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COMMENT ON
MARGARET GILBERT'S
"FOUNDATIONS AND CONSEQUENCES OF
COLLECTIVE MORAL RESPONSIBILITY"

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To Margaret Gilbert, it makes perfectly good sense to say that we did something reprehensible, that we were not forced to do it, that we knew or should have known that it was wrong, and hence that we are to blame. From this she thinks we cannot infer blame for any particular one of us. On the one hand, "*we did it*, and I am one of us," so perhaps I am to blame (Gilbert, p. 2). On the other hand, "*we did it*, not I," so perhaps I am blameless (Gilbert, p. 2). Gilbert's position is that "neither my moral guilt nor my moral innocence is implied by our moral guilt... Everything depends on the precise details of my relationship to our wrongdoing..." (Gilbert, p. 2).

I entirely agree, but many philosophers dispute that it really makes sense to say that we did something in a way that is not simply the sum of what the individuals composing the "we" did. So Gilbert tries to give a persuasive account of what it is "for us to do something..." (Gilbert, p. 2), or, more specifically, "for us to do something *together*" (p. 3), in a way that is non-distributive.

She wants an account that can make sense of our everyday understandings, as in "we're fighting the Nazis," and "we're working on a plan" (Gilbert. p. 3). She believes that accounts in terms of the personal intentions of those engaged in joint action do not do so. They only really indicate what the participants are doing as individuals, not what we are doing. Again, I entirely agree. It is when she tries to characterize what a social group *is* that I find her account less satisfactory.

Gilbert defends a view that a social group or society "is constructed through a social contract or, better, agreement" (Gilbert, p. 4 and N15). It need not be an actual agreement, but a group that does something, that acts, is "unified in the same way that the formation of a contract or agreement unifies the parties to the contract" (p. 4). It is unified by the "joint commitment" of its parties. Gilbert gives an argument to think that 'agreement' is better than 'contract:' contract is a term from law and social groups can be founded without reference to any legal system (Gilbert. N15). But that is as far as she departs from an individualistic metaphysics.

This means that she already accepts the individualistic premises that individuals are prior to groups and that our thinking should start with individual persons who are imagined to be unproblematic, and then wonder how social groups or societies are “constructed” or “built.” The ghost of Hobbes continues to rule.

Consider, however, history and prehistory. We could as easily ask: how and why did the concept of individual person emerge from the group life without which no one would have survived? How did the notion that we are individuals with rights and responsibilities, interests and goals, arise? How were individuals “constructed” if that is the right idea, which may be doubtful. Then, if we acknowledge, appropriately, that a historical account is not the right one anyway, and ask why we should *now* prioritize individuals over groups in our metaphysical thinking, Gilbert provides no arguments. And if we accept contemporary views of persons as relational, and remember that we come into the world as helpless infants rather than as the fully formed and contentious individuals of the Hobbesian imagination, we can doubt that we should do so, even if we prioritize individuals morally.

Gilbert offers an account of two people being on a walk together as an illustration of “acting together.” It implies, she maintains, that if one person pulls ahead, the other can ask her to slow down (and, one supposes, the faster one can ask the other to stop dawdling), thus showing the agreement at the heart of a social group’s action or “joint activity.” Gilbert concludes that “those who are doing something together owe each other appropriate actions.... There are rights and obligations of some kind in the picture” (Gilbert, p. 5).

Also, in the absence of special understandings, “a given party cannot without fault abandon the joint activity prior to its completion without the concurrence of his fellow-participants” (Gilbert, p.6). These two conditions show, Gilbert thinks, that accounts of acting together that appeal only to the subjective personal “I intend,” or to the matched “we-intentions” of the individual parties, accounts such as those of Christopher Kutz, Michael Bratman, and John Searle, are not satisfactory. There must be an appeal, Gilbert argues, to the “joint commitment” of the parties (Gilbert, p. 6).

