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Schwenkenbecher, A. (2013) Joint duties and global moral obligations.  
Ratio, 26 (3). pp. 310-328.

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# JOINT DUTIES AND GLOBAL MORAL OBLIGATIONS

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## *Abstract*

In recent decades, concepts of group agency and the morality of groups have increasingly been discussed by philosophers. Notions of collective or joint duties have been invoked especially in the debates on global justice, world poverty and climate change. This paper enquires into the possibility and potential nature of moral duties individuals in unstructured groups may hold together. It distinguishes between group agents and groups of people which – while not constituting a collective agent – are nonetheless capable of performing a joint action. It attempts to defend a notion of joint duties which are neither duties of a group agent nor duties of individual agents, but duties held jointly by individuals in unstructured groups. Furthermore, it seeks to illuminate the relation between such joint duties on the one hand and individual duties on the other hand. Rebutting an argument brought forward by Wringer, the paper concludes that it is not plausible to assume that all humans on earth can together hold a duty to mitigate climate change or to combat global poverty given that the members of that group are not capable of joint action.<sup>1</sup>

## **Preliminaries**

Many problems which demand remedy – including the urgent problems our world is currently facing such as global poverty and

<sup>1</sup> I would like to thank the Centre for Applied Philosophy and Public Ethics (CAPPE) at Australian National University for hosting my 2010–2011 research project “Collective Moral Obligations Arising from Climate Change” and the German Academic Exchange Service (DAAD) for financing it. I am furthermore grateful to the ECR Advanced Grant Project “Distortions of Normativity” at the University of Vienna for having supported this research. Earlier versions of this paper were presented at Australian National University (CAPPE Seminar Series 2011), Charles Sturt University Wagga Wagga (Philosophy Seminar 2010), The University of Melbourne (CAPPE Seminar Series 2010), Manchester University (Manchester Political Theory Workshops 2010), and the University of Tasmania (Philosophy Seminar 2011). I want to thank the audiences at these institutions for inspiring debates and essential feedback. I am also grateful to a number of people who read and commented on earlier versions of the paper, including Stephanie Collins, Bob Goodin, Holly Lawford-Smith, Larry May and Seumas Miller. Finally, I would like to thank an anonymous reviewer from *Ratio* for very helpful comments.

climate change – cannot be solved by individuals and by isolated individual action. Instead, in order to solve these problems – or at least address them – a more or less large number of people must work on solutions together. In the socio-political discourse and in everyday life organizations – including political institutions, corporations, political parties, NGOs – are commonly perceived as agents and often also as moral agents. The idea of collective moral agents who can hold moral responsibilities and duties is conceptually challenging and not straightforward. In this paper, however, I will focus on a related but conceptually distinct question that is similarly challenging: is it plausible to assume that individuals outside of such organizations, individuals who belong to random or unstructured groups, can have moral duties to perform certain actions? For instance, is there a moral duty of all humans on earth to mitigate climate change or to end global poverty? This question arises in particular in view of the lack of suitable institutional agents capable of remedying some of the world's most urgent problems. In the paper I will enquire into the possibility of moral duties that attach to people who do not form a structured group or a collective agent.

In moral philosophy, there exists an extensive debate about collective moral responsibility (Cooper 1968, Feinberg 1968, French 1979 & 1984, Gilbert 2006, Held 1970, List & Pettit 2011, May 1992, May & Hoffman 1991, D. Miller 2004 & 2009, S. Miller 2001 & 2010, Pettit 2007), which also covers the problem of collective moral agency. Yet, this debate often lacks a clear distinction between retrospective responsibility and prospective responsibility. In this paper, I am not concerned with the question of (retrospective) collective moral responsibility, but with the question of (prospective) collective moral duties, or collective moral obligations.<sup>2</sup> While the former refers to a collective agent's accountability for certain outcomes of actions or omissions in the past on the basis of which blame or praise can be ascribed, and is in this sense retrospective, the latter refers to future-oriented moral imperatives. There are still very few contributions to the field of collective moral duties so far (the exceptions being Collins 2012,

<sup>2</sup> One might distinguish moral obligations or duties from forward-looking, hence prospective, moral responsibility. Young argues that "responsibility differs from duty in being more outcome oriented" (2004, p. 379) and in allowing for (more) discretion. I agree that such a distinction can be made, yet I will not make it here but simply use 'duty', 'obligation', and 'forward-looking responsibility' synonymously in this wider sense as relating to outcomes and not only prescribing particular actions.

