

## REVIEW ESSAY

### **Young on Responsibility and Structural Injustice**

Iris Marion Young, *Responsibility for Justice*. New York: Oxford University Press, 2011. 193p.

In the years before her untimely death in 2006, Iris Marion Young published a series of influential essays in which she developed an original and far-reaching account of how individuals should conceive of their responsibilities to address injustice. Her posthumously published book *Responsibility for Justice* brings together and extends these ideas. Young's work contains many important insights, and places a welcome emphasis on the role that social institutions can play in engendering severe hardships in ways that are not easily traceable to intentional wrongdoing by individual people. The main thesis of the book is that current ways of conceiving responsibility to address injustice, and in particular injustices that stem from pervasive social institutions (referred to as "structural injustices"), are inadequate. According to Young, the dominant way of theorizing responsibility, which she calls the "liability model," cannot make sense of a range of important responsibilities to address structural injustices that are pervasive in our world at present. Rather, argues Young, the liability model must be supplemented (and in some respects replaced) by a new model for understanding responsibility to address injustice. She develops her own version of an alternative model—the "social connection model" of political responsibility—in the core chapters of *Responsibility for Justice* and the related papers on which it is based. "Political responsibility," she explains, "doesn't reckon debts, but aims at results, and thus depends on the actions of everyone who is in a

position to contribute to those results. Taking political responsibility in respect to social structures emphasizes the future more than the past.”<sup>1</sup> She attributes the idea of such an approach to Hannah Arendt, but her own particular account of political responsibility differs significantly from Arendt’s.<sup>2</sup> According to Young’s social connection model, responsibility for addressing structural injustice falls on all those “who contribute by their actions to structural processes with some unjust outcomes.”<sup>3</sup> By embracing this model, she claims, citizens will be better positioned to understand and act on their responsibilities to tackle large-scale social problems, like homelessness, unfairness in the gendered division of labour, and the exploitation of workers in global supply chains, than if they approach these issues through the lens of the liability model. Our aim in this essay is to critically examine Young’s arguments against the liability model, as well as the arguments that she marshals in support of the social connection model of political responsibility.<sup>4</sup> We contend that her arguments against the liability model of conceiving responsibility are not convincing, and that her alternative to it is vulnerable to damaging objections.

### *Conceiving Responsibility*

Young begins her discussion of responsibilities by pointing out that, in recent decades, political discourse in the United States on policy issues such as social welfare and poverty has been influenced significantly by the ideal of personal responsibility as self-sufficiency developed by social theorists such as Charles Murray and Lawrence Meade. These theorists have both explanatory and normative ambitions. In explaining social phenomena such as poverty, they claim that it is important to pay attention to the causal role played by the voluntary decisions that particular people make. In addition, they hold that people should be expected to

internalize the costs of their voluntary actions—including accepting when their destitution is something for which they can be held responsible.

These conservative social critics took issue with what they understood to be the reigning approach to social problems the 1960s and 1970s. This model, they claimed, explained issues such as crime and poverty purely in terms of structural factors. It denied the role of individual agency and sought solutions to these problems through ambitious social policies, rather than encouraging modification of individual behaviour. They argued that the reigning approach to social policy assumed a kind of social determinism, and that more plausible approaches should instead emphasize the importance of the voluntary choices that individuals make and their responsibility for such choices.

### *Structural Injustice*

Young claims that the philosophical position commonly referred to as luck-egalitarianism, developed by Ronald Dworkin and others (according to which persons are only considered responsible for aspects of their situation that arise as a result of their voluntary choices but not for the effects of brute luck), has much in common with the views of these conservative critics of social welfare. This may seem surprising, given that luck egalitarians have tended to draw rather different, and far more progressive conclusions, than Murray and Meade and their followers. However, these two groups of theorists share, according to Young, a failure to acknowledge the role of social arrangements in shaping people's options and choices to an adequate degree. According to Young, it is a mistake to think that you can separate the effects of voluntary choice and social circumstance. These factors are intertwined in complex ways, and she considers it naive and potentially quite dangerous to think that you can

tease them apart.<sup>5</sup> Moreover, the complexity of social relations has significant implications for attributions of responsibility. Indeed, both the luck egalitarian view and the views espoused by Murray and Meade are flawed, Young argues, because they fail to recognize the importance of structural injustice. For Young, structural injustice exists “when social processes put large groups of persons under systematic threat of domination or deprivation of the means to develop and exercise their capacities.”<sup>6</sup>

