

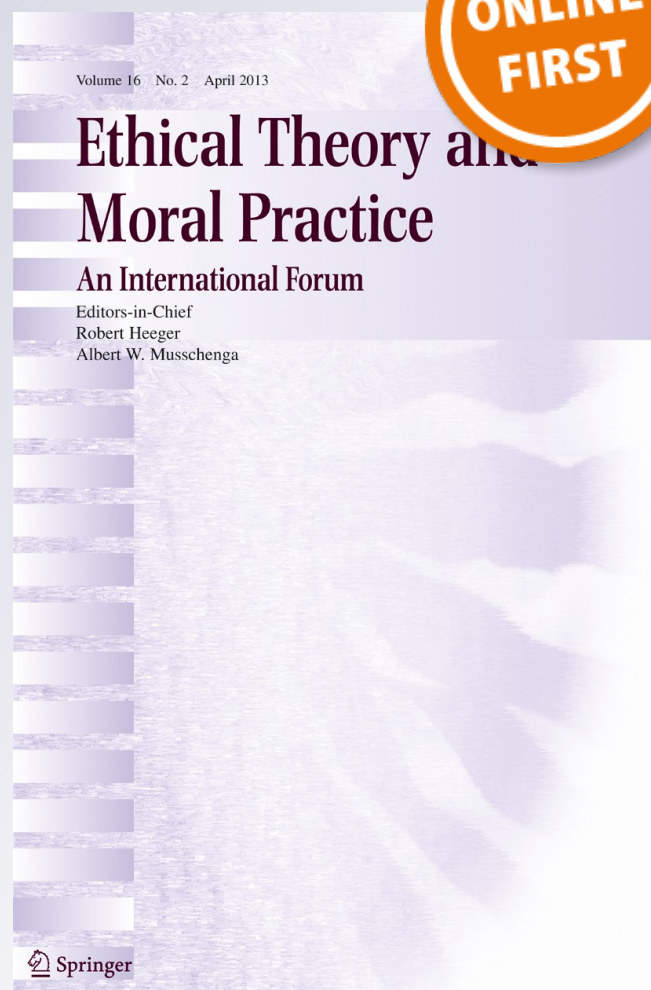
Seeking a Variable Standard of Individual Moral Responsibility in Organizations

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Seeking a Variable Standard of Individual Moral Responsibility in Organizations

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Abstract Relatively few authors attempt to assess individuals' moral responsibility for collective action within organizations. I draw on fairly technical recent work by Seamus Miller, Christopher Kutz, and Tracy Isaacs in the field of collective responsibility to see what normative lessons can be prepared for people considering entry into large hierarchical, compartmentalized organizations like businesses or the military. I will defend a view shared by Isaacs that group members' responsibility for collective action depends on intentions to contribute to *particular* collective actions, against Miller and Kutz's more inculcating standards. Miller and Kutz fail to achieve their goal of articulating a variable standard for measuring individual responsibility within organizations, for reasons suggesting we might not be able to do better with their theoretical commitments than a threshold warning for all potential entrants to be wary of the groups they enter. Isaacs sketches an approach that is more successful at creating a variable standard for assessing high echelon actors; I build on and refine her theory to argue that organization members can be held responsible for their unique interpretations of the organization mission and unique contributions to their role duties. High echelon actors may share personal responsibility for their subordinates' behavior when they have created the conditions for those actions through their unique orders.

Keywords Collective responsibility · Corporate responsibility · Responsibility · Corporate intentions · Business ethics · Just war theory

In this article, I engage recent work on collective responsibility by Seamus Miller, Christopher Kutz, and Tracy Isaacs in order to consider the individual moral responsibility for collective action properly assigned to members of large hierarchical, compartmentalized organizations like the military or some businesses (Isaacs 2011; Miller 2001; Kutz 2000). These authors all approach the subject with an eye to addressing the particular sort of collective actions performed by these organizations: actions that are irreducible to identical component actions equally performed, understood, or intended by their members.

The three thinkers represent different points on a spectrum of action-theoretic views; I will not directly address that part of their arguments here, but think Isaacs' "collectivist"

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approach is the most promising from a normative standpoint. In this article, I will defend a view shared by Isaacs that group members' responsibility for collective action depends on intentions to contribute to *particular* collective actions, against Miller and Kutz's more inculcating standards. I will also build on and refine Isaacs' theory to argue that some organization members can be held responsible for their unique interpretations of the organization mission and their unique contributions to organizational roles. Order-giving personnel can sometimes be held accountable for the actions of their subordinates.

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This section will clarify some preliminary matters and articulate some common ground with Isaacs, to serve as a foundation for what follows. This article will address responsibility in the sense of culpability or accountability, as opposed to causal responsibility. The sense of the terms I will use are not indebted to any idiosyncratic construal of these much debated terms and do not seem to depart from the usage of Miller, Kutz, and Isaacs. Causal responsibility for an action or event refers to a degree of involvement in the physical chain of actions or events leading to the action or event under study and does not necessarily involve culpability. Judging the degree of culpability for an action for which one is causally responsible requires inquiring whether one had the power to refrain from acting; whether one subjectively intended for the action or event to occur; and whether one knew the action or event would likely occur as a result of one's action. Given causal responsibility for some harmful event, one can decline culpability, and with it, potentially blame and punishment, if the outcome was not meaningfully connected with the three vectors of one's moral agency (power, intentionality, and knowledge) due to an *excuse* of coercion, mistake, accident, ignorance, etc.