Copp 2007, Lawford-Smith 2012, May 1992, D. Miller 2004 & 2009, Murphy 2003, Wringer 2005, Young 2006) which is why it will concern me in this paper.

### (I) Joint Action and Group Agency

Enquiring into the possibility and potential nature of joint moral duties, this paper does not deliver a conclusive argument in defence of the concepts of joint action and group agency<sup>3</sup> as such. Rather, it takes these concepts as a starting point, following ideas put forward by Pettit (2007), Pettit and Schweikard (2006) and List and Pettit (2006 & 2011). According to Pettit and Schweikard, joint actions are performed by people acting jointly to achieve a certain outcome; group actions, however, are those joint actions that are performed by a group agent as a novel agent distinct from its members. Group actions, hence, are a special form of joint actions (Pettit & Schweikard 2006).

Accordingly, it makes sense to distinguish between constituted groups which form a novel agent and groups of individuals who can act jointly but do not form a novel agent (see Pettit & Schweikard 2006, for a similar point see French 1984 and Erskine 2001). I will henceforth use the terms 'structured' and 'unstructured' collective to distinguish these kinds of groups.<sup>4</sup> Structured collectives meet the conditions for agency: They form representational and goal-seeking states, they are rational, they act or intervene in the world, and they exhibit these three properties robustly, not contingently or accidentally (List and Pettit 2006, p. 87). States and their political institutions such as governments, government departments, armies; economic agents such as private business corporations are structured collectives (Erskine 2001 and 2010, French 1979 and 1984, List and Pettit 2006 and 2011, Pettit and Schweikard 2006, Pettit 2007).

<sup>3</sup> Apart from List and Pettit (2006, 2011) and Pettit and Schweikard (2006), a number of authors (among them Copp 2006 & 2007, Erskine 2001 & 2010, French 1979 & 1984, D. Miller 2004, Runciman 2004, Wringer 2010) have argued in favour of considering some collective entities – such as states or corporations – not only agents but moral agents and potential holders of moral duties, invoking different criteria for moral agency.

<sup>4</sup> The terminology employed in the literature varies. Some authors contrast aggregate and conglomerate collectives, by distinguishing between 'merely a collection of people' (French 1984, p. 5) and an 'organization of individuals such that its identity is not exhausted by the conjunction of the identities of the persons in the organization.' (French 1984, p. 13). Others speak of 'institutional moral agents' to denominate structured collectives (Erskine 2001, p. 72).

In contrast, unstructured collectives are transient and have no formal decision making structures. Unstructured collectives are any kind of group which is not a group agent: mobs, people waiting in the queue at the supermarket, people who happen to be inside an elevator together, passers-by who witness an accident. While these groups are not agents and their individual members do not form a novel group agent, individuals in some unstructured groups may still be in a position to act jointly. In order for joint action to be possible, some minimal conditions need to be fulfilled. These include a joint goal that individuals share and a condition of mutual belief and knowledge regarding other people's contributions to that goal: People who act jointly with others do so because they believe that these others will contribute their share towards the joint goal (see for instance Lawford-Smith 2012 and Pettit & Schweikard 2006, p. 23). On this account, people who accidentally or ignorantly contribute to the same outcome do not act jointly.

If individuals can act jointly, can they hold moral duties *jointly*? By this I neither mean duties of collective agents, nor individual duties. Rather, I want to enquire into the possibility and potential nature of duties that two or more individual members of an unstructured group hold together or jointly. This includes the question of whether there are any limitations as to who may hold such joint duties, for example the question of whether all humans on this planet can joint hold a duty.

## (II) Collectives and Outcomes

In the following, let me illustrate the notion of joint action with the help of two cases which will possibly enable us to draw conclusions about the concept of joint duties. In both cases, individuals in unstructured groups together bring about outcomes. And in both cases these individuals appear to act upon moral duties.