In order to illustrate the way in which social structures interact with individual agency to affect people’s life prospects, Young relates the fictional story of Sandy. Sandy is a low-skilled single mother in the United States struggling to find adequate and affordable housing.<sup>7</sup> According to Young, the hurdles that Sandy faces cannot be attributed to wrongdoing on the part of landlords or real estate agents, but rather they are the result of how certain social facts—high housing prices, tenant preferences, salaries in low-skill industries, gendered division of labor—interact with her particular situation. Thus, without anyone engaging in conduct toward Sandy that seems notably wrong or that contravenes prevailing norms within her society, she is rendered quite vulnerable to homelessness throughout the course of her adult life.<sup>8</sup>

Young does not deny that it would have been prudent for Sandy to acquire further professional skills prior to becoming a parent, or that she could have avoided becoming a mother and taking on the costs associated with motherhood in the first place. Indeed, she acknowledges that Sandy’s past choices have clearly contributed to the difficult circumstances that she now faces. But Young also stresses the manner in which the social and structural aspects of Sandy’s environment play an important role in explaining her vulnerability to homelessness. As she puts it, “the all too common social position of being house deprived arises from a combination of actions and

interactions of a large number of public and private individual and institutional actors, with different amounts of control over their circumstances and with varying ranges of options available to them.”<sup>9</sup> We would need to know more about Sandy, Young acknowledges, to figure out how much credit or blame she should get for her present circumstances. But according to her view, these facts about Sandy the individual are “not very relevant to the judgment of injustice.”<sup>10</sup> The judgment of structural injustice is based not on whether or not badly off individuals are responsible in smaller or larger measure for their situation, but whether anyone should be in such a vulnerable situation in the first place.

### *The Liability Model*

Structural injustice, then, is a wrong distinct from those committed by particular agents against particular others. In fact, it can be present without it being the case that any particular agent seems to wrong any other agent. Young’s main project is to explain how the idea of structural injustice requires us to alter our understanding of responsibility for addressing injustice. The dominant model is what she calls the liability model, understood by her as the model that connects a “person’s deeds linearly to the harm for which we seek to assign responsibility.”<sup>11</sup> It “assigns responsibility according to what particular agents have done,” and thus “individualizes even when the agent it identifies is a corporate entity.”<sup>12</sup> The liability model is concerned with evaluating the intentions, motives and consequences of actions in order to lay blame and pin down responsibility for restitution. Under this model, one assigns responsibility to particular agents whose voluntary actions can be shown as causally connected to the circumstances for which responsibility is sought. Just as it pins down responsibility on some, the liability model absolves others.

According to this model, Young claims, those who cannot be shown to have voluntarily caused some injustice cannot be shown to be responsible for addressing it.<sup>13</sup>

Although Young considers attribution of liability to have an important role to play in moral assessment, she thinks it cannot make sense of responsibilities to address structural injustice. Many structural injustices, she claims, are characterized by the fact that no particular agents or even identifiable sets of agents can plausibly be viewed as causally responsible for them, or as being at fault for them.<sup>14</sup> These injustices are, rather, produced and reproduced by many people who act within accepted social norms.

She claims elsewhere that the liability model thus ‘cannot make sense’ of the idea that people in relatively free and affluent countries such as the United States, Canada, or Germany have responsibilities to try to improve working conditions and wages of workers in far-off parts of the world who produce items that those in affluent countries purchase at low cost.<sup>15</sup>

Moreover, because the liability is primarily concerned with identifying particular agents as liable for voluntarily caused harms, it is “generally backward-looking” in purpose.<sup>16</sup> The upshot of these arguments is that if the liability model alone is employed or is even stressed in conceiving of responsibility, it would either unfairly absolve many agents of responsibility to take action to remedy structural injustice and/or blame people for things for which they are not really at fault.