Assigning individual levels of moral responsibility for collective action is relatively easy if the collective action is merely the aggregate of identical individual actions in the sense that a group of people raising their hands is the aggregate of individuals raising their hands. While there might be some mitigation related to group psychology (e.g. in a riot), assessments of culpability would likely not be too different from a case in which a person performed the contributory action alone. Assessment of contributory actions is harder for collective actions irreducible to members' identical component actions, composed as they are of different types of actions (some of them marginal, indifferent or counter-productive to the collective action), linked together by a corporate intention imposed through orders or role specifications, with few if any members knowing the full scope of the collective action they advance. The challenge is to see which if any of the vectors of individual moral agency can connect to collective action in a way tainting or ennobling group members' contributory actions according to the collective action's character. I will criticize views deeming people responsible for collective action in cases where one or more of these vectors is absent.

Isaacs makes a distinction between groups important to what follows. A "goal-oriented collective" is a loosely-organized ad hoc group oriented toward accomplishing a commonly-held goal, such as a group of picnickers, and an "organization" is a formally organized, long-lasting group often characterized by hierarchy and well-defined roles occupied by rotating personnel. Commonly-held goals are not always universally present in organizations but are in goal-oriented collectives.

I would say that members of goal-oriented collectives are equally responsible for their group's foreseeable collective actions. By definition, they know what collective action and goals their group is meant to further and intend to further them by joining the group.

Consider the group of senators who assassinated Julius Caesar. Each one wanted Caesar dead and joined the group for that purpose. Each foresaw that stabbing him with others would kill him. Each participated in the collective action with the intention to kill him. It does not matter if one senator's contributing action was marginal (he managed only a minor wound) or contributed to an over-determined outcome (stabbing Caesar after he was mortally wounded); all can be equally described as assassinating Caesar. From the perspective of one senator, the group is a kind of instrument to accomplish his aim with greater force and efficacy than he could guarantee alone and so a quibble about how much blood he actually spilled relative to others is no more relevant to his culpability for the assassination than the question of whether he or his knife is really responsible for the wound.

Everyone in a goal-oriented collective is on board with what the collective is doing. By contrast, the standing policies and formal decision-making structures of *organizations* can lead to collective actions known only to some and winning the approval of no one in the organization and compartmentalization can separate some organization members from the causal connections and knowledge necessary to call them individually responsible for organizational action (Isaacs 2011 p 118–19). Isaacs argues that the organization itself is responsible for its actions, guided by a collective intention (2011 p 54).¹ Unlike many other theorists working in the field, Isaacs is untroubled by the notion of collective intention, an irreducible state of affairs produced through group decision-making procedures. This state of affairs can be called an intention because of its functional role in spurring collective action (Isaacs 2011 p 37). Functionalist approaches identify things by the functions they fulfill instead of their ontological or metaphysical status. Collective and individual intentions are functionally the same insofar as they spur actions in their respective type of bodies. There is not adequate space here to engage the significant literature on this subject, so I will just have to signal my agreement with Isaacs that something analogous to a human intention guiding collective action can be present in organizations irreducible to the intentions of all its members.

By contrast, Miller and Kutz reject the notion of collective or corporate intention and look to aspects of group members' intentionality to supply the animating principle of collective action. Arguing this way for action-theoretic reasons, Miller and Kutz are also able to view the intention to participate in planning cells, and in a group, respectively, as the normative hinges inculcating group members for collective action. In what follows, I object to the idea that these formal goals, characterizing group members as being committed to *whatever* the planning cell or group eventually does, serve as inculcating conditions for collective action. The group member has to intend to contribute to the particular collective action in order to be inculcated for it. Thus I think Isaacs is right to inculcate those who, endorsing a specific collective action, join a group in order to accomplish the action. I add those in *organizations* who agree with the organizations' collective intentions and want their actions to contribute to the associated collective actions.

2 II.i

When it comes to apportioning moral responsibility to individuals in “corporate groups” (referred to as “organizations” above), Miller argues that participants in “joint mechanisms” are individually responsible for their contributory actions. A joint mechanism is a set of interlocking behaviors like a company's decision-making procedures used to coordinate actions and bring about certain types of outcomes. The “corporate actions” produced by joint

¹ See also Fain (1972) p 81; Narveson (2002) p 184.

mechanisms are irreducible to individuals' contributing actions because the joint mechanism allows for outcomes contrary to some of the participants' preferences (Miller 2001 p 174–6). Thus far, I am in agreement with Miller. In addition to being fully, individually responsible for their contributory actions such as votes, participants in joint mechanisms are “jointly responsible” for the relevant corporate action, meaning that each member is morally responsible, but this responsibility is dependent on the other members' being equally responsible. What is interesting to notice here is that Miller argues that even those whose preferences are not reflected in the joint mechanism's outcome, such as those on the losing side of a committee vote, *are still morally responsible for the outcome*. This follows because they committed themselves to abide by the mechanism's outcome and thereby, in a sense, connected their own conscious agency with the power of the group (Miller 2001 p 241).