- 1) *Passers-by*: A car accident is witnessed by five random passers-by. In the accident the car driver is injured in a life-threatening way. Only immediate action will save the injured driver's life. The effort of any one of the passers-by would not suffice to save the injured driver's life. All the passers-by know this and hence coordinate their actions. Two secure the accident site so that no other car accidentally runs into

the crashed car, another calls the police and an ambulance. The remaining two extricate the unconscious driver from his crashed car and deliver first aid. Together they save the driver's life.

- 2) *Citizens of industrialized countries*: Knowing that carbon emissions contribute to global warming, five million citizens from different industrialized countries (for instance Annex B countries of the Kyoto Protocol) reduce their individual carbon footprint through consuming less energy (mainly through minimising their usage of petrol fuelled means of transportation and through reducing their domestic energy consumption for heating and air-conditioning). All these small individual reductions amount to a significant overall reduction in emissions.

These are two very different cases of individuals in more or less complex constellations bringing about an outcome that their individual actions could not have brought about. Also, in each case value judgments have been made, corresponding action has been taken, and a morally relevant outcome has been produced.

- 1) The passers-by, prior to assisting the injured driver, must establish communication and coordinate their actions. Their collaboration is an example of a joint action, as characterized by Pettit and Schweikard (2006), but they are not a group agent because they lack a constitution or a formal decision making structure and they are a transient collective. Their actions are highly interdependent; they strongly rely on each other's contribution to the end of saving the driver's life.

- 2) The five million citizens of industrialized countries do not constitute a group agent, but do they nevertheless perform a joint action? There are (at least) two possibilities:

- (i) The five million people – individually – form the moral judgment that it is of moral importance to reduce one's GHG emissions contributing to mitigating climate change and averting the overwhelmingly negative effects of global warming. Perhaps none of them presumes that others think and act the same way, but each of them thinks there is a point in reducing their individual carbon footprint. In this case, the outcome they produce is not the result of any kind of joint action, but is the result of an aggregation of individual actions.

(ii) The five million people are part of the initiative “Citizens for climate change mitigation” and their individual actions are meant as a contribution towards their joint goal—a reduction of total carbon emissions – and are based upon the belief that others also contribute to this goal. In this case each individual emission reduction is a contribution to the joint action of aggregative emission reductions.

The five passers-by perform a joint action and so do the five million citizens according to the second interpretation. Also, they together contribute to a morally significant outcome when mitigating climate change or assisting the injured driver. Any of the individuals would say that she acted upon a moral duty: a duty to assist in the case of the car driver or a duty not to harm in the case of emission reductions.

### (III) Joint moral duties?

But would it be plausible to say that any of these individuals had a duty to save the driver’s life or a duty to mitigate climate change? If we maintain that ‘ought’ implies ‘can’, no individual could hold the aforementioned duties, because no individual could have discharged that duty on her own. Can we instead say that the individuals in these groups hold duties (to save a life or to prevent harm) collectively or jointly? And if so, what kind of duties are these?

One way of conceptualizing at the duties the individual passers-by hold is as joint duties, that is, duties which the individual members of the unstructured group hold together.<sup>5</sup> Another way of conceptualizing these duties is as duties the *group* of individuals holds. However, this second interpretation is problematic, given that the groups I have been describing are unstructured or random collectives. As such, they are not moral agents and only moral agents can hold moral duties.

Let us return to the first interpretation then. In what way could individuals in unstructured groups hold moral duties together? If

<sup>5</sup> This idea resembles the concept of shared responsibility endorsed by May (1992). He argues that individuals in unstructured groups can hold shared responsibility for inaction if their group could have taken action (to assist someone, for example).

a moral duty to assist is thought of as an imperative to perform a certain action (with the aim of bringing about a certain morally important outcome) can this imperative apply to people in random groups? Let me try to spell this out for the passers-by case as it seems to be the easier case. (I will say more about individuals in larger unstructured collectives later.) If we say that the five passers-by together hold a duty to do everything they can to save the victim of the car accident, then who actually holds that duty? It cannot be an entity that supervenes on the individuals, a novel agent (like a group agent) because there is no such agent.<sup>6</sup> Remember that a group agent has a formal decision-making structure and a set of rules which determines how the group acts on the basis of the decisions it takes. The five passers-by do not have such rules or structures. But neither can each of them hold an individual duty to save the victim, because *ex hypothesi* no individual can save the victim on her own.