### ***Political Responsibility***

For the reasons identified above, Young argues that the liability model needs to be supplemented by another way of conceiving responsibilities—political responsibility.

What marks the most important distinction between the liability model and the social connection model of political responsibility is that the latter purports to attribute responsibility without appealing to blame, guilt, fault, or causal responsibility, and also to distribute the demands of responsibilities to address structural injustice without appealing to these notions.<sup>17</sup>

Young proposes a social connection model of allocating political responsibility, according to which people should bear responsibilities for addressing structural injustice when “they contribute by their actions to the processes that produce unjust outcomes.”<sup>18</sup> Note that Young does not ground such responsibility on the fact of membership in a political community.<sup>19</sup> Rather, responsibility for structural injustice arises as a result of the fact that people are linked to each other through processes within and across state boundaries. These include processes such as global supply chains that link producers in developing countries with consumers in developed countries. As she puts it, “Political responsibility in relation to structural injustice, then, certainly should involve making demands on state and international institutions to develop policies that limit the ability of powerful and privileged actors to do what they want without much regard to its cumulative effect on others, and to promote the well-being of less powerful and privileged actors.”<sup>20</sup> Of course, a great many people may be linked together in these ways, so it is important to consider how the demands of political responsibility should be distributed among people who have responsibilities. Young suggests a few criteria for distributing such demands. They should be distributed to agents according to how powerful they are, how privileged they are by structural injustice, how interested they are in addressing it, and how effectively they can collaborate with others to address it.<sup>21</sup>

### *A Defence of the Liability Model*

Are Young's criticisms of the liability model of attributing responsibility for addressing structural injustice fair? In evaluating her arguments, it is important to distinguish two aspects of liability. The first concerns what might be called the *object* of liability—what an agent who is held liable is held liable to. That is, we might be interested in the conditions under which someone is liable to punishment, to blame, to make reparation or to compensate, and so on. The second concerns what Jules Coleman has called the *grounds* of liability—the reasons for holding a particular agent liable to some object of liability.<sup>22</sup> Referring as Young sometimes does to the 'blame' or 'fault' models of liability is therefore ambiguous, since it can denote the object of liability (i.e., which agents should be liable to blame or to claims of compensation), or the grounds of liability (only those agents whose conduct is blameworthy or faulty are held liable for the object of liability.) Indeed, in this work Young often seems more interested in the question of whether such consumers are liable to blame than with whether they are liable to bear cost to address these problems. Since Young's argument is framed in terms of the rationale that can be provided for claims that people in affluent countries have responsibility to work towards eradicating labour conditions that fall short of basic labour standards, however, we shall assume that the object of liability that interests her is liability to claims that they undertake efforts to address such problems or bear cost so that others can do so. That is, she is interested in whether plausible grounds can be invoked to hold these agents liable for undertaking such efforts or bearing cost so that others can do so—that an agent's conduct is blameworthy or faulty are simply grounds on which they might be held liable to this.

As noted above, Young criticizes the liability model on the grounds that assigning responsibility to some agents “has the function of absolving other agents.”<sup>23</sup> Of course, that it has such a function is only objectionable if absolving such agents is implausible, and some may well argue that it is not. However, we share Young’s view that absolving agents like affluent consumers for addressing structural injustices embedded in global labor practices would be implausible, and therefore accept that it would be a particularly damaging objection to the liability model for attributing responsibility were it to be shown that it would have this implication. But does the liability model have this implication just because it individualizes responsibility to particular agents? Strictly speaking this is clearly false. It does not follow from the fact that one agent is liable for some harm that another agent is not, or even that one agent’s reasons to address harm based on having contributed to it are diminished by the presence of other agents who also have also contributed to this harm. It may be that a great many agents stand in relation to a harmful process in ways that make it appropriate to impose cost upon them in order to alleviate or mitigate it. Let’s consider the example of responsibility for shortfalls from basic labor standards (in so-called sweatshops), which Young discusses at length in her work.