Miller establishes a stern standard here: even the opponent to a proposal is responsible for the associated action when the majority of *her peers* bring it about through a joint mechanism. While Miller's participant is individually responsible for her own contributory input into a joint institutional mechanism, she has no direct control over the joint outcome for which she is also supposedly responsible. Assuming one should avoid situations where one is responsible for bad actions—usually situations where one performs, endorses, or supports bad actions causing unmerited harm and deserving punishment—we can infer a normative and prudential lesson from Miller's theory of responsibility. One should avoid participation in joint mechanisms since one will be accountable for potentially bad actions one did not choose. This advice could practically mean that one should refrain from joining organizations with such mechanisms or at least refrain from applying for posts in which one would likely need to participate in joint mechanisms, instead restricting one's aspirations to lower echelon positions. Miller does not extensively pursue the normative implications of his theory so I am now going to make two related points in that direction.

How can Miller hold that, for example, a corporate executive voting with the minority of board members is responsible for the corporate policies *against* which she passionately lobbied and voted? It seems descriptively arbitrary to write, in justification of this claim, that “each voted, having as a collective end that the outcome with a majority of the votes in its favour would be pursued” (Miller 2001 p 241) instead of, for example, describing each voter as having her particular policy preference as an end. While voters in egalitarian voting pools *understand* that the majority will carry the day, it simply seems false to say that voters have “whatever the majority wants” as a primary end as though they were participating in the vote out of pure, non-partisan curiosity. Perhaps it could be said that they assume or hope that the majority view will carry the day in the sense that they assume or hope that the vote will be fair, but this does not correspond simpliciter to an end for action in Miller's sense of an ultimate state of affairs justifying an intention for a contributory action. (One “intends” an action like catching a ball, in order to bring about, perhaps with others' help, an “end” like winning a game.) One does not vote simply because one hopes that the vote will be fair. Perhaps a full, technical description of the voter's ends, touching on this implicit hope for fairness, would be as follows. The executive has as an end that policy X be enacted—this guides her intention to vote for X—but being an executive in a company with egalitarian voting procedures, she has an implicit procedural caveat to her end: her end is that policy X be enacted through democratic means. By contrast, if she owned a private company, she could pursue her end without the caveat and implement X by fiat. This procedural caveat to her primary end of X implies a secondary and dependent end regarding other people's actions: that a majority of executives (including herself) vote for policy X. The secondary end is dependent on the first because she only wants a majority of executives to vote for X because she wants X to be implemented.

My claim about descriptive arbitrariness can cut both ways. How exactly do we segment thoughts and events in the world in order to say one state of affairs, or one description of a state of affairs, is held as an end? Substantive, concrete descriptions of things are not logically binding; any description of this sort can be rationally refused provided a plausible alternative. For his part, Miller acknowledges that joint mechanisms can be described as mechanisms for facilitating corporate action—in which case the intention of the participant to participate is always met, no matter the mechanisms' results—or as mediums sometimes frustrating individual actions with outputs contrary to the participant's particular end (Miller 2001 p 178). One way philosophers attempt to segment a discrete moral action and avoid charges of descriptive arbitrariness is by incorporating a functionalist element in the description. Attention to the functions actions actually have, regardless of their agents' intentions, puts more weight on the participant's (even unwitting) causal contribution to bad actions and outcome. So one might argue that the joint mechanism participant who dissents from the eventual consensus actually helps create the conditions for that consensus through her participation (by creating a quorum). Yet while functionalism would tighten up the descriptive picture, it is normatively unhelpful because of its ambiguous implications. Should the executive abstain from the vote or not? If an organization member whose presence is necessary for a quorum desires collective action X, she stands to help accomplishing X if she wins the vote, but risks *enabling*~X if she participates in the vote and loses. If she prevents the vote from occurring by refusing to participate, she prevents~X from occurring, but also forfeits the chance that the organization accomplishes X. Further, she forfeits the chance of lobbying her peers to vote for X if she is replaced because of her non-participation (Wolgast 1992 p 90).

Again, I do not think it is proper, with Miller, to inculcate the joint mechanism participant for resulting collective actions absent her concurring intentionality. My argument still depends on my rival description of what the dissident intends. If the "outcome of a fair procedure" is construed as the dissident's end instead of "policy X," so that her end is met no matter what the procedure's outcome, then there is a much stronger case to say the participant who intentionally and knowingly participated in the procedure is culpable for its outcome. Also, even if one accepted my description of the end of fair joint mechanism outcomes as secondary to the policy end primarily intended by the agent, I did not explain why this secondary status could not also somehow be inculcating for collective action. Therefore, I will now develop a response appropriate to both concerns, which works even if one assumes that joint mechanisms pose the hazard of involuntarily inculcating one for unsavory actions.