It seems that there are two possibilities here: (1) they have no duty to assist the driver in order to save his life because they cannot discharge this duty. Yet, this is unsatisfying and somewhat counterintuitive. Or (2) they have a duty to assist the driver in order to save his life, but they hold that duty together with the other passers-by. In the latter case, the duty is held jointly. Because the duty can be discharged jointly, the condition that 'ought' implies 'can' is satisfied even if there is no (structured) group agent. Here is a useful analogy: performing a joint action is like performing a dance together. One cannot say that the action of two people dancing together is exhaustively described by describing what each of them does individually. Neither does it make sense to describe them as a novel "dancing" group agent which has two members. Instead, the action of dancing is simply something both dancers do together. Now assume that they have a duty to perform a dance, then this would be a duty that both of them hold together provided that none of them could perform that dance alone and given that they do not form a novel agent.

In the following, let me distinguish this view from one that has been put forward by Larry May and Virginia Held. May (1992) and Held (1970) have argued that volatile unstructured groups are sometimes in a position to act collectively and to hold duties *as a group*. In particular, they think that a random collective can be collectively responsible – and blameworthy – for inaction. This

<sup>6</sup> Stephanie Collins would probably disagree with this (Collins 2012).

implies that a random collective can hold a moral duty in the first place and hence can fail in discharging it. One of Held's examples is that of a person being beaten to death by another while bystanders who could collectively prevent the crime refrain from doing so. If

[i]t is extremely probable that action by two or more of the group to subdue him [the attacker, author's initials.] would have succeeded, with no serious injury to themselves . . . I think that in such a case we would hold the random collection morally responsible for its failure to act as a group (Held 1970, p. 94f).

However, I think it is at least imprecise to say that the random collective held a moral duty to act as a group. To say that it did, comes at the cost of violating the 'agency principle' according to which only agents can hold duties. If the principle holds, then the random collective held no duty to act as a group given that it was not an agent. Also, Held seems to indicate that the moral responsibility (and potentially the moral blameworthiness) lies with the group, not the individuals. To the extent that individuals can only be held responsible for the actions (or omissions) they are capable of carrying out, the bystanders did not hold a duty to assist the victim individually as none of them would have been capable of discharging the duty to assist on her own. But while it is right to say that in the bystanders-case individuals could not have assisted the victims individually (and can hence not be blamed for failing to do so), it is wrong to say it was the group and not the individuals who failed to act in a morally required way.

Individuals in Held's random group may have failed in a moral duty to form a group that can take action. May makes the point that putative groups can act collectively by re-constituting themselves as an organized group. He distinguishes putative groups (which are potentially capable of collective action) from random collections (which have not enough potential leadership to organize themselves and perform collective actions) (May 1992, p. 109, 122). The idea is that in situations which require remedy by a group agent, individuals in putative groups acquire moral duties to form a group agent which then can remedy the situation in question (see also Collins 2012).

My point here, however, is slightly different. Sometimes, individuals in unstructured groups, such as the passers-by and the

bystanders in Held's example, can act jointly in order to remedy dire situations. In those situations they acquire a joint duty to act. However, people who perform a joint action do not necessarily form a novel agent. The moral duties to act towards remedying the situation are duties that the individuals hold, but not the group as such. In my view, hence, Held's bystanders are individually guilty of failing to engage in joint action and of failing to discharge a joint duty. And they are – individually – responsible and possibly blameworthy for this failure, not the group as such.

