilities towards others. This occurs in a number of ways. One of these has already been mentioned, the fact that participating in social structures

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<sup>157</sup> There are, of course, many famous examples of organised individuals being capable of causing much great harm together than they could alone. The Holocaust is most often cited as an example of this kind of harm.

expands agency. May states that when a person joins a group, ‘they greatly expand what they can accomplish in the world, but they also expand what they are responsible for’.<sup>158</sup> When an individual is able to effect more agents through participation with others, they become responsible for this increased impact on the world. Participating in social structures can therefore expand that for which an individual is responsible.

A second way in which participation effects individual responsibility for harm is that structural harms can lead to participants collectively bringing about harms without any participant intending this harm as a shared goal. In these cases, agents contribute to a social structure for various personal reasons, none of which are the resulting harm. Scheffler argues that this is not an uncommon result of social institutions, where important outcomes are produced by the actions of many agents, where few if any intend the outcome.<sup>159</sup> In situations like this, agents may object to the suggestion that they bear responsibility for an outcome they had no intention of bringing about, and to which their contribution is only one of many others which resulted in the harm. This kind of appeal relates back to the earlier observation that many agents find it difficult to appreciate their contribution to large-scale harms, particularly because many people still view social interactions as largely direct and personal, rather than indirect and structural. Whilst it remains a problem that people may fail to appreciate their role in structural harms they did not intend, this in itself does not necessarily lessen their responsibility for contributing to these harms.<sup>160</sup>

The third effect of structures on participants I shall mention here is the way in which structures shape the options available to those involved in them. Scheffler again observes that agents are often unaware of the ways in which social structures shape their actions,<sup>161</sup> a problem frequently also raised by Young. The ways in which structures shape agents’ actions are vast. By providing rules for interactions between agents, the options that agents feel are open to them are narrowed. Although agents are able to ignore the rules of social structures, this may result in penalties, and agents may be reluctant to break with established rules, which is itself a form of influencing participating agents’ actions. Agents’ actions are also shaped by the kinds of social structures available to them, and the goods and services that these structures have produced. Whilst social structures increase the options available to agents, this is only in line with what the structures have made possible for participants. We are often unaware of this influence that social structures have over our lives for two main reason, we face problems of perception regarding social structures, and they have largely been normalised into everyday life.

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<sup>158</sup> May *Sharing Responsibility*, p. 91.

<sup>159</sup> Scheffler, p. 43.

<sup>160</sup> I shall discuss this problem further in the next chapter.

<sup>161</sup> Scheffler, p. 43.

iii. The problems of perception and normalisation

Given that social structures play such prominent roles in our lives, the question may be asked as to why they do not have a greater presence in our discussion of agent responsibility. Young argues that part of the reason for their absence in much of the debate is a matter of perception. We find it difficult to see social structures because they are not a distinct part of society. They are rather a '*way of looking* at the whole society'.<sup>162</sup> They are a way of examining relations and interactions, of identifying patterns of behaviour and interdependence. Young argues that we do not experience social structures directly, nor the way in which they affect our choices and options. Agents do not find particular rules constraining and they fail to identify the ways in which rules combine to constrain their options in a range of ways.<sup>163</sup> This is often due to agents' tendency to evaluate their individual interactions with specific others, rather than evaluating the broader framework and patterns that govern this interaction.

This failure to recognise structures can result in agents being unable to identify the correct sources of harm. Young examines this failure through the problem of structural vulnerability to homelessness. She discusses the increasing tendency in society to blame vulnerable people for the harms they suffer, without regard to social processes that work to many people's disadvantage.<sup>164</sup> Agents understandably wish to be able to identify the reasons that some people suffer harms and disadvantages when others do not. However, the difficulties agents have in recognising the extent of social interactions and the far reaching consequences of many social structures means that they are unable to make an accurate analysis of the root causes of structural harms. This leads to people being disproportionately blamed for harms they suffer, because whilst some agents may bear some responsibility for their situation, there will at the same time be many contributing factors towards their situation that are a result of wider structural forces beyond their individual control. Where agents fail to recognise this, the integral role social structures play in responsibility ascriptions will continue to be overlooked.

As well as the failure to recognise social structures, the issue of normalisation presents major problems to our perception of social structures and their role in our lives. Young argues that our relationship to most social structures is so engrained that we do not think that we have an alternative but to act as we do.<sup>165</sup> We see our cultural norms and socioeconomic structures as a natural and normal part of life, and do not question their rules because we are so accustomed to them. Such a view of social structures is problematic because it leads to complacency regarding

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<sup>162</sup> Young *Responsibility for Justice*, p. 70 (author's italics).

<sup>163</sup> *Ibid.* p. 55.

<sup>164</sup> *Ibid.* chapter 1.

<sup>165</sup> *Ibid.* p. 55.

the harms caused by social structures. When structures are widely regarded to be natural, agents fail to seek an alternative way to organise social structures in order to make them less harmful. It is hard for agents to recognise that the social structures in which they currently participate are just a few examples of the many ways agents could organise themselves.

One reason agents tend to view social structures as a natural and normal aspect of life is their indoctrination in them from birth. Agents are raised within social structures; they are not presented with a list of options regarding the social structures available to them when they reach adulthood. Instead, they are usually raised within a community with clearly defined social structures which most agents follow. May observes that it is difficult for people to hold vastly different views from their fellow community members,<sup>166</sup> and this leads to a reluctance to question structural norms in most people. Many agents also find it difficult to fundamentally change their attitudes, particularly attitudes with which they have been brought up, because these form part of an agent's personal identity. Many of an agent's daily actions are performed unconsciously, and Narveson suggests that these actions are frequently the result of being raised in specific communities.<sup>167</sup>

May argues that we are also further disinclined to change our attitudes where this would involve a major overhaul of our lives and dispositions.<sup>168</sup> Many agents in affluent countries benefit overall from the current social structures we have in place, and are therefore reluctant to fundamentally change their way of life. A reluctance to question values and community practices that would entail drastically altering community life has occurred often throughout history. O'Neill sites several such instances where specific groups have been denied agent status within society, including 'for foreigner or foe, for heathen and heretic, for serfs and slaves, for those of other race or culture, for women, for children and 'dependents', for animals and artificial persons'.<sup>169</sup> Where these denials have been overcome, agents within these societies have often struggled to accept the changes required of them in order to alter their social structures. Pogge discusses contemporary arguments that have been presented in an attempt to excuse affluent citizens from helping those disadvantaged and harmed by social structures in which they participate, some of which echo historical arguments denying certain groups moral consideration.<sup>170</sup> The reluctance to alter social structures to which agents are accustomed has been a problem for some time.

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<sup>166</sup> May *Sharing Responsibility*, p. 74.

<sup>167</sup> Narveson, p. 189.

<sup>168</sup> May *Sharing Responsibility*, p. 7.

<sup>169</sup> Onora O'Neill, *Towards Justice and Virtue: A constructive account of practical reasoning*, (Cambridge: Cambridge University Press, 1996), p. 91.

<sup>170</sup> Pogge *World Poverty*, introduction.

Young's account points towards the importance of the role of social structures in our lives. Whilst her discussion of these structures is somewhat vague, a more detailed explanation of the nature of these structures aids an understanding of them, the effects they have on individual participants, and the effects that they have on disadvantaged participants and non-participants alike. Social structures have come to play a central role in our daily lives, and through a variety of social structures we interact with people locally and globally. Whilst this can bring us all great benefits, it can also lead to our participation in harm. Overcoming problems we often encounter identifying social structures and our roles in them can help the identification of agent responsibilities regarding structural harm. In order to better understand the importance of individual contribution to structural harm, the following section will examine the relationship between agent participation and collective responsibility.

### 3.4. Participation and Collective Responsibility

Having discussed the nature of social structures and the role they play in causing large-scale harm, an analysis of the relationship between participating agents and the collective responsibility they bear from involvement in social structures is now required. Young argues that participation is an essential part of collective responsibility, rejecting Arendt's claim that membership alone can bestow collective responsibility on an individual. By participating in a social structure, an agent becomes responsible for the effects of that structure. In order to understand the nature of this responsibility and the importance of participation, in this section I shall expand some of the arguments presented by Young to support an account of collective responsibility. I shall explain why participation, even in cases where the individual contribution appears negligible or morally praiseworthy, brings the agent responsibility for the collective harm.

The first reason that individual participation is so important to social structures lies in the fact that these structures are the result of and reducible to the actions of individuals. Although the relationships involved may be very complicated, and it may not be possible to discern precisely what specific effect any particular participatory act has to the collective structure, structures would not exist were it not for the actions of the individuals of which they are constituted. This position is the central tenet of individualist accounts of collective responsibility. It is particularly important to remember the significance of participation in cases of social structural harm because the often small participatory acts of individuals can lead agents to believe their participation is unimportant. This undervalues the role agents play in perpetuating social structures. Although

any one individual participatory action may not be able to change the entire social structure, many individual contributing acts can bring dramatic changes.

Observing and analysing these two perspectives on individual contributing acts is an important part of Young's account. Both are required in order to provide a full moral evaluation of the act. On the one hand, we may assess the action and its direct consequences on those immediately involved. On the other hand, we may view the action as a part of wider social structures to see how it perpetuates these, and in turn the harms or benefits such structures create. In this way, analysing actions which contribute to structural harms requires examining them from two perspectives. The distinction between levels should not be conceived of as producing distinct and separate levels,<sup>171</sup> but rather as an analysis of the context in which an action is performed. This is in much the same way that one may question as to the context of what we may perceive to be an isolated action. We may ask whether it was performed under duress or whether there were extenuating circumstances. For example, were an individual to steal food, we may take into consideration whether that person had a moral or legal means to obtain it, or whether (and why) this was not possible for them.<sup>172</sup> These factors influence how we assess the individual's actions.

Similarly, when assessing an action that contributes to a social structure, the action may be viewed differently when it contributes to a large-scale harm than it would if it were performed in isolation. Returning to Young's example of parents pushing up house prices in desirable areas, the actions of the parents on the individual level appears praiseworthy; they are trying to secure safe accommodation and good amenities for their families. When their actions are viewed as part of the social process which leaves many poorer families unable to secure adequate housing, however, the praiseworthiness of the parents' actions is less certain. Although any individual parent's choice may not push disadvantaged families into undesirable housing, the actions of many parents has a devastating effect on some members of the community. If we fail to observe the wider implications of participating in social structures and only focus on the direct effects that individual actions have on immediate others, we will fail to be able to acknowledge the ways in which contributing acts are the constituent parts of a process that can have far reaching consequences for others.

It is the act of participation, then, then bestows responsibility on the participant for the effect of the structure. An act that is performed as part of a social structure can be evaluated in at least two ways, and the importance of this observation relates to the individual's involvement in

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<sup>171</sup> As is suggested by Isaacs, see chapter 2.

<sup>172</sup> Young makes a similar observation regarding Sandy's situation, she may be responsible for some of the factors which have led her to face homelessness, but this does not lessen the responsibilities regarding the social structures which have led to her situation (*Responsibility for Justice*, chapter 2).

the structure. Whether the action itself is selfish, altruistic, has a large or small effect on others, is a separate but important consideration. An important first step in understanding responsibility ascriptions in cases of social structural harm is identifying those agents who participate in the structure. Establishing this connection allows us to identify the agents involved in the harm and who therefore bear some of the responsibility for it. After this, we can turn to considerations of their responsibilities regarding the other perspective of their action, namely the direct interpersonal impact of their action and questions of individual responsibility.

In cases of collective responsibility, particularly cases of social structural harm, identifying participants is important because many agents' contributions will appear very small indeed. A focus on the act of participation rather than the specific contribution is necessary, as a focus on the direct impact of each individual participatory act would result in participants bearing little or no individual responsibility for the harm caused by the social structure. We would be left with a situation where many agents participate in a harm, but no-one bears any responsibility for it. As social structural harms are not random, we can identify the collective endeavours which bring these harms about, such a conclusion is clearly unsatisfactory. There are problems, however, with holding agents responsible for contributing to collective harms through social structures. This is especially so when agents are performing what appear to be altruistic acts and where agents do not benefit from the social structure in which they are participating. In both of these cases, one may object to holding the participant responsible for contributing to the collective harm.

When an agent performs an altruistic act, we usually view such behaviour as morally praiseworthy. Acting for the good of others is morally valuable, it is most often supererogatory, and overall is thought to leave the agent in a non-blameworthy position regarding that act. The same can be said for many acts which, in isolation, appear to be morally praiseworthy. Performing a morally praiseworthy act is often argued to warrant praise towards the individual and remove any cause for blame regarding this action. When an act contributes to social structural harm, however, that an act *appears* to be morally praiseworthy, based on its immediate effects on others for example, is no guarantee that an agent is non-blameworthy in relation to the act. Participatory acts in social structures help perpetuate the harms these structures cause, this is the case whether the individual acts in isolation appear praiseworthy or blameworthy. We can assess an agent's acts as praiseworthy in isolation, but also observe that they contribute to a collective harm for which they bear some responsibility, despite the praiseworthiness of their action.

It is possible to think of other examples where contextualising what appears at first to be a straightforward case of acting altruistically calls into question the praiseworthiness of the action. For instance, a person stopping to save a drowning child, considered in isolation, is a praiseworthy

act.<sup>173</sup> But suppose that person was rushing to save 100 children, that they were the only person who could help them, and that the delay of saving the drowning child left them unable to help the others. Although saving the drowning child is praiseworthy, choosing to save 1 child over 100 is not straightforwardly so.<sup>174</sup> The importance of including an analysis of the context of an action can help us avoid overlooking the contribution of acts which in themselves may appear to be morally praiseworthy, but that contribute to harm.

Contextual analysis of the wider structure of which an action is a part can lead to what appears to be a counterintuitive conclusion: people may bear responsibility for a structure in which they participate but from which they suffer harm. Young argues that we all participate in and ‘usually benefit from the operation of these institutions’.<sup>175</sup> There are a significant number of people, however, who not only do not benefit, but are harmed by the social structures in which they are involved. Vulnerability to homelessness, for example, is a common problem around the world. Agents participate in the social processes that create this vulnerability, whether they benefit or are harmed by it. We may ask, then, why an agent should be held responsible for participating in a social structure by which they are harmed. The answer lies again in the importance of the act of participation, regardless of the personal ramifications of the wider social structure. The agent would also bear responsibility for the structure had they personally benefitted.

It may be thought that holding an agent responsible who benefits from the social structure is justifiable, as they have profited in some way from a harm, whereas an agent who is harmed has participated but suffered. This would mean that the morality of participating in structures that harm agents would depend on whether the individual agent benefits or suffers as a result of the structure. This view gives no consideration to how the agent benefits or harms others through their contribution, instead presenting a rather self-interested account of the morality of social structural harm. We do not usually assess an action’s moral worth by the amount we may profit by it, and there seems little reason to do so in this case. A better approach to the problem of assessing the responsibilities of those who participate but suffer would be to acknowledge that their actions helped bring about the harm, but that their capacity to address their responsibilities is limited due to their own suffering as a result of the social structure. This avoids the path of assessing responsibilities based on personal benefit or harm.

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<sup>173</sup> Peter Singer, ‘Famine, Affluence, and Morality’, *Philosophy and Public Affairs*, 1 (1972), 229-243.

<sup>174</sup> We can alter this example in several ways to examine its praiseworthiness. If others were immediately able to save the drowning child if the rescuer had not acted, the decision to save 1 child over 100 seems even more questionable.

<sup>175</sup> Young *Responsibility for Justice*, p. 92.

Thus far I have examined the connection between participation and individual responsibility for collective harm. The importance of this relationship lies in the consequences of our actions as part of broader social structures, which results in our participation in harm we would be unable to bring about alone. This participation in harmful social structures result in us playing a part in bringing about harm to others, harm for which we are therefore responsible. We do not do this alone, many other agents are involved in bringing about these same harms. Much of our involvement in social structures will be heavily influenced by some of these others, we will chose to perform certain actions because of the actions of others. May discusses the importance of acknowledging this interaction and interdependence and the ways in which it effects our choices. The ‘behaviour and attitudes’ of other members of one’s community are ‘a function’ of what we do, and as a result of this effect we have upon each other ‘we are all implicated in most of the actions taken by our fellow community members’.<sup>176</sup>

The idea that many of our responsibilities stem from this close interdependence with others can be difficult for some to accept. There is a tendency in discussions of responsibility to view the individual as somewhat isolated from other agents, as independent of their peers and able to act in total isolation, with total freedom, without the influence of others. This view completely underestimates the role that others play in shaping our lives and the options available to us. We provide the same influence to other agents’ lives, and therefore where we coordinate our actions with others through organised interactions, we taken on responsibility for our involvement in these and any harm they cause.

Throughout this section I have discussed the ways in which participating in harmful structures bestows responsibility on the individual participants for that harm. I have not suggested that the responsibility we bear in regards to this contribution to harm is a special kind of responsibility, that it is different from our common conceptions of responsibility for harming others. There is no reason to posit a new form of responsibility to explain why we should be held responsible for contributing to harm. Young’s account provides good grounds on which to argue that our participation in social structures bestows responsibility on us for the harm they cause. Although we do not intend to cause this harm directly, we can be ‘complicit in ends we do not intend when we intentionally perform acts that help bring them about’.<sup>177</sup> We are not performing random actions, or accidentally coordinating with other agents, we most often follow rules and act in accordance with what is expected from other participants in social structures. We usually do

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<sup>176</sup> May *Sharing Responsibility*, p. 177.

<sup>177</sup> Robert Jubb, ‘Social Connection and Practice Dependence: Some Recent Developments in the Global Justice Literature: Iris Marion Young, *Responsibility for Justice*. Oxford: Oxford University Press, 2011; and Ayelet Banai, Miriam Ronzoni and Christian Schemmel, *Social Justice, Global Dynamics*. Oxford: Routledge, 2011.’ *Critical Review of International Social and Political Philosophy*, 16 (2012), 1-16, (p. 6).

so willingly, or unreflectively, and aim to fulfil our goals through interaction with others within these structures. That we do not specifically intend to harm others does not remove our responsibility for the harm we help bring about.

### 3.5. Conclusion

Many individualist accounts struggle to adequately account for responsibility ascriptions in cases of collective harm because they are susceptible to under-determination in terms of these ascriptions for the harms caused by groups. This is particularly problematic in cases where the individual participating acts of agents appear to make very little impact on the greater harm, but where very serious harms are the result of many of these small contributions. It is through an account of collective responsibility for cases such as these that Young attempts to bridge this gap in individualism. Young argues that in cases of structural harm, all participants share in the responsibility to address the harmful social structures of which they are a part. The social connection model does not require a clear causal link between specific participating agents and particular harms, all participants bear this responsibility regardless of the extent and manner of their participation in the social structure.

Young's argument that participation in social structural harms results in political responsibility, which she maintains is distinct from moral responsibility, is untenable. Each of the five characteristics she presents face problems, including issues such as agent motivation and ability to discharge responsibilities. Whilst Young presents pragmatic reasons for rejecting moral responsibility for structural harms, including concerns over blame-switching, she fails to offer convincing theoretical reasons for denying a more traditional form of responsibility in these cases. Ultimately, Young presents strong reasons for establishing individual responsibility in collective contexts, but the kind of responsibility she goes on to defend is unsatisfactory and unnecessary.

There are many very insightful observations regarding structural harms throughout Young's account. When the relationship between social structures and large-scale harms is made clear, the great harms in the world in which they result become difficult to deny. Social structures exist and continue to harm due only to our ongoing participation in them. Our roles in bringing about and perpetuating these harms therefore bestow responsibility on us to address them. Participation in social structures influences how we interact with others, often in profound ways. Whilst they allow us to achieve much more in the world than we would be able to in isolation, they also bring with them the risk of causing far more harm to others than we would be able to

alone. We face problems when it comes to issues of recognising social structures because they are such a major part of our everyday lives and have become normalised within our society.

Participation in social structures bestows responsibility on the individual. Individual actions can be assessed in terms of their immediate effect on others, and as contributions to wider social structural processes. Participating agents can bear responsibility for social structural harms when their contributing action appears morally praiseworthy, or when they themselves suffer as a result of the structure. In both cases, the participatory act, which helps perpetuate the harmful structure, brings with it responsibilities for the effects of the structure on others. Whilst Young suggests the responsibility we bear in this regard is political, there is little reason to believe that contributing to these harms is not question of moral responsibility for those involved.

An analysis of Young's account, then, provides some of the foundation for what I shall call an expanded individualist account. By moving our focus away from the direct interactions between individuals to the relationship between individuals and their participation in wider social structures, we can develop a more accurate account of the ways in which agent participation contributes to structural harm. This account will help establish the basis of individual moral responsibility for the harms in which agents participate through social structures.

## 4: Explaining Collective Contexts: Expanding Individualism

### 4.1 Introduction

Throughout the discussion so far, I have argued that a particular set of collective harms are ill-served by the current collective responsibility debate. Harms resulting from social structures cannot be analysed within a collectivist framework, as the agents involved do not form a traditional group united by common interests or intentions. Nor can they be adequately accounted for within a traditional individualist framework as responsibility ascriptions are left underdetermined, due mainly to the seemingly inconsequential nature of each individual's small participation in the wider harm. I have suggested that the work of Young offers a way forward: social structural harms require us to broaden our understanding of an individual agent's responsibility when participating in collective contexts.

In the previous chapter I discussed the ways in which Young's social connection model provided some foundation for a participation-based account of collective moral responsibility for social structural harms. In this chapter I shall begin by examining why focussing on individual difference-making fails to adequately account for moral responsibility ascriptions in collective contexts, and argue that an agent's intentions can be an important consideration in moral evaluation where individual difference-making accounts fall short. In order to help explain agent responsibility in these collective contexts I turn to a discussion of a context-based account of joint responsibility presented by Bjornsson in the *Explanation Hypothesis*.<sup>178</sup> Bjornsson examines cases where individual agents can be held jointly responsible for harm based on their knowledge and attitudes regarding their involvement and relationship to a harm, rather than the actual difference they make to the situation. He argues that there are many cases where our responsibility ascriptions are deeply affected by an agent's knowledge and motivations regarding their involvement in a harm.

The Explanation Hypothesis provides further support for a participation-based account of collective responsibility, where agents bear responsibility for their involvement in collective harm when this results from a fault in their knowledge and/or motivations regarding their participation in social structures. Building on aspects of the work of both Young and Bjornsson I argue that responsibility ascriptions in collective contexts are best analysed through an expanded individualist account. This requires us to identify those harms that are brought about through the participation of many agents in social structures. Once we have established that a harm is

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<sup>178</sup> Bjornsson *Joint Responsibility*; Gunnar Bjornsson and Karl Persson, 'The Explanatory Component of Moral Responsibility', *Nous*, 46 (2012) 326-354.

collective in this way, we can analyse individual agents' responsibilities regarding this harm through examining their knowledge of and attitudes towards their involvement in the harm.

I argue that expanded individualism more accurately reflects an agent's responsibility ascriptions in a globalised world. An agent's moral responsibilities regarding social structural harm are not linked directly or predominantly with the specific impact of the individual's actions. In the case of social structural harms, an agent's individual contribution will most likely cause no specific individual any great harm. Instead, an agent is responsible for participating in social structures, and bears responsibility for any harms which these structures cause. This is because social structures only continue to exist through the ongoing participation of their constituent agents. An agent's moral responsibility will be determined by the nature of the collective interaction and harm produced, and an individual's responsibility will vary depending on their position in the structure. The central claim throughout this discussion is that agents bear moral responsibility for most participation in social structural harms because engaging in social structures which are known to cause harm is itself immoral.

In order to explain what this expansion of individualism entails, and on what it is based, in section 4.2 I begin this chapter with a discussion of the problem of attempting to use individual difference-making conditions to analyse cases of social structural harm. I explain why this approach struggles to account for moral responsibility ascriptions in social structures, particularly when individual contributions are minute or indiscernible. To address this shortcoming, and to suggest an alternative foundation for individual responsibility in collective contexts, I introduce Bjornsson's *Explanation Hypothesis* in section 4.3.<sup>179</sup> Bjornsson provides a good basis for explaining why an individual agent's participation in a harmful social structure is morally problematic, focussing on an agent's motivations and attitudes towards their participation, rather than the specific harms they may or may not bring about. In section 4.4 I examine the ways in which Bjornsson suggests we can evaluate an agent's responsibility, particularly focussing on collective contexts. Finally, in section 4.5, I outline expanded individualism, an account of collective responsibility that enables us to analyse responsibility ascriptions in cases of social structural harms. This account is participation-based, grounded in an agent's knowledge and attitudes towards participation in social structures, and takes seriously the effect on individual moral responsibilities of participating in large-scale collective harms.

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<sup>179</sup> Bjornsson *Joint Responsibility*.

## 4.2 The Rejection of Individual Difference-Making

Individualist accounts of responsibility place their focus on the actions, motivations, and effects of individual agents. It is argued that, since only individual agents are able to be the bearers of moral responsibility, only those harms which an agent has clearly brought about should be considered when discerning that individual's moral responsibilities. This approach, however, does not help explain responsibility in cases of social structural harm, where many individuals help bring about a collective harm but no particular individual causes any other agent direct harm. The relationship between participating agents and social structural harms cannot therefore be thought of in terms of individual difference-making, since at the individual level such difference-making will not be found.

Difference-making is in one sense important to an account of social structural harm as it is required in order for us to be able to identify the cause of large-scale harm and those responsible. To do this it is necessary to look to the effects of the structural processes that stem from the actions of many individuals, rather than looking to individual contributing actions. In this section I shall begin with a discussion of some of the reasons why identifying individual instances of difference-making has been seen as so important, before moving on to an explanation of the ways in which such an approach is problematic when analysing responsibility in collective contexts. I end the section with an argument for the importance of developing an alternative to difference-making theories of responsibility for cases where harms are more accurately understood as the result of agents' motivation, or lack thereof, to act morally, rather than through analysing the direct causal contribution each of an individual's actions makes to a state of affairs.