If one feels, with Miller, that the joint mechanism dissident is jointly responsible for resulting actions because she has "a collective end that the outcome with a majority of the votes in its favour would be pursued," it follows that someone would not be jointly responsible for the relevant action through this vector of responsibility if she did not have this collective end. Members of the relevant corporate group who did not have this collective end might include non-participants in the joint mechanism and participants who did not want a fair outcome to the mechanism; call them "subverters." I will address non-participants below. I will now argue that participants in joint mechanisms have a duty to have the mechanism's fair outcome as an end and so must also, all other things being equal, abide by the outcome of the fairly acquitted joint mechanism. We can reject the inculcating potential of having the fair outcome of a joint mechanism as an end if we can reject the subverter's agenda.

First, participating in a joint mechanism like a vote or a chain of command is not inherently morally problematic. Participating in a joint mechanism in a bad organization

(e.g. a drug cartel) is problematic since the mechanism merely concerns how the decision to engage in bad joint actions is set. So we should say that participating in joint mechanisms in ostensibly good organizations is not morally problematic.

Second, once engaged in a joint mechanism in an ostensibly good organization, one is morally obliged by the duty of fair play to have its fair outcome as a (secondary, dependent) end, which is to say, an action-guiding goal, a plan to abide by its outcome. There is a duty in play here because an artificial decision mechanism is a kind of coercive instrument suppressing the strength or will of potentially large numbers of people. One expects others to respect the outcome of a vote or lottery, self-limiting their natural freedom to press their interests in the event that they lose. One therefore parasitically makes an exception for oneself from a general rule if one reserves a personal right to ignore unfavorable outcomes.

So there is a moral duty for participants to abide by the outcome of a joint mechanism in an ostensibly good organization. We then have to refuse a possible normative implication of any responsibility theory that participants should subvert the outcomes of joint mechanisms in order to avoid responsibility for bad actions. Being a subverter is not a morally viable option for avoiding joint responsibility of corporate action because one cannot be blamed for failing to violate a duty, at least in cases when a greater duty or some truly horrible outcome connected with one's omission is not in play. In a particular situation, the corporate action fairly determined by the joint mechanism may be so heinous that its gravity trumps the fair play duty of participants to abide by the decision, but my argument stands in the abstract before any particular content is added. In general, participants in joint mechanisms ought to have as an end the mechanisms' fair outcomes, and act accordingly.

The defeat of the subversion option leaves the other above-mentioned responsibility avoidance option to consider, that one should avoid participating in joint mechanisms. This strategy would be possible in some corporate groups though coming at a high personal cost in that one would probably have to restrict oneself to low echelon positions. In many corporate groups, occasionally participating in joint mechanisms is likely unavoidable and so the only avoidance strategy would be to decline membership in the organization completely. Therefore, a normative lesson we can glean from Miller's collective responsibility argument amounts to the following threshold argument. A potential entrant has to consider whether the worst thing her potential group could do falls beneath a moral minimum of acceptable behavior. She should understand that she might be required to participate in joint mechanisms yielding such actions and by so doing, under Miller's inculpatory description of ends, she would be culpable for such actions. As even ostensibly good corporate groups are capable of serious harmful collective actions, the conscientious applicant should perhaps be leery of joining any groups with joint mechanisms that are not small and inconsequential in society.

The implausibility of this entailment is another clue that it is incorrect to ascribe the dissenter with responsibility for joint mechanisms' actions, no matter how her intentions are described by a third party. We can draw a more moderate and reasonable lesson, now in agreement with Miller, if we discard the piece about the dissident and focus on the *proponent* of the joint mechanism's consensus. I agree with him that the proponent is individually accountable for her contributory action and is jointly accountable with the other proponents for the corporate action resulting from the joint mechanism (Miller 2001 p 174). She can be praised or blamed for voting for X and blamed for X, along with her fellow proponents, when her corporate group does X. Causality is not as relevant here as it is with responsibility for individual action because the joint mechanism participants do not directly cause the corporate action, but instead contribute to its realization. Here, praise or blame is for the participant wanting, and striving to bring about—with all the power the institution affords

her—a certain action or outcome. It is true to say “The company did X.” Assuming she had full knowledge of the effect of her vote and was not under duress or any other the other standard excusal conditions, it is also appropriate to deem her fully but not exclusively responsible for X.² It is not right to say she is fractionally responsible for X with the fraction’s divisor supplied by the number of “yes” votes. Each proponent used the full extent of her or his power to bring about X, and presumably would have decided unilaterally to do so if the s/he had sole authority. So the inculcating dynamic is like that of a goal-oriented collective. I will discuss contributory actions in detail below.

I drew from Miller’s argument a normative caution about the indirect inculcating potential of organizations for some members: one will likely have to participate in joint mechanisms and proponents of joint actions will be inculcated for them. This condition is more hazardous than it may first seem since membership in groups may furnish one with ends and values one did not have prior to entry. I want to now focus on this potential source of moral change, drawing on some of Kutz’s work.

