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COLLECTIVE RESPONSIBILITY AND ACTING TOGETHER

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10.1 Introduction

When several agents act together, they do not just act in parallel. Consider two friends who are walking together. What they do is qualitatively different from what two strangers do who merely walk alongside each other. This is true even if the latter are strategically responsive to each other, trying to avoid bumping into each other, and so on (Gilbert 1990: 2–3). In the former case, there is one (shared) intentional action with several participants, each of whom is performing actions that are components of the larger whole. Each participant treats the other as a partner or a co-participant. The strangers, on the other hand, treat each other merely as agents to be kept at an appropriate distance. They perform distinct intentional actions. They are engaged in strategic interaction.

There are several carefully crafted accounts of this kind of small-scale acting together, or shared intentional action, each of which is meant to capture the intuitive difference between contrast cases of this type (for similar contrast cases, see e.g. Kutz 2000: 78; Bratman 2014: 9–10). Typically, these are presented as accounts of “shared intention,” where a shared intention is whatever it is that glues the participants’ contributions together and distinguishes what they do from acting in parallel.¹ Just like individuals who act alone or in parallel, people who act together are responsible for what they do. But what does this mean? And what, if any, is the moral significance of the contrast between acting together and strategic interaction?

In order to answer these questions, we investigate the connection between shared intention and collective moral responsibility and collective blameworthiness.² In the next section, we set out how we use some key terms and briefly rebut some skeptical arguments against the very idea of collective moral responsibility. In section 10.3, we sketch Michael Bratman’s influential account of shared intention and illustrate the distinction between shared action and strategic interaction with two cases. Here, we demonstrate that collective responsibility for outcomes is not uniquely tied to shared intentional action. In section 10.4, we then go on to argue that, other things being equal, the degree to which the participants in a shared intentional wrongdoing are blameworthy is greater than when agents bring about the same wrong as a result of strategic interaction.

Our point of departure is the Strawsonian idea that the degree to which one or more agents are blameworthy depends on the quality of will they display in their actions (Strawson [1962]

2013). We observe that those who form a shared intention are more intimately involved in what they do and its consequences. More specifically, they are implicated in each other's will in a distinct way, which is in turn normally reflected in their quality of will. In cases of shared intentional wrongdoing, we show that this will typically be reflected in a greater degree of blameworthiness. Although we focus on wrongdoings, our conclusion generalizes to praiseworthiness for doing the right thing together.

10.2 The Very Idea of Collective Moral Responsibility

We focus on backward-looking moral responsibility, rather than forward-looking moral responsibilities (obligations).³ From now on, 'responsibility' refers to backward-looking moral responsibility unless otherwise stated. An agent is responsible not only for doing the wrong thing or for the bad outcomes that she brings about, but also for actions or outcomes that are morally neutral, right or good.⁴ Furthermore, she can be responsible for a bad action or outcome even if she is fully excused or justified and therefore not blameworthy. We will assume, as philosophers often do, that being responsible is a threshold property, so that an agent is either responsible or not for an action or outcome.⁵

As we use it, the term 'collective moral responsibility' applies whenever several agents bear moral responsibility for one and the same action or outcome.⁶ We restrict ourselves to collectives that are not group agents. Even so, some philosophers regard the very idea that responsibility can be collective as suspect or incoherent.

According to Elazar Weinryb, "[o]ur idea of responsibility requires that it should be uniquely ascribed [to a single agent]" (1980: 9). If there were such a unique agent requirement, then the idea of collective responsibility would be incoherent. One motivation for the requirement regarding collective responsibility for an action could be a Davidsonian action ontology according to which all actions are primitive actions that can be described in various ways, for example in terms of the outcomes they are intended to bring about (Davidson [1971] 2001). An agent's primitive actions are those that she can perform directly, without intending to do anything else by means of which the primitive action is performed. Davidson takes these to be restricted to a repertoire of movements of the agent's own biological body. On this view, several agents cannot share direct responsibility for an action (Sverdlik 1987: 64–66).

Another motivation for a unique agent requirement is the claim that "only agents can act," where this is taken to imply not only that "only an agent can do any component of an action," but also that "only an agent can do any action as a whole" (Collins 2013: 235). This means that, if cooperating individuals do not form a group agent, then they cannot perform an action and, *a fortiori*, cannot bear collective responsibility for an action. If they do form a group agent on the other hand, then it is the group agent that is responsible for the action, not the group members.

However, it is incontrovertible that an outcome or event can nevertheless be brought about by several agents, each of whom is morally responsible for it (Zimmerman 1985: 118; Sverdlik 1987: 66–67). Each could be blameworthy for that outcome or event. Furthermore, if one accepts, as we do, that there is such a thing as acting together, where several agents perform different components of one and the same action, then there is no reason to deny that several agents can also in principle be collectively responsible and blameworthy for shared actions.