### i. The traditional focus on individual difference-making

In traditional difference-making theories, an individual agent's actions must usually causally contribute to a harm in a readily identifiable way, their actions must 'make a difference' to whether or not the harm occurs, or the nature of the harm, in a meaningful way. In cases where an agent's contribution makes no easily discernible and specific difference to the outcome of a given situation, it may be argued that holding that agent morally responsible for the outcome is unfair.<sup>180</sup> At the heart of traditional conceptions of individualism lies the idea that agents may only be held responsible for harms they have caused.<sup>181</sup> In order to be held morally responsible it is

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<sup>180</sup> Steven Sverdlik, 'Collective Responsibility', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition*, 51 (1987), 61-76.

<sup>181</sup> Lewis.

therefore suggested that an agent needs to have made some kind of difference to a situation and that they need to have acted in some way that affected the outcome in order to be responsible for it.

This, however, is a very narrow view of the relationship between an agent and the states of affairs of which they are a part. An agent can effect the outcome of events through direct actions, but they can also effect outcomes through facilitating or simply encouraging others to act, or even through failing to act.<sup>182</sup> A failure to act can be deliberate or unintentional, it can be the result of a misunderstanding or culpable negligence. An agent failing to act can have just as great an effect on an outcome as a positive contributing action. Most individualist accounts do not therefore rely solely on the requirement that an agent must perform an action that produces a harmful outcome in order to be responsible for a harm. Instead they require that an agent's involvement in the state of affairs must result in a harm, whether that involvement entails action or inaction, before the agent can be held responsible for harm.<sup>183</sup>

When considering an agent's relationship to a particular state of affairs, an agent can be morally responsible for both their actions and inactions, depending on the circumstances. We are interested in actions and inactions which the agent chooses based on their motivation regarding the situation in question. In this way we are able to incorporate an agent's failure to act in situations where we think action was morally required on their part. We also avoid blaming people for actions and inactions that are involuntary or performed under duress. For example, an agent may be said to perform an action when they flinch at something unexpected. We would not normally wish to argue that this action is a deliberate and intentional act based on the agent's knowledge and motivations. A physiological response is not necessarily one which we would think of as blameworthy if it did result in harm, because it is unintentional and not performed by an individual due to a morally faulty motivation.

The inclusion of some form of responsibility for motivation, for example in the case of attempted harm, is necessary even to difference-making accounts in order to accommodate circumstances where an agent has acted in such a way as to cause harm, but unbeknownst to them the harm has already been done. If we consider cases where harm is over determined, such as two agents shooting another agent at the same time, an individualist would be unlikely to hold that one of the agents does not bear any moral responsibility for the shooting because their shot was

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<sup>182</sup> See Gregory Mellema, 'Collective Responsibility and Qualifying Actions', *Midwest Studies in Philosophy*, 30 (2006), 168-175, for an interesting account of the various ways an agent can directly and indirectly contribute to a collective wrong doing, including through encouraging others to perform harmful acts.

<sup>183</sup> Narveson, for example, argues that an agent's responsibility is greatly affected by group membership, but that ultimately agents can only be held responsible for their individual actions within a group context.

unnecessary for causing the agent's death. *Only* holding individuals morally responsible for harms for which they are also causally responsible is an overly simplified conception of responsibility that few individualists, if any, would support. It also misunderstands the central concern of individualism, namely that agents should only be held responsible for harms in which they are involved in significant ways. Usually this will require some causal input, but agents can also be significantly connected with a harm in other ways, such as in over-determined cases, which can bring with them moral responsibility. The important concern for individualists is that an agent must be involved in the harm themselves, agents should not be held responsible for the actions and harms of others.

ii. Individual difference-making in collective contexts

When considering cases of collective harm such as those caused by social structures, traditional individualist accounts can struggle to make adequate responsibility ascriptions. It is usually believed to be necessary to establish the kind and extent of harm an agent has caused before determining their responsibility, but in many cases of collective harm this may not be possible. Establishing whether or not an agent contributed to a collective harm is usually easier to decide, but when many agents are involved in bringing a harm about, the consequences of each and every individual's participatory actions may not be isolatable from the consequences of the actions of others.<sup>184</sup>

In cases of collective responsibility where individual contributions appear to have no clear impact, maintaining a difference-making condition can make it very difficult to make *any* responsibility ascriptions. An agent appears to make no contribution to a harm because each of their individual participatory acts seems to make no difference, the harm would occur whether they continued to contribute or not. However, agent involvement in a state of affairs can be complex, it can be comprised of direct and indirect acts and omissions, and it can be very small whilst still being a participatory act. If we consider apparently insignificant contributing actions and the wider pattern of participation of which they are a part, looking at the impact that these contributions have when combined with those of other agents performing similar actions, minute contributions can form part of large and serious contributions to harm.

There are two similar, but separate kinds of indiscernible contributions to social structures that are important for the purposes of this discussion. One involves the kind of small contribution

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<sup>184</sup> Bratman, Shockley, and May all discuss the way in which many collective actions are irreducible to act sand harms caused by specific individuals.

which is hard to measure, such as is made by the agents in Parfit's *Torturers* example.<sup>185</sup> The other type of contribution is that which makes no discernible difference.<sup>186</sup> In the former kinds of cases many accounts would only support holding an agent responsible for their participation in a minimal way, very little blame would lie with the agent for making a contribution which is so small as to be immeasurable. In the latter kinds of cases, holding an agent responsible at all is widely held to be unfair and unjust; where no harm is caused, we cannot hold an agent responsible.

This, I suggest, is to misrepresent the situation under consideration. There is indeed harm being caused, we can see this by considering the impact of the wider social structures in which individuals participate. Focussing on the individual without sufficiently contextualising their actions and analysing the wider implications of their participation does not provide an adequate analysis of the importance of an individual's contributing acts. Whilst it is more widely accepted that agents can bear responsibility for minute contributions (though I shall argue that they bear *more* responsibility in collective contexts than is usually supposed), the suggestion that in cases of contributing to social structural harms agents can bear moral responsibility, even when their individual contribution makes no discernible difference to the outcome, is less widely accepted.

In cases where an agent's actions appear to have no effect on the outcome, it is generally argued that they should not be held responsible for that outcome. Blaming someone for a harm that would occur regardless of whether or not they make their contribution appears to go against our usual concern for fairness and our practices of praising and blaming people as have been discussed so far. However, the idea that agents bear responsibility in cases where their contribution makes no discernible difference to a harm, though controversial, is not without some support in our everyday moral reasoning. There are certain circumstances where we do find it appropriate to blame someone for some action-or-inaction *X* even when *X* makes no difference to the outcome *Y*, in the sense that *Y* would have happened with or without *X*. This can be seen in our reaction to the shooting case above, we still hold the second shooter responsible for their action even though their action does not contribute to the death of the victim. In these situations it is the agent's motivation that causes them to be appropriate subjects of blame. It is the action or inaction that leads them to participate in the harm that is morally problematic, despite their contribution failing to change the outcome of the collective harm.

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<sup>185</sup> Derek Parfit, *Reasons and Persons*, (Oxford: Clarendon Press, 1984), p. 80. I shall leave aside here considerations of the problem of the participants contributing towards torture, I am more concerned with the quantity of harm each is responsible for inflicting for this discussion.

<sup>186</sup> All actions make *some* difference in the world, but the idea here is that some contributions are so small, and a harm so large and complex that many individual contributions make no discernible difference.

Although the argument for maintaining a difference-making condition stems from a desire to only hold agents responsible for situations they have brought about and to avoid blaming them for harms that are not their doing, such a condition does not capture many of the more subtle aspects of our moral reasoning. It is vulnerable to underdetermining responsibility ascriptions in cases where agents make very small contributions to a harm, and more importantly for this discussion, it does not capture cases where an agent's contribution to a harm makes no discernible difference in itself, but is one of many participatory actions which taken as a whole cause harm. In these cases, despite the lack of clear and specific direct harm that each contributing agent causes, we can identify that the actions performed by an agent along with many other agents bring about serious harm, harm which would be avoided were the participating agents to act differently.

The idea that an agent's actions have to make a discernible difference regarding a harm in order to justify our holding them morally responsible appears to be prevalent in much of our thinking about large scale multi-agent harms. It seems to be widely accepted that, since individual participating actions, such as buying a sweat-shop manufactured top, make no discernible difference to any particular individual, performing such contributing actions is not a very blameworthy activity. This view is especially prevalent in cases where participation in harm is widespread. When many agents are contributing to a harm, it seems that agents are less likely to give as much consideration to their participating actions, and not view them as seriously as they would if these actions were being performed as part of a small-scale interaction. Since the impact of each agent's action in a social structural harm appears small and insignificant, agents view their contribution as unimportant and often believe that changing their behaviour would have no effect on the harmful outcome.

### iii. Difference-making and intentions

Focusing on difference-making as a source of agent responsibility neglects another important aspect of our practices of analysing responsibility ascriptions, we are often concerned with an agent's intention and motivation in relation to a particular situation. Where an agent acts negligently, or with indifference to how their actions may harm others, we sometimes hold them responsible even if their individual actions have not caused harm. If an agent drives whilst drunk, we can describe their behaviour as immoral because it is irresponsible and puts both the agent and others at risk. We would see this as blameworthy behaviour even when no-one is *actually* harmed. It is the nature of the action and the motivation behind it that is morally problematic, not necessarily the difference it makes, in situations such as this.

Our blaming attitudes are therefore not restricted to agents who actually cause harm, but also extend to those who risk harming others, particularly through reckless, negligent, or selfish behaviour. Through upholding these practices, we discourage agents from acting in ways that we know are likely to cause harm. In the case of drunk driving, blaming people for acting immorally whether or not they actually hurt anyone discourages agents (we hope) from acting in this way, since we know this behaviour has a high risk of leading to serious injury. If we only blamed people for drunk driving when they actually hurt someone, agents may be less discouraged from this activity; so long as they did not hit anyone, their behaviour would be morally acceptable. Maintaining this position would not be as effective in discouraging undesirable behaviour, our blaming and praising practices would hold far less sway if they were only used in cases of actual and specific harm.

The importance of developing an accurate understanding as to the motivations and attitudes of an agent can now be seen more clearly. Measuring an agent's difference-making contribution to a situation gives us an inadequate account of that agent's relationship to the harm under consideration. This is due to the fact that difference-making alone does not provide us with enough contextual information regarding the agent's involvement. Even in situations where we are able to discern the precise harm an agent has caused, we still look to their intentions and motivations to explain their blameworthiness for the situation. Consideration of the motivations and attitudes of participating agents are therefore of central importance to our moral evaluation.

### 4.3 Bjornsson's Explanation Hypothesis

Assessing an individual's responsibility for participation in social structural harms can be difficult for traditional accounts of responsibility, particularly when assessing the relationship between participants and large-scale harms. Relying on an individual difference-making condition does not aid analysis in these situations, but examining an agent's motivations for their involvement often plays an important part of our evaluation process. Therefore, in order to draw out the salient aspects of the relationship between an individual and a collective harm that bear on an account of an agent's moral responsibilities, we need to look beyond the direct effects of the individual's actions to the nature of the wider processes in which they participate and their attitudes towards their relationships to these harms.

In this section I shall examine an account of moral responsibility in certain collective contexts that focusses on agents' attitudes and motivations towards a harm. Bjornsson develops an account of joint responsibility in particular contexts where agents contribute to harm but where

their individual contributions neither control nor necessarily make any difference to the outcome. He argues that in some situations we hold agents responsible for the attitudes that lead them to contribute to harm rather than the difference made by their individual contribution. Bjornsson suggests that our practices of praising and blaming certain behaviours are aimed at encouraging motivational structures that lead agents to avoid potentially harmful activities. In this way, we blame people for performing some actions that have not actually caused harm because they are instances of actions which are potentially harmful and which we therefore wish to discourage. Consequently, this account helps explain some common intuitions regarding harmful collective contexts where individual contributions make no discernible difference.

i. Bjornsson's account

One reason that it is often seen as problematic to hold agents morally responsible for participating in social structural harms is their lack of ability to, as an individual, significantly affect or control the outcome of collectively produced ends. Where agents lack this control, it might be tempting to argue that they should not be held responsible for the ends brought about as they were unable to control the situation. However, the implementation of the condition that agents only be held responsible for ends which are totally within their control would vastly restrict the extent of agent responsibility.<sup>187</sup> Since this is not a condition that we would want to impose on isolated individual moral contexts, it is difficult to justify its use in collective contexts. Bjornsson provides an interesting explanation of the way in which we might explain responsibility ascriptions in precisely these collective situations where agents lack individual control over the outcome. His account of how we ascertain which agents are morally responsible for a state of affairs is particularly useful when considering many large-scale contemporary harms, in which huge numbers of people may be involved, but where few if any can be identified as causing specific harms to specific individuals.

Bjornsson presents the *Explanation Hypothesis* as an explanatory psychological account of our moral judgments, rather than a semantic or metaphysical account of what these judgments are or ought to be.<sup>188</sup> It is designed to explain our practices of blaming and praising individuals for their actions, for discerning 'whom to hold responsible for what'.<sup>189</sup> He suggests that much of our interest in moral responsibility lies in our desire to hold people responsible for certain types

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<sup>187</sup> For a discussion of the problem of individual control and moral luck, see Bernard Williams, *Moral Luck: Philosophical Papers 1973-1980*, (Cambridge: Cambridge University Press, 1981) and Thomas Nagel, *Mortal Questions*, (New York: Cambridge University Press, 1979).

<sup>188</sup> Bjornsson and Persson, p. 329.

<sup>189</sup> *Ibid.* p. 328.

of behaviour. Such a desire leads us to wish to encourage some behaviours and discourage others. In order to do this, Bjornsson argues, we need to establish particular types of connection between an agent's motivational structure and certain forms of behaviour. If our practices of holding agents blame- or praiseworthy are to shape agents' motivation to act morally, these practices need to,

be directed towards the sort of motivational structures that (a) explain these events in systematic ways and (b) respond in the appropriate way to the agent's being held responsible and [...] (c) in fact [be] a significant part of the explanation of such an event.<sup>190</sup>

These three conditions form the basis of the Explanation Hypothesis. Considering our moral intuitions in various situations, particularly in cases involving the participation of multiple agents, Bjornsson suggests that many widely held intuitions are best explained through an analysis of this relationship between the agent and their motivational structure regarding the situation under consideration.

Each of these criteria is used by Bjornsson in quite a specific way. Therefore, whilst at first this outline for responsibility ascriptions appears very broad, Bjornsson's interpretation of each of these requirements is very particular, drawing out distinctive features of agent motivation and responsibility judgments. The requirement that an agent's motivation must play a part in the explanation of the event, rather than simply the agent's (in)action, highlights the importance of agent's attitude towards a situation, rather than merely their causal contribution. When engaging in moral analysis in order to establish the agent's intent, we wish to establish whether the agent's action was performed out of a desire to do good, whether it was an accident, or whether they had in fact intended to cause harm. Their action alone cannot always give us this information, we must ask why they acted as they did. An agent's motivation and attitude towards a particular situation plays a significant role in their participatory actions, therefore directing praise or blame at motivational structures is an important part of shaping agent action. In order for this relationship to work effectively, it is necessary to establish how certain motivational structures lead to specific events.

The second criterion, that our practices of praising and blaming agents must respond in the appropriate way to the agent's being held responsible, highlights the importance of reactive attitudes to Bjornsson's account.<sup>191</sup> It is important in Bjornsson's account that we support motivational structures that encourage the kinds of behaviour we find morally acceptable, and discourages immoral behaviour. It is also necessary that agents are able to respond appropriately

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<sup>190</sup> *Ibid.* p. 328.

<sup>191</sup> See Strawson.

to our responsibility ascribing practices. Blaming agents for things they cannot do, or holding individuals who are incapable of agency responsible for their actions are both practices which would undermine our attempts to shape motivational structures.<sup>192</sup> Demanding the impossible and blaming the incapable does not encourage morally desirable behaviour because those involved are unable to meet the requirements asked of them. Agents cannot reasonably be expected to be motivated by impossible demands; if praising and blaming practices are to encourage certain types of behaviour they must provide motivation to act in ways which are comprehensible and achievable by those to whom they are directed.

Criterion (c), the need for an action to be part of a significant explanation, refers to specific explanatory conditions that are readily and consistently identifiable as significant to particular events. We may point to a wide range of contributing factors to an event, but some contributions will strike us as more relevant for an analysis of agent responsibility than others. Bjornsson discusses potential explanations of why a house burns down, noting that when presented with a list of contributing factors including that the house was made of combustible materials, that there was oxygen in the air, and that the house was struck by lightning, the most important and relevant contributing factor is clearly the lighting, although this alone would not be sufficient.<sup>193</sup> When deciding which factors are significant in a particular event, Bjornsson argues we often look for a factor that is ‘more surprising or out of the ordinary than the background conditions’.<sup>194</sup> This is because we are highly selective when it comes to explaining why an event occurred, and have a tendency to look for ‘attention grabbers’. This desire to provide an explanation as to why something happened is central to our thinking about moral responsibility and forms the basis of Bjornsson’s Explanation Hypothesis.<sup>195</sup>

ii. *The Lake*

Bjornsson begins his discussion of the Explanation Hypothesis by rejecting the idea that agents need to have individual control over a situation in order to bear moral responsibility for it. He lists several examples of situations where this is not the case, including voters in a referendum, citizens who topple a dictator, and consumers for the good or bad practices of the companies they patronize, ‘even though, as individuals, they could not have significantly affected those outcomes, practices or effects’.<sup>196</sup> In these kinds of cases, the events are best explained through the actions

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<sup>192</sup> Bjornsson and Persson, p. 331.

<sup>193</sup> Bjornsson *Joint Responsibility*, p. 191.

<sup>194</sup> Bjornsson and Persson, p. 332.

<sup>195</sup> Bjornsson *Joint Responsibility*, p. 191.

<sup>196</sup> *Ibid.* p. 182.

of all those involved, even though no individual may have made a substantial contribution to the outcome. Despite the lack of a decisive contribution from any particular individual, situations that constitute these kinds of collective contexts only occur through the contributions of multiple agents. Had the agents' actions been different, the situation would have changed.

In order to draw out the relevant aspects of the kinds of situations highlighted, Bjornsson offers an example called *The Lake*: Alice, Bill, and Cecil all paint their boats on a lake, and each pours excess solvent into the water without the others' knowledge. They all know this could affect the wildlife, but did not want to bother disposing of the solvent safely and hoped nothing bad would happen. However, the solvent diffused through the lake and rose to levels high enough to stop micro-organisms reproducing, damaging the food chain and eventually leading to the death of all the fish. Although solvent from one of them would not have been enough, solvent from any two would have created fatal levels of pollution in the lake.<sup>197</sup> By examining possible responsibility ascriptions of this scenario and several variations of it, Bjornsson argues that the ascriptions that most closely fit our intuitions and our practices of holding people responsible are those linked to an agent's motivations regarding the particular situation.

Considering *The Lake*, it seems clear that the people responsible for polluting the lake and causing the death of the fish are Alice, Bill, and Cecil. It is their actions combined, not any one of their individual actions, which kills the fish. Singling out any one or two of them would unfairly let off the others, despite the fact that the actions of any two of them would be sufficient to cause the same effect. They also all share responsibility even though individually their contribution was insufficient to cause the outcome. Bjornsson argues that the best explanation of responsibility in this case is that all three are jointly responsible for the outcome. We wish to hold them all responsible not because of the individual effect of each of their actions, but because they all failed to be motivated to act in a way that would not cause potential harm to others and the environment. The nature of their action and their attitude towards the effect it would have on others is blameworthy, rather than the individual effects of their actions. In the case of *The Lake* we can describe the agents involved as acting immorally because pouring pollutants into a lake is irresponsible and displays a lack of concern for both the environment and others who might be using the lake. Considering Bjornsson's analysis, our practices of praising and blaming individuals are grounded in our desire to encourage some behaviours and discourage others.

Although the individual effect does not necessarily reflect the blameworthiness of an individual's contributing actions, an agent's responsibility and blameworthiness will be effected

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<sup>197</sup> *Ibid.* p. 181.

by the nature and severity of the collective harm. Where an agent's action is not part of a collective harm, their responsibility may be quite different. For example, in *The Lake*, if only one agent had performed the polluting action they would be responsible for acting immorally for pouring harmful substances into the lake, but since their isolated action would be insufficient to kill the fish they would not be responsible for that. Equally, if all agents had poured less solvent into the lake, and thus had not polluted the lake enough to kill the fish, they would be blameworthy for deliberately pouring harmful substances into the lake, because doing so is known to be dangerous for people and the environment. However, since their actions would not have done as much damaged (i.e. would not kill all the fish) they would be less blameworthy for their actions.

Bjornsson provides a scenario where only one agent acts in this way, but where natural pollutants are present in the lake which will kill the fish regardless of additional pollution, so that again the individual agent's contribution itself is insufficient to cause the death of the fish.<sup>198</sup> Bjornsson suggests that in this case we are not inclined to hold the agent jointly responsible for killing the fish, though we would hold him responsible for polluting the lake. It matters that the cause of the death of the fish was non-agential, and that the agent's actions made no difference to the death of the fish because they were killed by a natural event. In the first lake example where all the contributors were agents, we analyse responsibility for the harm caused differently. In that case we hold all agents responsible even though the harm was overdetermined and any one individual could have failed to act without effecting the outcome.

There are a number of different types of situation where an agent can bear moral responsibility without being able to make a difference to the outcome. The examples that are discussed by Bjornsson are of one particular type, where the number of participating agents exceeds the number of agents required to perform the harm. These examples can be further divided into cases where the contributions occur at the same time or over a long period, and where agents are aware that they are contributing to a collective harm and cases where they are not aware. In the case of *The Lake*, the actions occur around the same time but the agents were not aware that their individual acts were contributing to a collective harm. They did not know that others were contributing to the pollution, nor were they aware that their actions would lead to the death of the fish. In this way, it is also not necessary for participants to see themselves or be seen by others as constituting a 'group' as we commonly understand them. Bjornsson says of the individuals in *The Lake* that 'we have no reason to think that they form a group the members of which empower each other. For all we know, they might see each other as enemies'.<sup>199</sup> They bear

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<sup>198</sup> *Ibid.* p. 184.

<sup>199</sup> *Ibid.*

joint responsibility for creating a collective harm without needing to have intentionally contributed to a collective action.

Reflecting on Bjornsson's criteria, our praising and blaming practices hold the agents responsible for the following reasons. Firstly, their actions explain the death of the fish in a systematic way because pouring pollutants into lakes damages wildlife. Secondly, holding agents responsible for harming wildlife discourages this kind of behaviour and encourages agents to act in a way that demonstrates concern for others and the environment. Thirdly, their motivation does indeed play a significant part of the explanation of the death of the fish because their lack of motivation to avoid harming others led them to take unnecessary risks which resulted in harm. Had the agents involved had different motivational structures, their actions would have been different.

When analysing the case of *The Lake*, each of the participating agents' actions may have been redundant when we consider that the actions of the other participants were enough to cause the harm regardless of how many extra agents contributed. This makes it appear that only some of the agents bear responsibility, because the harm can be explained by the actions of a subset of participants. The actions of additional participants therefore appear superfluous. Describing the scenario in this way misconstrues the actions of those involved, and singling out only the required number of agents needed to bring about the harm unfairly excuse others whose actions could equally have been singled out as responsible for bringing about the harm. In this case there is also no principled way to pick out 'the subset that made a difference', since no such specific subset exists. When none of the contributing agents' actions will be the deciding factor in whether a harm is caused, it seems that they should all be held responsible for contributing to the harm, even where this leaves the responsibility ascriptions overdetermined and we are unable to isolate the specific harm that each individual's action brought about.

### iii. The importance of agent motivation

The idea that agent motivation profoundly effects our praising and blaming practices is at the heart of the Explanation Hypothesis. We care, when making moral responsibility ascriptions, about the motivation and attitudes of the agents involved. Considering cases like *The Lake*, Bjornsson suggests that,

we might say that some morally "faulty" aspect of behaviour explains the outcome, but the behaviour seems faulty only because it is explained by the wrong sensitivity to values, or the wrong motivational structure.<sup>200</sup>

This can be further demonstrated by examining variations on *The Lake*. If the agents were not aware that the substance they poured into the lake was a potentially harmful solvent, we might assess their responsibility differently. This in turn will depend on whether or not their ignorance is culpable. For example, if they simply could not be bothered to read the label of the substance, we will still view their actions as demonstrating the wrong motivations and attitude towards others. Alternatively, if the substance is incorrectly labelled as environmentally safe, we would not necessarily think that the agents were morally blameworthy for the harm to wildlife the substance caused. The only real difference in the two scenarios is the knowledge and motivation of the agents involved, their actions and the effects remain the same.

If we are to judge an agent's responsibility in some cases through an examination of their attitudes and motivations, we require some kind of basis for deciding which motivations are right and which are wrong. Bjornsson suggests that this basis can be found in our desire to encourage some behaviours and discourage others. Motivations and attitudes which regularly lead to undesirable ends are ones we would usually wish to avoid. Agents who do not show concern for the way in which their actions affect others are arguably at higher risk of harming others, since they are not motivated to ensure that their actions cause no harm. Similarly, agents who cause needless suffering to animals, either out of indifference or for their own amusement, are thought to hold the wrong attitude towards the treatment of animals. We think people should care about whether or not their actions hurt others, and that they should care about the suffering of animals that are capable of feeling pain. We therefore wish to encourage attitudes of care and compassion, of concern and interest for the welfare of others.

Singer has drawn upon problems concerning our sensitivity to values in his work on poverty.<sup>201</sup> His example of saving a drowning child is often discussed to highlight inconsistencies in some of our moral reasoning. When he suggests that we would take issue with an individual who refused to save a drowning child because doing so would damage their expensive suit, he is drawing on what Bjornsson refers to as a 'wrong sensitivity to values'. It is perfectly reasonable for an agent to care about their personal possessions and wish to care of them. The problem with the actions of the agent lies in their motivational structure, we think they should care *more* about the life of the child than getting their clothes muddy. Were an agent unable to see that it is more

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<sup>200</sup> *Ibid.* p. 187.

<sup>201</sup> Singer, p. 231.

important to save the life of a child than to keep one's clothes clean, we would question whether they were actually a moral agent, whether or not they had the capacity to be a member of the moral community.<sup>202</sup> In this situation it would be hard for us to simply 'agree to disagree', the person would seem incapable of understanding the requirements of morality. A moral agent would see the other person's motivation and attitude towards the plight of the child as wrong.