3 II.ii

Miller argues that dissidents to the outcomes of joint mechanism (“corporate dissidents” from hereon) are morally responsible even for collective actions they do not have as ends because they committed to a process in which such outcomes were possible. Kutz is concerned to maintain participatory intention as a foundation for moral responsibility, which would at first seem to exonerate the corporate dissident who does not want to bring about the bad corporate actions in question. Yet Kutz invokes a broad enough understanding of participatory intention to include an *intention to be part of a group* as a sufficient condition to deem even ignorant or disaffected agents complicit in the harm caused by her group’s action. So Kutz ends up casting an even wider net than Miller, inculcating low echelon button-pushers who do not participate in any joint mechanisms resulting in corporate action (2000 p 157). On Kutz’s view, even absent contributory *action* making a difference to the joint outcome, an intention to participate in the action or even to maintain membership in the group responsible is reflective of the agent’s character. While increased knowledge and causal efficacy will increase one’s individual responsibility, *all* group members are responsible for the group’s actions once they join the group. I will argue in this section that an intention to be part of the group should not be considered inculcating for specific collective actions.

Kutz focuses on the subjective meaning agents ascribe to their acts—the reasons they have for acting—in part because an exclusive focus on causality would exonerate malicious actors whose contributions to bad joint projects were marginal or ineffectual or when their contributions made no individual difference to over-determined collective actions (Kutz 2000 p 140). Yet we *want* to hold morally accountable, in some way, say, the genocidaire who eagerly rushed to the massacre but whose gun jammed on the firing line. Kutz argues that the intention to participate in a collective action is a sufficient threshold condition to deem the agent in question complicit in the harm caused by the collective action he intended to further.³

Just the same, the genocidaire who murders ten people intuitively seems more responsible for the collective action of genocide than his friend with the faulty weapon. Kutz adds a

² I am assuming she genuinely wants to accomplish this end; her responsibility is mitigated to the extent that she is voting affirmatively because of the dictates of her institutional roles. More on this below.

³ See also Sadler B (2006) Share Intentions and Shared Responsibility. *Midwest Studies in Philosophy* 30: 115–144.

functionalist element to his intentionalist action theory to fix a specific level of accountability beyond the threshold inculcating condition of group membership (2000 p 158). Mitigating circumstances reducing accountability include the difficulty of learning information contextualizing the agent's action and the lack of alternatives forcing the agent's hand (Kutz 2000 p 161). Kutz allows that mitigating circumstances help determine how accountable he is, but ignorance, for one, does not exonerate the functionally-implicated agent. "When we act together, we must expect that the group act may have aspects we do not know about but with which we will have to reckon.... The possibility of expanding our powers (or rewards) through cooperation entails the risk that the resulting at will not align with our moral interests" (Kutz 2000 p 156). These comments straddle factual and normative assessments. No doubt, as a matter of fact, the first sentence is true; the second sentence could suggest that one must beware of expanding one's power through collective-joining and collective action because of its moral hazards. For example, Kutz argues that company employees are accountable for the company's actions because they conceive of themselves as employees and so have intentionally formed their professional behavior to be that of employees of a particular company (2000 p 162). Kutz stands on a thin perch here. A company's accountant's or shipping clerk's self-regulation on the job is with respect to the standards of accountants or shipping clerks anywhere, not, barring highly unusual corporate cultures, to vary from one company to another. It is hard to imagine scenarios where those in specialized roles would be non-trivially adapted to a particular corporate culture (e.g. a GE accountant vs. a Raytheon accountant) and still be identifiable as specialized role actors. Kutz's view of accountability is socially-grounded and so can vary from culture to culture; I would submit it would be a very stern-minded culture holding the non-culpably ignorant accountant to be blameworthy for enabling a dirty deal the dirt of which was not evident in the numbers he saw. One caveat, similar to one I made with respect to Miller: whether or not a group member knows his work product is currently advancing a collective action, participating in group activities with the intention that his work product contribute to a particular collective action encourages our considering his organization like a goal-oriented collective in order to assess the responsibility of that particular member. He is treating the organization like a vehicle for his personal agenda.

The dubious ascription of accountability to ignorant or alienated role actors in organizations rests on the functionalist element in Kutz's action theory. The functional shape of role actors' actions will often be dictated by the structure of the organization since role actors are usually assigned their duties. A good deal of moral weight then rests on one's choice of organization since this slim identification with the organization and one's assigned role makes one accountable for collective action even without her knowledge of the ultimate end of her role-assigned actions. So while Kutz's different approach at first seemed to offer more hope for Miller's corporate dissident—who is responsible even if dissenting from the joint mechanism outcomes—Kutz's proposal for a variable standard of accountability also reduces to the threshold argument of complicity for many in large, compartmentalized organizations. One is accountable for harm if one chose to enter an organization that ended up doing harm. Kutz's group of people responsible for joint action is larger than Miller's in that Kutz posits no inculcating criterion of joint mechanism participation nor knowledge of relevant joint actions. So Kutz's argument is dissatisfying if we want a variable standard for judging individual responsibility in hierarchical, compartmentalized organizations.⁴ To be sure, he does offer some criteria for variability, but the only sure way to avoid complicity in

⁴ Cf. May L (2006) State Aggression, Collective Liability, and Individual Mens Rea. *Midwest Studies in Philosophy* 30: 309–324, 317.

bad collective actions is to avoid membership in all groups—since even ostensibly good groups can do bad things.