I have argued so far that individuals in unstructured groups such as the passers-by and the bystanders can hold moral duties. My argument relied on two principles: the 'capacity principle' and the 'agency principle'. The 'capacity principle' ('ought' implies 'can') must hold in order for an attribution of a joint duty to be plausible. Hence, whether or not individuals hold a joint duty would seem to depend on the individuals' capacity for joint action. Depending on their particular circumstances, the capacity of individuals in unstructured groups or random collectives to act jointly with others will differ. For the five passers-by who witness the accident and the bystanders of the attack there seem to be no obstacles to performing a joint action and, hence, ascribing them a joint duty is straightforward. But what about larger unstructured collectives: Are there any limitations as to where individuals in unstructured groups can hold duties to act jointly and where they cannot? Limitations for the possibility of joint action cannot be determined in theory; they depend on the particular empirical circumstances individuals are in. Individuals in random groups which are geographically dispersed have very limited chances of acting jointly where no group agent exists. The group of all people living on this planet, for instance, is not a group agent and individual members of this group seem to have limited opportunity for establishing joint action. Hence, it would seem that they cannot hold joint moral duties, for instance duties to mitigate climate change or eradicate world poverty.

The other principle that must hold is the 'agency principle': only agents can hold duties. If a group is an agent, it can hold a moral duty as a group. If a group is not an agent, if it is an unstructured group, it cannot hold a moral duty, but its individual members can hold both individual and joint duties. However, the agency and capacity principles have been challenged by Bill Wringe (2010). He attempts to defend so called 'global moral

obligations': duties of all people on earth to ensure together that everybody's subsistence rights are respected. According to Wringer, individuals can sometimes hold duties that only a collective agent can discharge. In the following, I will show that his argument fails and why.

#### (IV) Global collective obligations?

Wringer argues that the world's population can hold moral duties collectively without being an agent. In his view, this is possible because the entity that is the addressee of an obligation need not be the subject of that obligation (2010, p. 217, 225). According to Wringer, the world's population can be the *addressees* of global moral obligations the *subject* of which (meaning the entity discharging that duty) would be a group that is yet to be formed. In a case where the addressee of an obligation is not identical with the subject thereof, the addressee needs to ensure that the subject of the obligation performs the morally required action. As I understand his argument, Wringer claims that if

- 1) there is a situation in need of remedy,
- 2) that situation can only be remedied by a collective agent,  
and
- 3) there is no collective agent to remedy that situation, and
- 4) there is a collective that is not an agent

Then the obligation to remedy the situation falls on a collective that is not an agent, and the individual members of that (unstructured) collective acquire obligations to see to it that the obligation to remedy the situation is discharged (2010, p. 227).

Wringer's aim is to avoid the "agency objection" according to which there can be no unallocated duties, that is duties for which there exists no agent to discharge them. He sees this as a way to respond to denials of positive rights such as subsistence rights which have no bearer. His move is to separate the agent who can discharge the duty – the subject – meaning a collective agent or group agent, from the agent(s) who must act upon the duty, the addressees.

In my opinion, there are a number of problems with Wringer's view. To start with, is it plausible to assume that an entity can have an obligation but does not need to act upon that obligation? Wringer claims that

there is nothing unusual about situations in which the addressee of an obligation acquires an obligation to do something which does not have the same content as the individual on whom the obligation falls (when the addressee and the individual on whom the obligation falls are different.) (Wringer 2010, p. 228).

His example is that of children in the theatre who are under an obligation to be quiet. According to Wringer, it is the parents who must ensure that this obligation is adhered to: The children ought to be quiet, but the parents ought to act upon that obligation. But this strikes me as wrong. True, children are not full moral agents and hence cannot be under the same obligations as adults. At the same time, parents seem to have duties to teach their children respect (which arguably includes being quiet in the theatre). However, they cannot hold a duty to ensure their children's perfect compliance with that duty. While I can have a moral duty to do X, I simply cannot have a moral duty that someone else do X. The parents cannot be obligated that their children be quiet, unless in the unlikely case that the children *cannot* be quiet without the parent's intervention, for example if they had a special condition such that they constantly talked unless someone physically intervened. Wringer's argument leads us astray, because 'ought' does not imply 'someone else can'.