Understanding an agent's motivation and attitude towards a situation often plays an important role in our evaluation of their corresponding responsibility. Bjornsson's work suggests that in some circumstances agent motivation is the most important aspect of our evaluation of an individual's moral responsibilities. A large part of Bjornsson's discussion rests on the idea that our evaluation of the morality of a situation is greatly influenced by what Strawson refers to as our 'reactive attitudes'. Strawson's original example discussed the different evaluations we might make of an individual stepping on one's hand, in one case accidentally, the other deliberately. The pain felt is the same in both instances, but our blaming practices are different.<sup>203</sup> Bjornsson draws on this idea that an agent's motivation can be highly influential in our moral evaluations and examines whether this might explain our praising and blaming practices in problematic situations.

Throughout his work, Bjornsson draws on examples in which, he argues, it is difficult to explain *why* our moral intuitions lead us to find people morally responsible. He is particularly interested in cases where harms are brought about by multiple agents, where the contribution of any individual agent alone would not be enough to bring about harm. In cases such as *The Lake*, if we were to argue that we blamed the agent because their actions killed the fish, we would be offering an incomplete and unfair explanation of our responsibility ascriptions. No single agent caused the death of the fish, the actions of all of the agents taken together did so. Further, in cases where the individual withdrawal of any one agent from the situation would have made no difference, we are presented with the further problem regarding focussing on the difference any one individual made. This is the problem that in cases where the harm would be caused if all but one individual contributed, focussing on the contribution of only one contributor runs the risk of seeing their contribution as unimportant, or at least less important, because any one of the individual contributors' actions could be viewed as *the* redundant contribution, the one that could have been left unmade whilst the harm was caused by the actions of all the others.

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<sup>202</sup> Shoemaker provides an interesting account of considerations that influence an agent's ability to be a member of the moral community.

<sup>203</sup> Strawson, p. 6.

When we have a conflict between the possibility that an agent's contribution may be irrelevant to the harm caused, whilst simultaneously holding the intuition that their actions are morally problematic, Bjornsson argues that many traditional approaches to evaluating moral responsibility struggle to explain why this is so. When we view an agent's (in)actions as morally wrong, in these cases we may not be blaming them for the effects of their actions, but for their moral reasoning and motivations governing their conduct in the situation.<sup>204</sup> Of course, the idea that agent intention is important to ethical evaluation is not new, but Bjornsson's suggestion that it helps shed light on our moral evaluations of situations where the agent's actions alone have not caused harm does help explain some of our intuitions regarding agent participation in some collective harms. In the kinds of examples Bjornsson examines, it is the agents' willingness to participate in the harm, or indifference to whether or not they are participating in a harm, that we find morally problematic.

Bjornsson's focus on agent motivation rather than action and outcome can appear to make his account rather subjectivist in nature. Although motivation is important to his account, it is not the sole consideration, and therefore Bjornsson does not fall into the 'pure subjectivist' camp. An agent's responsibility depends on their relationship to the collective harm in which they participate, so whilst their individual motivations and actions need not affect the outcome, an agent's motivations only become blameworthy or praiseworthy when they are part of a collective context. In this sense an agent's motivations are not the sole subject of analysis, even though in most cases of contribution to collective harm the individual agent's (in)actions may have no effect on the harm itself, and therefore the individual's motivations will be more important for an analysis of their moral responsibility regarding the harm.

In the kinds of cases discussed by Bjornsson, the harms would not have come about if more than one of the individuals involved had held different motivations towards the situation, if they had been more morally sensitive to the effects of their actions or inactions on others. In these multi-agent scenarios, a solitary individual developing the correct moral sensitivity would not be enough to stop the harm. These harms are the result of the actions of multiple agents, and therefore multiple agents are required in order to address them. An important aspect of addressing these harms is understanding the way in which they come about through agents' motivations towards a situation, and not necessarily because any or each individual's contribution makes a measurable

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<sup>204</sup> For example, Andrew Ashworth, 'The Criminal Law's Ambivalence About Outcomes', in *Crime, Punishment, and Responsibility: The Jurisprudence of Antony Duff*, ed. Rowan Cruft, Matthew H. Kramer, and Mark R. Reiff (Oxford: Oxford University Press, 2011) pp. 159-172, discusses the move towards agent motivation rather than outcomes in the criminal law.

causal difference to the overall harm. In this way Bjornsson's work rejects the idea that moral responsibility rests on difference-making.

Bjornsson is, of course, not the only philosopher to seek an alternative to difference-making in order to account for agent responsibilities in cases of collective harm. An attempt to provide an alternative foundation for responsibility ascriptions in collective contexts has been suggested by Kutz. In his work, Kutz argues that an agent's complicity in a collective undertaking leads to them sharing in responsibility for any harm this brings about, even in cases where their individual actions make no difference to the causation of that harm. Part of Kutz's motivation, similarly to Bjornsson, lies in the importance we place on the reactive attitudes and our practices 'of demanding reasons from those whose acts infringe upon our interests'.<sup>205</sup> He supports the idea that we are interested in an agent's motivation, rather than their causal connection to a harm, and therefore rejects the idea that in order to be blameworthy for a harm an agent needs to make a difference to whether or not it occurs.

To establish a basis for holding individuals responsible for their involvement in harms in which they make no causal difference, Kutz develops an account based on shared intentions. According to The Complicity Principle,<sup>206</sup> an agent is responsible for a harm when they intentionally participate with other agents in collective action, regardless of whether the individual's contribution actually causes harm. Like Young, Kutz bases responsibility on participation,<sup>207</sup> but he also argues for a form of individualist collective responsibility centred on common ends. On his account, individuals bear responsibility for their complicity in collectively produced harms. This relies on all participants holding a common goal, the participants must be united by some shared aim or intention to which they all aspire. This condition forms the basis of Kutz's account, identifying responsibility-bearers for the collective harm and providing a basis for blame, namely shared harmful intent, rather than relying on causal contribution.

Whilst Kutz's account provides some interesting discussion regarding the responsibility of marginal group members in collective action scenarios, his account fails to provide an account for responsibility ascriptions in many large-scale harms, especially social structural harms.<sup>208</sup> The requirement of a particular shared goal, aim, or intention excludes social structural harms because these can be collectively produced without all or even most of the participants holding specific shared intentions or goals. Kutz argues that social structural harms are what he calls 'unstructured

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<sup>205</sup> Christopher Kutz, *Complicity: Ethics and Law for a Collective Age*, (Cambridge University Press: Cambridge, 2007), p. 140.

<sup>206</sup> *Ibid.* p. 122.

<sup>207</sup> *Ibid.* p. 138.

<sup>208</sup> Young highlights this problem with Kutz's work (*Responsibility for Justice*, p. 101-3).

collective harms',<sup>209</sup> where agents can only be held responsible for their individual contributions because no shared intent exists which would allow these harms to be evaluated collectively. This approach, I will argue, undervalues the collective nature of many of the social structures which cause large-scale harms.

#### 4.4 The Explanation Hypothesis and Establishing Responsibility

Although Bjornsson did not intend for his account to be taken as a normative assessment of moral responsibility ascriptions, his work provides valuable support for an explanation as to why we should view participation in harmful social structures as far more morally problematic than we currently do. The Explanation Hypothesis provides a direction for moral inquiry, Bjornsson highlights the importance of some of our intuitions regarding an agent's knowledge and motivations when assessing moral responsibility in collective contexts. In order to identify the specific circumstances in which we find an agent's motivations morally problematic, and in which circumstances praise or blame are warranted, the relationship between agents, their motivations, and their actions requires further clarification. In this section I shall therefore analyse Bjornsson's conditions for moral responsibility in more depth and examine the ways in which his work supports a participation-based account of collective responsibility that focusses on the importance of agent motivations in collective context.

i. Establishing conditions for moral responsibility

Bjornsson argues that understanding moral responsibilities requires us to do more than look at the end result of an agent's relationship to a state of affairs. Assessing an agent's moral responsibilities regarding a state of affairs requires us to establish the circumstances of each part of the following proposition:

Person *p* with knowledge *k* and motivation *m* performs action *a*

To establish the blame or praiseworthiness of the agent, all of these factors need to be taken into account. Both the agent's knowledge and understanding of their involvement in the state of affairs and the motivations on which they are acting are essential to a complete analysis of the agent's responsibilities. Attempting to establish an accurate responsibility ascription without information on each part of the above would be impossible, because each part is equally important when trying

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<sup>209</sup> Kutz, p. 166.

to establish whether an agent is praise-or blameworthy regarding their conduct. In the following each of these aspects of moral evaluation shall be addressed in turn in order to explain their role in our moral understanding.<sup>210</sup>

Although much of Bjornsson's discussion focusses on the motivations of the agents involved in a harm, an agent's knowledge of the situation is an important aspect of the analysis of their blameworthiness. An agent's knowledge has a strong influence on their motivations, which will be formed on the basis of the information the agent possesses. For example, when considering an agent's relationship to a harmful group, whether or not an agent has contributed to a group in the knowledge that the group is causing harm, or whether an agent was culpably ignorant that the group they were joining caused harm would lead us to find an agent more blameworthy for joining the group than if the agent lacked this knowledge for non-culpable reasons, if they were tricked into participating, for instance. When assessing an agent's knowledge regarding their participation in a harmful social structure or other collective context, we wish to establish a number of things. We are interested in the agent's knowledge and beliefs regarding the group and its activities, but we are also interested in what we judge an agent *should* know about a group to which they belong or are planning to join. If an agent is unaware of a group's intentions and actions, we would want to know why they lacked this knowledge, whether they had been misled or whether they had failed to make adequate inquiries into the nature of the group concerned. An analysis of the most important questions regarding agent knowledge and group harms is therefore essential to help draw out the central concerns and establish in what way an agent's knowledge effects their responsibility for collective harms.

ii. Willingly participating in harm

The first example of agent knowledge regarding participation in a collective context that I shall discuss is that of an agent wishing to join a group which is known to cause harm. We would find the agent's willingness to join a harmful group problematic even in cases where the individual was not directly causing harm. Whilst we would normally find a person *more* morally responsible for willingly directly causing harm without mitigating circumstances, we would still find someone who joined a group known to be causing harm as doing something morally questionable. We would want to know their reasons for seeking membership, and would find claims that they did not support the harmful activities of the group difficult to believe. This is

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<sup>210</sup> I shall assume that the person whose conduct is under analysis is a capable moral agent unless stated otherwise.

because we see the act of joining a harmful group as demonstrating at least tacit support for the group's activities.

Consider, for example, that an agent wished to join the Ku Klux Klan but stipulated they would not join any lynch mobs. We would still find their desire to join an organisation such as the Ku Klux Klan immoral. This is because the group is founded on racist principles and has previously been involved in violent attacks against people of colour. Given the nature of the group, there is no real reason for an individual to join them apart from to support its racist principles. When we consider this in terms of our practices of praising and blaming people to encourage and discourage behaviour, willingly joining a harmful group lends support to the group's behaviour. If we wished to blame the group and discourage their activities, we would normally not wish to associate or be associated with them. People tend to leave, or at least distance themselves from groups to which they belong whose activities they find morally questionable.

If we therefore consider cases where an agent fails to leave a group when they discover that the group is causing harm, there are a number of questions we may ask regarding their continuing membership, their role in the group, and their knowledge and participation in harm caused. This case is more complicated in many circumstances than that of joining a group, particularly when an agent has been a member of a group for a long time, or the group is closely linked with the individual's sense of self and identity. Leaving a social group or club is quite a different experience for an agent than leaving a kinship or religious group, for example. There are, of course, some groups that agents are unable to leave, such as ethnic groups. However, these are not groups in a sense which is relevant to agent responsibility ascriptions and so are not groups whose membership can be morally problematic.<sup>211</sup> In groups where leaving is an option, but one that has dramatic implications for the individual, the question of dissociation can be difficult. It raises questions regarding how much of a sacrifice we think it is appropriate to ask of people to avoid involvement in harm. But more importantly, it also fails to address the responsibility agents may bear for harms caused by a group to which they belonged when the harm occurred.

In cases of long-term membership we may question whether dissociation is the best approach for an agent when considering her reaction to her group's harm. Whilst an initial reaction to discovering one's group has caused harm may be a wish to distance oneself as much as possible from the group, this may be neither practical nor appropriate. Bearing membership of a group whilst harm has been caused by that group has implications for an individual's

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<sup>211</sup> See chapter 2. I take ethnic and similar groups to be along the same lines as agent sets such as 'all agents with blonde hair'. They are a group in the sense that they single out agents with common traits or ancestry, but they are not groups whose agents have morally relevant interactions with one another.

responsibility. A member's responsibility will vary depending on whether they have directly or indirectly contributed to the harm, whether they were aware of it or culpably ignorant of it, or whether they did not know of it and could not reasonably have been expected to know, if for instance she was misled by other group members.

In all these various scenarios, an agent often bears some form of responsibility towards the harm. When this is the case, simply rejecting membership is insufficient for avoiding responsibility for harm. Where an agent has been a member of a harmful group their best approach to discharging responsibilities are more likely to involve remaining in the group and expending their efforts by attempting to reform the group and making amends for harms caused where possible. An agent may owe reparations for harms to which they have contributed, and in some cases this would mean that dissociation was not appropriate. If, for example, the group had reformed its behaviour and was now working to address previous harms, leaving the group would potentially render an agent less able to address harms in which they were involved than staying within the group and working with other members. In this case an agent may be required to stay in a group until the harms have been adequately redressed.

### iii. Reasonable knowledge conditions

A further consideration for agent knowledge and responsibility involves establishing what it is reasonable to maintain an agent *should* know about a group to which they belong. This may seem to be a difficult matter to address, since much of the content of the claim appears subjective. However, there are a number of considerations to which we commonly appeal when discussing what we believe it is reasonable for an agent to know. These include information that is deemed common knowledge, the risks involved in participation both to the agent and others, and the likelihood that the action will result in harm. We expect different levels of effort regarding knowledge acquisition depending on the level and likelihood of the harm that participation is liable to produce.

For example, where their participation relates to a benign group, such as joining a rambling association, we would not expect an agent to go to any great lengths to verify that members of the group were not engaged in harmful activities. If, however, an agent were planning on joining a very politically active group with extreme views, we would expect them to have established the nature of that group and its activities before taking part. In this way, the more risk there is of an activity causing harm, the more we think an agent should make the effort to know

exactly what it is their actions are contributing towards. The same principle applies when an agent is acting on their own but where their actions can affect others.

When we are establishing what we think it reasonable to expect that an agent should know regarding a group, there are some aspects of a group to which we can point, such as the way in which membership is decided and the past actions and statements of the group and its representatives, which can provide a starting point. Where the practices of a particular group are a matter of public knowledge and when its aims and intentions both present and past are easily identifiable, it would be difficult for a member to deny knowledge of the nature and practices of the group. The agent would have to provide good grounds to explain how and why they remained a member of a group whilst being unaware of the group's activities, particularly in cases where these facts were common knowledge.

In order for an agent to lack this knowledge there would have to be a particular reason which may or may not excuse their ignorance. Possible excuses include having been deceived by others, having wilfully ignored evidence of harm, or having failed to understand the nature of the group's activities. Establishing whether an agent lacks knowledge due to deception, negligence or culpable ignorance, or through non-culpable ignorance or a lack of understanding is an important step in establishing their responsibility regarding the harm. The circumstances involved, and the subtle differences between each of the possible situations, are important factors in assessing an agent's moral responsibility. If, for instance, it was established that an individual was unable to grasp the nature of the group or the harm that the group was causing, despite these things being common knowledge, we might question the individual's capacity as a moral agent.

The question of culpable ignorance is problematic when we are assessing an agent's relationship to a group.<sup>212</sup> A common claim made by individual members of harmful groups is that they were unaware of the activities of other group members. Establishing what an agent did or did not know, whether they were misled, whether they wilfully ignored information, or whether they were genuinely innocent in their ignorance can be difficult. In many cases of social structural harm, the nature of the harm involved and the fact that agent participation in social structural activities contributes to the harm is so well established that it becomes very difficult for participants to argue that they are non-culpably ignorant of the nature of the harm and that they are performing contributing actions. For example, if an agent stated that they did not know that their cheap clothing was made in sweatshops, we would both find this claim hard to believe and think that this is something of which the agent really should be aware. The widespread use of

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<sup>212</sup> See Michele M. Moody-Adams, 'Culture, Responsibility, and Affected Ignorance', *Ethics*, 104 (1994), 291-309 and further discussion in chapter 5.

sweatshop manufacturing in clothing production has been common knowledge for some time. Where a group's activities and their consequences are common knowledge, and where we think an agent should have known what the group was doing, we are inclined to hold an agent culpably-ignorant if they are lacking this information. In these kinds of cases we would require strong evidence to explain and excuse an agent's ignorance.

Establishing an agent's knowledge and considering an agent's status in all of these situations is an important aspect of our everyday moral evaluations. It is widely accepted that we should only hold people morally responsible for participating in harms which they knew, or should have known about, and which they had the ability to avoid.<sup>213</sup> The conditions that an agent needs to know, or should have known, and that they are able to avoid a harm are important to our understanding of moral responsibility. Only holding agents responsible for participating in harms of which they have knowledge or are culpably ignorant avoids holding agents responsible in situations where they could not know the harm of their actions and therefore avoids unfairly blaming agents. In cases where an agent does not and could not know the consequences of their actions, we would find the idea of blame unacceptably demanding on the individual.

We are now in a better position to analyse the role of agent knowledge when assessing individual members' responsibility for a collective harm. For example, if a group excludes people from membership due to their ethnicity or gender, we can identify these practices as morally problematic. Even groups we would not normally associate with being harmful have had their membership criteria criticised as morally questionable, such as men-only golf clubs. Whilst the activities of the clubs are not cited as being harmful, the discrimination in their membership has led to members being questioned on their personal support for discrimination. Remaining a member of a club which is seen to discriminate against women often raises questions regarding individual member's attitudes towards those being discriminated against. Appeals to tradition are increasingly unlikely to be seen as adequate in contemporary British society, instead such discrimination is regarded as unjustifiable and such groups are in decline.

In order to compare the above example with a non-blameworthy example of agent participation in large-scale collective harm, consider the problem of assessing the moral responsibility of agents participating in early industrialisation. Human knowledge at that time did not include an understanding of the nature and causes of pollution, there was therefore no way for participants to know that their actions would be contributing to global warming and long-term damage to the environment. Whilst it seems reasonable to state that participants in the industrial

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<sup>213</sup> Although both Arendt and Young support holding agents responsible for unavoidable harm in some collective contexts.

revolution were causally responsible for the increase in pollution, suggesting that they were also morally responsible for it in the same way as agents who are currently engaged in polluting industrial practices seems unreasonable. To assert that agents from that time were morally responsible for the harm they caused seems unreasonable because it conflicts with our commonly held attitudes regarding fairness. Blaming people for things that they *could not* have known about places unfairly demanding requirements on them. Today, we are aware of the effects of pollution on the environment, and anyone involved in industrial practices who is not aware of that is more than likely culpably ignorant, as such knowledge is commonplace and has been for some time.

The condition of being able to avoid participating in a harmful activity is also important in assessing blameworthiness because of its relation to fairness. In cases where an agent could avoid causing a harm, it is acceptable to hold them responsible for failing to do so if they knew (or should have known) that this was the case. In cases where an agent is non-culpably ignorant of their ability to avoid a harm we are less likely to blame them for failing to do so. Putting the agent's knowledge requirements aside, the ability of an agent to be able to avoid a harm plays a central role in assessing an agent's relationship to a harm. We would expect an agent to avoid causing a harm when doing so is of little inconvenience to them, and depending on the type and level of harm under consideration, we may be prepared to expect an agent to avoid causing a harm even when it did cause considerable inconvenience to them. However, we would not necessarily hold an agent responsible for causing a harm in cases where doing so was impossible, or when doing so would be at great personal risk or harm.

#### iv. Motivations

The next stage of our analysis of an agent's moral responsibilities requires establishing the motivations the agent had that led them to act in the way in which they did. Agent motivations can be very complex and are the result of many influences, including the agent's knowledge, experience, and the actions of others. Motivations are mental states that agents possess which incline them towards certain modes of behaviour, they are the factors that influence how an agent acts. Motivations are also mental states that an agent may possess but not act upon, and an agent may maintain a variety of conflicting motivations of varying strengths. Due to this complexity, it would be of little use to an analysis of moral responsibility along the lines of that offered by Bjornsson to hold an agent morally responsible for all their motivations which are directed towards behaviour we find undesirable. We are reluctant to blame people merely for what they think, and for good reason. Apart from the fact that thoughts can be involuntary, people may have motivations to engage in immoral behaviour on which they never act. In some cases we may think

more highly of an agent who overcomes negative motivations in order to ‘do the right thing’ than one who never experiences the temptation to act otherwise.<sup>214</sup> Since most people will have to decide between conflicting motivations at some point in their lives, the most important motivations for moral analysis are those which influence the agent’s behaviour, which may lead to action or inaction depending on the circumstances.

Due to the role that motivations play in an agent’s relationship to states of affairs, they are often the subject of moral appraisal. We think that agents should be motivated to act morally, that they should not be motivated solely by their own self-interest. Moral agents are expected to develop appropriate motivations to act morally; when an agent lacks the correct motivation, we may ask whether they have made some kind of error, whether they are lacking information, or whether they are capable of actually meeting the requirements of moral agency. The importance of agent motivations to moral analysis is discussed throughout Bjornsson’s work, his examples draw on cases where the agents lacked a strong enough motivation to do what is commonly accepted as ‘the right thing’. When an agent reacts to a situation, we may try to explain their response with reference to the motivations they had at the time. This can be seen in the way that we tend to ask an agent *why* they acted in a particular way. We are interested both in what the agent knew about the situation as well as how the situation affected them and the motivations they developed regarding it.

Perhaps the most straightforward case of agent motivation is when an agent possesses a motivation that causes them to perform a particular action, such as being moved to donate money to charity, or to steal something that they cannot afford to buy. In both these examples an agent’s motivation to perform a particular action is strong enough to move them to act, and the relationship between the motivation and the action it brought about appears more transparent. However, this apparent clarity can be misleading. If the agent donating to charity only did so because they wanted to impress others with their generosity, or the person who stole did so to feed their starving children, our analysis of the moral praise- and blameworthiness of each agent is affected. The reason for this change cannot be an appeal to there being anything different about the states of affairs, in both cases nothing has changed. The change lies in our response to the motivations underlying the actions of the agents involved, our response can be explained by an appeal to the importance of agent motivation in our everyday moral reasoning and analysis.<sup>215</sup>

Motivation to inaction can appear harder to analyse in terms of moral blameworthiness because the relationship between motivation and inaction may be less clear. In some cases

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<sup>214</sup> See Susan Wolf, ‘Moral Saints’, *Journal of Philosophy*, 79 (1982), 419-439 for further discussion.

<sup>215</sup> See Strawson.

inaction may be the option that morality requires, but more commonly when assessing inaction it is a case of failing to act when morality required an agent to do so. Inaction can therefore also be the result of a specific morally blameworthy motivation. The cases of inaction that are particularly interesting to the Explanation Hypothesis are those where an agent fails to perform an action that would normally be seen as morally required because they are engaging in joint action with other agents. In isolation, an agent may be motivated to endeavour to avoid harming others and be more conscientious of the effects of their actions. When an agent is participating in a collective situation with others, the same level of concern may not be present. Agents often have the tendency to act in such a way that they hope or expect others to take action, thus avoiding doing so themselves.<sup>216</sup> Agents also frequently use other's inaction as an excuse for their own, agents may believe it is unfair that they should be expected to act in a particular way when other participants do not.

A further problem when assessing agent blameworthiness is that agents will normally maintain a wide variety of motivations, some of which may be seen as undesirable and/or conflicting. That an agent holds conflicting or undesirable motivations, however, is not in itself necessarily morally problematic. When assessing the moral responsibility agents hold through an analysis of their motivations, we are only interested in motivations which influence an agent's behaviour. When an agent possesses a variety of motivations, some of which may be conflicting, what we think is most important in the end is that an agent acted on the more morally appropriate motivation. We do not expect agents to be 'moral saints', where they are always motivated and only motivated to act morally.<sup>217</sup> Our interest here is that an agent is motivated enough to act in such a way that their behaviour does not lead them to participation in harm.

The problem of agents lacking appropriate motivations to act morally is also a concern for moral analysis. An agent can be morally blameworthy for lacking an appropriate motivation, such as failing to be motivated to avoid harming others, depending on the reason for their lack of motivation. Lacking an appropriate motivation is a slightly different problem from failing to act on a motivation. Where an agent has a motivation to act morally, but is *more* motivated by other less morally acceptable motivations, the agent is more morally blameworthy for their failure to act appropriately because they possess the required motivation but chose not to do act on it. Where an agent lacks the correct motivation in the first place, explaining why the agent lacks a motivation is important for an accurate understanding of their moral responsibility regarding the state of affairs. Establishing the culpability for this lack of motivation is in many ways similar to establishing whether an agent is culpably ignorant of a harm in which they participate. We wish

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<sup>216</sup> 'Tragedy of the commons' problems are a result of this tendency. See Garrett Hardin, 'The Tragedy of the Commons', *Science*, 162 (1968), 1243-1248.

<sup>217</sup> See Wolf.

to understand why the agent lacked the motivation, whether they had inaccurate or incomplete information regarding the situation, whether they had been misled or had misunderstood their relationship to the harm and their role in the situation. All these factors would affect how we assess the agent's lack of motivation and their responsibility for this lack.

In order to establish an agent's responsibility for a harm, it is clear that we must understand the precise nature of an agent's knowledge, understanding, and motivations regarding the state of affairs under consideration in order to make an adequate analysis. This information can profoundly affect the way in which we ascribe responsibility to agents in a situation. We care, when analysing responsibility, whether an agent acted on a misunderstanding or in full knowledge of what they were doing, we will evaluate an action differently if it was performed by an agent who has been deceived or one who lacks the capacity to understand the implications of their actions. Analysing the role which agent motivations play in our general moral evaluations demonstrates their importance to an accurate and thorough account of agent responsibility.