That Owner contributes to Worker’s injury by maintaining hazardous working conditions in no way absolves the sourcing companies which, in the interest of maximizing their returns for shareholders, demand “flexible” production, “just-in-time” delivery, faster turnaround times, tighter specifications, and ever-lower costs from their suppliers. If the conduct of these agents is causally relevant for Owner’s resistance to upgrading the standards in her factory, then both have reasons—according to any plausible version of the liability model—for addressing any harm that results.

Young's claim that the liability model would absolve ordinary agents seems to rely on an unduly narrow conception of liability, based on an account of causation that is widely regarded as problematic. To warrant attribution of responsibility as liability, she claims, "it should be the case that if I had not done what I did, then the harm would not have occurred, or would not have occurred to the same extent."<sup>24</sup> She argues that many agents that seem, intuitively, to contribute to structural injustice, do not meet this condition. But there is no reason to accept this particular requirement as a ground of liability. Indeed, it is widely rejected in law and by theorists of criminal and tort law.<sup>25</sup> The fact that some unjust harm is overdetermined does not mean that individuals that contribute to the outcome are not legally and morally liable to bear the cost required to address it. That John would have hurt Sally had Jim refrained from injuring her does not absolve Jim of responsibility for the harms she actually suffers. This is true even if Sally would have been worse off had Jim not injured her.<sup>26</sup> Or suppose that Alice and Helen each light fires that were individually sufficient to burn down Tony's house. In case their fires join and burn down the house, both of them will be held liable for the damage. Those who adopt the liability model need not (and surely should not) suppose this relatively crude account of counterfactual causation as a ground of liability.

Young claims that political responsibility is attributed to people who 'contribute to' structural injustice.<sup>27</sup> She clearly wants to distinguish those who have such responsibilities with ordinary duties to assist that can be held by people who lack any such connection to particular structural injustices. However, she does not provide an analysis of what it means to contribute to structural injustice, in her sense of the term. Presumably the contribution is in at least some way causal, even if such contributions do not make particular agents, taken on their own, to be difference-

makers to the occurrence or the severity of the injustice. They could be understood as contributing because they join in some (overdetermined) causal process.<sup>28</sup> Or they could be understood as contributing to overdetermined harms, not by becoming a difference-maker with respect to their occurrence, but by becoming necessary elements in a set of actual antecedent conditions that is sufficient for bringing those harms about—a ‘NESS’ condition for their occurrence.<sup>29</sup> It is worth noting that these are among the understandings of causation that have been adopted by legal theorists and courts concerned with attributing legal liability. There are, however, important differences between these different understandings of contribution, which would yield quite different attributions of political responsibility. It seems reasonable to demand more precision regarding the use of the concept of contribution than is provided in her work.

As conceived by Young, the trouble with extending the liability model to the global economic sphere is that it requires that agents’ causally relevant conduct to be voluntary—that they act freely and without being coerced. However, it seems obvious that the affluent countries and people within them satisfy these conditions for responsibility to eradicate labor practices that violate basic labor standards, at least if we adopt a less unduly narrow conception of causal contribution. Young cannot claim that the conduct of the governments of affluent countries lacked free choice or that they were coerced, since she herself maintains that they can do and should do a great deal more to eradicate unfair practices. And since she appeals to individual people within these countries to take action to ensure that their governments do indeed undertake reform, she presumably does not consider them to be coerced into acting as they do, or consider the costs to them of acting otherwise to be prohibitive.

