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**A Critique of David Miller's Like Minded Group and Cooperative Practice**

**Models of Collective Responsibility**

**Abstract:**

Many authors writing about global justice seem to take national responsibility more or less for granted. Most of them, however, offer very little argument for their position. One of the few exceptions is David Miller. He offers two models of collective responsibility: the like-minded group model and the cooperative practice model. While some authors have criticized whether these two models are applicable to nations, as Miller intends, my criticism is more radical: I argue that these two models fail as accounts of collective responsibility as such. This result should not surprise us (liberals): there simply is no such thing as collective responsibility (in a strict sense), there is only individual responsibility. Thus individuals are not automatically responsible for the actions of their groups, nations or states, not even if they do not actively dissociate themselves from those actions.

**Key words:**

collective responsibility; cooperative practice model; democracy; like-minded group model; David Miller; national responsibility

Many authors writing about global justice seem to take collective and national responsibility more or less for granted. Most of them, however, offer very little argument for their position. One of the few exceptions is David Miller, who to some extent can be taken to provide part of the missing argument for philosophers

such as Walzer, Dworkin or Pogge.

Miller relies on two models of collective responsibility: the like-minded group model and the cooperative practice model. While in a recent symposium in this journal on Miller's book *National Responsibility and Global Justice* two authors doubted whether Miller's cooperative practice model can be applied to nations, its suitability as a model for collective responsibility as such, and in particular as a model for collective responsibility for the actions of one's *state*, was not questioned;<sup>1</sup> nor has it (to the best of my knowledge) been questioned by other authors.<sup>2</sup> More interestingly still, even the (from a liberal point of view) highly suspicious like-minded group model was not questioned as a suitable model for collective responsibility as such; rather, only certain too indiscriminate applications of it, so to speak, were rejected.<sup>3</sup>

In contrast, I will argue that both the cooperative practice model and the like-minded group model fail even *before* they are applied to the level of nations. There is no such thing as collective responsibility. There is only individual responsibility.

Miller describes the like-minded group model<sup>4</sup> by means of an example (without ever considering possible counter-examples):

Consider a mob rampaging through a neighbourhood, terrifying the residents, destroying property, and looting shops. Different participants in the mob act in different ways. Some actively attack persons or property; others shout abuse or issue threats; yet others play a more passive role, running alongside the activists, urging them on and contributing generally to the atmosphere of excitement and fear. ... I want to argue ... that the whole mob bears collective responsibility for the effect of the riot, and together

they can be held liable for the cost of repairing the damage to persons and property.

He adds, however:

We want to know whose responsibility is to clear up the vandalized neighbourhood. Attributing responsibility to the mob as a collective will not help unless responsibility also descends to the individual members ... [W]e also have to show that attributing responsibility to individual rioters is justified, and this we can do by recognizing that they contributed to a collective activity that was certain to inflict damage on other people, whether they specifically intended the overall outcome that actually occurred [or not]. ...

Given that the responsibility of the collective descends to its individual members, why not dispense with the notion of collective responsibility altogether, and instead focus entirely on the outcome responsibility of each individual? As I indicated earlier, it may be impossible to assign specific shares of responsibility for what has happened to individual members of the mob. ... So our starting point must be that the group is collectively responsible, that other things being equal they are remedially responsible for restoring the damage they have caused, and that every participant bears an equal share of that responsibility. It may then be possible for the participants themselves to make finer-grained allocations of responsibility ... This, however, is irrelevant from the point of view of achieving a fair distribution of costs and benefits between the rioters and their victims.<sup>5</sup>

It is not as easy to interpret these passages as it first might seem. In particular, it is not immediately clear what this like-minded group model is a model of. After all, Miller himself has a few pages earlier distinguished

between identifying responsibility and assigning it. Identifying responsibility is a matter of looking to see who, if anybody, meets the relevant conditions for being responsible. ... Assigning responsibility, by contrast, involves a decision to attach certain costs or benefits to an agent, whether or not the relevant conditions are fulfilled. ... Unlike identifications, assignments of responsibility can be justified or unjustified, but they cannot be correct or incorrect.<sup>6</sup>

(This distinction is analogous to the distinction between a thing's actually being a horse and a thing's being justifiably called a horse by someone – if you will be killed unless you point to a tomato and say, “This is a horse,” then you are, all else being equal, justified in saying “This is a horse;” yet, the tomato still is a tomato, not a horse.) Between this passage and the exposition of his like-minded group model Miller says that his “interest is in responsibility in this latter sense,”<sup>7</sup> namely in the identification sense. Thus, presumably, the like-minded group model is a model of *actual* responsibility, not of assigned responsibility.