#### 4.5 Expanded Individualism and Social Structural Harm

In the preceding chapter, I discussed the ways in which Young's work on structural injustice provided support for a participation-based account of moral responsibility regarding social structural harm. In Bjornsson's work there is further support for an individualist account of moral responsibility for social structural harms through an analysis of the motivations for agents' involvement in these structures, what I shall call 'expanded individualism'. Holding people responsible for social structural harms is problematic for many traditional approaches to analysing moral responsibility due to the difficulty involved in identifying individual perpetrators of harm. In this section I shall therefore explain how expanded individualism provides an account of moral responsibility for social structural harm based on agents' responsibility for participating in harmful structural activities. This account of moral responsibility focusses on agent motivations regarding their participation, rather than the specific difference made by each individual participating agent. I shall explain why agent motivation plays a significant role in social structural harms and discuss the problem that this role is commonly overlooked due to its normalisation in contemporary society.

i. The importance of motivation

Analysing responsibility ascriptions in cases of social structural harm is difficult because of the minute or indiscernible contribution of each individual participant. It is often the case that an individual contribution, considered in isolation, makes *no* difference to the harm caused by the social structure.<sup>218</sup> We can identify the harm that is done by the social structural practice as a whole, but identifying the harm caused by specific individuals is usually not possible. We do not, however, therefore hold the belief that no-one is morally responsible for social structural harm, since identifying the participants is usually possible. This leaves us with a problem, traditional accounts of moral responsibility struggle to explain who is responsible for these large-scale harms and why.

By focussing on the importance of agent motivation to our evaluation of moral responsibility, Bjornsson's account of joint responsibility helps explain why participation in social structural harm is so morally problematic despite the apparent lack of harm caused by each individual participant. The problem lies in the lack of agent motivation to avoid participating in harm. Where many agents fail to be motivated to act morally, individual actions which in isolation may not cause harm (though they may still be morally problematic) can contribute to large-scale harms. Although any one individual's withdrawal from a harmful practice would have no effect on whether the harm caused occurred or not, if many participating individuals withdrew from the practice the effect of the process would be altered.

ii. The significance of individual participation

Whilst Bjornsson's account provides an interesting explanation for our practices of holding agents jointly morally responsible for harms where no individual has control over the outcome, on first reading it may appear that Bjornsson's account gets us no closer to explaining the importance of individual agent participation in social structural harm. The third condition of his argument that an agent's contribution must make a *significant* contribution, does not appear to apply to social structural harms. Each agent's contribution in these circumstances is usually minute, and the difference it makes is minimal when the entire social structural harm is considered.

This, however, misrepresents the importance of individual contributions and the role they play in social structural harms. These harms are solely composed of such individual contributions,

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<sup>218</sup> See chapter 5 section 4 for more detailed discussion.

therefore the choices and participation of individual contributors is of central importance to the nature of the overall social structure. If we consider each agent in isolation, this importance can be lost. When each individual sees their contribution as unimportant, they will lack the motivation to address the harms in which they are involved. When agents understand that their contribution makes a difference, however small or seemingly insignificant, to a large-scale harm, their change in behaviour to avoid contributing to harm can change the impact of social structures. The more participants in a social structure who share this understanding and act accordingly, the less likely that social structure is to cause large scale harm. Therefore agent motivation is a particularly significant aspect of social structural harms.

When agents fail to take into account the wider repercussions of their individual participation, it is easy for many small and seemingly harmless contributions to compound into large-scale harms. These harms are not inevitable, but avoiding them does require agents to be mindful of their interactions with others and to consider the effects of their actions when performed not just by them, but along with many other agents. When, for example, an agent is considering buying a sweatshop produced jumper, they may think that there is very little chance that their purchase will harm anyone, which if we consider that action in isolation, it would not. Since, however, that action is not performed in isolation, we must think about it in its wider social context.

We can usually ignore a very small chance. But we should not do so when we may affect a very large number of people, or when the chance will be taken a very large number of times. These large numbers roughly cancel out the smallness of the chance.<sup>219</sup>

With the huge amounts of agents involved in social structures, agents cannot think of their individual contributions in terms of individual risk, but rather as part of a much larger set of individuals all performing actions that risk harm. This better reflects the likelihood that engaging in such activities helps perpetuate harm.

Bjornsson's argument that an agent needs to play a significant role in a harm in order to be held responsible for it helps explain moral responsibility for participation in social structural harm in a number of ways. He suggests that agents do not need to engage in intentional action or specifically make decisions in order to play a significant role in a harm.<sup>220</sup> This is important when considering social structural harms, as participants are unlikely to be intentionally participating in order to cause others harm. They may have given little or no thought to the implications of

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<sup>219</sup> Parfit, p. 75.

<sup>220</sup> Bjornsson *Joint Responsibility*, p. 186.

their participation, which is part of the problem regarding motivation that leads so many to participate in harmful activity.

I also suggest that it is possible for an agent to make a significant contribution without making an individual difference. This is the case for most participatory acts involved in social structural harms. Individual contributions are significant because it is these contributions which bring about and perpetuate the harm. Without such contributions, there would be no harm caused. At the same time, if any one individual's contribution is considered in isolation it appears unimportant because it makes no discernible difference to the whole. The importance of the act does not lie in the difference it makes to the harm caused by the structural process. An agent therefore does not need to make a decisive difference to the harm, it can be the case that the harm will happen regardless of whether a particular agent acts or not, but their contribution (along with many others) remains significant because it is an integral part of the explanation as to how and why the harm came about.

Part of the reason that it may appear that contributions to social structural harm are not significant is that our multiple contributions have become normalised into our daily lives. As a result, Bjornsson's analysis seems unable to explain why agent participation is morally problematic, as much of an agent's involvement does not seem to be explicable through 'attention grabbers', through acts that are surprising and stand out from the background conditions.<sup>221</sup> Many contributions made by individual agents to these harms are through activities widely regarded as normal and mundane. This normalisation of participation in large scale harms is a significant part of the problem of adequately analysing individual contribution.

The fact that many social structural practices result in large-scale harm is common knowledge, but this knowledge fails to elicit a change in participant behaviour to avoid actions that contribute to and perpetuate harm. If we attempt to analyse the morality of our involvement objectively, we are presented with a very different picture of the effect on others of our actions. However, we usually fail to consider the morality of our participation in large-scale social practices in the way that we would consider our actions in smaller-scale direct interpersonal exchanges. Considering the common moral beliefs we have in these direct exchanges can help shed light on the kinds of moral considerations we should employ in our participation in social structural processes.

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<sup>221</sup> In the way that lightning is an attention grabber in his burning house example (*Joint Responsibility*, p. 191).

iii. Participating in harmful structures

Many of our widely held moral beliefs regarding the appropriate treatment of other people incorporate ideas relating to the avoidance of causing harm, both directly and indirectly, through injury, exploitation, negligence, or indifference, to name but a few. When considering exchanges between individuals that we view as direct interpersonal interactions, we would consider actions which knowingly and foreseeably led to harm as morally unacceptable. There would have to be a very good reason for us not to blame a perpetrator of harm in these circumstances, such as them acting under duress. Where an agent contributed to significant and sustained harm, we would require any exculpation to be very strong indeed. That an agent's contribution was small would not exclude them from responsibility, and claims of ignorance regarding their participation would require adequate justification, we would want to establish whether such ignorance was genuine or affected, and whether or not it was culpable.

When an agent participates in social structural harm, we commonly fail to impose these same moral responsibility requirements on their actions, and agents do not usually consider the implications of their actions in the same way. Participation in large-scale harm has quickly become a largely accepted and normalised part of our daily lives, resulting in agents often unreflectively contributing to social structural harms. Its ubiquity has made it appear unsurprising, so it fails to grab our attention in the way that we would normally think harmful actions should do. Thus despite the fact that it is common knowledge that most clothing is manufactured in sweatshops where people work in appalling conditions for very little money, many people fail to see their purchase of these clothes as particularly morally blameworthy. Pogge has argued that the pervasive nature of our participation in practices that harm the global poor has made us 'active participants in the largest, though not the gravest, crime against humanity ever committed'.<sup>222</sup> Despite the scale of the harm involved and the extent to which we are actively engaged in contributing to it, most people continue their involvement without much reflection on their participatory actions. Action to change the social processes that lead to these harms largely continues to be seen as supererogatory, rather than a moral requirement of all those involved.

Despite this high level of normalisation, the kinds of harms to which agents are contributing would, in other circumstances, elicit our interest. Considering historical examples can help explain the morally problematic nature of our current predicament. Slavery is now universally recognised as indefensible, and support of slavery is morally condemned around the

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<sup>222</sup> Pogge, Thomas, 'Human Rights and Human Responsibilities', in *Global Responsibilities: Who Must Deliver on Human Rights?*, ed. by Andrew Kuper, (Abingdon, Oxon: Routledge, 2005a), pp.3-35, p. 33.

world.<sup>223</sup> Historically, slavery was often institutionalised and widely accepted as a normal part of societies around the world until the 1800s.<sup>224</sup> During the time it was legal, it was widely practiced and an accepted part of international manufacturing and economic activity. Slave labour has been used to provide goods and services that would otherwise have been difficult for many to afford. Knowledge of its use was common, and it seems that tacit support for this practice was widespread amongst those benefitting from the practice.

Despite this long running institutional practice of support for slavery throughout human history, it is now finally illegal in every country and publically condemned as an immoral practice. This is because slavery is regarded as incompatible with contemporary moral values, it denies people their basic human rights and causes much suffering. Of course, this was the case before it became universally illegal, but this was not so widely recognised. Given our contemporary conception of the morality of slavery, were an agent knowingly and willingly to purchase items produced from slave labour today, we would find this support of slavery immoral. We would do so regardless of whether we could identify any specific harm caused to a specific slave in the production of such goods. Simply supporting the practice of slavery through purchasing slave-made goods would be regarded as an immoral act because such purchases perpetuate the use of slaves in manufacturing and thus contribute to suffering and the denial of people's basic rights.

#### iv. Explaining collective responsibility: Expanded Individualism

Many people in the world today work in dangerous and horrendous conditions, denied basic human rights, and endure much suffering whilst working to produce cheap goods that would otherwise be difficult for many people to afford. Knowledge that these practices are widespread in the manufacturing of many goods, particularly clothing, is commonplace. However, despite the similarities, participating in the social structures that create this harm is not considered nearly as immoral, if it is considered immoral at all, as participating in social structures supporting slavery. Supporting harmful manufacturing processes has become institutionalised and normalised into contemporary society, so much so that many people rarely reflect on how and where the goods they purchase are produced.<sup>225</sup> Participating in harmful social processes is not perceived by agents in the same way as performing other harmful actions. In many ways, the

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<sup>223</sup> This is, unfortunately, oversimplifying the issue, as slavery continues to be practiced illegally around the world. Since this is done in secret, I take it that it is still acknowledged that this practice is considered morally unacceptable.

<sup>224</sup> Although slavery remained legal in some countries until the 21<sup>st</sup> century, the abolition of slavery became widespread during the 19<sup>th</sup> century.

<sup>225</sup> I shall return to the problem of agent assumptions regarding others in the next chapter.

extensive institutionalisation of harmful social practices is a normal part of life, in much the same way as slavery was still viewed by many in the early 19<sup>th</sup> century.

Social structural harm is ubiquitous throughout contemporary society, it is something that most people contribute to in some way or another every day. The ability to explain why participating in harmful social structures brings with it moral responsibilities for those harms is therefore necessary in order to provide a more complete and accurate account of the moral responsibilities we all hold. Considering Young and Bjornsson's work on participatory moral responsibility, we can explain individual moral responsibility for engagement in social structures which cause harm in the following way:

1. Social structural processes are responsible for causing large-scale harms.
2. Social structures are perpetuated by the continuing participation of individuals.
3. Individual contributing actions provide a significant explanation of the occurrence of collective harm in social structures.
4. Agents are capable of being responsible agents in their involvement in social structures as much as they are in individual interactions.
5. Agents' motivations regarding social structures play an important role in the continuation of immoral social structures.
6. Therefore, agents bear moral responsibility for participation in social structures.

Expanded individualism helps explain why agents bear responsibility for collective harms in which they participate but might make no discernible difference. Whilst the majority of agents continue to fail to be motivated to avoid harmful participation and fail to work towards changing social structural processes in order to make them non-harmful, these harms will continue to occur. Although the withdrawal of any one individual makes no difference to the outcome, were many of those involved to withdraw or alter their participation, the harm caused by the social structural process would be altered. The collective nature of this harm, and the need for a collective approach in order to adequately address it, makes it a difficult subject for many individualist accounts of responsibility. However, expanding our understanding of individualism to incorporate responsibility for those harms we cause with many others is an important step towards developing a full and accurate account of our moral responsibilities.

## 4.6 Conclusion

Social structural harms have become a major source of suffering in the world, and a form of harm in which most people participate, though often in indiscernibly small ways.

Understanding the way in which agents come to bear responsibility for their participation in these harms, particularly when their contribution often appears to have no effect on the harm, can be difficult. The context in which an agent acts is important to our understanding of the morality of their actions, and participation in social structures requires agents to get involved in collective processes where their small contribution is one of many. Focussing only on the individual and the difference their contribution makes to a harm is to neglect the importance of the collective context of the agent's actions. When an agent's actions help perpetuate a harmful social structure, they bear responsibility for the effects of that social structure.

When an agent is participating in harm, we need to analyse their reasons for doing so. If an individual has been deceived or is incapable of understanding their participation we will hold them less or not responsible for the harm they help bring about. If, however, an agent participates in harm because they failed to reflect on their actions, because they lacked motivation or were more motivated by self-interest than the harm their actions would cause others, we are likely to hold that agent morally responsible for their participation. In some respects what is required is not so much an expansion of individualism, but a more rigorous application of responsibility ascriptions in collective contexts, instead of the tendency to downplay an agent's responsibilities when other agents are involved. When a person is a capable moral agent in their direct interpersonal interactions, there is no reason they should not be so in their interactions with wider social processes.

Whilst the work of Young and Bjornsson provide some foundations for a participatory-based account of responsibility for social structural harms, there remain a lot of questions in need of further discussion. Questions regarding the nature and extent of the moral responsibility concerning social structural harms, how and in what circumstances agents bear this responsibility, and how agents should respond to this responsibility and the way in which this kind of moral responsibility is best discharged are only partially addressed, if at all, in their work. In the next chapter I shall analyse these questions in the hope of establishing an account of moral responsibility that addresses the large-scale harms in which we all participate.

## 5: Contributing to Social Structural Harms

### 5.1 Introduction

In the previous chapter I outlined the basis for an alternative account of responsibility that is better able to accommodate cases of social structural harm. I suggested that in order to understand the responsibilities involved in these collective harms, we need to understand that they are often brought about by the seemingly mundane daily participation of multitudes of individuals, all making minute contributions to what results in a large-scale collective harm. These actions are not intended to help bring about social structural harm, indeed many agents fail to reflect on the structural nature of their daily interactions, but a great deal of our daily activities do nevertheless involve participation in social structures. Through expanding our understanding of individual moral responsibility beyond the direct harm caused in interpersonal interactions to instead encompass responsibility for those larger harms our actions perpetuate, we can more accurately account for our responsibilities regarding social structural harms. In order to illustrate the relationship between individuals and social structural harms, I shall analyse agent participation through the example of the global clothing industry, particularly the harm done by the sweatshops used to produce much of the world's clothing today.

The clothing industry may not be the first thing that springs to mind when considering different types of social structure. Systems of government, of law, education, class systems, and organised religion are all perhaps more obvious examples. Defining social structures is notoriously difficult,<sup>226</sup> but the basic idea is that a social structure is a system of rules governing human organisation and interaction within an established framework. Social structures are the ways in which we have organised our interactions both within a society and across multiple societies. Often these structures operate on a grand scale and can affect large numbers of people, even everyone on earth. This being the case, clothing production, like many other traded commodities, has become a global social structure in which almost all people participate, whether they are consciously aware of it or not. Through an explanation of the morally important links between individuals at the ends of lengthy and complex causal chains resulting in large-scale harms we can develop a better account of the morality of participating in such structures.

Over the last 40 years the design and manufacturing of clothing has moved from a largely regional undertaking to a more global enterprise.<sup>227</sup> Much clothing design has moved to developed countries, whilst manufacturing is centred round a huge sweatshop industry in developing

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<sup>226</sup> See chapter 3.

<sup>227</sup> Arnold and Hartman.

countries. The design, manufacture, and distribution of clothing has become a highly organised social undertaking, the rules of which apply around the world.<sup>228</sup> At the same time, fashion has become increasingly homogenised, allowing mass produced items to be globally distributed.<sup>229</sup> All levels of clothing manufacture, from the cheapest t-shirts to high end fashion, are largely produced in the same way. Almost everyone around the world wears clothing, most of which is produced as part of the global clothing industry,<sup>230</sup> and so of all the social structures we have developed, the clothing industry has become the social structure with almost universal participation.

Participating in a structure such as the clothing industry is also something we view quite differently from participating in other social structures. Participating in governmental practices through voting, for example, is a conscious act which usually involves some reflection on the implications of that action. Buying a jumper, on the other hand, is an action that many people do not necessarily see as having moral implications. If someone wants a new jumper, their main concerns will often be around whether they can find one that they like for a price they are willing to pay, rather than the way in which the jumper was manufactured, whether the people involved in its production were fairly treated, and what impact the making of that jumper had on the environment. That agents purchase such goods as often as they like and are able has become a normal part of daily life.

Attitudes to clothing, as well as our knowledge of the ways in which it is manufactured, have drastically changed over the past few decades. We have more clothes than ever before, clothes that are cheaper than they have ever been, and we are more knowledgeable regarding their production due to the large amount of discussion of the conditions workers endure in sweatshops.<sup>231</sup> There seems, then, to be something of a moral problem between our large and increasing consumption of sweatshop manufactured goods, and our knowledge of the harms inflicted by their manufacture. I argue that this problem arises from the scale of the social structure, the sheer number of agents involved, and the seemingly insignificant contribution to harm that any one purchase produces.

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<sup>228</sup> Mike Morris, and Justin Barnes, 'Globalization, the Changed Global Dynamics of the Clothing and Textile Value Chains and the Impact on Sub-Saharan Africa', *United Nations Industrial Development Organization Working Paper* (2008), <[http://www.unido.org/fileadmin/user\\_media/Publications/Pub\\_free/Globalization\\_changed\\_global\\_dynamics\\_of\\_clothing\\_and\\_textile\\_value\\_chains\\_and\\_impact\\_on\\_subSaharan\\_Africa.pdf](http://www.unido.org/fileadmin/user_media/Publications/Pub_free/Globalization_changed_global_dynamics_of_clothing_and_textile_value_chains_and_impact_on_subSaharan_Africa.pdf)>, p. 6-7.

<sup>229</sup> Angela B. McCracken, *The Beauty Trade: Youth, Gender, and Fashion Globalization*, (Oxford: Oxford University Press, 2014).

<sup>230</sup> Of course a few communities around the world still produce their own fabrics and clothing, but this has become a dwindling minority of people.

<sup>231</sup> See Brooks; Julian Allwood, Soren Laursen, Celcilia Rodriguez, and Nancy Bocken, 'Well Dressed? The present and future sustainability of clothing and textiles in the United Kingdom', *University of Cambridge Institute for Manufacturing* (2006), <[http://www.ifm.eng.cam.ac.uk/uploads/Resources/Other\\_Reports/UK\\_textiles.pdf](http://www.ifm.eng.cam.ac.uk/uploads/Resources/Other_Reports/UK_textiles.pdf)>.

Due to the large number of other agents involved in the production of sweatshop-made items, and the lack of direct interactions between consumers and those harmed, agents fail to recognise the connection between their actions and the harm to which they contribute. Social structural harms appear to us as quite different from direct interpersonal harms, and this leads to an under appreciation of our role in them. Analysing the way in which participation in social structures like the clothing industry perpetuates the harms it causes is important to developing an understanding of our moral responsibilities regarding these structures. I shall explain why our involvement in these harms does not require a new form of responsibility, but rather an expansion of our more traditional conceptions of moral responsibilities towards others, to encompass those we harm through our participation in social structures.

In section 5.2 I explain in more detail the way in which clothing manufacturing has become a globally organised undertaking and why focussing particularly on the structural nature of the global clothing industry is useful in demonstrating the nature and extent of much of our everyday participation in social structures. In section 5.3 I analyse the relationship between the individual and the social structural harms in which they participate. There are a number of key considerations regarding this relationship, including the importance of connection through participation, the motivations behind agent participation, the problem of agents bearing the wrong sensitivity to collective harms, and the problem of agents developing inconsistent and erroneous assumptions concerning other participants, all of which lead us to frequently underestimate our responsibility for these harms. I turn to questions regarding the harm itself, including imperceptible and unavoidable harm, in section 5.4, before finally examining a common excuse made in support of sweatshops, the argument that they in fact make workers better off, in section 5.5.

## 5.2 Harmful Social Structures: The Rise of the Global Clothing Industry

The choice of using the clothing industry as an example of a pervasive social structure is important for a number of reasons, including its almost universal participation, the unreflective nature of most participatory acts, the normalisation of the structure, and the widespread harm it causes. I am not going to discuss the morality of fashion itself here, though I think it is important,<sup>232</sup> but I shall rather be focussing on a particular consequence of the globalisation of the fashion industry, namely the rise of sweatshops.<sup>233</sup> Clothing manufacture has only recently

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<sup>232</sup> For an interesting discussion of the morality of globalised fashion see McCracken.

<sup>233</sup> Sweatshops are of course used to make other non-fashion items, particularly toys and small electrical goods. As these items are more of a luxury rather than a basic necessity, unlike clothing, and therefore not items that are owned

become primarily produced through sweatshops, like most other manufacturing it was traditionally a local or regional undertaking. There has been increasing industrialisation of certain areas of clothing and textile manufacture since the end of the 18<sup>th</sup> century, and whilst trade in textiles during this time became standardised in certain parts of the world, only recently has manufacture moved from a largely regional affair to a globally organised market.<sup>234</sup> I shall begin by briefly defining what is meant by the term ‘sweatshop’, along with an explanation of the way in which they have risen to become the primary method of textile manufacturing, before discussing questions of responsibility.

The definitions of what constitutes a sweatshop vary, some authors suggest that a factory which employs people on very low wages in often dangerous conditions for long hours encompasses the main characteristics,<sup>235</sup> whilst others provide a more thorough description of the conditions usually experienced by workers:

Shifts are commonly at least ten hours, six days a week, and forced overtime is common. Factories usually have strict rules, which often include restrictions on talking and going to the bathroom, and supervisors are often abusive as a matter of policy. Working conditions are often dangerous, with poorly ventilated, overheated spaces and little protective equipment. Women workers often suffer sexual harassment or verbal abuse. Workers who protest their exploitation or attempt to organize unions are typically intimidated, beaten, or fired. Wages for these workers are often below the local legal minimum wage, and even when they are not, the wages fall below what the workers need for subsistence.<sup>236</sup>

There is overwhelming evidence from a wide range of sources, including governments and NGOs supporting these claims; that these practices occur and are widespread is now common knowledge.<sup>237</sup> Although some factories are worse than others, they share many of these common conditions for workers and are prevalent throughout many developing countries, particularly in East Asia.

Historically this concentration in global production was not the case. Before the 1970s much clothing manufacture was domestic or regional, even where multinational corporations (MNCs) like Nike and Disney did have foreign production arrangements, the items were intended

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by everyone, I shall not be addressing them directly in this discussion. Many of the points made in relation to clothing manufacturing will apply equally to other sweatshop manufactured goods.

<sup>234</sup> Brooks, chapter 2.

<sup>235</sup> See Chris Meyers, 'Wrongful Beneficence: Exploitation and Third World Sweatshops', *Journal of Social Philosophy*, 35 (2004), 319-333 and Zwolinski.

<sup>236</sup> Young 'Global Labour Justice', p. 366.

<sup>237</sup> Oxfam, The United Nations, and War on Want are just some of the organisations to have researched the use of sweatshops in manufacturing.

for distribution within the manufacturing country. During the 1970s international organisations, especially the World Bank and International Monetary Fund (IMF), encouraged developing countries to establish 'free trade zones', 'to encourage foreign investment via tax incentives and a minimal regulatory environment.'<sup>238</sup> This move was successful in encouraging a large-scale movement of clothing manufacture to the developing world at an astonishing rate over the following few years.<sup>239</sup> Many well-known clothing companies, including Nike, Adidas, and Levis, became designers and marketers rather than manufactures during this time because outsourcing production was very beneficial. Outsourcing provided clothing companies with 'flexibility, diversity, reduced costs, and enhanced product development.'<sup>240</sup> They could increase and decrease production at no direct cost to themselves, as the cost would be borne by the factories, and they could diversify their products easily without large set up costs. The low cost of manufacturing in these zones, largely due to low pay and low legal requirements, reduced production costs, even with the cost of international shipping and distribution, and allowed companies to develop their products with low cost to themselves. These benefits all led to a huge increase in sweatshop manufacturing in developing countries.

The creation of free trade zones was intended to encourage investment in developing countries, open up markets, and aid development. Whilst the number of sweatshops has risen dramatically, there has not been a corresponding increase in the living standards of many of the workers employed in these factories.<sup>241</sup> Wages have remained low, and due to the lack of taxes paid by corporations operating in these countries, local governments have often been unable to uphold even the most minimum employment and safety laws to protect workers, let alone redistribute the wealth these enterprises were meant to bring to the wider economy.<sup>242</sup> Although workers clearly benefit from gaining some wages, however small, economies in many developing countries have failed to flourish, and the key beneficiaries of sweatshops have been clothing companies and consumers.

The role of corporations that use sweatshop manufacturing has also been changing in ways which make it even more important to develop a clear account of moral responsibilities concerning sweatshops. Increasingly, multinational corporations (MNCs) have been taking on roles usually undertaken by governments, particularly through self-regulation and voluntary

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<sup>238</sup> Arnold and Hartman, p. 429.

<sup>239</sup> *Ibid.*

<sup>240</sup> *Ibid.* p. 430.

<sup>241</sup> Samantha Maher, 'The Living Wage: Winning the fight for social justice', *War on Want Report* (2013), <<http://www.waronwant.org/attachments/The%20Living%20Wage%20%20War%20on%20Want.PDF>>.