Moreover, Wringer appears to conflate two different duties: the duty to remedy a morally problematic situation, which can only be discharged by the group and the individual group members' duties to contribute to achieving that collective goal. In claiming that the addressee and the subject of an obligation can come apart, Wringer treats both duties as if they were the same duty, even if he admits that their contents differ. But this manoeuvre is not convincing. Here are two alternatives:

One possible way out of this for Wringer would be to defend an account of joint action and joint duties. It makes perfect sense to say that individuals in certain random or unstructured collectives can acquire joint duties to act together with others in order to remedy a morally problematic situation. But then the moral duties really fall on the individuals and not on the group as such.

However, this is clearly not what Wringer says. Also, this interpretation would cause another problem for Wringer on an empirical level. His aim is to provide a compelling argument in favour of global (collective) obligations as obligations of the 'global collective' (Wringer 2010, p. 219) in order to confront the lack of capable collective agents to remedy large-scale injustices. Yet, an argument from joint duties may not do the work here. Large-scale injustices and moral problems of a global scale – above all global poverty, political violence, climate change – do not appear to be resolvable by individuals acting jointly in unstructured groups. True solutions to most problems of global scale would be of a complexity that requires action by group agents. Leaving this point aside, the possibility of global joint action also seems problematic. Wringer has also argued (Wringer 2005) that there could be joint global duties in the sense of duties of all humans. However, I disagree with him, because the global community is factually – though perhaps not principally – incapable of performing a joint action. Joint action of individuals in groups that are not group agents works best on small to medium scale: in the case of the five passers-by for instance. The members of the group have to be in the position to form a joint goal and contribute to that goal. This is not the case for all humans, or all human moral agents for that matter, on this planet. Admittedly, this is an empirical and not a conceptual point.

The more plausible argument that Wringer – and any defender of global moral obligations – could make would be one about 'collectivising duties'. It is plausible to argue that in order to remedy morally problematic situations individual members of a random collective can sometimes be required to form a group agent with a view to the group agent remedying the situation (see also Collins 2012). However, this argument also runs into problems. Spelling out a duty to collectivize, one arrives at the following conditional imperative: If

- 1) there is a situation in need of remedy,
- 2) that situation can only be remedied by a group agent, and
- 3) there is no group agent to remedy that situation, and
- 4) there is a group that is not an agent

Then the individual members of that (unstructured) group acquire obligations to form a group agent which remedies the situation.

The problem with this account is that it requires individuals to (i) establish a collective agent, and (ii) *if they succeed in establishing a collective agent* to ensure that the collective agent undertake a coordinate effort to remedy the situation. Hence, these individuals would actually acquire two duties. However, the second duty is – in my view – a duty they cannot discharge. Because if the individuals succeed in forming a collective agent together with other individuals and in establishing collective action, then it is no longer in any particular individual's power to determine the course of that action. The course of action will then be determined by the group – the collective agent. A group's aims and attitudes may well differ from the aims and attitudes of the individuals constituting it (List & Pettit 2006). Group agents such as states or business corporations act in ways that some of its members do not approve of all the time. Individual members of group agents have – more often than not – very limited opportunity for determining the group's actions. It is simply not under their control what the group decides and does. Individuals constituting humanity cannot be morally required – as individuals – to succeed in establishing collective action, nor can they be required – as individuals – to ensure that the recently formed collective agent – an agent distinct from themselves – discharge its duty to assist.

The more plausible argument in favour of global moral obligations would be one that merely establishes a joint duty for individuals to form a collective agent with a view to remedying the situation and a subsequent duty for the group agent to address the dire situation. The duty to collectivize, however, would still lie with the individual agents and only the group agent would hold a duty to remedy the situation. What does this mean for global moral obligations? It means that there may be individual duties to form a group agent that remedies (global) injustices. But such a duty remains subject to the capacity principle. It can only be held by existing agents, not by future group agents.

### **(V) Joint duties and individual duties**

I established that members of unstructured collectives can acquire a duty jointly provided that they are jointly capable of discharging that duty. This leaves us with one more question to be answered: What do joint duties imply for individual members of the group?

Let me start by looking at what joint actions require of the participating individuals. In order to perform a joint action – in order to lift a table together, or to save the victim of a car accident together – individuals must perform individual contributory actions: lifting their corner of the table while three others lift the other corners, or securing the accident side while someone else delivers first aid to the victim. Prior to that, there must be some understanding between the individuals about their goal and about the fact that they are (about to be) performing an action jointly.