4 III

Miller and Kutz's method of connecting group members to collective actions is, to my mind, normatively inadequate and conceptually unconvincing. Assuming it is permissible to enter into a certain kind of group, it is not fair to inculcate members for collective actions toward which they causally contributed but did not know about or intend. Even if Miller and Kutz's are normatively adequate, their putatively variable standards of individual responsibility in groups collapse into threshold arguments counseling caution about group entry due to the breadth of their standards of inculcation. That otherwise sensible caution here implies either an additional unrealistic warning to avoid all group membership or a tragic admission that we will all inevitably be tarred with responsibility for unjust collective actions we did not personally endorse or pursue.

Isaacs' distinction between organizations and goal-oriented collectives captures Miller and Kutz's idea about the inculcating potential of participatory intention but acknowledges that the structure of certain types of groups separate members' intentionality from collective action in an exculpating manner. Whereas we can inculcate members of group-oriented collectives for collective action since these collectives are effectively vehicles for the members' will, we cannot automatically make that connection in organizations.

I want to focus now on the organizational member's individual contribution to collective action since Miller, Kutz, and Isaacs argue that (at least high-ranking) individuals are individually responsible for their contributory actions. Isaacs expands on this point at greater length than Kutz and Miller, who invoke this aspect of responsibility as if it were self-explanatory. I want to build on Isaacs' work—which is still too pat in its discussion of contributory action—by further specifying ways in which we might measure individual responsibility for collective actions. My comments about individual responsibility for contributory action apply to similar points made by Kutz and Miller.

Four considerations complicate attempts to assess culpability for contributory actions in organizations, but we will see that these considerations do suggest related lessons about entry into organizations. First, most contributory actions to collective actions are morally trivial if described apart from the relevant collective action (May 1987 p 314). Consider some of the actions leading up to a military airstrike: reading maps, analyzing satellite imagery, fueling aircraft, etc. Few contributory actions for complex actions are the sort like rape or theft that have moral evaluations built in with what Bernard Williams calls "thick moral terms." Even actions apparently of moral significance like "loading bombs on to the FA-18" are not adequately capitalized for moral assessment without further contextualization. Is the FA-18 participating in a training mission, a defensive war, or genocide? So if we wish to hold actors responsible for their contributory actions, isolated from their contextualizing collective actions, we confront the problem that the only way to assess morally trivial or otherwise under-described actions is in terms of technical proficiency and the universally applicable moral quality of professionalism. These terms are usually not of great interest to laypeople. We do not care so much that the ordnanceman did a good or bad job loading the bomb but instead want to know if he is responsible for furthering the cause of an unjust war. So in most cases, the strategy to use contributory actions to assess individual responsibility in organizations will not meet easy success as we have to take into account the collective actions to which organization members are contributing in order to have something morally weighty enough to assess (Narveson 2002 p 27).

Looking at the collective action furthered by a contributory action and considering the knowledge and intention criteria of culpability, I think that the actor would need to know the specific collective action his contributory action furthers (e.g. bombing the XYZ munitions plant) rather than the general sort of action it furthers (e.g. airstrikes) if he is to be normatively connected by his contribution to the specific collective action. Yet some organizations' hierarchical and compartmentalized natures systematically screen participants from detailed knowledge about the ultimate end of their contributory action. So we cannot make moral judgments about the participants' contributory action simply on the grounds that he knows he is aiding the group conduct its characteristic activity, unless that activity is inherently immoral. So I agree with Isaacs that a low echelon actor's contributory act remains undercapitalized for the purposes of moral assessment (if we are concerned about the collective action) given systemic epistemic limitations (113). Contra Isaacs though, the actor is responsible for the action itself; it is just that the action itself may be morally trivial. To be sure, we still have to ask if he was right to join an organization in which he will be often kept ignorant of the ultimate end of his role-defined actions.

Second, since some members of hierarchical organizations are acting under orders, we need to take into account the collective intention guiding the actors' individual intentions in these cases in order to assess their contributory action (Crawford 2007 p 189, Harbour 2003 p 71). Actors need individual intentions in order to guide their particular bodily actions, but before we use these intentions as foundations for moral responsibility, we should consider that in organizations the relevant individual intentions do not originate in the people who act on them but instead are derivative intentions impressed by others for actions contributing to still other persons' broader ends. Since in his organizational role, a lower echelon actor is generating intentions in order to carry out others' intentions, the moral question germane to corporate intention is whether the actor non-culpably believes the corporate intention spurring all the individual intentions (e.g. "fighting a war against country X") is a good one worth obeying. It follows then that there should be significant moral weight placed on the decision to join the organization since an organizational member will not always be involved in the joint mechanisms setting the corporate intentions affecting his role-defined responsibilities. The bigger the organization and lower the candidate's entry-level rank, the more likely he will be following, rather than giving orders, and so the more cautious he needs to be about joining. I agree with Isaacs that if one learns his organization is performing unjust collective actions, he becomes culpable for continuing to causally contribute (directly or indirectly) to the collective action as opposed to resigning (114–15). He can then fairly be asked to defend his possible decision to remain.