<sup>242</sup> Rebecca DeWinter, 'The Anti-Sweatshop Movement: Constructing Corporate Moral Agency in the Global Apparel Industry', *Ethics and International Affairs*, 15 (2011), 99–115.

codes of conduct.<sup>243</sup> MNCs have usually had more resources than the local authorities to enforce local labour laws and have taken on these responsibilities as part of a developing culture of corporate responsibility in the industry.<sup>244</sup> Some large corporations, such as Nike and Levis, have departments dedicated to social welfare and human rights, established after exposés regarding the conditions at some of the factories producing their goods.<sup>245</sup> Whilst there has been increasing awareness of the problems sweatshop labour raises for corporate image and acknowledgement of the need to change within the industry,<sup>246</sup> as well as ongoing anti-sweatshop campaigning from a number of groups, the abolition of these factories has failed to materialise.

Measures taken by companies to tackle the problems of sweatshops have overwhelmingly focussed on tying the employees to their factories through the development of programmes which lead workers to depend on sweatshops for a variety of social needs, rather than on improving their overall rights and ability to exercise free choice. For example, employers have introduced education plans for employees at the weekend<sup>247</sup> and in some cases have improved health and safety measures to reduce the high number of deaths and injuries in their factories, but there has been precious little improvement in wages or working hours for employees. The lack of progress is further evident in that the cost of many of these improvements is borne by the factory owners, not the clothing companies, suggesting that corporate social responsibility for these working practices has not been adequately addressed, despite the pledges of clothing companies.<sup>248</sup>

There are some interesting parallels here with the condition of workers during the industrial revolution. The huge rise in factory production and rapid movement of people from rural Britain to manufacturing towns led to terrible working and living conditions for employees. Where factory owners did take steps to provide for their workers, it was similarly through initiatives that usually tied workers to the owner's factory, through housing and other social provisions such as schooling for employees' children, which were only available as long as workers continued to be employed in the associated factories.<sup>249</sup> These initiatives also supported the social engineering aspirations of factory owners. In some cases these were laudable, such as the provision of green spaces and public libraries to improve city workers' access to education

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<sup>243</sup> *Ibid.* p. 110.

<sup>244</sup> The Ethical Trading Initiative is a good example of a non-governmental alliance of companies, unions, and charities focussing on wages, working hours, factory conditions, and workers' rights.

<sup>245</sup> Arnold and Hartman.

<sup>246</sup> Even where firms have denied using sweatshops directly, they have acknowledged that being associated with sweatshop production has harmed their brand image. Nike and Adidas have both changed their positions on product manufacturing from distancing themselves from their producers to acknowledging responsibility for their subcontractors' practices.

<sup>247</sup> Arnold and Hartman, p. 439-40.

<sup>248</sup> See DeWinter and Arnold & Hartman.

<sup>249</sup> There were some notable exceptions, the Rowntree worker villages were one of a few where housing was available to any factory worker, not just Rowntree employees.

and fresh air. Some were more specific in their proscription of employee activities, several worker villages, for example, were built without public houses because the owners believed their employees should support the temperance movement.<sup>250</sup>

The provisions made by factory owners during the 19<sup>th</sup> century were beneficial to workers where no state welfare system was in place, but in contemporary society it seems somewhat anachronistic that MNCs are once again taking on these aspects of their industrial predecessors, giving them a degree of control over their employees lives that we would no longer accept in affluent countries. In this way benefits such as fair wages, reasonable hours, and safe working conditions cease to be seen as basic rights due to all employees, and instead become dependent on the good will and charitable disposition of MNCs.

The extent of sweatshop production and the changing role of sweatshop owners and contractors raises serious questions regarding moral responsibility for these factories. This responsibility, I shall argue, does not lie solely with clothing companies, though they may well bear more of the blame than other actors in the social structure. Since knowledge of the plight of those employed in sweatshops is commonplace, the widespread acceptance of these practices and continued purchase of the items they produce is morally problematic for those involved. Despite a number of high profile cases exposing the use of child labour, or the unsafe working conditions that led to the 2013 Rana Plaza building collapse in Bangladesh where 1129 workers died, none of the companies for which the items were being produced have ever been forced to close, changed their production methods, or had a major crisis through significant loss of custom.<sup>251</sup> Consumer habits regarding clothing have not significantly changed. Fairly traded clothing is still a fraction of the market, it continues to be seen largely as a luxury and too expensive for many consumers.<sup>252</sup> At the same time, consumer demand for cheap clothing continues to rise around the world. This demand helps perpetuate the ‘race to the bottom’ in labour standards in developing countries,<sup>253</sup> where factory owners compete to provide clothing companies with the cheapest possible goods, keeping wages low and conditions dangerous for sweatshop workers. Through purchasing these goods, individuals are participating in a harmful social structure that supports

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<sup>250</sup> Bournville in Birmingham, built by the Quaker Cadbury family, is the most well-known example.

<sup>251</sup> Whilst in the wake of the Rana Plaza tragedy many companies have pledged to improve the circumstances of the sweatshop workers, there has been little change in the circumstances of most workers. See ‘Never Again: Making fashion’s factories safe’, *War on Want* (2014), < <http://www.waronwant.org/attachments/never%20again%20making%20fashions%20factories%20safe.pdf>>.

<sup>252</sup> In 2011, UK consumers spent approximately £150 million on ethical clothes and £44 billion on clothing generally in the same year. See ‘Ethical Consumer Markets Report 2012’, *The Cooperative Group* (2012) < <http://www.cooperative.coop/PageFiles/416561607/Ethical-Consumer-Markets-Report-2012.pdf>> and Faye Gracey and David Moon, ‘Valuing Our Clothes: the evidence base’, *WRAP Technical Report* (2012), < <http://www.wrap.org.uk/sites/files/wrap/10.7.12%20VOC-%20FINAL.pdf>>.

<sup>253</sup> DeWinter, p. 104.

terrible working conditions for huge numbers of people, and as a result their participating actions bring with them responsibilities regarding those harmed.

### 5.3 Individual Agents and Social Structural Harm

An expanded individualist account of responsibility requires a two stage approach when analysing responsibility ascriptions. The first stage requires us to identify harms and their causes. Although this account of responsibility does not require difference-making on the part of individuals, it does require difference-making at the collective level. This means that there must be some kind of harm that results from the actions of a collection of individuals, for which we can say the collective is causally responsible, even in cases where many of the individual participants are not directly causally responsible for the harm. Where a collection of agents are identified as causally responsible for producing a harm, we can move on to the second stage. This involves identifying participants in the collective harm and discerning their individual relationship with and moral responsibility for the collective harm. Both of these stages are necessary if we are to develop an accurate account of responsibility ascriptions in cases of social structural harm. This is because most participatory actions, if considered in isolation, appear harmless or insignificant on their own. It is only through observing the impact of the wider social structure of which the participation is a part that we get a more complete picture of the nature of these actions.

In this section I shall discuss some of the key factors in the relationship between individuals and the social structural harms in which they participate, particularly the global clothing industry. The first two factors concern the scope and foundation of expanded individualism. Parts iii-vi concern the agent's attitudes towards the social structures in which they participate, including the problems of agents bearing the wrong motivation, sensitivity, and assumptions towards their participation, as well as culpable ignorance regarding their role in the harm. All these factors lead to widespread participation in harmful structures, sometimes unintentional, but often through an actor's lack of reflection on the nature of their participating actions.

#### i. Rejecting individual difference-making in collective contexts

Looking to the collective rather than the individual can appear dangerously close to collectivist accounts of responsibility discussed in chapter 2. These were rejected for a number of

reasons, including the common criticism that collectivist accounts have a high risk of blaming innocent agents for the actions of others. In looking at difference-making at the collective rather than the individual level, it may appear that we run a similar risk of holding agents responsible for the actions of others. However, in the case of social structural harms, we are not blaming people for harms that *other people* bring about, but rather harms which they bring about *with other people*. The fact that the individual difference made by any specific participatory act is negligible does not mean that any individual is innocent of participating in harmful activities. Unlike collective accounts that rely on ideas of common membership of a group, through particular shared traits or beliefs for example, responsibility for social structural harm rests on specific participatory acts performed by agents. It is only through participation in harmful social structures that agents can come to bear responsibility for the harms done by these structures. In this way, agents are only held responsible for harms in which they are involved through their participation.

When we discuss difference-making in the context of understanding agent responsibility, we are mainly concerned with actions that make a discernible difference to particular individuals. Whilst it is true that all actions will make *some* difference in the world just in virtue of being performed, not all actions will have a discernible effect on anyone in particular. Most traditional moral theories rely on identifying specific perpetrators and victims and analysing the link between them in order to attribute responsibility for harm. When many agents are contributing to a social structure like the clothing industry, where there are often no clear causal links between specific perpetrators and victims, this method of analysing responsibility is not possible. We are then left with a problem, we can identify the kinds of interactions that are resulting in harm, and we can identify the agents who are participating in the harm and those harmed, but on traditional accounts it is difficult to identify anyone who is responsible for the harm. Where no-one is responsible for the harm, no-one appears to be doing anything wrong, and therefore no-one is required to change their behaviour and the harm continues.

This problem is especially evident in cases of social structural harm. If we consider an individual participatory act, the action of buying a sweatshop manufactured t-shirt for instance, the harm caused to any specific agent is indiscernible, if indeed there is any actual harm done at all. No factory worker is better or worse off because of any one purchase, and whether or not that individual action is performed will have no effect on the overall harm caused. However, a sweatshop worker will be better or worse off if we consider a number of such purchases. In some cases, the actions of many individuals when viewed together cause harm, but no individual instance of that act is harmful on its own. If, then, a large number of consumers demanded that

factory conditions were improved, this would lead to a change in corporate policy, whereas the actions of only a few consumers are unlikely to have any real effect on factory conditions.

When considering our actions, we need to think of them not in isolation as if they are performed in a vacuum, but as participating in a wider set of actions. Acknowledging that individual acts can lead to large-scale harms more accurately reflects the moral repercussions of our actions on the world. Parfit argues that an act can be wrong even if it harms no-one, ‘because it is one of a set of acts that together harm other people’.<sup>254</sup> The inverse is also true, he suggests, so that there are actions one ought to do because they are part of a wider set that will bring benefit to someone. Thus whilst a difference-making condition is important for moral analysis, there needs to be some harm or benefit brought about in order for us to assess praise or blame. Looking for this solely at an individual level overlooks the way in which many of our actions are only harmful because they are part of a set of actions which together are responsible for harm. In order to understand this relationship between individual participating actions and the harmful structures of which they are a part, we need to understand the connection between agents and the larger social structures in which they are involved.

## ii. Connection

Any account of responsibility needs to be able to explain the connection between the agent and the harm under consideration. Establishing a connection between agents and harm is particularly important in moral analysis due to the connection we commonly make between moral responsibility and our practices concerning praise and blame. Blaming individuals for harms to which they bear no relation is believed to be unfair, and the idea of holding innocent parties responsible for the deeds of others is universally rejected. If, therefore, we wish to develop an account of responsibility for social structural harm, it is essential to establish whether we can provide an accurate account of the ways in which we are connected to the harms caused by social structures. I argue that this can be done through an analysis of our participation in these harmful social structures.

Establishing a connection between consumers and sweatshop workers, who often live in other parts of the world and have no direct contact with one another, was for some time seen as implausible.<sup>255</sup> The responsibility for the conditions in sweatshops was thought to lie with the owners and managers, those people who are directly involved in their construction and running.

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<sup>254</sup> Parfit, p. 70.

<sup>255</sup> Young ‘Global Labour Justice’, p. 365.

This position came to be regarded as untenable as it became clear that the owners and managers of these factories were often themselves also not in a position to effect much change in conditions.<sup>256</sup> Realising that those immediately involved in the problem were not able to address the situation, it has become increasingly clear that a demand for cheap clothing and pressure to keep the production of this clothing poorly regulated have led to its continued widespread use and expansion. But the huge numbers of people involved in the causal chains that lead to sweatshop workers' exploitation, and the relatively new nature of this kind of relationship for the parties involved, leads to much difficulty in ascribing responsibility for these harms.

Whilst historically many if not all of the items most people purchased have been made or grown locally, the increased ability to distribute products worldwide has seen an explosion in the amount of products we consume that have been produced by people we will never meet, who often live thousands of miles away. People in wealthier countries have benefitted from more affordable goods, but the gap between the richest and poorest countries has grown phenomenally since 1970, as has the gap between rich and poor within countries.<sup>257</sup> The social institutions we have developed, many of which are now global, support this inequality. There has, of course, been widespread inequality throughout history, but what is striking about our current situation is the extent and level of inequality. Inequality at this level is not a naturally occurring phenomena, as Pogge notes,

However one may want to imagine a state of nature among human beings on this planet, one could not realistically conceive it as producing an enduring poverty death toll of 18 million annually. Only a thoroughly organized state of civilization can sustain horrendous suffering on such a massive scale.<sup>258</sup>

One part of this widespread poverty problem relates to the proliferation of sweatshops. There are other problems caused by the global clothing industry, such as the dumping of vast quantities of cheap (often second-hand or excess stock) clothing into developing countries that has destroyed much of their domestic clothing industry, which is a particular problem in parts of Africa.<sup>259</sup> The damage done by these practices is foreseeable and avoidable. It is the result of deliberate actions

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<sup>256</sup> Many authors have argued that factory owners are often in as bad a position as workers. See Arnold, DeWinter, Young, and Robert Mayer, 'Sweatshops, Exploitation, and Moral Responsibility', *Journal of Social Philosophy*, 38 (2007), 605-619.

<sup>257</sup> Ricardo Fuentes-Nieva and Nick Galasso, 'Working for the Few: Political capture and economic inequality', *Oxfam Policy Paper* (2014), <<https://www.oxfam.org/sites/www.oxfam.org/files/bp-working-for-few-political-capture-economic-inequality-200114-en.pdf>>.

<sup>258</sup> Thomas Pogge, 'Real World Justice', *Journal of Ethics*, 9 (2005b), 29-53, (p. 40).

<sup>259</sup> Sally Baden and Catherine Barber, 'The Impact of the Second-hand Clothing Trade on Developing Countries', Oxfam GB Research Report (2005) <<http://policy-practice.oxfam.org.uk/publications/the-impact-of-the-second-hand-clothing-trade-on-developing-countries-112464>> and Rudolf Traub-Merz and Herbert Jauch, 'The African Textile and Clothing Industry: From Import Substitution to Export Orientation', in *The Future of the Textile and Clothing Industry in Sub-Saharan Africa*, ed. by Herbert Jauch & Rudolf Traub-Merz, (Bonn: Friedrich-Ebert-Stiftung, 2006).

by many individuals, albeit through complicated social structures. When we deny that these outcomes are inevitable, and instead acknowledge that they are the result of ‘state and corporate complicity’,<sup>260</sup> we can begin to address the responsibilities of agents involved in bringing these harms about.

Agent interactions have become drastically more complicated than they were even a hundred years ago. Increased globalisation has become the norm in contemporary society, with huge advances in technology allowing us to interact with people all over the world in a variety of ways. Whilst some of this increased interaction has been mutually beneficial to all parties, such as increased ability to share knowledge and communicate through social media, other aspects of this interaction have been much less benign. In the case of the clothing industry, MNCs benefit greatly by outsourcing production to developing countries.<sup>261</sup> At the same time, the people producing these items are unable to afford to buy them themselves, they are often unable to even meet their basic needs with the meagre salaries they receive and terrible conditions in which they work. Since these individuals rarely have many options to seek alternative employment, there is a great deal of inequality between the workers and consumers in terms of benefiting from their interactions.

When agents purchase items produced in sweatshops, they are participating in the harmful structure which exploits sweatshop workers for the advantage of clothing companies and consumers. Despite the fact that consumers will probably never meet any of the agents involved in manufacturing these products, their continued demand for the products these workers produce supports the continued existence of sweatshops. Until the agents involved in a social structure start to work towards changing the rules governing the interactions it supports, there is little hope that the situation will change. Due to the current structure of the large-scale interaction, which would involve significant changes in order to bring about greater equality, there has so far been no major move towards a demand for the abolition of sweatshops from affluent consumers.

There has been ongoing argument for recognition of the consumers’ role in the use of sweatshops through the anti-sweatshop movement. Campaigners have urged consumers to ‘consider how consumption preferences are linked through global trade to the mistreatment of workers abroad.’<sup>262</sup> This movement has seen very limited success, and sweatshop-free clothes remain largely a luxury item. There has been an increased awareness within the clothing industry of the possible brand image damage from association with the use of sweatshop labour, leading

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<sup>260</sup> DeWinter, p. 108

<sup>261</sup> Arnold, DeWinter, Zwolinski.

<sup>262</sup> DeWinter, p. 112.

some companies to sign up to initiatives that promise to improve working conditions in factories.<sup>263</sup> These rarely go as far as self-regulation, but are rather a promise to try to do better in the future, it remains to be seen how effective they will be in improving standards. Despite an increased awareness that consumer practices directly influence the use of sweatshop manufacturing, and that therefore consumers are connected in a morally relevant way to these harmful practices, many agents continue to fail to take up that responsibility. I suggest that this lack of acceptance of responsibility can stem from a number of agent attitudes towards social structural harm, some of which I shall now discuss.

### iii. Motivation

Motivation plays an important role in our relationship with and attitude towards social structural harms, as it does with direct interpersonal interactions. Agents experience a range of motivations of different strengths, so our motivations to act in a particular way can be complicated. In order to perform any specific act, an agent needs to be more motivated to perform that act than any other. Knowing the morally right thing to do is not, on its own, necessarily enough to ensure that an action is performed. Agent motivation regarding social structural harms is particularly problematic for a number of reasons, including the fact that our participation in them is largely normalised, most of the people we know also participate in them, and changing our participation would involve much more effort than maintaining the status quo. Changing individuals' motivations towards social structural harms is essential, however, if we are to address them, as it is only through a change in the attitudes and actions of individuals that social structures can be reformed.

The normalisation of participation in social structural harms has led them to become an unreflective part of our daily routines, so that we do not perceive our participatory acts as contributions to harm. For example, if an agent wants to buy a new dress, her first consideration is unlikely to be where and under what circumstance the dress will have been produced. We are not involved in the production of most consumer goods, particularly clothing, little of which is manufactured in affluent countries. Our lack of direct experience of this aspect of such items renders considerations regarding an item's origins less important or obvious to us. Most people only experience these items as finished products in shops, ready for them to take away and use. It is often the case that everyone we know has similar motivations regarding clothing and other

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<sup>263</sup> For example, the 'Ethical Trading Initiative' has been adopted by 70 well-known brands, it encourages improved company performance through a shared code of labour practice to which all members must adhere.

consumables, we are concerned with whether we can get the items we like at prices we are willing to pay. Although knowledge of the production methods used in clothing manufacture is widespread, it is not widely discussed as part of our daily routines. Agents are aware, or would be if they reflected upon it, of the fact that the items are produced in sweatshops, but since this is not something in which they feel involved, or feel that their purchases have any impact, they lack motivation to change their habits.

Changing individual motivations regarding structural harm is essential as it is this widespread change in individual attitudes that results in change to structural rules. Pogge argues that it is ‘not just the causal role of social institutions that is important, but the implicit attitude of social institutions.’<sup>264</sup> This attitude comes from the attitudes of those participating in the social structure, their attitudes towards the social structure and its effects on participants and non-participants alike. Social structural organisation reacts to social changes, change which can be gradual or more sudden. Changing social attitudes to race, gender, sexuality, and the environment have all led to changes in social structures to reflect these altered attitudes. Many forms of discrimination, which were once just a normal part of everyday life, have now been made illegal. We no longer refuse people work or pay them less because of their ethnicity, gender, or sexuality,<sup>265</sup> slavery is illegal, and there is increasing legislation regarding environmental protection issues. All of these changes in legislation have come about through changing social attitudes to each particular issue. There is every reason to suppose that a change in social attitudes towards the manufacturing of consumables would have a similar effect on our social structures.

Arnold has argued along these lines, stressing that sweatshops have a diminishing future with growing consumer awareness.<sup>266</sup> This, however, has so far been a slow process. Whilst some people in affluent countries continue to campaign against sweatshop conditions, a large number of people in these countries continue to purchase sweatshop produced goods, not so much due to the cost of fairly-traded items, but because of a lack of motivation to take production methods into account when making purchasing decisions. This lack of widespread change in consumer attitudes has led to limited motivations within the clothing industry to address the problem of sweatshop labour. Although consumers are aware of the problem, their participation has become normalised, they benefit greatly from the current situation, and their individual ability to effect change appears minimal, or non-existent. It is hard, therefore, for many people to feel motivated to address the harmful origins of the products they buy. If agents can come to see the importance

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<sup>264</sup> Pogge *World Poverty*, p. 48.

<sup>265</sup> Where agents do exercise these forms of discrimination, we have implemented ways in which victims can challenge their treatment, and such discrimination is no longer the norm.

<sup>266</sup> Arnold and Hartman.

of their involvement in social structural harms, and understand that their continued participation, when considered as one of many actions, leads to the perpetuation of these harms, they can come to take this consequence of their activities more seriously.

During our daily activities, we are often more motivated by meeting our immediate needs and satisfying our preferences than ensuring that our lives are not negatively impacting on distant others and the environment. Although for some individuals the difficulties they face meeting their immediate needs means other considerations regarding the wider effects of their actions are rendered of little concern, many people, particularly in affluent countries, do not have this excuse. Taking the wider effects of participation seriously would no doubt lead to potentially radical changes in some forms of participation, but this in itself does not justify ignoring the consequences of our participation in social structural harm. Agents often choose to improve their own lifestyles over improving the conditions of others, even when in relative terms very little sacrifice on their part may lead to huge improvements in the lives of others. Recognising this is an important step towards developing stronger motivations to avoid participating in harmful structures.

#### iv. Wrong sensitivity problem

A further problem facing the relationship between individual agents and social structural harms is agents' sensitivity to the context and wider effects of their actions. Whilst sensitivity and motivation are similar concerns, they are distinct. Having an inappropriate sensitivity to a situation affects an agent's motivation, so that that they fail to be moved to act morally. But an agent can have the right sensitivity and still fail to act, through a lack of will for instance, thus the two are not synonymous. An agent having the wrong sensitivity to a situation involves issues including an agent failing to understand what morality requires of them at a given point, failing to recognise the harm caused by an action or a set of actions, or incorrectly prioritising varying moral responsibilities. Therefore, when an agent cares more about what an item of clothing looks like than whether anyone was harmed in its production, or chooses not to take account of the harm and ignore this aspect of their purchase, they are demonstrating the wrong sensitivity to the situation. This problem is widespread and it is exacerbated by the fact that, due to so many of our actions having far reaching consequences for many other people, we are constantly required to consider how our actions contribute to often very complex social processes. In order to analyse the problem of agents developing the wrong sensitivity to social structural harm, I shall discuss the impact of globalisation on our everyday moral reasoning, along with large-scale harm being

seen as part of the explanatory background of globalisation, and the sheer extent of the problem facing us.

Scheffler has discussed the problems raised by the increasing globalisation of our world for what we might call our common sense morality. The clearly delineated bounds of our responsibility and ability to affect others through our actions has fundamentally changed in recent years, our previous notions of minimal responsibility to all but those with whom we directly interact is becoming increasingly difficult to justify.<sup>267</sup> Until recently our ability to affect the lives of distant others has been somewhat limited. Our spheres of influence were restricted to others in our community, and the way in which we lived our lives affected very few other people outside of our family, friends, and neighbours. This picture has changed quite dramatically, the way in which we live our lives today affects the lives of countless others. Our purchasing choices, our transportation choices, and many other lifestyle choices contribute to processes which effect people around the world. Changes in affluent diet fashions effect farming communities globally, emissions from cars contribute to global warming, as does international cargo shipping that distributes sweatshop made goods largely from developing to more affluent countries. Whereas only a century ago our lifestyle choices only affected those in our community and surrounding areas, our ability to have an impact on the lives of others has been totally transformed.<sup>268</sup>

A consequence of our increasingly globalised world is the problem that many of the harms connected with this development have become normalised into our daily lives. They are a part of what we think of as the explanatory background, they are just a basic fact regarding the way the world is and participation is therefore not seen as anything surprising or out of the ordinary. Through globalisation and the normalisation of our participation in these harms, we fail to view them as shocking displays of injustice and immorality, they are just the norm. Sweatshops, for example, are just a part of the background conditions that are taken for granted in clothing manufacturing and not something to which we need to give particular attention when considering our clothing purchases.<sup>269</sup> Many social structural harms are so widely established and accepted that they have reached the status of these background conditions, their existence is considered so normal it is not something that requires explanation or justification because it is not out of the ordinary. Since this has become the case, it is usually just accepted that clothes will be made in sweatshops, this is simply where they are produced. If asked, agents may very well condemn

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<sup>267</sup> Scheffler, chapter 2.

<sup>268</sup> Although historically some lifestyle choices have effected people around the world, such as the rise in demand for sugar and spices, it has not been the case that so many people's lives have been so deeply affected, nor has there ever been agent participation on the scale we currently see.

<sup>269</sup> Similar morally problematic background conditions in other structures include the battery farming of animals in food production and the environmental cost of international transport, including tourism.

sweatshops as harmful and support their abolition, but these sentiments rarely play a part in most agents' decision-making processes regarding their purchasing habits. Agents are therefore aware of the harm associated with the products they purchase, but bear an inappropriate sensitivity to this harm.

The suggestion that agents bear inappropriate sensitivity towards a harm suggests that there is a more appropriate sensitivity agents should hold instead. Whilst it is difficult to outline what specific attitudes agents should develop in various situations, we can make some general observations that point towards what a more objective view of morality might require of us concerning sweatshops. We can agree that causing others to suffer harm is, *ceteris paribus*, immoral. We can agree that knowingly contributing to harm is immoral. We can also agree that sweatshops are unsafe and unpleasant places for people to work, and that paying workers below subsistence wages and subjecting them to verbal and physical abuse are immoral practices. If we agree that causing harm is immoral, and that sweatshops cause harm, continuing to support sweatshop manufacturing is incompatible with our moral values.