10.3 Responsibility for Shared and Parallel Action

To discuss the moral significance of the contrast between shared intentional action and strategic interaction, we need a provisional grasp of what characterizes the former. To this end, we

briefly sketch Michael Bratman's account of shared intention. This account arguably captures important core features of at least many cases of shared intentional action and we will rely on it in the rest of the chapter (for overviews of other accounts, see Alonso 2018; Tuomela 2018).

According to Bratman, several agents' shared intention plays a role in their shared activity *J* that is analogous to the role that a single agent's intention plays in her individual activity. The shared intention coordinates the participants' planning and acting in pursuit of their *J*-ing, and it structures their deliberation and bargaining concerning how to *J*. On Bratman's account, what plays this role is simply an interpersonal pattern of ordinary intentions and other individual attitudes. There is no need to posit a group agent or an intention that literally belongs to the group as such. In this sense, the account is reductive.

The core of Bratman's account is what he calls the *Intention condition*. When we have a shared intention to *J*—say, to rob a bank—then “[w]e each have intentions that we *J*; and we each intend that we *J* by way of each of our intentions that we *J* [and] by way of sub-plans that mesh” (Bratman 2014: 103). Each thus intends that the bank robbery is brought about by way of each of our intentions that we do this and by way of co-realizable sub-plans for our robbing the bank. When satisfied, this condition ensures that we treat each other as partners or co-participants. Since each of us *intends* not only that our own intention is effective, but also that the other's intention is effective, we cannot rationally also intend to bring about the intended end by way of brute coercion that bypasses the other's agency (say, I cannot intend to handcuff you to the bank's entrance door against your will, in order to delay the police). Since each of us intends our subplans to be co-realizable, we also cannot rationally intend to circumvent the execution of the other's subplan by deception (say, I cannot rationally intend that we rob the bank by my threatening the bank tellers with a handgun if I know that you intend that we rob the bank non-violently, without the use of weapons). Furthermore, if the *Intention condition* is fulfilled, then each of us will to some extent be disposed to help and support the other in doing their bit to bring about the common end if it becomes necessary (see Bratman 2014: 56–57). When the *Intention condition* is met, our individual intentions interlock.

Bratman's account of shared intention also specifies that certain supporting beliefs and facts about interdependence be in place, and that the parties have common knowledge that the *Intention condition* and the other conditions are met. If the shared intention appropriately causes and coordinates the action that is performed together, then it is a “shared intentional activity” according to Bratman, which is a particularly robust form of shared intentional action.

Bratman only claims that his conditions are jointly sufficient for shared intention, but the *Intention condition* should arguably be taken as a proposed necessary condition. It is this condition that ensures that shared intentional activity is a minimal form of intentional cooperation with respect to the participants' common end.⁷

Now, consider the case of us robbing the bank and its customers together and a contrast case where we bring about the same outcome as a result of strategic interaction:

Shared robbery: You and I form a shared intention to rob a bank and its customers. Acting on our shared intention, I point a gun at the bank tellers and force them to hand over the money. You point a gun at the customers in the waiting area forcing them to hand over their jewelry and smartphones. As a result, we jointly intentionally rob the bank and the customers.

Parallel robberies: You and I are two independent robbers who each stake out the same bank. I plan to get the money from behind the counter, while you plan to rob the customers. However, neither of us proceeds because of the risks we each run on our own. The customers are likely to overpower me when I threaten the bank tellers, and

the bank employees are likely to warn the police when you threaten the customers. Our chances of success would therefore be significantly higher if we acted simultaneously. As it happens, we each notice the other staking out the bank and we each realize what the other's plan is (suppose each has earlier overheard the other talking about the possibility of robbing the bank/customers). Expecting the other to follow suit, I form an intention to rob the bank and you form an intention to rob the customers. Acting on my intention, I enter the bank and start to threaten the bank tellers. Acting on your intention, you follow suit and start to threaten the customers. As a result, I rob the bank intentionally and you rob the customers intentionally. Because of the interdependence between our actions, my robbery of the bank and your robbery of the customers are both collective effects of our combined actions.

In *Shared robbery*, that we rob the bank and the customers—"that we *J*," in Bratman's account—is a common end that we are tracking together in virtue of our shared intention. In *Parallel robberies*, only I have the end that the bank is robbed as a combined result of our actions, while only you have the end that the customers are robbed as the combined result of those same actions. Of course, if we had the opportunity to communicate in *Parallel robberies*, it is likely that we would acquire or form a shared intention to rob the bank and the customers, making our actions part of one shared intentional robbery. But suppose we do not.