Third, the corporate intention and organizational structure are also often significant for assigning actors the particular role urging, and creating the parameters for, their behavior. Even high echelon actors can be largely constrained by role responsibilities. An unfavorable comparison of a role actor with a non-role actor (who is never asked to make the sort of decisions the role actor must make) prompts the question of whether role responsibilities do not deserve consideration against other moral concerns. If we wish to assess a role actor's unique—that is, non role-derived—personal responsibility, we should screen out the impact of the role responsibilities he shares with others in his role. (This is a separate question from whether the role is a morally permissible one.) So for example, a general's actions should be compared with those of other generals so that the role-indicated aspects of his action are isolated and the unique aspects he personally brings to the role brought into view.

Fourth, the joint mechanism structure within organizations further complicates attempts to connect morally-significant contributory actions with even high echelon actors since the mechanism—the only avenue for the organizational member to accomplish his goals—may

yield outcomes significantly different from his original intention (Isaacs 2011 p 110). Despite this complication, Isaacs argues that high-ranking actors in some organizations bear a great burden of personal responsibility for decisions affecting many people even when their orders or other contributory actions are greatly changed or influenced by the mediation of subordinates. I would like to partly challenge this view and clarify the ways in which high echelon actors' contributory actions do and do not make them responsible for downstream effects.

Let us consider what would ostensibly seem to be a good candidate for a responsibility-conferring contributory action for an organizational leader: giving orders.

People are responsible for giving the orders they give in the sense that they and not others give those orders. Yet, as Isaacs notes, an order is not equivalent to the collective action(s) it engenders because of the multiple mediating steps in the chain of command or other joint mechanism and the multiple contributory actions others have to perform to bring about the corporately-intended collective action(s) (106). For example, a general gives an order to gain control of an important valley. He is responsible for giving that order in the just mentioned sense. Is he also responsible for the order's morally significant downstream effects? Lower in the chain of command, a colonel may interpret the general's fairly broad order to entail the seizure of a town the general would not have thought necessary to seize were he in the colonel's place. For example, we can imagine a conversation taking place after the fact in which the general asks why a battalion was sent to town X and the colonel replying "I was following *your* orders, sir." The general could demur, but seizing the town may have been a reasonable entailment of the general's order given the information and resources the colonel had at his disposal. We can expect a tactical action diverging from the first order-giver's original intent to a greater extent the farther down the chain of command the order travels. We can imagine the surviving sergeant in charge of an infantry squad explaining that his men acted on the general's order when they entered a booby-trapped building—they didn't independently *want* to raid that building—and the general being chagrined to be held responsible for the squad's casualties since he did not specifically tell them to enter that building.

With respect to order-giving, an officer should get moral praise or blame for his unique interpretation of the corporate intention passed down the chain of command and unique contribution to consequent collective action. It may seem at first that the general contributes a great deal to collective actions because his order mobilizes many people, but note, while his order is "powerful," it is broad, too vague to directly translate into individual actions, and far from the realm of direct effects on individuals where we tend to have moral intuitions. It seems odd to say that he is morally responsible for every specific action occurring as a result of his broad order since he did not plan, directly order, or even likely know about tactical actions like the building raid ahead of time. The decisions of hundreds of other people mobilized by his order will ultimately determine whether the collective action he ordered is successful. What is in the scope of his power, knowledge, and individual intention is morally relevant, and so he should be praised or blamed for *attempting* to execute an action at the level of generality at which the order was properly given. So the general should be praised or blamed for giving the order to seize the valley—amounting to his using all the power afforded him to attempt to seize the valley—but not for ordering/attempting to raid a particular building or any other particular action he did not specifically order. Taking role responsibilities into account, he should be held accountable as a general, not as a civilian who rallied a group of people to seize a valley. After-action reviews could consider the amount of information he had at his disposal and the range of options available to someone of his rank given the relevant political considerations, opportunity costs, anticipated future contingencies, and the like. In many cases, as already mentioned, terms of assessment will initially be those of technical proficiency compared to other generals with similar training.

Beneath high echelon actors, each actor in the chain of command is also individually responsible for his unique interpretation of the collective intention and unique contribution to collective action(s). Often, the actions of lower echelon organizational members will tend to be more fully defined by their roles, with higher echelon members freer to add more of their personal expertise and creativity. It remains to explain how one's unique interpretation and contribution and/or technical assessments of them should factor into a moral assessment of one's performance.

One might wish to ascribe responsibility for specific tactical actions to the general in the above example since the actions can all be causally traced in his direction. Causal responsibility is not equivalent to moral responsibility yet it remains that the general's order created the conditions for the possibility of all the downstream tactical decisions. I now want to refine Isaacs' argument about high-ranking actors' personal responsibility by advancing four broad types of conditions high-ranking figures (i.e. leaders) might set for their subordinates through order-giving and the resultant implications for the order-givers' responsibility for the subordinates' actions. Giving orders is morally, and not just causally, significant because the order-giver can consciously create conditions for others' moral or immoral actions by aiming with his or her order-giving at good or evil outcomes. Subordinates are the leader's—rather than the organization's—agents to the extent that the leader gives a unique, non role-derived order. By contrast, far more of subordinates' actions are plausibly ascribed to the organization's corporate intention when leaders give the sort of orders anyone in their position would give.

No doubt further sub-divisions and hybrids could be added, but this typology will hopefully be a good starting point.