We can consider what the reaction would be if a clothing company were to openly set up sweatshops with these same wages and conditions in cities in affluent countries; people would object and be outraged that a company could act in such a way. Reaction to less severe cases of worker mistreatment and underpayment have provoked large backlashes in affluent countries. There is, it appears, quite an inconsistency in our reactions when it comes to what is thought to be acceptable in terms of domestic and international workers' rights. Agents are far more complacent when it comes to international workers' rights, and fail to be sensitive to the suffering their shopping supports, but justifying this lack of concern is quite difficult. If we were, for example, asked to justify our actions by some objective outside observers, it is difficult to see how we could maintain that we are morally conscientious individuals in the face of our apparent indifference to the quite inhumane treatment of our fellow human beings in this regard.<sup>270</sup>

Apart from the problem of social structural harms becoming background conditions, agents also develop the wrong sensitivity to these harms due to their scale and the extent of the changes required to address the harms concerned. Social structural harms can appear overwhelming and our individual contributions insignificant. Avoiding participation would be difficult, and if we stop to consider how many of our everyday actions contribute to one large-scale harm or another, it may seem that the actions we would have to take to address these harms and the personal costs to us would be huge, with no chance of making a discernible difference to

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<sup>270</sup> This is, unfortunately, not the only inconsistency in our actions that would raise this problem, the same could be said regarding our lack of response to global poverty more generally, as Peter Singer has often argued.

the collective harm despite our best efforts. Affluent agents also benefit greatly from the current social structure, and many people are enjoying a very high standard of living whilst the gap between the richest and poorest continues to grow. Pogge has argued that it is ‘convenient and common for wealthy citizens to ignore interdependencies of social institutions’<sup>271</sup> and thus fail to make the connection between their consumer-driven lifestyles and the poverty of those producing the goods they buy. This can lead agents to view social structural harm as a problem, but not one for which they bear any personal responsibility.

Bjornsson has argued that this wrong sensitivity amongst affluent agents concerning social structural harms is not inevitable,

Given high enough normative expectations that people should avoid working for or purchase the goods of organizations that are responsible for certain bad outcomes, it will seem that a great many people without direct causal influence on these outcomes are nevertheless responsible for them.<sup>272</sup>

When agents therefore recognise that their participation in social structures brings about these harms and realise that, as participants, they bear some responsibility for this, they can begin to address them. Where normative expectations are altered, agents can come to see their participation as more problematic than the fact that their individual ability to make a difference is so slight. If participants throughout a social structure take seriously the moral implications of the effects of the structural process on individuals, participants and nonparticipants alike, these harms can avoid being seen as simply background conditions and unfortunate consequences of interactions for which no-one in particular bears responsibility.

Whilst the scale of these harms is huge, agents still need to take the moral implications of their participation seriously. The difficulties agents in affluent countries face in addressing these harms are many, but those suffering the harms are in a far worse position and this needs to be taken into account. It may be easy for agents to develop the wrong sensitivity to these harms, but being overwhelmed or failing to recognise the seriousness of these harms is not a sufficient excuse for contributing to them. Continuing participation in social structural harms amongst the most affluent people in the world demonstrates a large-scale problem of agents having the wrong sensitivity to moral values.

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<sup>271</sup> Pogge *World Poverty*, p. 55.

<sup>272</sup> Bjornsson *Joint Responsibility*, p. 197.

v. Problem of assumptions

Making assumptions is an essential part of daily life, we need to make assumptions to be able to act in the world. We assume that other agents will act in a particular way, that they will follow social rules, do their jobs, and generally not act in a very unusual way. We do this all the time without thinking, we assume that other road users will follow the Highway Code, that our colleagues will turn up for work, that the shops will be open at their usual times and that our utility supplies will be working when we get home. These kinds of assumptions are important as they allow us to go about our daily lives without worrying constantly whether it will be safe to drive, whether the shops will open, or whether the lights will switch on when we need them. Of course, our assumptions can be wrong, there are power cuts, emergencies, and dangerous drivers. These, though, are not normal events, which is why they take us by surprise. Even when events fail to unfold as we expect, we usually believe that things will return to normal, we rarely rethink our assumptions as a result of one or even a few unexpected events. Our wide ranging assumptions allow us to pursue our goals and engage in diverse activities, they provide a stable background against which we can plan our lives. Assumptions, therefore, are incredibly important to how we act in the world.

Due to their central role in our daily reasoning, people can often fail to reflect on their importance and implications. However, as O'Neill has argued, although assumptions form much of the framework in which we act, we can often apply them rather inconsistently.

[T]he assumptions on which activities are based remain in place: they cannot be assumed for action or in taking up attitudes or in supporting policies and relying on practices, but then denied when ethical questions arise.<sup>273</sup>

We make assumptions which in turn dictate what we believe our responsibilities to be. Where our assumptions are incorrect or where we fail to apply them consistently, we can be mistaken regarding the responsibilities we bear towards others.

Many assumptions appear innocuous; assuming that the trains will run and shops will be open do not seem to be morally problematic suppositions. However, some of our assumptions have more harmful repercussions. When we assume that other people will take up responsibility for a problem, assume that our harmful behaviour does not cause any serious harm to anyone, or assume that people in the future will discover a way to reverse the harm we have done to the environment and therefore fail to change our lifestyles, we are basing our actions on very problematic assumptions. Assumptions are even more problematic when we fail to keep them

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<sup>273</sup> O'Neill, p. 99.

consistent. When, for example, I buy an item of clothing, I assume that all the people involved in its production, from growing the raw materials, through the manufacturing to the item's distribution, have done their jobs and that the finished item is fit for purpose. When I look for cheap items of clothing, 'I presuppose the actions of those who make decisions to minimize costs of production, decisions like failing to equip garment factories with smoke detectors and sprinklers.'<sup>274</sup> I assume that the retailers have cut costs during the process so that the finished item costs me less.

It is unlikely, of course, that any agents go to the shops thinking that they would like to buy clothing where as many corners have been cut as possible, in terms of treatment of workers and care for the environment, so that they might have particularly cheap clothing. However, when an agent buys a t-shirt for £2.99 in a high street store or supermarket, there are a number of underlying assumptions regarding the manufacture of that item that allows it to be that cheap. Despite the minimal amount of pay the workers involved in producing the item clearly received, we still expect that item to be of a certain quality. If the garment fell apart after being worn once, or was poorly made, we would feel justified in complaining. We clearly assume that the workers are capable human beings who are able to produce goods of an acceptable standard. O'Neill offers the similar example that,

those who sell or buy coffee grown by foreigners in distant regions take for granted that coffee growers are intelligent and competent agents and subjects who can deliver an acceptable product and negotiate market relations, and would feel aggrieved and complain if the supermarket offered sub-standard coffee.<sup>275</sup>

The problem with both of these examples is that we do not seem to necessarily have the corresponding assumption that the workers involved should be treated as capable people and reimbursed for their work accordingly.

This inconsistency in assumptions regarding sweatshop workers is not only evident in consumer practices, businesses subcontracting to sweatshops for production often demonstrate a similar contradictory set of assumptions. One particularly interesting example can be seen in legal issues concerning factory operations. Arnold and Bowie discuss the fact that MNCs require the countries they operate in to have laws in place that protect their property and their rights regarding having contracts fulfilled, copyright upheld, and other similar requirements of running a profitable business. When any of these are breached, MNCs demand action from both local and international governing bodies that the law be upheld, otherwise they would be unable to trade

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<sup>274</sup> Young 'Global Labour Justice', p. 372.

<sup>275</sup> O'Neill, p. 124.

effectively. However, when it comes to the rights of sweatshop workers regarding hours, pay, and conditions, many MNCs have shown less interest in upholding the law.<sup>276</sup>

For both consumers and businesses, the assumptions that are made usually lean in the agent's favour. It is assumed that workers will do a good job and produce good quality products for us to use, but it is not assumed that we should bear any responsibility for the treatment of those same people. We benefit from their labour, but do not feel we should therefore be concerned about their situation. This, however, is an inconsistent and morally unacceptable position to take. As O'Neill argues, if we make assumptions for our benefit, we cannot deny them when they raise ethical questions. Unfortunately, this is something we do quite often. We do this 'unjustifiably, but often advantageously' by denying that the people we make assumptions about for our benefit have any ethical standing, by denying that we have a morally significant connection to them.<sup>277</sup> This is to our own advantage because if we acknowledge that all those about whom we make assumptions in our daily lives require us to maintain those assumptions when it comes to questions or moral responsibilities, the ethical scope of many of our daily activities would be significantly altered.

When considering the role of assumptions in our moral reasoning, we come back once again to the question of consistency. It appears that many of our everyday assumptions regarding our purchases are inconsistent, in that we are willing to make a great many assumptions regarding the capacities of other agents when it comes to providing us with the means to do what we want, but we are less willing to maintain these assumptions when it comes to questions of responsibility for any harm they suffer in the process. Consistency is an important part of our moral reasoning, however, and we usually require agents to act consistently when it comes to the treatment of others. We would normally reject the suggestion that an agent should be able to arbitrarily acknowledge the moral status of some agents over others and alter their acknowledgement of particular agents depending on how personally advantageous such an alteration might be. In order to take this aspect of our moral reasoning seriously agents about whom we make assumptions in order to pursue our own ends must also be taken into account when assessing our moral responsibilities.

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<sup>276</sup> Denis G. Arnold and Norman E. Bowie, 'Sweatshops and Respect for Persons', *Business Ethics Quarterly*, 13 (2003), 221-242, p. 228.

<sup>277</sup> O'Neill, p. 107.

vi. Culpable ignorance

The final point I shall discuss regarding agents' attitudes and individual relationship to social structural harm is culpable ignorance. When an agent is ignorant of the nature of their actions for no blameworthy reason, such as being deliberately misled by another agent, then we can say that they were non-culpably ignorant of what they were doing, or the consequences of what they were doing. This kind of ignorance is 'the pre-eminent example of an excuse that forestalls blame'.<sup>278</sup> Where ignorance is genuinely not the agent's fault, when they have been misled or could not have known that they were causing harm, we do not hold them morally responsible or blameworthy for their actions. On the other hand, an agent is said to be culpably ignorant when they are unaware of or misunderstand a situation through some faulty behaviour or reasoning on their part. Culpable ignorance can result from an agent failing to adequately investigate the situation or making deficient inferences from the information available to them, for example.<sup>279</sup>

When assessing whether an agent is culpably or non-culpably ignorant of something, we can look to a number of considerations. We can consider whether anyone else has given them incorrect information, whether or not they should have trusted that person, whether the information regarding the harm is well known within the agent's community, or how difficult it would be for the agent to discover the facts of the matter, to name a few. It is important to our moral analysis to establish both what the agent *did* know and what we think they *should* have known about the situation. What we think it reasonable that an agent should know plays an important role in our analysis, ignorance alone is taken as an insufficient excuse when we think an agent should have known what the consequences of their actions would be.

If, for example, an agent drove whilst drunk, and on questioning maintained that they were unaware that doing so was illegal, we might find this excuse hard to believe. It is such common knowledge that drink driving is illegal that it seems remarkable that someone could reach adulthood and learn to drive without ever having come across this information. Suppose, however, that this individual maintains that she genuinely did not know, that no-one had ever told her this was the case, and she was completely unaware that driving whilst drunk was illegal. It is unlikely that we would see this as an adequate excuse and think her ignorance was blameless. If we believed that she was genuinely ignorant of the legality of her actions, we would think that this was due to a fault on her part. Driving is a dangerous activity, we expect those who wish to drive to learn the rules of the road. Information regarding these rules is easily and readily

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<sup>278</sup> Holly Smith, 'Culpable Ignorance', *The Philosophical Review*, 92 (1983), 543-571, (p. 543).

<sup>279</sup> *Ibid.* p. 544.

available, they are well known within the community, and it would take very little effort on the part of the individual to find this information out. This being the case, any ignorance an agent has in this respect is blameworthy and culpable, it is due to their own morally faulty behaviour from failing to take adequate steps to find out basic information regarding the situation.

Agents can be genuinely ignorant of the harm they cause and be non-culpable, for example in cases where they could not have known that their actions were harmful. During the early years of industrialisation, agents were not aware that some of their new factory emissions were causing damage to the environment. Even when some individuals noticed that the smoke and alteration to the landscape were an eyesore, agents did not have the scientific understanding to be able to know the extent of the damage they were causing to the environment. In this kind of case, then, agents were non-culpably ignorant, as they did not know, and could not have known, the consequences of their actions.

When it comes to social structural harms the problem of culpable ignorance is widespread. As we have seen so far, agents often fail to take the harm caused by social structures seriously, or as something in which they are personally involved. They develop the wrong sensitivity to the severity of these harms, and make inconsistent assumptions regarding those people that support their way of life. In the case of harm caused by the clothing industry, professions of ignorance regarding the existence of sweatshops and the methods used in the manufacturing of clothing are hard to justify. Whilst 30 years ago many people might have been unaware of the working conditions in sweatshops that were producing the cheap imports that they purchased, the same cannot be said of today's consumers. There has been so much coverage over the past couple of decades regarding these factories, so many campaigners, high profile exposés, magazine articles, documentaries, and films, that no capable agent could be unaware of the use of sweatshops in clothing manufacturing. This being the case, when agents profess to be unaware of the fact that the items they are purchasing are made in this way, it is unlikely that this lack of awareness is either genuine or blameless.

If, however, an agent does maintain that they were unaware of the fact that most clothing is produced in sweatshops, we are faced with the problem of establishing how and why this is the case. One possibility is that the individual is not a fully capable agent, in which case we would not hold them morally responsible generally. But where this is not the case, there would be few circumstances in which their lack of knowledge could be non-culpable in this regard. Unless the agent has recently regained consciousness from a three-decade-long coma, or been kept in isolation and given inaccurate information about the world by a nefarious agent, we would think that their lack of knowledge was due to some faulty behaviour or reasoning. In order for an

individual to be unaware of information that is common knowledge, they would have to wilfully ignore all the readily available sources of information or fail to commit any reference to sweatshops to memory.

It seems more likely, when considering sweatshop labour, that agents are aware that such practices exist and are widespread, but fail to appreciate, or acknowledge, that the specific items they are purchasing are made in this way. In which case, they are not so much ignorant of the situation, as unreflective, in that they could provide the correct information when asked to give it consideration, but do not take it into account in their daily lives. This still leaves them culpably ignorant that the specific items they buy are made in sweatshops, but provides some explanation as to how agents can appear unaware of facts that are so widely known throughout society.

An alternative position might be to accept that many agents are non-culpably ignorant of the use of sweatshops, or unaware that their actions are contributing to the use of sweatshops in manufacturing. One reason could be an appeal to some of the problems with the relationship between individuals and social structures that I have discussed. It could be argued that in contemporary culture social structural harms are often normalised and underestimated by those involved in them. Since this is a cultural phenomenon, individuals cannot be blamed for enacting the values of their culture. This 'cultural defence' can be used as an excuse or justification. Both are problematic, but supporters of cultural defences usually pose them as excuses rather than justifications, thus attempting to excuse an agent's responsibility in acting rather than attempting to justify 'the normative quality of their conduct'.<sup>280</sup> Thus it can be argued that an agent is affected by their culture in such a way as to be unable to act otherwise, rather than attempting to argue that the agent's actions are actually acceptable. Whilst it is true that an agent's culture has a powerful influence over their actions, shaping their desires and purposes in action, cultures are not static nor do they entirely dictate an agent's actions.<sup>281</sup> If this were the case, it would raise a number of questions regarding the capabilities of the agents involved.<sup>282</sup>

Moody-Adams has argued against the use of culture as an excuse for ignorance of participation in harms for a number of reasons. She suggests that if we deny that an otherwise capable person has engaged in wrongdoing on these kinds of grounds, we are denying their humanity, as by doing so we fail to treat the individual as an independent agent.<sup>283</sup> She also argues that talking about culture is just a theoretical shorthand, and that it becomes problematic when we

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<sup>280</sup> Lacey, Nicola, 'Community, Culture, and Criminalization', in *Crime, Punishment, and Responsibility*, ed. by Rowan Cruft, et. al. (Oxford: Oxford University Press, 2011), pp. 292-310, p. 301.

<sup>281</sup> Moody-Adams, p. 291.

<sup>282</sup> Lacey.

<sup>283</sup> Moody-Adams, p. 306.

talk of culture as a cause for some behaviour or other. Cultures are not responsible for anything, the individuals who perpetuate a culture are the agents responsible for any actions,<sup>284</sup> and agents often uncritically follow cultural norms and act to preserve the way of life with which they are familiar.<sup>285</sup> This should not act as an excuse for an agent's behaviour, however, as they still bear responsibility for their actions. The actions of others are not an excuse for an individual to act harmfully, this is true on an individual and collective level. Similarly, arguing that a social structural harm, such as the use of sweatshop labour, is culturally acceptable or excusable, and therefore that agents are not culpable for their ignorance of their role in the harm, is not an acceptable position if we wish to take the agency of those involved seriously.

#### 5.4 Harming Others through Social Structural Participation

Thus far I have discussed the ways in which individual agents can misinterpret their relationship with social structural harms. In this section I turn to ways in which agents commonly deny that their actions are actually harmful. The denial of harm stems from the perception that, since individual contributions are so insignificant when compared to the vast harms caused by social structural processes, individual actions must be inconsequential and therefore not blameworthy. This line of reasoning, however, misses an important part of the nature of these harms. Whilst we need to look to the more general effects of social structural processes in order to measure their impact on the world, social structures only ultimately cause harm because of the actions of the agents of whom they are constituted. This is the main reason that understanding structural harm as the result of the actions of its members is so important. Without acknowledgement that individuals bring about social structural harms together, we would be left with social processes in which vast numbers of people participate but for which no-one is responsible. When we know, however, that agents are contributing to, and often benefitting from, these structures, it is clear that this position is an inaccurate account of their responsibilities and unfair to those who are harmed.

In part i I outline the way in which participation in social structural harm is different from other forms of harm in which agents are involved. I then turn to two key problems concerning traditional attempts to analyse individual instances of participation in social structural harm, the fact that such harms are seen as imperceptible and/or unavoidable, in parts ii and iii.

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<sup>284</sup> *Ibid.* p. 304.

<sup>285</sup> *Ibid.* p. 296.

i. Social structural harm

Before discussing the kinds of harms involved in contributing to social structures, it is important to discuss briefly what is meant here by harm and what we might call our common-sense moral sensibilities regarding involvement in harm. We usually think someone is harmed when they have been injured or they have suffered what Feinberg describes as a ‘setback to interests’, where an agent’s ability to meet their needs or pursue their goals is impaired.<sup>286</sup> There are a number of commonly held beliefs regarding the morally appropriate treatment of others which are typically thought to hold in direct interactions between agents. These include refraining from harm and treating others as you would like yourself to be treated. Whilst these are often held to be an important part of society and human interactions, when agents participate in larger social structures, the importance of these codes of conduct often diminishes.

One reason for this is the problem of perceived distance between individuals involved in social structures, because the agents involved will never meet each other, let alone have personal relationships, and those involved will not directly experience the harms to which they contribute. The nature of the participatory actions also causes perceptual problems when assessing their harm. Each individual participating act, when considered in isolation, appears to make no difference to the social structure as a whole. As participating agents, people only experience social structures through these small participatory acts, and so they do not perceive their personal acts as harmful. Though an agent would not directly force someone to work in a sweatshop because they would view this as harmful and immoral behaviour on their part, they do not see participating in the perpetuation of sweatshops as harmful, because their purchases do not involve them personally harming any particular agent.

Social structural harms can be difficult for us to analyse because of the impersonal nature of the harms involved. They are rarely experienced as straightforward, direct, interpersonal harms inflicted by one named perpetrator against one named victim.<sup>287</sup> Instead, they result from huge numbers of small actions performed by many agents that contribute to incredibly complex causal chains. Consumer demand for cheap clothing has created and perpetuates the widespread use of sweatshop labour, but no consumers are building, or insisting that sweatshops be built. Instead, their consumer practices lead companies to compete to provide goods, and when the demand is for cheap products, companies cut costs in any way available to them. Although any one

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<sup>286</sup> Joel Feinberg, *The Moral Limits of the Criminal Law Volume 1: Harm to Others*, (Oxford: Oxford University Press, 1987).

<sup>287</sup> Although at least some contributing members will be causing direct harms as part of the structural process, such as production line managers in sweatshops.

individual agent changing their shopping habits would have no effect, when large numbers of consumers change their purchasing demands, companies alter their business accordingly.

ii. Imperceptible harms

The first problem regarding the nature of individual harm in social structures is that most of the individual participation produces what we would think of as imperceptible harm. This is difficult for many accounts of moral responsibility to accommodate, as it is uncommon to hold people morally responsible and blameworthy for causing imperceptible harm. If no-one is measurably worse off because of an agent's actions, it can be difficult to argue that an agent has actually done anything wrong on traditional responsibility accounts. The reluctance many people have with holding agents responsible for participation in social structural harm, then, is that it appears we are blaming individuals for causing harm when their participation does not harm anyone.<sup>288</sup> However, this approach fails to understand the nature of social structures, whose harm is different from direct interpersonal instances of harm, because they are the result of a huge number of very small participatory acts which only cause harm when performed with many other fellow participants' actions. This results in the analysis of participation in social structural harm requiring a different approach to other forms of harmful actions.

In the case of social structural harms, an agent's participatory actions cannot be assessed in the same way as direct interpersonal interactions. When agents directly interact, the assessment of whether either agent is harmed is easier to understand, we can single out those involved, the actions they performed, and the way in which one of them was harmed. In cases of social structural harm, however, 'few or none of the agents who contribute to the causal chain can be singled out as responsible' and therefore it is usually impossible for us to identify specific perpetrators of specific harms against specific victims.<sup>289</sup> This is not just an epistemic problem, it is not the case that if we had a better means of measuring these contributions we would be able to identify which agents caused which harm, but the problem is rather that none of the individual contributions alone causes any harm.<sup>290</sup> The important part of an analysis of structural harms is to recognise the importance of how agents' actions combine and interact, and that in the collective

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<sup>288</sup> All participatory actions will of course cause *some* difference, but the problem is that these difference are usually likely to be too small to be classed as harm.

<sup>289</sup> Elizabeth Ashford, 'The Inadequacy of our Traditional Conception of the Duties Imposed by Human Rights', *Canadian Journal of Law and Jurisprudence*, 19 (2006), 217-235, (p. 218).

<sup>290</sup> *Ibid.* p. 224.

context of a social structure, we are not only assessing individual contributions, but how those contributions come together to cause harm.

Although this poses a problem for many moral theories, it would be incorrect to suggest that this situation means that no-one causes harm and therefore that no-one is morally responsible. We can clearly identify that certain actions, when performed by many agents contributing to a large social structural process, result in often very grave harm to agents and the environment. Although each action in isolation might very well cause no harm, or harm that is imperceptible, these actions simply are not performed in isolation, but rather as part of a wider social process. Therefore when an agent buys a sweatshop produced item, they are not performing an isolatable action that has no wider implications. One particular action may not on its own cause harm, but as it is not performed on its own, that is not the way in which it should be analysed. We need to assess our actions in the contexts in which they are performed in order to get an accurate understanding of their moral import.<sup>291</sup>

In order to better understand the importance of what we might think of as imperceptible harms, let us turn to an example provided by Parfit. He describes a group of ‘harmless torturers’, who, instead of each directly inflicting a large amount of pain on a specific individual, rig up a system allowing them to distribute the amount of pain they inflict across a group of victims. Doing so allows them to only inflict a minute amount of pain on any one individual, so small that none of them makes any individual victim’s pain perceptibly worse.<sup>292</sup> Parfit argues that, were we to appeal to the idea that an agent has to perceptibly make someone worse off in order to be blameworthy, we would be unable to explain why what the torturers do is wrong, which is something we surely wish to be able to do.

Even if none of them harms anyone, the torturers are clearly acting wrongly. If we cannot appeal to the effects of what each torturer does, we must appeal to what the torturers together do. Even if none of them causes any pain, they together impose great suffering on a thousand victims.<sup>293</sup>

Appealing to what the agents do together is important in situations where agents are acting together in an organised way. This is because we miss an important aspect of the consequences of actions if we fail to take into account their context. If, instead of a group of torturers, an individual agent had attempted the same undertaking, it would be difficult for them to produce

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<sup>291</sup> <sup>291</sup> There is some precedence for this in the criminal law, where agents can be held accountable for jointly produced crimes even where the individual part they play is innocuous. See Kutz (chapter 7) for further discussion of criminal and moral complicity.

<sup>292</sup> Parfit, p. 80.

<sup>293</sup> *Ibid.* p. 80.

such a system alone. If they still only contributed an imperceptible amount of harm to each victim, none of the victims would actually suffer any pain and there would in that case be no harm (at least in terms of torturing) caused.

Considering the case of sweatshops, these simply could not be created, particularly on their current scale, without agent cooperation. A lot of agents are involved in the social processes that bring these kinds of harms about, we just cannot produce the same amount of damage working alone and in isolation, we would lack the means required to do so. Social structural harms cannot be performed alone. If, for example, an agent set up a sweatshop and forced agents to work there in terrible conditions, not because of market pressures but simply because they wanted to inflict this particular type of harm on someone, their actions would not form part of a social structural harm, but rather a direct interpersonal harm. Similarly, if an agent bought items from this factory directly, without any of the other structural causal chains and involvement of many other agents that we associate with structural harm, it would not be a social structural harm at all, but rather a direct interpersonal harm. Participations in social structural harms cannot be assessed in isolation because they are not isolated events, if they were, they would no longer be part of a social structural harm at all. The context of these imperceptible harms makes them the kind of harms they are, small but important participatory actions in large-scale harms that agents produce together. Their context is therefore more important than the individual harm they produce.

### iii. Unavoidable harms

The second problem when assessing individual participation in social structural harms is that agents' participation appears to unavoidably cause harm. We commonly have reservations regarding blaming an agent for things that are genuinely unavoidable. The concern usually stems from the fact that an agent does not seem able to exercise their free will; when a harm is unavoidable they are unable to choose to not harm. We therefore appear to be blaming them for something that was beyond their control and act unfairly when doing so. There are a number of assumptions in this line of argument regarding the way in which participation in social structural harm is unavoidable, and what this means in terms of responsibility ascriptions, that require closer analysis. Distinctions and clarifications such as whether something is impractical or impossible, choosing the least worst action, and something being currently or necessarily unavoidable, are all important in understanding the morality of participation in social structural harms.