It seems that duties for individuals in unstructured collectives to act jointly with the other members of the collective must cover imperatives to perform two distinct actions: that of enabling joint action (including forming a common goal) and – provided they succeed in achieving the first – that of undertaking the necessary steps towards achieving the agreed upon collective end (for example remedying a problem). Given that the capacity to discharge the joint duty for each of the group members depends on whether others do their share, it seems most plausible to describe individuals' duties as conditional duties held by the members of the unstructured group (see also Lawford-Smith 2012): Individual duties are conditional upon the actions of the other group members, or rather, they are conditional upon each individual member's reasonable belief about what other group members will do:

*A* has a moral duty to contribute her share towards outcome *Z* until she has reason to believe either that *Z* has been achieved or that *B* and *C* – whose contributions are necessary for achieving outcome *Z* – will not contribute their shares.<sup>7</sup>

Hence, there are two ways in which joint action can fail: either *A*, *B*, and *C* (who are in principle capable of performing a joint action) fail to agree on a joint goal. Or they agree on the goal but fail to act upon it and do their share (such as lifting their corner

<sup>7</sup> It may not be necessary that all members of the group contribute in order for the joint goal to be achieved. In case where the group consists of more members than are necessary for achieving the joint goal, the conditional duty is as follows:

*A* has a moral duty to contribute her share towards outcome *Z* until she has reason to believe that *Z* has been achieved or that less members of the group than necessary for achieving outcome *Z* will contribute their shares.

of the table or providing first aid to the victim of the accident). If *A* has good reasons from the start to believe that *B* and *C* will not contribute she has no duty to contribute to *Z*. However, in order to have good reasons for that belief, she would usually need to have established some form of communication with *B* and *C* prior to forming that belief. If *A*, *B* and *C* agree on the joint goal, but *A* has reason to believe that *B* and *C* will not do their share (for instance, if after agreeing to help they walk off regardless), then her duty to contribute her share towards achieving outcome *Z* ceases.

If it is clear that the joint action will not be carried out, *A* may, however, have a duty to individually contribute to  $Z_i$ , an outcome that is more desirable than  $\neg Z$ . Consider the case of the bystanders of the attack: *Z* would be the outcome of immediately assisting the victim of attack by overwhelming the attackers. Let us assume that this is the most desirable outcome. The bystanders *A*, *B* and *C* have a joint moral duty to perform the actions necessary for achieving *Z*. However, if *A* has good reason to believe that *B* and *C* will not assist her in disabling the attacker, then she has no duty to intervene and perform the actions necessary for achieving outcome *Z*. She may have other moral duties to take individual action, though, such as calling the police, therewith achieving outcome  $Z_i$  which is preferable to outcome  $\neg Z$ , where no help is provided at all.

Like the bystanders, the passers-by can relatively easily form a joint goal and assess whether others will do their share, while the group of citizens of industrialized countries or the entire human race cannot. Consequently, the former two would in the respective circumstances acquire a duty to perform their contributory action. The decisive difference between the bystanders and the passers-by on the one hand and the citizens of industrialized countries or the entire human race on the other hand lies in their different capacities for performing joint actions, including forming a joint goal and satisfying the belief-condition. This capacity would depend, for example, on the feasibility of communication between the members. However, the fact that members of a given unstructured group are *in principle* capable of performing a morally desirable joint action does not automatically make them acquire a joint duty to perform that action. Ascription of such a duty would be justified only if there was *enough* collective potential for the individuals to perform a joint action.

There are two problems with the account just sketched, which both arise from individual non-compliance. The first problem is this: On the account of joint duties given above, an agent has no duty to contribute to a joint action if she has reason to believe that others will not make their (necessary) contributions, too. However, to what extent can individuals be required to influence the willingness of others to contribute? Imagine a situation where *A* has reason to believe that *B* and *C* will not contribute given that these explicitly refuse to do so. But *A* also knows that if she talks to *B* and *C* and convinces them, they eventually will contribute. In this case, we would think that *A* is required to convince them, i.e., to do what it takes to make *Z* possible, within reasonable limits. Her duty to contribute to outcome *Z* requires her – within reasonable limits – to establish the conditions that make achieving *Z* possible.