A moment's reflection on these cases shows that in both cases you and I are collectively responsible for the outcome. In both *Shared robbery* and *Parallel robberies* each of us is clearly morally responsible and blameworthy for the bank and the customers being robbed. Because of our awareness of the interdependence of choices and actions in *Parallel robberies*, each of us knowingly brings about—has control over—not merely our own intended end, but also the other's distinct intended end. If knowingly bringing about an outcome is sufficient to intentionally bring it about, then each also intentionally brings it about that both the bank and the customers are robbed in *Parallel robberies*. In *Shared robbery*, we each have a similar kind of awareness of and control over the total outcome, but in addition each intends that the total outcome is brought about. It follows that shared intentional action, while sufficient for collective responsibility, is not necessary for it.

According to Bratman, a shared intention can play a "linking role" that "may make us each in some way responsible for the shared activity that ensues, and not just each individually responsible for our specific contribution [...]" (1997: 32). What *Parallel robberies* shows is that a very similar linking role can be played by our awareness of the situation and our strategic intentions. A shared intention is not necessary for agents to be collectively responsible for the collective effect of their combined actions.

Contrary to what some philosophers have assumed then, there is no essential or necessary connection between shared intentional action and collective responsibility for outcomes. Seumas Miller is mistaken when he submits that what we call collective responsibility "presupposes, and is heavily reliant on, the notion of joint [intentional] action" (2001: 234). Similarly, in light of examples of what seems to be shared intentional wrongdoing, Steven Sverdlik first correctly submits that "each is responsible for the result precisely *because* each is responsible for an action aiming at this result" (1987: 67). But he then goes on to mistakenly claim that "it is *only* when more than one person intends the result that responsibility for it is collective" (1987: 67).⁸

It is telling that the few accounts of "shared intention" that have been explicitly developed to make sense of collective responsibility—and not to understand shared agency as such—in fact do *not* require the parties to each intend the result for which they may end up being collectively responsible. For example, Brook Sadler's account of shared intention allows for cases where

the participants “do not see their respective actions as contributing toward a common goal or activity” (2006: 126). Similarly, on Christopher Kutz’s account, “a set of individuals can jointly intentionally G even though some, and perhaps all, [...] do not even intend to contribute to G, but only know their actions are likely to contribute to its occurrence” (2000: 103; for discussion, see Blomberg 2016b: section 3).

However, the fact that we are collectively responsible for the outcome in both *Shared robbery* and *Parallel robberies* does not imply that our blameworthiness for bringing about the outcome is the same. In the next section, we consider two possible arguments for the idea that—other things being equal—agents are more blameworthy for shared intentional wrongdoing than for intentional wrongdoing that is the result of parallel action.⁹

10.4 Collective Blameworthiness and Shared Intentional Action

So far, we have argued that agents can be collectively responsible for an action or an outcome. We have also shown that they can be collectively responsible for an outcome even if it is not the result of their shared intentional action. The question remains, however, whether there is anything distinctive about collective blameworthiness in cases where the agents act together rather than in parallel. Corresponding to our use of the term “collective moral responsibility,” several agents are collectively blameworthy for an action or outcome when each is blameworthy for that action or outcome.

It is sometimes assumed that an outcome or action is associated with a fixed amount of blameworthiness such that it would have to be divided and distributed in cases of collective blameworthiness (see e.g. Cohen 1981: 73). However, there is good reason to reject such a “pie model” of collective blameworthiness. If doing arithmetic with different agents’ blameworthiness makes any sense, then the blameworthiness should be multiplied rather than divided in cases of collective blameworthiness. In other words, the involvement of others’ agency in bringing about a bad outcome does not itself decrease or dilute—nor increase or concentrate—an agent’s blameworthiness for bringing about that outcome.¹⁰ Consider a case where I intentionally bring about a bad outcome together with other agents. Now, replace those other agents with non-agential contributing causal factors (say, advanced robotic devices), but keep my intention and contribution fixed. There seems to be no reason why I would be any less or more blameworthy in the former case than in the latter just because some of the contributing causal factors happen to be other intentional agents rather than advanced robotic devices (for this argumentative strategy, see Mellema 1985: 182–183; Zimmerman 1985: 116–117; Sverdlik 1987: 72).