- A. Good orders: it is reasonable to think that personnel will achieve good ends by following the orders.
- B. Immoral orders: the leader gives explicit orders to commit immoral acts (e.g. “exterminate the Tutsis”).
- C. Vague orders: subordinates might reasonably commit immoral actions pursuant to unclear orders (e.g. “silence dissent in that town”).
- D. Negligent orders: it is reasonable to think immoral or harmful actions will occur as a result of the orders (e.g. ordering personnel to perform acts for which they were not trained).

It has already been argued that an order is not equivalent to the individual and collective actions following from it. A leader giving a good order does everything with the power entrusted to him to achieve a good end and selects the best option he knows in order to accomplish his assigned task before relying on subordinates to carry out the action. A good order creates the conditions for competent subordinates to contribute to morally good collective ends. The general is not solely responsible for seizing the valley or for performing any of the subordinate tactical actions but is partly responsible for both contributing actions and collective actions to the extent that he created the conditions for them. The degree of responsibility increases with the uniqueness of his order. The more his order diverges from what the average general would order in the same situation—the more it departs from basic role responsibilities—the more the general should be seen as personally responsible for the good actions his order enabled.

A leader is not responsible for immoral or harmful actions subordinates commit pursuant to his *good* orders if the leader had no hand in training his subordinates or exhibited no negligence in training them. His orders were causally involved with their actions but nothing he did can plausibly be cited as the causal source of the immoral or negligent aspect of their actions. Using the same logic, the leader is partly responsible for all immoral actions performed by

subordinates consistent with his *immoral* orders. Here, he likely bears more personal responsibility for consequent actions by subordinates than his peer giving good orders because his organization is likely set up to accomplish good ends. It follows that his immoral orders are not plausibly traced to his role responsibilities.

A leader is nearly as culpable as his subordinates who act under his *vague* orders. Here the leader is not culpable because he wanted to achieve the good or bad ends his subordinates carried out. We cannot say the leader created the conditions for good or bad actions because a straight line cannot be drawn between subordinates' actions and the leader's vague orders. Rather, this failure itself is problematic since conditions for action not primed for good actions then may be equally primed for bad ones. The leader has failed his responsibility to keep subordinates within decent parameters. There is more of a burden on the leader than on his subordinates in this case because organizations' compartmentalization and hierarchy are meant in part to limit the flow of information as a way of improving efficiency. It follows then that subordinates may in some cases reasonably defer to their superior's judgment even if the logic of their orders is opaque. That said, performing immoral actions pursuant to vague orders often means that the subordinate chose the specific immoral means on his own. As such, he is more answerable for the action than his superior.

By contrast, the leader giving *negligent* orders is more culpable than his subordinates for the immoral or harmful actions they perform. The negligent order may have a good intention but is culpably unrealistic about the means to be employed. The leader puts subordinates into difficult situations, forcing them to act beyond their skill sets—limitations the leader is in a better position to understand and which he must consider in making his plans.

Miller, Kutz, and Isaacs agree that organizational members are responsible for their contributory actions even if they are not always also responsible for their organization's collective actions. In this section, I argued that a focus on individual contributions has mixed results. Since many organizations limit members' knowledge of specific collective actions, host shifting corporate intentions, assign roles, and utilize joint mechanisms divorcing outcomes from participants' intentions—stripping members of the constituent elements of individual responsibility—we are often denied the grounds to make complete judgments about varying levels of individual moral responsibility for contributory action. For lower echelon organization members, our attention is led back to a threshold question concerning the member's decision to join their organization: whether she non-culpably believed her organization to be a good one, characterized by good corporate intentions and hosting good roles. For members with knowledge of unjust collective actions, there is a burden to decide whether or not to resign.

Threshold questions also have to be answered for higher echelon actors. They too are inhabiting roles leading them to implement organizational intentions in particular ways and forcing them to rely on others to accomplish their assigned tasks. All actors can be individually judged for their unique, non role-directed contributions to collective action—which we expect to be more in evidence at the higher levels. In many cases, these judgments will have to be on their technical merits with only secondary moral relevance. Members of the majority in joint mechanisms such as committee votes can be held equally accountable for wanting to enact the winning proposal. Higher echelon, order-giving actors can also be inculpated for the specific actions their subordinates perform based on the conditions for action they create through their unique orders.

5 Conclusion

This article has attempted to zero in on individual responsibility for collective action within hierarchical, compartmentalized groups. I argued members of goal-oriented collectives are

equally responsible for the groups' collective actions. Blanket ascriptions of responsibility cannot as easily be ascribed to members of organizations. Knowledgeable proponents of the collective action advanced through their contributory action are equally responsible for the collective action because they are effectively treating their organization like a goal-oriented collective. Yet other members are not responsible for collective action if they are non-culpably ignorant of, and/or not intending, the collective action furthered by their contributory actions. They are responsible for their contributory action in the sense that they are responsible for their unique interpretation and implementation of the collective intention connecting their contributory action with the organization's collective action. The contributory action may only be assessable in technical terms, but can be more significant at the higher ranks where leaders may be responsible for actions subordinates perform consequent to their orders.

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