In some cases, participation in social structural harm is practically impossible for agents to avoid. Our daily lives are governed by habitual participation in a range of social structures that

help us define our personal identity, provide a range of activities we take for granted, and provide the framework within which we live our lives. Given their importance, and the difficulty an agent would face in attempting to withdraw from these structures, it could be argued that holding agents morally responsible for social structural harms is unfair, they have no other realistic option but to participate. The unavoidability of participation, however, does not necessarily render it non-blameworthy. As Murphy has argued, whilst we continue to live in highly unequal and immoral societies, the burdens on individuals are much greater than they would be in an ideal moral society.<sup>294</sup> In a perfect world it might be the case that agents would never be forced to choose between options that all result in harm, but instead always have the option to avoid involvement in harmful activities. This is not currently the case for us in the real world, however, and agents cannot pick and choose what their options are in a situation to enable them to always avoid causing harm. Given that harm is sometimes unavoidable, the question remains how we analyse an agent's responsibility in relation to these kinds of situations.

When we talk about 'unavoidable harm' we rarely mean impossible to avoid, but rather something along the lines of extremely difficult or implausible to expect someone to avoid. It would, for example, be extremely difficult for an agent to avoid all participation in economic activity, since doing so would make meeting one's daily needs extraordinarily difficult. It would be practically impossible to avoid all participation in some form of government, as most of the world's land mass is claimed by one government or another. Living within a states' borders is usually taken as at least tacit consent to be a citizen of that country, with the result that one would need to abide by the country's laws or face fines or imprisonment. Considering the extent to which social structures govern people's everyday behaviour, it is infeasible for agents to completely withdraw from them, at least at this particular juncture.<sup>295</sup>

When we are in a situation where we cannot avoid performing harmful actions, the best response would surely be to perform the action that results in the least harm. If causing harm is unavoidable, it seems that we still have a responsibility to try to mitigate the harm we cause, to try to avoid as much harm as we can. To argue that, since we cannot avoid harm, it is not something for which we should be held responsible, undermines our status as morally responsible agents. There are of course factors we can take into account regarding the extent to which an agent is responsible for being in that particular situation, whether they have helped bring about the harm or benefitted from it previously, for example. We also refrain from blaming people for their involvement in harm where it was genuinely unavoidable through no fault of their own,

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<sup>294</sup> Liam Murphy, *Moral Demands in Nonideal Theory*, (Oxford: Oxford University Press, 2000).

<sup>295</sup> Ashford 'Duties Imposed by Human Rights', p. 229.

where they would have avoided causing harm if it were possible, or where avoiding causing harm would put themselves in considerable danger.

Consider the following example of a harm which is unavoidable and non-blameworthy. We could discover that humanity's continued breathing is causing irreversible damage to the environment. Whilst this is a harm in which we would then be knowingly participating, expecting us to cease doing so, whilst not impossible, would be considered by most people to be expecting too much. Asking for the impossible from an agent undermines our blaming and praising practices. We intend these practices to effect behaviour, and so target them towards encouraging and discouraging behaviour in which we do or do not want agents to engage in accordingly. Blaming people for a harm that they are not deliberately bringing about and which they cannot avoid without grave personal sacrifice is both unfair and unreasonable. Cases of social structural harm are not like this.

If we consider the use of sweatshop manufacturing, we can see that it is clearly not the case that avoiding the use of such factories is impossible. Some factories manage to implement ethical working, even mainstream clothing companies have shown that they can have a successful business model without resorting to such harmful activities, including well-known brands. For example 'Levi Strauss, Motorola, and Mattel have expended considerable resources to ensure that employees in their global sourcing operations work in healthy and safe environment.'<sup>296</sup> There are an increasing amount of alternatives to harmful participation, including ethical banking and fairly traded goods, which allow agents to move away from harmful engagement in so many social structural harms. There are a great many resources available to consumers with information regarding which companies have better ethical track-records than others, resources that are readily and easily accessible.<sup>297</sup> It is also easy for consumers to join campaigns aimed at improving working conditions in sweatshops and in raising awareness of social structural harms.

There is a further distinction that demonstrates that social structural harms are not unavoidable in the same way as the breathing example. Whilst it is often the case *right now* that participation in social structural harms is largely unavoidable, it is not *necessarily* the case that it should continue to be so. Once a large number of participants realise that they bear responsibility for the harms caused by their contributing actions, they can work towards changing the social structure to render it less, and eventually non-harmful. Although we could not expect agents to stop breathing, expecting agents to change their shopping habits or other non-essential lifestyle

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<sup>296</sup> Arnold and Bowie, p. 236.

<sup>297</sup> The rise of online campaigning and information sharing has had a profound effect in making much of this huge increase in consumer information possible.

consumption is quite different. This is because asking agents to dramatically change their lifestyles in order to avoid large-scale harm which affects huge numbers of people is both fair and achievable, particularly when those agents' lifestyles have relied on and been brought about by the social structural harms in which they participate.

One of the reasons that people find it difficult to avoid participation in so many harmful structures is because they accept them unreflectively as a part of their daily lives, lives which often benefit from the current social structure. Therefore any immediate actions will still be participatory involvement in harm, even actions aimed at changing the structure, which then leaves an agent unable to avoid participating in harm. This is not as unfair as it may at first appear, because the agent, as an ongoing participant, will already bear responsibility for their previous contributions.<sup>298</sup> That is why leaving a social structure, apart from being impractical, is also undesirable. It would leave an agent less able to address the harms to which they have contributed. Until a social structure ceases to cause harm, those involved will continue to be participating in harm, but their blameworthiness will be less where their participatory actions are aimed at altering the social structure to make it non-harmful.

Another consideration regarding responsibility in situations of unavoidable harm is discussed by Pogge, who argues that even in cases where harm is caused unavoidably, it may still be the case that those causing harm owe the harmed compensation. This will be the case when the agents involved have participated in social institutions which have harmed people in ways which are foreseeable, knowable, and avoidable through the alteration of their social institutions.<sup>299</sup> Pogge observes how difficult it would be for most of us to give up our privileged positions to avoid further participation in harm, and suggests that our ability to support NGOs like Oxfam and UNICEF can help make up for our participation in harm.<sup>300</sup> Whilst I do not think that supporting such NGOs alone compensates for our participation in the way that Pogge seems to suggest, actively working towards structural reform will go some way towards helping an agent redress the harms in which they are involved.

Participation in many social structures is not strictly unavoidable, for many it is more of a case of convenience rather than necessity. There are, of course, some members of society who are unable to avoid participation in harm due to their limited resources. Many people who are buying sweatshop produced items, however, are not in this position. Even when agents cannot feasibly avoid participation, they usually still bear responsibility for their participation due to their

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<sup>298</sup> See Juha Raikka, 'On Disassociating Oneself from Collective Responsibility', *Social Theory and Practice*, 32 (1997), 93-108.

<sup>299</sup> Pogge *World Poverty*, p. 26.

<sup>300</sup> Pogge 'Human Rights', p. 19.

relationship to the social structure. I have outlined some of the ways in which agents fail to recognise or appreciate their role in social structural harm, through developing the wrong sensitivity to the harm or failing to be motivated to take their contribution seriously. Even though agents may fail to appreciate their involvement in these harms, they still bear responsibility for them due to their participation which helps bring the harm about.

## 5.5 Sweatshops and the Non-Worseness Claim

The final consideration I shall discuss regarding individual contribution to harm caused through social structures is what has come to be called the non-worseness claim (NWC). Originally outlined by Wertheimer,<sup>301</sup> it has become a common argument in support of the use of sweatshops. The suggestion is that sweatshops make people better off than they would be, despite their appalling working conditions, were the sweatshops not in operation. Therefore sweatshops cannot be said to be harmful and are not immoral. At first the basic premise of this position may seem to have a point, that making people better off cannot be blameworthy, but when applied to the case of sweatshops it quickly becomes clear that this is actually a very problematic claim. I shall begin by outlining the structure of this argument in part i. In part ii I argue that the extent of the unfairness of the interactions involved undermines the most basic values concerning the fair treatment of other agents and is at odds with common ideas regarding the avoidance of harm. I argue in parts iii-v that the key arguments of the NWC do not necessarily apply in the case of sweatshops, and in part vi I discuss the problem that some supporting arguments for sweatshops are based on a desire to avoid the issue of ‘dirty hands’ in addressing the harm these factories cause.

### i. The non-worseness claim

The non-worseness claim is the argument that agents are not harmed when they are left better off from an exchange than they would have been had the exchange not taken place. The argument rests on the claim that, when the agents involved have the choice of whether to interact, and both sides benefit more from the interaction than they would without the interaction, the interaction cannot be harmful:

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<sup>301</sup> Alan Wertheimer, *Exploitation*, (Princeton: Princeton University Press, 1996), p. 289.

The Non-worseness Claim: Interaction between A and B cannot be worse than non-interaction when A has a right not to interact with B at all, and when the interaction is mutually advantageous, consensual, and free from negative externalities.<sup>302</sup>

The agents who benefit more from the exchange are not harming the less well-off agents as both parties are better off than they would be if they had not interacted. The important aspects of the interaction that also render it non-exploitative are that the agents involved have a right not to interact, all parties participate willingly without duress, and that all parties benefit more with the interaction taking place. Supporters of the NWC argue that this position respects agent autonomy, allowing agents to exercise their own judgment regarding the interactions in which they wish to participate.<sup>303</sup>

The NWC has been increasingly used to support the use of sweatshops and other interactions that many find exploitative and/or harmful. In the case of sweatshops, supporters of the NWC defence argue that people willingly take up employment in these places, knowing the risks and conditions involved. They choose to continue to work in sweatshops and they benefit from these jobs, as other employment options are often scarce and unemployment in countries without welfare systems would leave them much worse off. Zwolinski has gone as far as to argue that, given these conditions, we should view sweatshops as ‘on net, a good thing.’<sup>304</sup> I do not disagree that people willingly accept work in sweatshops and that in many cases it does leave them better off than the alternative currently available to them. However, I do not agree that the perpetuation of sweatshops can be supported by appeals to the NWC. Agents may voluntarily choose to work in sweatshops, but this does not mean that such work is not exploitative, particularly when the agent has no other reasonable options. Unfairly benefitting from the plight of others also sets an unacceptably low moral standard, an agent may have a right not to interact, but this does not mean that when they choose to interact they can do so without as much concern for the morality of their interaction. Finally, it is also not clear that sweatshops do make people better off overall, as the effects of the international clothing trade and sweatshops on local economies is more complicated than supporters of the claim suggest.

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<sup>302</sup> Alan Wertheimer and Matt Zwolinski, ‘Exploitation’, *The Stanford Encyclopedia of Philosophy* (2013), ed. by Edward N. Zalta, < <http://plato.stanford.edu/archives/spr2013/entries/exploitation/>>.

<sup>303</sup> Zwolinski, Wertheimer.

<sup>304</sup> Zwolinski ‘Sweatshops’, p. 689.

ii. The extent of the unfairness in clothing industry exchanges

To begin a discussion of the harm or benefit that sweatshops bring about, some contextual information regarding the exchanges involved is required. At the beginning of this chapter I described the nature of sweatshops and the conditions faced by the individuals who work in them. Apart from issues of safety, hours, and worker's rights, I noted that workers are paid incredibly low wages. Workers are often paid so little that they cannot meet their basic needs.<sup>305</sup> The fact that workers' wages are so incredibly low is problematic for many of the arguments used in support of sweatshop labour. The actual cost of addressing low pay, long hours, and health and safety concerns are incredibly small when contextualised against the profits of the companies involved in contracting with sweatshops and the expenditure of consumers of sweatshop-produced goods. When we reflect on the extent of the unfairness involved in the use of sweatshop labour, and the ease with which those benefitting more from the exchange could drastically improve the exchange for the less well off (with minimal cost to themselves), appeals to the NWC as an acceptable standard of conduct for those involved is a pitifully low moral baseline.

Consider a pair of trainers that retail for £50. Of that price, only around 1% will go to the individual who made them.<sup>306</sup> If the wages of that individual were doubled, they would be left significantly better off whilst the company would suffer no significant losses. Even if companies shifted the entire burden of supporting increased wages in sweatshops onto consumers, a 1% rise in prices is unlikely to have a major impact on the number of trainers sold. Outlining the extent of the difference in the level of benefit each party receives helps bring home the extent to which workers are unfairly treated in these kinds of exchanges. Only an agent in quite a desperate position would accept these kinds of terms of interaction and allow others to benefit so much from their disadvantaged position. In direct interpersonal exchanges we are likely to see this kind of exchange as completely unfair.

The NWC does not, however, take fairness into account, only whether the exchange is consensual and both agents end up better off. This is not how we necessarily view direct inter-agent transactions, we expect agents to treat each other in a fair and morally appropriate way, and so it must be asked whether disregarding fairness in structural exchanges is any more acceptable than it would be in other situations. I suggest there is no good reason why this should be the case, morality requires agents to have respect for persons and treat them in at least a minimally decent

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<sup>305</sup> See Khorshed Alam, Laia Blanch, and Anna Smith. 'Stitched Up: Women workers in the Bangladeshi garment sector' *War on Want* (2011), < <http://www.waronwant.org/attachments/Stitched%20Up.pdf>> and Mahler.

<sup>306</sup> Khorshed Alam and Martin Hearson, 'Fashion Victims: The true price of cheap clothes at Primark, Asda and Tesco' *War on Want* (2006), < <http://www.waronwant.org/attachments/Fashion%20Victims.pdf>>.

way. If treating an agent in a particular manner would be considered unfair in direct interpersonal interaction, treating an agent in that way through a structural exchange is equally unfair.

The question of fairness is under-discussed in literature concerning sweatshops, the focus is firmly on the questions of benefit and exploitation. This sets a very low moral standard for interactions. Consumers clearly benefit disproportionately in relation to sweatshop workers from the access to cheap clothing that these exchanges bring, as clothing companies do from the cheap labour. In order to interact responsibly, agents should not settle for the fact that sweatshops are the least worst option currently available to some workers. The suggestion that an exchange is morally acceptable so long as the agents involved are slightly better off than they would otherwise be, regardless of how unfair the exchange may be, is hard to justify. Interacting with other agents requires us to take seriously the way in which the interaction affects those involved.

iii. The right to not interact

Apart from the NWC being somewhat incompatible with our common concerns for fairness when considering the existence of sweatshops, it is not at all clear that they actually satisfy the conditions for the NWC. The first condition for an exchange to satisfy the NWC is that the agents involved have a right to not interact with one another. Where there are no pre-existing duties, and the agent who benefits more has no obligation to engage in the exchange, that agent cannot be guilty of harm when they engage in unfair, but at least minimally mutually beneficial, exchanges. This, of course, assumes that the agents involved have the right not to interact and that no such duties exist between them, a claim that has been disputed in various ways.

One such counterargument has been provided by Singer, who has argued extensively that we have duties to aid the global poor and disadvantaged which are based on moral obligations concerning beneficence.<sup>307</sup> This duty of beneficence stems from a number of considerations, including charity, kindness, and our ability to help alleviate the plight of others. Where we have the means to help the needy, Singer argues that we should do so until we reach the point of marginal utility, where to give more would leave us worse off than those we wish to help.<sup>308</sup> Even less extreme arguments for duties of beneficence still support to the idea that affluent agents have duties to the global needy generally, and that these will continue so long as we live in a world of such extreme inequality.<sup>309</sup> Supporters of duties of beneficence would therefore reject the claim that the agents concerned necessarily have the right not to interact in sweatshop exchanges. It

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<sup>307</sup> Singer.

<sup>308</sup> Singer, p. 234.

<sup>309</sup> Murphy.

may very well be the case that the more affluent agents involved have duties to aid those who are worse off, these duties would pre-exist the exchange and therefore undermine the NWC.

Another argument for pre-existing duties between agents in the kinds of exchanges concerning sweatshops has been provided by those arguing for accounts of global justice. Pogge argues that affluent agents who benefit from unfair international institutions owe compensation to those agents who are disadvantaged by these institutions.<sup>310</sup> Caney argues that the demands of justice are globally applicable and that we therefore have obligations of justice towards everyone, regardless of considerations such as nationality.<sup>311</sup> These duties of justice and compensation would again pre-exist any exchanges concerning sweatshops. Until international institutions are reformed to no longer disadvantage the world's poor, affluent agents engaging in exchanges with less well-off others will most likely bear responsibility to compensate those disadvantaged or address institutional flaws, duties which would again undermine the NWC.

Miller has presented an alternative to the above arguments, suggesting that all agents have a duty not to take advantage of those with whom they interact, and so affluent agents act immorally when they engage in the kind of unfair but minimally mutually advantageous exchanges concerning sweatshops.<sup>312</sup> Thus whilst a supporter of the NWC may argue that an agent has the right not to employ people, and can choose to leave them worse off than sweatshop labour might make them, Miller's suggestion is that as soon as an agent decides to get involved in this kind of interaction they are bound by moral rules concerning the treatment of others. These include the avoidance of harm and the importance of fairness. When an agent gains much at the expense of others, particularly others who are already disadvantaged and have little option but to participate in the interaction, such benefit is unfair and immoral.

In order for agents to be in a position to have the right not to interact with one another, as required by the NWC, there would have to be no pre-existing duties between those involved. Given our current global institutional order and the extent of problems such as global poverty and disadvantage, it is difficult to support the idea that the affluent agents involved in exchanges concerning sweatshops will have no pre-existing duties to those with whom they wish to engage. Even where no pre-existing duties exist, it is not at all clear that this gives agents the right to take advantage of the plight of others, particularly if we are to uphold general responsibilities of respect for persons. The first condition of the NWC is therefore both difficult for agents to satisfy and morally problematic.

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<sup>310</sup> Pogge *World Poverty*.

<sup>311</sup> Simon Caney, *Justice Beyond Borders: A Global Political Theory*, (Oxford: Oxford University Press, 2005).

<sup>312</sup> Richard Miller, *Globalizing Justice: The Ethics of Poverty and Power*, (Oxford: Oxford University Press, 2010).

iv. The benefit of sweatshops

The second condition of the NWC is that the agents involved in an exchange must mutually benefit from the interaction. Supporters of sweatshops suggest that the alternative to this kind of employment is usually destitution. Therefore, even though the exchanges may seem unfair, affluent agents are not really doing anything wrong by benefitting so much more than the disadvantaged, they are saving these workers from a worse fate. That these exchanges are beneficial to the affluent is not in question, but the claim that they are beneficial to the disadvantaged is less straightforward than is usually assumed. Some of the most problematic assumptions regard the role of market forces and the idea that sweatshops are always beneficial to developing economies

Some sweatshop supporters argue that they are beneficial to the disadvantaged because they pave the way for further development and improved standards of living. Maitland suggests that affluent individuals are not responsible for the level of worker income because markets will generate ethical wages over time.<sup>313</sup> He seems to be guilty of the reification of 'the market' that was criticised by Young.<sup>314</sup> If we treat market forces like forces of nature, independent of the individuals of which they are comprised, we fail to see those individuals as responsible for the damage the system causes. The assumption that 'markets' will eventually make people better off is problematic because it has not been very evident so far and also completely ignores the role played by agents in controlling global economic interactions. This is particularly hard to justify when we see the amount of interference that goes on in the 'free market', through the interventions of national governments and international organisations such as the IMF and World Bank. Governments in affluent countries have increasingly been involved in setting minimum wages and establishing worker rights to avoid the exploitation of their country's workers, not leaving these aspects of their citizens' lives to the mercy of global market forces. The assumption that market forces will work to the benefit of sweatshop employees seems implausible given the current nature of global social structures.

Apart from arguing that markets will make sweatshops beneficial over time, supporters of sweatshops sometimes argue that maintaining current sweatshop conditions is beneficial because imposing higher moral standards on factories would lead to their closure, which in turn would make workers worse off and would therefore be more morally problematic than their continued use.<sup>315</sup> There are several points that need separating out here. One concern is that

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<sup>313</sup> Ian Maitland, 'The Great Non-Debate over International Sweatshops', in *Ethics at Work: Basic Readings in Business Ethics*, ed. by William H. Shaw, (Oxford: Oxford University Press, 2003).

<sup>314</sup> See chapter 3.2. (i).

<sup>315</sup> See Maitland, Zwolinski.

improving conditions will necessarily lead to job losses. Whilst this *may* be the case, it is not definite. Consumer demand for clothing will not disappear overnight and therefore these items will still need to be made by someone. The concern for factory closure also assumes that the cost of improving conditions would be so high that factories would no longer be able to keep the same size work force.<sup>316</sup> But this claim rests on the further assumption that the cost would be great, and would have to be entirely supported by the factories which are unable to finance such change, both of which I have already cited as quite dubious claims.

Assuming the status quo is beneficial to workers also presupposes that those who lose their jobs would necessarily be worse off, and that working in a sweatshop is better than unemployment in a country without a functioning welfare system. This, again, may currently be the case, but it is not certain that it is always necessarily the case. Part of the support for the continuing use of sweatshops in manufacturing is the assumption that they benefit developing economies through international investment.<sup>317</sup> However, a major problem facing communities where large number of individuals work in sweatshops is that the wages of those individuals are so low, and the taxes paid by the international companies so small, that there is little wealth creation in the community. If a person does not earn enough to meet her most basic needs, then she will not be spending money in local businesses.<sup>318</sup> Without a customer base, there is a lack of local investment or opportunities outside of sweatshops, meaning that they can effectively lead to stagnation in developing economies. Unless workers are able to earn enough to support themselves and their families, ideally with a little bit extra, they cannot spend their wages in local business which would create job opportunities in the community.

Many of the assumptions regarding the benefits of sweatshops surround the idea that workers would be much worse off without them. Whilst this may currently often be the case, part of the reason for this is the existence of the sweatshops themselves. Sweatshop workers are caught in a vicious cycle where the general acceptance of sweatshops leads to their perpetuation, which at the same time stifles alternative employment opportunities in the communities in which they operate, so that agents in developing countries have a choice of sweatshop employment or destitution. So long as sweatshops continue to operate, agents in their vicinity will be benefitted by their employment opportunities insofar as they will cease to have any better options. In this way it is hard to argue that sweatshops really benefit those who are forced to work in them.

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<sup>316</sup> Arnold and Bowie, p. 238.

<sup>317</sup> Maitland.

<sup>318</sup> Alam 'Stitched Up'.

v. Willing interaction and negative externalities

The third condition required for exchanges to satisfy the requirements of the NWC is that each agent participates in the exchange without duress. Supporters of the NWC suggest that we should not interfere in an agent's freely made decision to engage in interactions where this decision is taken without coercion. We should think other people's decisions are 'worthy of our respect' when they demonstrate that agent's exercise of their free will, regardless of whether or not we 'disagree with the reasoning' the agent employs.<sup>319</sup> When agents seek to ban worker exploitation in sweatshops, they therefore fail to respect the autonomously made decisions of those who work there. Respecting agent autonomy is clearly very important, but this argument puts too much weight on the idea that sweatshop workers should be allowed to suffer because they have volunteered to do so. It does not take seriously the context in which those agents make that choice, context that would usually count as negative externalities.

I agree that we may let a friend make what we see as a mistake because we respect her autonomy.<sup>320</sup> This situation is quite different from the comparison being drawn, namely that of letting disadvantaged people allow others to exploit them in the name of allowing those disadvantaged people to exercise their autonomy. In that case the individual is not making what we might call an error of judgment, they are not making a bad career move or paying too much rent for what we think is an overpriced apartment. They are choosing the least worst option available to them, which is perfectly rational. The problem is not, therefore, that reforming sweatshops interferes with their exercise of free will, but rather that failing to do so leaves people at a disadvantage.

The suggestions that we would not interfere in a friend's life choices out of respect of her free will and autonomy is a poor comparison to the situation of most sweatshop workers. A closer example would be circumstances where our friend's available choices were dire, or where we believed that she was putting herself in danger. If, for example, a friend decided to turn to prostitution in order to avoid losing her home, failure to intervene would not demonstrate a respect for her autonomous choices, it would demonstrate a lack of concern for her wellbeing and a total failure to be a good friend. In this situation, helping the friend find a better solution and trying to open up alternative choices would be a better approach than allowing her to simply act autonomously without interference.

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<sup>319</sup> Zwolinski, p. 691.

<sup>320</sup> *Ibid.* p. 691.

Sweatshop workers are choosing that employment because their other options are worse and usually include even more dire conditions and pay. They are not exercising faulty logic in choosing sweatshop employment. The problem lies in the fact that the options available to the agent are themselves unsatisfactory. A worker facing starvation is rational to choose exploitative work in order to survive. It would be better for them to choose work that is dangerous and exhausting over destitution. Workers often also face pressure from having families to support, and once in employment are subject to psychological coercion which is rife in these factories,<sup>321</sup> making it difficult for them to leave, along with lacking the means and the time to find other work. Given the context in which agents are making the decision to take employment in sweatshops, it is doubtful that we can maintain that they choose this work without being driven by negative external factors.

vi. Sweatshops and exploitation

The NWC is difficult to maintain in the case of sweatshops. The assumptions that agents have no pre-existing duties, that the exchanges are mutually beneficial, and that agents participate without duress are all questionable. I have so far argued that it is very likely that sweatshop workers are worse off overall as a consequence of their employment, even though they usually benefit in the short term in light of their immediate employment options. This still leaves open the question of whether disadvantaged agents in these exchanges are both harmed and exploited. The answer to this question is not straightforward and I am unable to give as much consideration as it is due here.<sup>322</sup> I shall, however, make some brief observations regarding comments that have been made concerning exploitation that are pertinent to the case of sweatshops

Meyers suggests that an interaction is exploitative when one party is ‘benefiting from [another’s] misfortune, and benefiting disproportionately to their contribution.’<sup>323</sup> This definition would render most exchanges involving sweatshop employees as cases of exploitation. However, denials that agents can be exploited when they willingly choose to engage in such exchanges persist.<sup>324</sup> The argument that such exchanges cannot count as exploitative often focus on the willing participation of all parties, willingness that I have argued is usually down to a lack of options. Another approach is an appeal to market forces. It has been suggested that in economic

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<sup>321</sup> Arnold and Bowie, p. 230.

<sup>322</sup> See Wertheimer for detailed discussion of the nature of exploitation.