So, the fact that other agents are causally involved does not in itself diminish or increase an agent’s blameworthiness. It could still be, however, that the fact that individuals act on a shared intention to do wrong is significant for their degree of blameworthiness. Doing the wrong thing together rather than in parallel somehow seems to make it worse. At the same time, however, this intuition is not very strong. Some people we have presented our contrast cases to share our intuition that you and I are more blameworthy in *Shared robbery* than in *Parallel robberies*. Others, however, have had no such intuition. Furthermore, even if there were a clear uncontroversial intuitive difference in blameworthiness between these particular contrast cases, theoretical arguments would still be needed for showing that a shared intention contributes to a greater blameworthiness for wrongdoing in other contrast cases.

There are at least two ways in which one might try to support the intuition. The first focuses on a causal difference between shared and parallel action, the second on a volitional difference. The causal difference is that, due to the fact that individual intentions interlock, shared intentions cause actions in a less sensitive (that is, more robust) manner. We argue, however, that

this in itself is not significant, because moral blameworthiness always implicates the will: the degree to which an agent is blameworthy depends on the quality of will she displays in her actions, and the quality of the agent's will is partly reflected in the intentions that an agent forms, retains and acts on. We therefore go on to consider the idea that the fact that agents have formed a shared intention to do something wrong normally reveals something distinctive about the quality of their wills. The idea is that there is also a volitional difference between shared and parallel action: in the case of shared actions the agents are mutually implicated in each other's will in a distinct way. We argue that, other things being equal, this typically makes them more blameworthy for the wrong they do.

Before considering the two arguments in the sub-sections that follow, a potential methodological worry should be addressed. One might think that it is possible to eliminate any proposed blameworthiness-relevant difference between cases such as *Shared robbery* and *Parallel robberies* by removing ingredients from the former case or by adding ingredients to the latter case. It is not obvious that such manipulation would undermine the contrast between shared intentional wrongdoing and bringing about the same result by strategic interaction. For example, our robbery in *Shared robbery* could arguably be jointly intentional even if we lacked common knowledge that we had the intentions required by Bratman's *Intention condition* (see Blomberg 2016a). As we have noted, Bratman's conditions are presented as jointly sufficient conditions, not also as individually necessary. Or we might add to the *Parallel robberies* case that each of us has a general disposition to be helpful to other robbers, say. Or add that each intends that the other's intention be effective, but retain the feature that there is no common end. This will be possible given any reductive account such as Bratman's, which is constructed out of multiple components (a common end, interlocking intentions, common knowledge that there is the common end and the interlocking intentions, etc.). The worry then is how we in the end will know that the blameworthy-relevant feature that we focus on is one that is always present in cases of shared intentional wrongdoing but never in cases of parallel wrongdoing.

The argument that we put forward in section 10.4.2, however, turns on Bratman's *Intention condition*, which, as we have noted, is arguably a necessary condition in Bratman's set of jointly sufficient conditions. It may be true though, that acting together is not a unified phenomenon, so perhaps our argument only applies to a certain kind of shared intentional wrongdoing.¹¹ Furthermore, it is possible that shared intentional wrongdoing of this particular kind is multiply realizable (Bratman 2014: 36). Hence, we cannot rule out that some ingredients could be changed or added to *Parallel robberies* to transform it into a case of shared intentional wrongdoing of this kind even if Bratman's *Intention condition* were not satisfied. But if this were done, then it is reasonable to expect that these ingredients would be such that they could also support the argument we put forward.

10.4.1 *Shared Intention, Insensitive Causation and Predictive Significance*

Suppose that, in one case, an innocent person is shot and killed by a skilled sniper, whereas, in another case, the shooter is a clumsy and unskilled marksman who hits and kills the target anyway. We can imagine the marksman appropriately saying "But I didn't think I'd succeed!" when blamed—an excuse that would be unavailable to the sniper. Now, one difference between the two cases is that the sensitivity of the causal pathway between the marksman's intention to shoot and kill the victim and the intended outcome is much higher than that of the causal pathway between the sniper's corresponding intention and the intended outcome. C_1 causes E_1 less sensitively—or more insensitively/robustly—than C_2 causes E_2 if the range of nearby counterfactual circumstances in which C_1 would cause E_1 is wider than that in which C_2 would

cause E_2 (Lewis 1986; Woodward 2006). So, one might think that less sensitive causation generally increases blameworthiness. Arguably this idea has some intuitive pull at first glance.

This intuition can be bolstered by considering the fact that, compared to the marksman's intention, that of the sniper has higher "predictive significance" with respect to the intended outcome (Scanlon 2008: 13; see also Foot [1967] 1978: 23–24). One might think that this makes the sniper's action more wrongful than the marksman's, thus indirectly increasing the former's blameworthiness (Scanlon 2008: 31–32, 41–43). Suppose you are in a position to hire either the sniper or the marksman to indirectly kill the target. While both options are morally wrong, it may intuitively seem like hiring the sniper is morally worse, precisely because you know that it will lead to the bad outcome under a wider range of possible circumstances (and you are unaware of exactly what the actual circumstances are or will be). If the victim is killed, you would then be more blameworthy if the shooter were the sniper than if he were the marksman.