Gilbert’s account also, however, assumes a degree of individualism that is more ideological than persuasive. Most people do not have the degree or kind of choice to “exit” their families, their ethnic or racial groups, their states, that a view of social groups as based on agreement assumes. They can abandon their families

or backgrounds but will always be the child of given parents, the Hispanic who doesn't identify with other Hispanics, the immigrant. In the contemporary world, people can to an important extent modify and reconstruct their own identities, but they start out embedded in social groups that may well be as metaphysically real as are individual persons, even contemporary ones.

Moving on to collective moral responsibility, Gilbert analyzes it in terms of "joint commitments to believe as a body one or another proposition" (Gilbert, p. 12), such as that we are not being forced to do what we are doing, and that what we are doing is reprehensible. We can be jointly committed to "espouse a certain goal as a body" (Gilbert p. 13), and enough of us can act on this for the goal to be achieved. But "our joint commitment to believe that p as a body does not require any one of us personally to believe that p" (Gilbert, pp. 12-13), and any one of us may not know of a collective goal that has been set (by our leader, for instance). So, from knowing that a group did something wrong, we cannot know whether any "given party to the underlying joint commitment" (Gilbert, p. 14) is personally culpable. He may or he may not be.

Even if a given individual is not personally to blame, Gilbert holds, it can make sense for him to feel "membership guilt" for "being one of 'us' – when we are guilty" (Gilbert, p. 15). But to decide on the actual personal guilt or innocence of a member of a social group, one would need to know more. Still, when a group has done something reprehensible, it is appropriate for its members to make "a joint commitment to feel remorse as a body" (Gilbert, p. 16). And it may well be appropriate for others to engage in punitive action against the group, focusing on those who "bear significant personal guilt" (Gilbert, p. 18), and remembering that the stories of individual members may be entirely different. This seems like reasonable advice for those in the context of "everyday understanding" and "everyday terms," for whose deliberations Gilbert wishes to provide clarification. They are the ones wrestling with whether and how to impose sanctions on states for their misdeeds, or deciding what to do in the face of ethnic violence by one group against another, or ascertaining what might be fair contributions from different groups to a common goal.

We are accustomed in philosophical discussion to ascribing moral responsibility to individuals, not so to social groups. Gilbert thinks she must account for group or collective responsibility ultimately in terms of the individuals who

"construct" social groups, but this is not obvious. It says more about the views that are dominant in analytic philosophy than about what is independently most persuasive.

Gilbert thinks it is necessary to answer those who raise doubts about "metaphysically worrying elements" (Gilbert, p. 12). One could, instead, raise doubts about anyone who imagines that human beings can be the self-made "individuals" of so much standard contemporary theory, and that these individuals create social groups by agreement, rather than recognizing themselves to be already embedded in any number of them.

Tracy Isaacs, in her recent book on collective responsibility, explains that she came to her views after realizing that in various actual cases of responsibility for wrongdoing, individualistic accounts are inadequate (Isaacs, 2011). With respect to the genocide in Rwanda and the mishandling of Canada's blood supply (in which the use of tainted blood led to many cases of HIV and hepatitis) "in neither case would a thoroughly individualistic analysis either of action or of responsibility adequately capture the collective dimensions of the wrong done" (Isaacs, p. 5).

Consider genocide. We cannot say of any given individual that they were responsible for the genocide. The normative character of what any individual contributed flows from "the collective endeavor of which they are a part" (Isaacs, p. 5). It is the characteristic of the collective act in which the individual takes part that makes the individual's act one of genocide rather than simply of murder.

Margaret Gilbert's accounts of joint activity and moral responsibility focus less on actual problems in the world and more on responding to the individualistic philosophical analyses that need to be answered. A division of labor here has its uses.

But we should not suppose that the individualistic assumptions that predominate and that Gilbert departs from only apologetically and minimally, are the only plausible possibilities.

Gilbert defends her account as metaphysically respectable, saying "I do not see myself as the proponent of a 'spooky' view, one from which people should flee on pain of going over the metaphysical top" (Gilbert, p. 12). A lot depends, it seems, on which ghosts we find the scariest, or most implausible.

REFERENCES

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