<sup>323</sup> Meyers ‘Wrongful Beneficence’, p. 324.

<sup>324</sup> Maitland, p. 603.

exchanges, such as those concerning sweatshops, agent actions are largely dictated by market forces, and are therefore not exploitative in the same way as direct inter-personal exchanges.<sup>325</sup>

The argument that market pressure drives people to exploit others does not make this exploitation morally permissible, if it did it would support practices universally held to be morally unacceptable, such as slavery.<sup>326</sup> The idea that market forces remove some, or sometimes all, individual responsibility for harms caused in business transactions is not uncommon, such transactions are often thought to be in a different moral realm than personal interactions.<sup>327</sup> Mayer, for example, suggests that when playing ‘a game or sporting event I may exploit my opponent’s weaknesses or mistakes without the taint of unfairness, as long as I play by the established rules.’<sup>328</sup> He argues that market forces are very much like this, so when the demand for cheap clothing leads people to open sweatshops, no-one is acting unfairly or immorally.

This line of reasoning is again problematic. Whilst exploiting weakness in a game is perfectly acceptable, the moral rules concerning the employment of other agents are different. Much more is at stake for those involved than in the case of games. Too often the exchanges involved in business contexts are thought of as more similar to those in a game rather than as exchanges and interactions concerning the lives of moral agents. When we consider what morality requires of us when participating in an exchange with other agents, such as in the case of sweatshops, ‘we should consider the basic needs of employees that employers can meet, even when the market does not require that they be met.’<sup>329</sup> This is important if we wish to be consistent in our interactions with other agents, and to take seriously our moral obligations regarding the fair and respectful treatment of others.

#### vii. Problem of dirty hands

The final problem for the attempt to justify sweatshop labour through the NWC is that there appears to be an underlying desire to avoid claims of responsibility that would require agents to make difficult decisions regarding the abolition of sweatshops. If affluent agents were to accept that they bore responsibility for the use of sweatshops, they would have to find a way to address the harm these factories cause. The use of sweatshop labour is extensive, and a great many people

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<sup>325</sup> Meyers (2007) argues against this particular position.

<sup>326</sup> C. D. Meyers, 'Moral Duty, Individual Responsibility, and Sweatshop Exploitation', *Journal of Social Philosophy*, 38 (2007), 620-626, (p. 624).

<sup>327</sup> Pogge's discussion of his condo example is particularly interesting in its analysis of this problem (*World Poverty*, p. 84).

<sup>328</sup> Mayer, p. 612.

<sup>329</sup> Jeremy C. Snyder, 'Needs Exploitation', *Ethical Theory and Moral Practice*, 11 (2008), 389-405, (p. 404).

would be affected by any changes implemented in order to make sweatshops into safe, reasonable places to work. Any such reforms, which in the long run will make people better off by securing their rights and ensuring they can meet their basic needs, risks making some people worse off in the short term. The fear of being accused of making anyone worse off, despite the wider profound benefits, suggests a reluctance amongst the affluent to get involved and risk getting morally 'dirty hands'.

The motivation behind the avoidance of dirty hands is that if we can avoid getting involved, even though we could improve people's lot, we cannot be blamed for the harm any agents suffer as part of this process. It is, of course, a rather self-serving view to take of the situation on the part of the more affluent. The fear of improving general conditions because of the risk of making a minority worse off is difficult to support for the fact that, in a situation such as this, we can foresee that there is a risk of job losses and thus act to mitigate, or even avoid, this problem. A precedent has already been set in this regard in the steps taken by some companies to avoid association with the use of child labour in manufacturing.

When a large number of child workers were found to be working in a South Asian sweatshop, they were promised payment to stay in school and guaranteed a job when they completed their studies by the international clothing company whose products were being produced in the factory by subcontractors.<sup>330</sup> Ensuring the child workers stayed in school was important for the company's image; association with child labour has been detrimental to several large multinational corporations, including Gap.<sup>331</sup> Rather than simply turning the children away, making them financially worse off and potentially forcing them to take up even more harmful types of employment, the company took measures to ensure the children concerned were not made worse off by the loss of their jobs. The financial costs involved in implementing practices such as these are low, given the current wages paid in such factories, so that taking on the responsibility to help prevent child labour costs the company involved very little in terms of resources when compared to the damage that could have been done to the company's image. Rather than denying responsibility, as has previously been the case for multinationals,<sup>332</sup> some companies have made moves towards accepting responsibility for worker's welfare and addressing it accordingly.

That many workers choose to work in sweatshops and that they would be worse off were we to close all sweatshops tomorrow is no doubt true in most cases. Supporters of these factories are here offering a false dichotomy however, as closure or the status quo are not the only options

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<sup>330</sup> Arnold and Hartman, p. 448-449.

<sup>331</sup> 'Never Again', *War on Want*.

<sup>332</sup> Arnold and Bowie.

available to us. They also assume that the only way to address the harm of sweatshops is to shut them all and remove worker's jobs, but addressing the harmful conditions and low pay involved does not require any sweatshops to be closed. Once sweatshops have been set up, the agents involved have responsibilities towards those employed in the factories, responsibilities that would be more difficult to discharge if the factories are all closed. The fact also remains that sweatshops exist because of the high demand for cheap clothing, a demand that will not disappear overnight. Whilst consumers continue to want to purchase clothing, there will be a need for garment factory workers. The question is how to make sure that those involved in the production are treated fairly and morally, particularly when they are in a disadvantaged position in terms of protecting themselves from exploitation.

## 5.6 Conclusion

Whilst the idea that we should hold individual agents responsible for social structural harm may at first seem implausible, by analysing the nature of these harms, how they come about and how individual agents participate in them, it becomes clear that in many cases individuals do bear responsibility for harms they help bring about with others. We currently face something of a perceptual stumbling block when faced with our participation in structural harm. It is easy for us to fall in with our contemporaries and participate in interactions which are often to our benefit. It is also easy to ignore the impact of our actions on others and the environment, because everyone else is involved in similar actions and our participation appears insignificant. Considerations regarding our motivations and sensitivity to our involvement are things we can put out of our minds in our daily lives quite easily, and our assumptions regarding the actions of others are things we rarely need to question. However, it is most often the case that we choose to ignore these harms rather than that we are in a state of genuine ignorance regarding them, our continued participation is therefore blameworthy.

Considering the extent of the harm caused by social structures, it can seem plausible to us to reject our individual participation as harmless and unimportant. The harm we cause is infinitesimal, or its unavoidability seems to make it unfair to hold us accountable. However, we are so deeply involved in these harms through our previous and ongoing participation that we bear responsibility to address them. When we examine the case of the global clothing industry, simple everyday acts of participation help perpetuate great harms which affect huge numbers of agents, particularly in developing countries. This is a harm in which we are all involved in some way and for which we all hold some degree of responsibility, despite the fact that our individual

participation appears to make no discernible difference and would be all but impossible for us to avoid. It is also clear that arguments suggesting that sweatshops do not in fact make people worse off are difficult to support.

Our responsibility stems from our involvement because social structural harms are collective in nature; they require the participation of a great many agents in order to come about. The same is true when it comes to addressing the harm they cause, it is the responsibility of everyone involved and it requires the involvement of all (or at least of many) of the participants in order to be able to change the social structural processes to render them harmless to participants and non-participants alike. Having argued that agents bear moral responsibility for their participation in social structural harms, we now face the question of what exactly such responsibility demands of us, and how we can best address it. I turn to these questions briefly in the final concluding chapter.

## 6: Taking up Responsibility for Social Structural Harm

### 6.1 Introduction

Participation in social structures has become part of our daily lives, but our willingness to take responsibility for the consequences of these actions has yet to catch up. Most people fail to recognise and accept the role they play in social structures and the harm these structures cause to others and to the environment. There are a number of reasons why we have found this problematic. Some are perceptual, the scale of the harm involved and the minute involvement we have in the overall structure make our responsibility difficult to comprehend. Some are motivational, we would have to significantly change our involvement in social structures in order to make our participation non-harmful to others. Some are based on our development of the wrong sensitivities and assumptions regarding our involvement.

Whilst all of these have led to a reluctance to take up responsibility for our participation in large-scale harms, they do not excuse our behaviour. Agents can bear moral responsibility for a situation without themselves acknowledging this. So far I have discussed why agent participation brings with it responsibility for these social structural harms and some of the problems agents have concerning their relationship to social structures and the harm these cause. In this final chapter I will discuss what an expanded individualism requires of agents in order for them to take up their responsibility, and why such a position is likely to be controversial.

The current harms caused by social structures are huge, and a great deal of effort will be required from most of those involved in the structural processes to make these structures non-harmful. Depending on an agent's position within the structure, and the nature of their participation, some agents will bear more responsibility for addressing these harms than others, but all participating agents will bear some responsibility both to redress the harms already caused and to ensure that future interactions are not harmful. In order to take up this responsibility, agents need to overcome the obstacles they face in understanding their relationship to social structures. They will need to develop more appropriate motivations and sensitivity regarding their participation, they will need to take seriously the harm that can be caused through participation in social structures, and work towards changing the nature of the interactions involved in order to stop perpetuating these harms. This will all be quite demanding, particularly in comparison to most agents' current beliefs regarding their responsibilities regarding these harms. However, I argue that the extent of this demandingness is not as problematic as might be supposed.

In section 6.2 I shall discuss the ways in which agents must begin to take up their responsibility for their participation in harm, beginning with developing a better understanding

of the way in which individual participation helps collectively bring about this harm, to changing their interactions within social structures and working with other participants towards social change. Expanding individualism to incorporate the harms agents bring about with others results in each individual participant bearing a lot more responsibility than most people currently believe to be the case. I therefore discuss the problem of the demandingness of this position in section 6.3. In section 6.4 I conclude this thesis with a summary of my discussion and some suggestions of possible further implications for the development of this kind of individualism and other ways in which it can be an important framework to understand our moral responsibilities in an increasingly complicated world.

## 6.2 Taking up Responsibility as a Participant

I refer to an agent's effort to address their involvement in social structural harm as 'taking up responsibility' for a number of reasons. Unlike direct interpersonal moral responsibilities, addressing participation in social structural harms almost certainly involves some effort on the part of the individual. An agent will usually need to change their behaviour, they will need to research where the products they purchase have come from and the circumstances under which they have been made. They will need to become involved in efforts to reform social structures in order to make them non-harmful. If in a position to do so, they may be required to compensate for past involvement in harm. Whatever action they take, they will need to take *some* action in order to address their participation. Taking up responsibility for social structural harm requires an agent to alter their daily interactions and participation in social structure. Since involvement in harm has become normalised into contemporary society, agents will have to work hard in order to change this. I shall therefore attempt to draw out some of the most pressing problems agents need to overcome in order to take up their moral responsibly for social structural harms.

Taking up responsibility for participation in social structural harm is made more difficult than addressing other moral responsibilities because the harm is widely accepted as normal by most people. If an agent goes around stealing, lying, and injuring others directly, people are going to notice this behaviour and call into question the agent's moral fibre. If, on the other hand, the agent is an extremely morally conscientious individual in their direct interactions with others, but continues to participate in harmful social structural exchanges such as buying sweatshop-made produce, it is unlikely anyone will think their behaviour morally questionable at all. Continuing participation in harm is therefore quite easy, it is already an accepted part of daily life and no-one is likely to criticise an agent for their involvement.

Responsibility for social structural harm is different from other forms of moral responsibility. It is collective, because social structures are necessarily collective, and so responsibility for the harms they cause is collective. As these harms are different from direct interpersonal harms, the way in which they must be addressed is also different. Only seeking to address the specific harm that an agent's particular participation has caused is not possible because individual contributions are not isolatable in this way. Simply withdrawing will also not be sufficient in this instance. Withdrawing fully may not be an option, but even where it is, doing so will not redress the harm already caused. It may also place the agent in a position that makes taking up responsibility for harm already caused more difficult, as social structures have the capacity to provide agents with a greater range of opportunities to act than they could access acting in isolation. The first step in taking up responsibility for social structural harm, therefore, is to develop a more accurate understanding of the nature and implications of participating in harmful social structural activities.

Although the amount of effort expanded individualism requires from each agent is small when we consider the amount of harm social structures produce, it still has big implications for the way in which agents should lead their lives. Some may therefore question whether continued involvement in social structures is desirable. Given the amount of change agents are required to undertake, it could be asked whether it would not just be easier for agents to do their best to simply withdraw from social structural participation. This approach, if it were possible, would only stop an agent participating in further harm. It would not address harms in which the agent has already participated. This approach also fails to take into account the importance of social structures in our lives. Even if it were possible for an agent to withdraw, the implications for that agent's ability to fulfil their goals and for them to continue to have the kinds of social interaction to which they will have become accustomed would be huge.

Establishing that an agent has participated in a large-scale harm and as a consequence bears some responsibility for that harm does not provide an agent with much information regarding how they are best to discharge that responsibility. When it comes to harms which are collectively brought about, it is important to remember that individual agents do not bear sole responsibility for redressing collective harms, but they do share in the responsibility with other participants. Individual agents cannot address social structural harms alone because the harms are produced on a large scale and involve a great many agents, acting alone would give an agent very little scope to tackle the problems involved. This raises the question of what actions an agent should take in order to address their responsibility for social structural harm.

Considering the harm caused by the global clothing industry, one suggestion might be that we simply boycott sweatshop produced items, thus ending our involvement in this particular social structure. This is a problematic approach for several reasons. Firstly, it would be very difficult for most of us to do this. Apart from the limited supply of fair-trade clothing, these items can be much more expensive than their chain-store equivalent, as fair-trade clothing companies currently lean towards more boutique high-end fashion. Secondly, the sudden withdrawal of custom would make huge numbers of sweatshop employees destitute without making any provisions for their support. Thirdly, sweatshop workers do not want to lose their jobs, what they want are jobs with fair pay and conditions. At the same time, we will continue to need and want clothes, so boycotting clothing manufacturers *en masse* does not serve either party particularly well.

In order to ensure that those employed in sweatshops get fair treatment, consumers need to support and campaign for industry changes, through petitioning companies and supporting ethical initiatives. They also need to be prepared to make some changes to their interactions, through changes in their shopping habits, for example. The number of clothes and the amount we are prepared to pay for these items may, for instance, need to change. Some companies have started to move towards more ethical approaches to their supply chains, Marks and Spencer is a notable example of this.<sup>333</sup> Purchasing from companies that are actually engaging in institutional reform helps support this change and also encourages other companies to follow suit. Simply boycotting social structures, then, is not the answer. Attempting to leave a social structure, apart from often being totally impractical, is an inappropriate response as it renders the agent less able to address the harms in which they have already been involved. Boycotting mass produced clothing would almost certainly be more harmful for workers than continued participation, and charities working with sweatshop employees argue that to simply stop buying clothes put workers at risk.<sup>334</sup>

Attempting to leave a harmful social structure is an understandable response when faced with the realisation that participation perpetuates so much harm. But the desire to remove oneself from the situation demonstrates a continued narrow individualist view of the problem of social structural harm. Leaving would stop the individual agent's involvement, but it would not address the wider problem. In order to understand what morality requires of individual participants in order to address these harms, agents need to shift their focus from their individual participation

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<sup>333</sup> Marks and Spencer's 'Plan A' aims to transform their business into a fairer, more sustainable enterprise, with goals including paying worker a living wage and reducing the environmental damage caused in their manufacturing procedures.

<sup>334</sup> 'Never Again', *War on Want*.

to the wider patterns of participation in which they are involved. As Goodin suggests, the best way to do this 'is to set up institutions to attend systematically to morally important demands that we individually can attend to only partially and imperfectly.'<sup>335</sup> Agents need to discern the best collective approach to reforming social structures, working out the most effective collective strategy for change and then establishing the way in which individuals can act to bring this about.

Shifting focus from the direct effects of a specific agent's actions to considerations of how many actions will combine may seem difficult for an individual agent to achieve, but it is again important for participants to realise that they are not solely responsible for these interactions. Agents in different parts of a social structure will have more information regarding the way in which that structure operates than others. Considering the case of harms caused by the global fashion industry, agents working directly with sweatshop employees through charities or other NGOs have direct access to information regarding these harms and the ways in which workers are affected. Clothing companies and their suppliers and distributors are also better positioned within a structure to know what kind of actions need to be taken in order to make the structure of the industry non-harmful. These agents are able to make this information readily available to most participating agents, particularly with the increasingly widespread access to the internet. It is then the responsibility of agents to refer to this information before purchasing items. Consumers can also join campaigns and participate in other advocacy activities as recommended by those more closely involved in order to help change the interactions within the social structure. This does require agents to put some thought into how they participate with others in their daily lives, but the level of effort required is small when compared with the very great difference such actions would have on the suffering of others.

One thing that should have hopefully become clear through this discussion is that in order to effectively address social structural harm agents need to work together with other participants. Just as these harms cannot be brought about by agents working in isolation, they cannot be redressed by the uncoordinated, unorganised effort of individuals. The ability of agents to improve social structural processes is increased through cooperation. A donation of £20, if given directly from one individual to another, can of course bring them some benefit. Combining that £20 with other donations to provide vital coordinated support services and institutional reform is, however, more likely to contribute to an agent's long-term wellbeing. Taking up responsibility for social structural harm requires agents to think carefully about their participation in social

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<sup>335</sup> Robert E. Goodin, 'Demandingness as a Virtue', *Journal of Ethics*, 13 (2009), 1-13, (p. 11).

structures and to work constructively with others in order to reform these structures to make them beneficial for everyone.

### 6.3 The Problem of Demandingness

The literature on demandingness is vast, and it is deserving of far more attention than I am able to give it here. However, given the level of effort expanded individualism requires of individual agents, I will briefly address some of the concerns of demandingness that my discussion is likely to raise. Beginning with an explanation as to why my approach may appear overly demanding, I then turn to a discussion of the ways in which it does not actually ask as much of individuals as might be expected, and that complaints of demandingness are not necessarily damaging to an account if that account accurately reflects the harm in which an agent has been involved. Finally, I discuss the argument that demandingness should not be our primary focus when faced with the extreme moral problems that current social structures are perpetuating.

An initial reaction to the idea of expanded individualism might be to simply reject a position that holds individuals responsible for social structural harms. Due to the nature of these harms and the difference that individual participants make to social structures, the obligations to redress harms in which an agent has participated, and the requirements to work towards the reform of structural processes which most people see as being beyond the concern of individuals, appears incredibly demanding. The minute, often indiscernible difference an individual's participation makes to a social structural harm makes suggestions that such participation is blameworthy appear disproportionate and unfair. The inability of individual agents to alter these structures alone also makes such responsibility seem never-ending. There is no way for agents to fully discharge their moral responsibilities for participation in social structures.

Another reason this position seems so demanding is that participation, as well as the harm it produces, has become a normalised part of our daily lives. In a different situation, we would see participation in large-scale harm as something more morally problematic, something to be avoided and redressed. For example, people would not accept the reintroduction of institutionalised slavery, as this is something that has become universally morally unacceptable. Yet due to the widespread acceptance of harmful social processes, many continue to participate in similarly harmful social structures, but fail to recognise their action as participation in harm. We are highly influenced by the opinions of others in our community when it comes to what we

think reasonable and demanding.<sup>336</sup> Therefore when few people, if anyone, question our involvement in social structural harm, we see little reason to question it ourselves. This problem of perception is not in itself much of a criticism of expanded individualism, as I have argued before it is quite possible for agents to have moral responsibilities that they fail to acknowledge.

Rejecting expanded individualism on the charge of over-demandingness overlooks an important consideration of the content of the requirements of addressing social structural harms. This approach does require agents to put more thought into their daily interactions with others through social interactions and participation in structural processes. However, due to the massive amount of inequality involved in many of these exchanges, the actual amount of sacrifice required of participating individuals is not necessarily that high. If we reflect on an earlier example regarding the cost of trainers and the amount a factory worker is paid per item, we can see that very small increases in retail costs, or slight reduction in profits, can have a profound effect.<sup>337</sup> Where agents can drastically improve the lives of others, particularly others who they have negatively effected through participation in large-scale harm, expecting agents to alter their involvement in structural processes to render these less harmful is quite reasonable.

Since the responsibility for social structural harm stems from participating in bringing this harm about, that an account requires agents to redress the harms they have helped bring about is not itself demanding; it merely asks agents to take responsibility for their actions and the harm they have caused. As Goodin notes, '[i]f anything, we ought to be blaming people for not doing the right thing without moral nagging.'<sup>338</sup> It has been common knowledge for some time, for instance, that the demand for cheap clothing drives the continued use of sweatshop labour. Although agents know this to be the case, discount clothing retailers continue to thrive. Of course some agents will shop in these stores due to their own financial hardships, but many more do so who have no such appeal to necessity.<sup>339</sup>

Even if the demands of expanded individualism did require a lot of sacrifice on the part of more affluent participants in social structural harm, this in itself is not a sufficient reason to argue that the position is in some sense incorrect or misguided. This line of reasoning has been criticised by many, including Meyers who states that arguments suggesting that moral obligations which conflict with self-interest and profit are excessively demanding and therefore cannot be

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<sup>336</sup> Matthew Braddock, 'Defusing the Demandingness Objection: Unreliable Intuitions', *Journal of Social Philosophy*, 44 (2013), 169-191, (p. 175).

<sup>337</sup> See chapter 5.5 (ii).

<sup>338</sup> Goodin, p. 2.

<sup>339</sup> There is a further problem with defending the manufacturing of sweatshop-produced goods to provide clothes for the poor, in that this merely deflects attention from the problem that some people in affluent countries lack the means to reasonably meet their basic needs without resorting to the exploitation of others.

required are completely unrealistic.<sup>340</sup> It is not the case, when analysing an agent's moral responsibilities, that we first decide what an agent thinks are reasonable expectations to which they are happy to be held, and then consequently work out what falls within that scope. We look to what an agent does and does not do in the world and how this measures up against what we think morality requires of them. In a world with huge amounts of inequality and international social structures which work to the advantage of the affluent, some agents will inevitably be required to do more to address these moral concerns than others.<sup>341</sup> Meyers argues that many agents in affluent countries have demanding moral obligations concerning the global poor precisely because they are benefitting from their exploitation.<sup>342</sup>

A further argument in support of maintaining that affluent agents bear demanding moral obligations towards the global poor is based on the fact that many people in the world are currently living in what can certainly be referred to as an emergency situation. Ashford has argued that, given the extent of suffering currently endured by the global poor, any 'complaints of unfairness from the affluent are outweighed by the demands of those in dire need.'<sup>343</sup> If we take morality seriously, and maintain the belief that all people should be treated in a morally acceptable way as equally important moral beings, the current state of the world will lead affluent agents to have drastically more demanding moral obligations than common sense morality might be thought to indicate.<sup>344</sup> When we compare the standard of living of agents around the world, the extent of the inequality and suffering, and the limited redistribution of resources required to transform the lives of millions of disadvantaged people, complaints of demandingness from the affluent are very difficult to justify. Even if it were the case that affluent agents were not involved in bringing about much of this harm, there would still be a strong case for arguing that they would bear demanding moral obligations to alleviate the suffering of the global poor.

## 6.4 Conclusion

Throughout this thesis I have attempted to explain the moral import of an individual's act when that act is an instance of participation in a harmful social structure. I began with a discussion of the emergence of social structural harm and the history of the collective responsibility debate. I suggested that previous attempts to make accurate responsibility ascriptions in cases of social structural harm have fallen short, leaving responsibility for the harm caused underdetermined.

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<sup>340</sup> Meyers 'Wrongful Beneficence', p. 330.

<sup>341</sup> See Murphy.

<sup>342</sup> Meyers 'Moral Duty', p. 625.

<sup>343</sup> Elizabeth Ashford, 'Utilitarianism, Integrity, and Partiality', *Journal of Philosophy*, 97 (2000), 421-439, (p. 434).

<sup>344</sup> Elizabeth Ashford 'The Demandingness of Scanlon's Contractualism', *Ethics*, 113 (2003), 273-302, (p. 275).

Arguing that collectivist approaches to large-scale harms are inadequate because those participating in social structures cannot satisfy the criteria for responsibility-bearing groups that these accounts require, I turned to an attempt to provide an individualist account of responsibility for social structural harm presented by Young. I argued that there are many interesting ideas in her work that support an account of collective responsibility in these situations, but that her specific attempt to develop a new kind of non-moral responsibility for participation in social structural harm ultimately failed. I therefore examined an alternative account of joint responsibility based on agent motivation and attitude presented by Bjornsson, who focusses on the reasons why agents become so deeply involved and complicit in social structural harm. Through the development of Bjornsson's discussion of the importance of agent motivation and participation in harmful practices, and Young's analysis of the relationship between individual agents and social structural harm, I suggested an alternative approach to previous accounts, namely expanded individualism. I analysed the ways in which agents come to be involved in these harms in a blameworthy manner, and why individuals bear responsibility to address the harms caused by the social structures in which they participate. Finally, I outlined what taking up this responsibility requires of individuals, as well as briefly discussing possible objections based on demandingness.

I have focussed on agent participation in the clothing industry to illustrate the kinds of participatory actions for which an expanded individualism holds agents morally responsible. This is of course only one of many social structures in which so many of us participate. Embracing an expanded individualism would help in the analysis of other social structural harms in which we are involved. Contributions to global warming through the ongoing widespread use of fossil fuels, for example, is a major source of harm in the world that philosophers have often found difficult to analyse in terms of individual responsibility ascriptions. Many theorists have rejected the idea that this problem can be analysed collectively, but then struggle to account for it within a standard individualist framework.<sup>345</sup> The participatory actions produce too little pollution to make a measurable difference, but holding agents responsible without identifying those actions which are harmful is open to criticisms of unfairness.

By offering an alternative approach to analysis of large-scale harm, I hope to have provided some groundwork for an account which is able to explain responsibility ascriptions for social structural harms and empower agents to take up this responsibility through coordinated efforts to reform those structures in which we all participate. Through drawing attention to the role we all play in perpetuating these harms, I hope to make acceptance of moral responsibility

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<sup>345</sup> See Kutz & Isaacs.

for them easier to grasp, grounding this responsibility in our daily participation. In this way, the moral obligations we all bear to ensure that social processes are fair and beneficial for all will not continue to be seen as the responsibility of more powerful or distant others, but a responsibility that all we bear in virtue of the interdependent lives we lead.

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