Chiara Lepora and Robert Goodin embrace a similar idea when they argue that a higher degree of prospectively known causal insensitivity between a secondary agent's act of complicity and the wrongdoing coming about increases his blameworthiness for the complicit act (2013: 66–68, 102–112).¹² They take such causal insensitivity to be an independent factor that increases blameworthiness directly, not a factor that indirectly increases blameworthiness by making the act of complicity more wrongful. Other things being equal, the wider the range of counterfactual circumstances in which the secondary agent knows that his contribution would make a difference to whether the wrongdoing comes about or not, the more blameworthy the secondary agent is.¹³ Thus, it is the insensitivity that the secondary agent was prospectively aware of that matters: "[Morality] evaluates our action retrospectively only in light of what could and should have been expected to occur, at the time we had to act" (Lepora & Goodin 2013: 68). Hence, according to Lepora and Goodin, the predictive significance of an agent's intentions or actions is directly relevant to blameworthiness. While they explicitly restrict this proposal to the blameworthiness of secondary agents in cases of complicity, there is no reason why it wouldn't also apply to the blameworthiness of "co-principals" in shared intentional wrongdoing.

Other things being equal, a shared intentional action will cause the (jointly) intended result in a more insensitive manner than a parallel activity will cause the (severally) intended result. For example, the causal pathway from our shared intention to the robbery of the bank and the customers in *Shared robbery* is less sensitive to changes in circumstances than that from the strategic intentions to the robbery of the bank and the customers in *Parallel robberies*. Suppose that one of the bank tellers has a panic attack and as a result it takes her a long time to get hold of the money. If this happens in *Parallel robberies*, then you might collect all the jewelry and smartphones and leave the scene before the bank tellers have managed to hand over the money, leaving the customers to attack and overpower me. Since you don't really care about whether my robbery succeeds as such—as long as the bank tellers are prevented from warning the police—you have no reason to help me keep the customers at a safe distance once you are done robbing them. By contrast, in *Shared robbery* we both intend that we succeed in robbing the bank and in robbing the customers. If each intends that we do this by way of both our own and the other's intention, then each will also be disposed to help the other in bringing about the intended result in a wider range of nearby counterfactual circumstances.

On Bratman's account, we have common knowledge of our intentions when we have a shared intention. Hence, we will prospectively be aware in *Shared robbery* that the probability that we succeed is relatively high. We are aware that, if we succeed, then the robbery will have been brought about with a relatively high degree of insensitivity. Our shared intention in *Shared robbery* will have higher predictive significance than our strategic intentions in *Parallel robberies*.

Hence, if the bank tellers and the customers were to discover in advance what our intentions were, then they would think their situation worse in the shared case than in the parallel case.¹⁴

On the proposal under consideration, our shared intention not only makes the jointly produced outcome worse from the victims' point of view, each of us is also more blameworthy in *Shared robbery* than in *Parallel robberies*, both for the robbery of the bank and for the robbery of the customers. In particular, each is more blameworthy even for the outcome that we individually intended to bring about in *Parallel robberies*. This is because we would know that our shared intention in *Shared robbery* would cause that outcome under a range of nearby counterfactual circumstances that is wider than that under which our strategic intentions would cause that outcome in *Parallel robberies*.

Thus far, the claim has been that what is doing the work is the known insensitivity of the causal relation. It is far from obvious, however, that this is the case. Moral responsibility and blameworthiness are distinct from causal responsibility in that they implicate the will. As it turns out, the intuitions at issue can be better explained in terms of motives rather than causes. Consider first the case where you hire either a skilled sniper or a clumsy marksman to assassinate an innocent person. Arguably, it seems morally worse to hire the sniper because this would normally reflect a worse quality of will than in hiring the marksman. In other words, an insensitive causal pathway between intention and outcome will typically be (defeasible) evidence for a worse quality of will. To illustrate, you would normally have to pay a higher cost for the services of the sniper, which would suggest stronger determination on your part. If his services were offered at the same price, then hiring the marksman would suggest some ambivalence on your part, as if part of you wanted the shot to miss. Such a quality of will explanation undermines the motivation for thinking that the known insensitivity of causation is itself relevant to wrongfulness or blameworthiness.