The second problem is that of mutual release (Goodin 2012, Lawford-Smith 2012, p. 462). In this case, *A*, *B*, and *C* simultaneously agree to not do their part. Each of them gives the two others a reason to believe that she will not participate in joint action which in turn gives each of them a reason not to proceed with the joint action. The duty to contribute to outcome *Z* ceases because *A* has good reason to believe that *B* and *C* will not contribute, *B* has good reason to believe that *A* and *C* will not contribute and *C* has good reason to believe that *A* and *B* will not contribute. Hence, it seems that while they jointly hold a duty to act, none of them holds an individual duty to contribute to the joint endeavour. However, this cannot be right: at least, each of them will have to make an attempt at getting the others to contribute. But what if *A* says to *B* and *C*: “I will contribute if you do”, *B* says to *A* and *C*: “I will contribute if you do”, and *C* promises to contribute if *A* and *B* will. Now it seems that we are stuck with three conditional commitments which will only be cashed in if at least one of them steps forward and says that she will contribute. However, Bob Goodin has argued that we can break the circle with the help of a weaker commitment: “All that is strictly required is for each to say to the other: I will if you will and I will (if you will if I will)” (2012, p. 24). *A*’s and *B*’s commitments would satisfy the antecedent of *C*’s second commitment which means that *C* is committed to contributing, *A*’s and *C*’s commitments would satisfy the antecedent of *B*’s commitment, which means that *B* would be committed to contributing, etc. Hence, in a situation where *A*, *B*, and *C* have a duty to

act jointly in order to achieve *Z*, it is not sufficient for each of them to commit to a single conditional of the form “I will if you will”. They have to also commit to “I will (if you will if I will)”. If each of them commits to this, then the mutual dependence of commitments does not lead to the deadlock described before. Whoever commits to less than that fails in her moral duty to make it possible that *Z* can be achieved.

Let me turn to a different question now: assuming that all members of the group are committed to contribute to the joint goal, must they all contribute in the same way? Given that the contributory actions may well differ between individuals, it seems reasonable to assume that their contributory duties differ, too. There may be situations where not all members of the group are required to act in order for the joint outcome to be achieved. If there are eight persons available for lifting a table, but it takes only four to lift it then the remaining four do not need to take action. In some situations it might even be an obstacle for achieving the collective outcome if more persons than necessary contribute (see Lawford-Smith 2012, p. 461). But even if all members of the collective are needed in order to achieve the common goal, their contributions may well differ.

Individual agents’ capacities to establish joint action – such as communication skills, physical location, and leadership skills – may differ substantially (see also Young 2006). Some individuals will be in a better position than others to initiate joint action. It makes sense to say that those with the greatest capacity to do so have the most stringent duties respectively. Provided joint action can be established, there will also be differences regarding the extent to which any particular individual agent should contribute to the collective outcome. Each agent’s capacity for contributing towards the joint goal will play a role in determining how much burden each agent should shoulder and what kind of task he should take on.

In sum, whether or not individuals in unstructured collectives hold moral duties jointly, depends on a number of factors, including their individual capacities and the relative ease with which they together can establish joint action. Consequently, there are many unstructured collectives which lack the relevant characteristics and whose members therefore cannot hold joint duties. One of these collectives is – in my view – the group of human moral agents living on this planet.

**(VI) Summary and Outlook**

This paper was meant to explore the nature of joint duties. Naturally, it leaves a number of questions unanswered, among which the problem of non-compliance is one that especially requires more detailed attention. However, it provides an answer to the question raised in the first part of the paper: It does not seem plausible to assume that all human moral agents can together hold a duty to mitigate climate change or to combat global poverty given that the members of that group are not capable of joint action. It is neither plausible to assume that ‘humanity’ is a group agent, nor to speak of global moral obligations in the sense of joint duties of all humans. This conclusion, however, neither precludes that specific subgroups of ‘humanity’ capable of joint action may hold corresponding duties to combat these problems nor does it undermine the demand to establish suitable institutional agents which work towards solving them.

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