Towards the end of one of her essays, Young claims that “it is not helpful, however, to construct the entire networks of economic interdependence that links north American consumers to east Asian workers as a design wrongly imposed on others for which some people can be blamed. Implicitly such a formulation absolves too many ordinary people, in the south as well as the north, of responsibilities that they should take up, including responsibilities to organize pressure on powerful global actors.”<sup>30</sup> If ‘helpful’ is construed as a matter of political strategy, she may be right. It could turn out that emphasizing the liability of affluent countries and privileged participants within them (and developing countries) will tend to make others feel that they lack responsibility to address these problems. It may antagonize powerful agents and fail to mobilize ordinary citizens.<sup>30</sup> But it may not. The anti-sweatshop movement (with which Young expresses a great deal of sympathy) has been successful at least in part because it has created a strong sense amongst consumers in the developed world that through their purchases they are participating in and helping to sustain practices that are unacceptable and that they must therefore take action to address them. Far from engendering the sentiment that they are off the hook, individualizing responsibility on the liability model by blaming large corporations such as Nike has made it more rather than less possible to mobilize ordinary citizens to address these issues. Ordinary citizens, at least, seem to have no trouble making sense of such blame-oriented language. Indeed, one reason why some issues, such as so-called sweatshop labor and lack of access to medicine, receive great attention while others (such as severe income poverty) do not is that the former deprivations appear more easily attributable to an identifiable class of agents (apparel and pharmaceutical companies in affluent societies) who can be represented as having acted in a blameworthy and faulty way while others do not. And these agents are not merely

identifiable, but are linked with ordinary citizens in a very intimate way—consumers wear Nike shoes, and can hardly avoid supporting programming and publications sustained by Nike advertising and littered with its brand images. Consumers also benefit enormously from the cutting-edge medical research that pharmaceutical firms engage in, they pay taxes to the governments that negotiate trade agreements in their name, and so on.

If Young's point is not strategic but philosophical, it appears to lack plausibility by her own lights. She claims that present rules governing economic interaction are unjust. And just as those who upheld rules that permitted or required discrimination on the basis of race or gender wronged those disadvantaged by these rules, so those who maintain the structural injustice of the rules governing economic interaction wrong those whose acute deprivation is engendered by them. Liability to take on additional cost to address this injustice can be ascribed to all those agents who are causally relevant to sustaining these rules and who can obtain information regarding reforms that would alleviate or significantly mitigate these problems without incurring great costs.<sup>31</sup> Such liability criteria may absolve those who lack causal influence, or those who cannot obtain the relevant information regarding potential reforms, or those who cannot take action to address these problems except at significant cost to themselves. However, the fact that the liability model accommodates these features by assigning responsibility accordingly, will no doubt strike most people as supporting rather than undermining this approach.

Finally, Young seems to overstate the degree to which structural injustices cannot be traced to the wrongdoing of individual people. Many of the examples of social injustice to which she appeals are primarily the result of bad choices on the part of political leaders, rather than persons acting within accepted social norms. Although

it is true that in democratic societies it is the people who choose who will represent them, it is also true that political leaders thereby acquire a significant degree of power and influence over the lives of their constituents. And it is precisely this power that allows them to decide how much to invest in social housing, or whether or not to pass stringent occupancy legislation that precludes investors from keeping investment properties unoccupied, for instance. It is misleading to claim that Sandy's lack of access to affordable housing cannot be traced back to any wrongful action on the part of any agent. Surely the situation she now faces is largely due to the bad political choices that some political leaders and those who support them have made in the past, and for which they can be held responsible.

### *A Critique of the Social Connection Model*

In the previous section, we argued that the liability model does not, when wedded to a plausible conception of causal contribution to injustice, absolve agents of responsibility to address structural injustice. There is a clear sense, however, in which Young's social connection model does absolve agents. This is because, as she claims, it is primarily forward looking and aims to achieve results rather than reckon debts. If agents have failed to act when they could do so, they need not fear that they will be assigned any special responsibility for making up for this failure, at least if the model does not take into consideration culpable contributions and failures in the past. One problem is that the assessments of behavior that this model will yield do not appear to be inter-temporally consistent. This model simultaneously claims that those in a position to achieve results by alleviating structural injustice have weighty moral reasons to do so, while it is also committed to the view that, should these agents fail to

take action, they should not be judged to have weightier reasons in the future than they would have.

A second problem is that such a model seems to allocate responsibilities in a way that is intuitively unfair. If some country finds itself unable to take action to improve the conditions of workers during some time period only because it pursues imprudent economic policies and wasteful military expenditures, can they plausibly claim that other countries which have not adopted such policies, but have instead both strengthened their economies and adopted more 'generous' policies towards workers, should take on a greater proportion of the cost of improving working conditions within their domain, simply because they have more capacity to do so?