Now, focus only on the role of the sniper/marksman and the victim. If the sniper's and the marksman's desire and intent to hit and kill the target are the same, then the insensitivity of the causal pathway to the victim's being killed arguably does not itself make a difference to blameworthiness.¹⁵ The clumsy marksman's "But I didn't think I'd succeed!" would not function as an excuse if it were merely a comment about his own view of his probability of success. To be taken as an excuse, it would have to be pragmatically interpreted as a claim that he didn't actually want or intend to hit and kill (that is, a claim directly relevant to what the quality of his will was). Indeed, this seems to be the commonsense view. Results from experimental philosophy suggest that ordinary people's judgments about blameworthiness are not sensitive to the skill level of a shooter who intentionally kills an innocent victim (see Sousa & Holbrook 2010; Sousa et al. 2015).

All this also applies in cases of shared intentional wrongdoing. We are not more blameworthy for the bad outcome in *Shared robbery* than in *Parallel robberies* in virtue of the fact that the causal pathway from our intentions to the outcome is more insensitive in the former case than in the latter. Nor are we more blameworthy in virtue of our prospective awareness of this causal insensitivity. Upon being blamed by a third person for robbing the bank in *Parallel robberies*, I wouldn't be giving a valid (partial) excuse if I pointed out that I might not have succeeded if you had collected the jewelry and smartphones quickly and left early.

One might argue that it is different with respect to the foreseen but unintended side-effect that I bring about in *Parallel robberies*. If I am blamed for bringing it about that you robbed the customers, then I might be giving a valid partial excuse if I pointed out that you might not have succeeded in robbing them if I had been really quick in robbing the bank. But again, this is because (and only insofar as) it is evidence of a quality of will that manifested itself in my behavior. There is such a difference: Other things being equal, one manifests a worse quality

of will if one acts on an intention to bring about an outcome that one knows to be bad than if one merely acts with the awareness that the bad outcome is likely to be brought about as an unintended side-effect of what one intends to do. Of course, if other aspects of my will varied between the cases, then this might not be true (for example, suppose that I strongly desire that you successfully rob the customers in *Parallel robberies* but not in *Shared robbery*).

This does not mean that insensitivity of causation is completely irrelevant to whether agents are collectively blameworthy for a bad outcome. Plausibly, for the bad quality of the agents' wills to be relevant to their collective blameworthiness for the outcome, the quality of these wills has to be such that it plays a role in normally explaining why such bad outcomes come about (see e.g. Björnsson & Persson 2012). It is plausible that this requires that some threshold of insensitivity of causation is passed. However, this does not mean that the difference in the sensitivity of the causal process in contrast cases such as *Shared robbery* and *Parallel robberies* explains a difference in degree of collective blameworthiness.

10.4.2 Shared Intention and Quality of Will

As we have noted, the intentions that an agent is acting on at least reflects the quality of her will. As Bratman points out, the fact that action is carried out as part of some larger plan “might constitute or indicate a *deeper level of commitment* to the action,” and this at least partly explains the concern with premeditation in criminal law (1997: 31–32). The fact that a person commits to and plans to bring about an outcome is in most circumstances at least strong evidence that she cares about and desires that this outcome be brought about. Thus, when a morally bad outcome is intentionally brought about, then the fact that the agent had a prior intention to bring it about normally indicates something about her quality of will which makes her more blameworthy than if she did not have the intention. This explains why, in *Parallel robberies*, I would normally be somewhat more blameworthy than you for the robbery of the bank while you would be somewhat more blameworthy than I for the robbery of the customers.

However, forming an intention to do something wrong may not merely reflect a deeper underlying commitment to wrongdoing, the forming of the intention can also constitute an additional wrongdoing. Consider the case of a single agent who performs a morally bad action. She can perform it spontaneously in a way that is isolated from any prior activity or plan. She might immediately and spontaneously reveal an intimate secret about an acquaintance to others out of spite, for example. Alternatively, the telling of the secret might be the result of prior commitment and planning. Suppose the spiteful person committed and planned ahead of time exactly when, to whom and how to reveal the secret. Here, the spiteful pre-committed planner has arguably made herself complicit in her own wrongdoing. She not only intends to perform an action that is morally bad, but she also formed and retained an intention that her future self's intention appropriately brings about and coordinates this morally bad action. Normally, this would make her more blameworthy for revealing the secret. She will be blameworthy for it both in virtue of intentionally performing the action and more blameworthy for it in virtue of earlier forming the intention to perform it and retaining that intention. Now, this is not invariably the case, since forming an intention to do something bad might involve ruling out an alternative course of action that is even worse. Furthermore, sometimes intentions are passively acquired and immediately executed rather than formed prior to the time of action (Mele & Moser 1994: 45). But in most contexts where the agent formed an intention to do something bad, this makes her more blameworthy than she would be if she did the bad thing without having formed the prior intention.

A natural thought is that what is special about shared intentional wrongdoing is that, by analogy, there is a shared will in which all the participants are mutually implicated, normally leading to a greater degree of blameworthiness than in otherwise similar cases of parallel wrongdoing.¹⁶ First, that I go out of my way to form a shared intention with you in a case such as *Shared robbery* would normally reflect a deeper concern for the banks and customers being robbed or a stronger desire for us to succeed than I would have in a case such as *Parallel robberies*. Hence, the presence of a shared intention normally reflects underlying desires, concerns or value judgments that are relevant for blameworthiness in cases of wrongdoing. Each of us would thus normally be more deeply committed to the intentional achievement of the morally bad outcome in *Shared robbery* than in *Parallel robberies*, where this includes both the outcome that the bank is robbed and the outcome that the customers are robbed. Second, recall that the intentions of participants are bound together in shared intentional wrongdoing in a special way. It is not only that their intentions converge on a morally bad common end. On Bratman's account, each also intends that both their own and the others' intentions to bring about that common end are effective.

Due to the way the participants' intentions are interlocked, each is implicated in the wrongdoing not only due to the fact that their own intention is aimed at the bad outcome, but also due to the fact that they formed intentions aimed at the satisfaction of the other participants' intentions to bring about the bad outcome. When these interlocking intentions are formed, retained and successfully executed, each will be complicit in the other's wrongdoing as well as responsible for their own contribution to their own intended wrongdoing. Each of the participants in shared intentional wrongdoing not only brings about the intended bad outcome, each also brings it about that their own and the others' intentions to bring about this bad outcome are formed, retained and successfully executed. When we each do our part of jointly intentionally robbing the bank and the customers in *Shared robbery*, each does this in the awareness that we are supporting and satisfying the other's intention that our own intention effectively brings about the morally bad common end. In addition, we are each indirectly supporting our own intention that the other's intention effectively brings about that same end. Crucially, each of us formed intentions that *two* intentions rather than merely one intention be directed toward the morally bad outcome and successfully executed. Each is furthermore arguably aware that the morally bad outcome is such that the intention of each of us is directed to it (Blomberg 2016b). In *Parallel robberies*, each merely intends that one intention, our own, successfully brings about our own intended bad outcome. As in the individual case, this normally (but not invariably) reflects a worse quality of will, which in most circumstances will make participants more blameworthy than they would be in a contrast case where they bring about the same bad outcome as a result of strategic interaction.

There is one final question we need to address. Thus far, we have focused on Bratman's reductive account of acting together. But does our argument generalize to non-reductive accounts? While we cannot discuss this in depth here, it seems plausible that it is compatible with accounts of shared intention such as Margaret Gilbert's (1990, 2008) and Raimo Tuomela's (2007). On their accounts, shared intention involves an irreducibly joint or collective commitment that glues group members together with respect to some joint action. As Gilbert puts it, when several agents have a shared intention to bring about some goal, then there is "a pool of wills which is dedicated, as one, to that goal" (1990: 7).

If there is a joint or collective commitment to do something morally bad then this is normally an important fact that reveals something about the quality of the wills of the parties to this joint or collective commitment. Furthermore, insofar as the joint or collective commitment is formed by parties rather than passively acquired, forming it constitutes a further wrongdoing in virtue of which the parties become complicit in the morally bad action that ensues. Arguably,

the parties will then normally be blameworthy not only due to their individual commitments to do their parts, but also to the way they pooled or united their individual commitments in a joint or collective commitment. Thus, our argument generalizes from Bratman's reductive account to non-reductive accounts of shared intentions.

10.5 Conclusions

With shared action comes collective responsibility. And blameworthiness for shared intentional wrongdoing is normally greater than that of people who do the same wrong as a result of strategic interaction. The reason for this is that, when several agents form, retain, and successfully execute a shared intention to do wrong, their ill wills become mutually implicated in each other in a distinct way. Each is implicated in the wrongdoing not only because his intention is directed at the bad outcome, but also because his intention is directed at the other participants' intentions being effective. Our reactive attitudes and judgments of blameworthiness should be sensitive to this distinct kind of mutual implication of ill wills. Hence, other things being equal, agents who have a shared intention to do wrong are normally more blameworthy than agents who intentionally bring about the same wrong as the result of acting in parallel on merely strategic intentions.