A final problem concerns incentives. Why should agents who can now take responsibility to address the plight of such workers at little cost do so when they know that they will be absolved should they fail to do so? Should the agents (consumers, corporate executives, university administrators and others in Europe, North America, Japan and other relatively well-off places) that Young enjoins to take action to remove the 'structural injustices' which serve to maintain incentives for setting up and buying from manufacturing operations that violate workers' rights, now fail to do so, how will she evaluate their behavior in twenty years, when untold millions have unnecessarily suffered because of these agents' failure to take political responsibility?<sup>32</sup> Will the slate be wiped clean or will she hold these agents responsible for having failed to act with political responsibility? The former option would seem an unwelcome implication for Young, while the latter would seem to modify her view in such a way that would bring it much closer to the liability model.

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<sup>1</sup> Iris Marion Young, "From guilt to solidarity: sweatshops and political responsibility," *Dissent* 3 (2003): 41.

<sup>2</sup> Hannah Arendt, "Collective Responsibility," in *Amor Mundi: Explorations in the Faith and Thought of Hannah Arendt*, ed. James W. Bernauer (Boston: M. Nijhoff, 1987), 43-50.

<sup>3</sup> Young, "From guilt to solidarity," 96.

<sup>4</sup> We shall draw not only on the work in *Responsibility for Justice*, but also on Young's previously published discussions of the social connection model.

<sup>5</sup> Iris Marion Young, *Responsibility for Justice* (Oxford: Oxford University Press, 2011), 18-20.

<sup>6</sup> *Ibid.*, 52.

<sup>7</sup> *Ibid.*, 42.

<sup>8</sup> *Ibid.*, 46.

<sup>9</sup> *Ibid.*, 52.

<sup>10</sup> *Ibid.*, 45.

<sup>11</sup> *Ibid.*, 96.

<sup>12</sup> Iris Marion Young, "Responsibility for Global Labor Justice," *Journal of Political Philosophy* 12 (2004): 375.

<sup>13</sup> Young, *Responsibility for Justice*, 11, 18, 76.

<sup>14</sup> *Ibid.*, 96.

<sup>15</sup> Young, "Responsibility for Global Labor Justice," 366.

<sup>16</sup> Young, *Responsibility for Justice*, 98.

<sup>17</sup> *Ibid.*, 118.

<sup>18</sup> *Ibid.*, 105.

<sup>19</sup> *Ibid.*, 137.

<sup>20</sup> *Ibid.*, 151.

<sup>21</sup> *Ibid.*, 146-147.

<sup>22</sup> Jules L. Coleman, *Markets, Morals and the Law* (Cambridge: Cambridge University Press, 1988).

<sup>23</sup> Young, *Responsibility for Justice*, 11, 18; "From guilt to solidarity," 41; *Responsibility for Global Labor Justice*, 368.

<sup>24</sup> Young, *Responsibility for Justice*, 101.

<sup>25</sup> Michael S. Moore, "For What Must We Pay? Causation and Counterfactual Baselines," *San Diego Law Review* 1181 (2003): 1181-1271.

<sup>26</sup> There may be some narrow exceptions to this rule in cases where the intent of the person who inflicts the harm is to prevent the greater harm.

<sup>27</sup> Young, *Responsibility for Justice*, 96.

<sup>28</sup> Wesley Salmon, "Causality without Counterfactuals," *Philosophy of Science* 61 (1994): 297-312.

<sup>29</sup> Richard W. Wright, "Causation in Tort Law," *California Law Review* 73 (1985): 1735-1828.

<sup>30</sup> Young, "Responsibility for Global Labor Justice," 382.

<sup>30</sup> Holly Lawford-Smith, "The motivation question: arguments from justice and from humanity," *British Journal of Political Science* 42 (2012): 661-678.

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<sup>31</sup> Cf. Thomas W. Pogge, *World Poverty and Human Rights* (Cambridge: Polity Press, 2002).

<sup>32</sup> Young, "Responsibility for Global Labor Justice," 374.