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Notes

- 1 Sometimes the label used is 'joint intention' or 'collective intention' and, correspondingly, 'joint intentional action' or 'collective intentional action.'
- 2 Surprisingly little has been written about the connection between shared intention and collective moral responsibility and collective blameworthiness. The most relevant references are: Bratman (1997), Kutz (2000: chapters 4–5), Miller (2001: chapter 8), Sadler (2006), Tuomela (2007: chapter 10), Isaacs (2006, 2011: chapter 4), and Giubilini and Levy (2018).
- 3 On forward-looking collective moral responsibility, see e.g. Björnsson (2014) and Hindriks (2019).
- 4 Talk of *moral* responsibility for a morally neutral action such as raising one's arm (in a context where this has no effect on any other agent) may sound odd and unusual. This is because, in everyday life, the issue of whether someone is responsible for an action will typically only arise when blame or praise is actually in the offing. Moral responsibility for morally neutral actions is not mere causal responsibility, as it requires that the agent is psychologically related to the action in the right way.
- 5 Why assume that being responsible is a threshold property? The primary question is whether or not an agent is a candidate for some kind of response, say, an appropriate target of our reactive attitudes. A vague or gradable property would not be of much help here. However, this does not exclude that components of moral responsibility such as voluntariness or reason-responsiveness can come in degrees. The degree to which these components are present can furthermore help determine an agent's degree of blameworthiness once thresholds for moral responsibility have been passed.
- 6 This is one of Joel Feinberg's (1968) uses of the term 'collective responsibility' in his seminal paper on the topic. See also Steven Sverdlik (1987). Another term that is sometimes used is 'shared responsibility' (Mellema 1985; Zimmerman 1985).

- 7 Kirk Ludwig's (2016) reductive account of shared intention includes a necessary condition that is similar to Bratman's *Intention condition*. According to Ludwig, each party to a shared intention must, roughly, intend to bring about that they are all agents of an event that they bring about in accordance with a shared plan.
- 8 Sverdlik later modifies the claim that it is only when a result is intended by several agents that responsibility for it is collective. This is because there can be collective responsibility due to collective negligence, such as when "a team of surgeons negligently leaves a sponge in a patient" (Sverdlik 1987: 69). However, note that this is nevertheless plausibly interpreted as a case where several agents perform a shared intentional action. The other cases that Sverdlik discusses are similar in this respect.
- 9 Tracy Isaacs (2011) argues that a reductive account of shared intention cannot make sense of the blameworthiness of shared intentional wrongdoing such as that in *Shared robbery*. A key premise of her argument is that participants can only intend their own contribution; only a group agent can intend the shared action ("that we J") (Isaacs 2011: 39–40). Given that full blameworthiness of an agent for an action requires that the agent intended to perform the action, and that no participant can intend the shared action, "the collective act is not adequately accounted for by individual assessments of moral responsibility [blameworthiness]" (Isaacs 2011: 57). Since we think that individual intentions "that we J" are possible as well as commonplace (see Bratman 2014: 60–64; Ludwig 2016: 207–210), we do not accept this argument.
- 10 Larry May (1992: 112–114) defends a kind of "dilutionism" concerning blameworthiness in the context of collective omissions by appealing to the socio-psychological phenomenon of the Bystander Effect (see Fischer et al. 2011). However, this is not a defense of the view that the mere fact that other agents are involved itself leads to a dilution of blameworthiness.
- 11 The argument we put forward in section 10.4.2 relies on shared intention involving interlocking second-order intentions, or perhaps irreducibly joint or collective commitments. Not all accounts of shared intention involve or entail such elements though. Accounts lacking both these elements are given, for example, by Kutz (2000), Miller (2001), and Pacherie (2013).
- 12 Lepora and Goodin (2013) put the idea in terms of "counterfactual individual difference-making" and "centrality" rather than in terms of the insensitivity of the causal pathway.
- 13 Without endorsing it, Gregory Mellema characterizes what might be a similar idea according to which, "when the actions of the participants in a scheme of wrongdoing are well integrated, then they are more likely to contribute more effectively to an outcome and the participants deserve more blame" (2016: 114). To what extent it is similar depends on what Mellema means by "more effectively" here.
- 14 As Abraham Sesshu Roth (2016) remarks regarding an imagined paranoid conspiracy theorist: "[H]e does get right that it certainly would be awful, for example, if everyone were out to get him and were working together to do so. After all, the stability and impact of agency that's shared can be expected to be more serious than the effects of a mere collection of individual acts."
- 15 This is not to deny that the insensitivity of causation must be above some minimal threshold in order for an agent's causing death to amount to *killing* (see Lewis 1986).
- 16 As we mentioned in section 10.3, Bratman argues that shared intention can play a "linking role" that makes each responsible for the shared intentional action and not only his own contribution to it. He takes this to be analogous to the way in which a larger plan can link a single agent's past, present, and future conduct. What we argue is that there is a further analogy between the individual and the shared case. For other discussions that draw on similar analogies between individual and shared cases, see Mellema (2016: chapter 9) and Scanlon (2008: 41–43).

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