If so, however (and even if not so, for that matter), his description of this model involves a category mistake. It is simply a *non sequitur* to claim that “our starting point must be that the group is collectively responsible” *because* “it may be impossible to assign specific shares of responsibility for what has happened to individual members of the mob” Such a claim sacrifices moral standards to administrative convenience. After all, it might also be impossible to actually ascertain who does belong to the mob and who does not. “Must” therefore our initial assumption be that everybody standing close enough indeed is a member of the mob? This not only replace the assumption of innocence with the assumption of guilt -- it is also simply wrong, for logical reasons if nothing else, that our incapacity to find out whether A has done something wrong implies that he

“must” in fact have done something wrong.

To illustrate this point further, let me introduce yet another kind of responsibility. I call it twin-disjunctive responsibility. Someone is twin-disjunctively responsible for a murder, if either he or his identical twin has committed the crime. Let me now apply Miller’s logic to this concept of responsibility: It may be impossible to find out which of the twins has committed the murder. So our starting point must be that each of the twins is twin-disjunctively responsible and that therefore other things being equal they are both liable to punishment. Obviously, this argument is absurd; but then Miller’s administrative or pragmatic argument for collective responsibility is no less absurd.

It should also be noted that the broader rationale behind his argument cannot convince. As we saw, Miller is concerned about “achieving a fair distribution of costs and benefits between the rioters and their victims” But, first, it does *not* appear at all fair that someone who is only “like-minded” but has not actually *done* anything to *support* the acts of the rioters (apart from “participating in the community”<sup>8</sup> – and Miller ignores the fact that this also comes in different forms and degrees, and with very different moral implications) has to pay the same compensation as the ringleaders.<sup>9</sup> Second, the rioters and their victims are not the only ones that have to be taken into consideration. There are also mere bystanders. Miller’s like-minded group model threatens to blur the lines between perpetrators and bystanders, and this also does not seem particularly fair.<sup>10</sup> Third, if there can be something like collective responsibility, there also must be something like “collective victimhood” But is it really fair if the rioters give some big lump compensation to the group of victims, without distinguishing the victims who have *actually* suffered from those who merely *identify* with those who have? In

fact such an indiscriminate procedure does not seem at all seem like a fair and just way to discharge one's responsibilities. But then it is not clear why the indiscriminate attribution of guilt or responsibility to each member of a certain group should be regarded as any fairer.

Some further remarks on the issue of "participation in the community" need to be made. Miller says:

Groups that exemplify this model [that is, the like-minded group model] are not then just collections of individuals who happen to have aims in common; they are groups whose members interact in such a way that even those who play no direct role in producing the outcome that concerns us may nonetheless properly be brought within the scope of collective responsibility.<sup>11</sup>

However, this explains nothing unless it is explained *exactly what kind of interaction* qualifies as the one that brings a person *properly* within the scope of collective responsibility for certain acts. Unfortunately, Miller does not provide any clear standards or principles, but only an allegedly "good example"

... provided by Feinberg's discussion of racism in the post-bellum American South. Acts of violence against blacks, Feinberg suggests, were carried out in a context in which Southern whites generally passively sympathized with such acts, even if they were not actively involved in perpetrating them, as a result of a widely shared culture of racial inequality. ... By participating in the community they [the whites] help to sustain the climate of opinion in which the actions in question take place, even if they voice their opposition to the actions themselves.<sup>12</sup>

This example does not really clarify anything. First of all, those Southern whites who (honestly) voice their opposition to the violent actions in question cannot at

the same time “passively sympathize” with them. So is passive sympathy supposed to be a necessary condition of collective responsibility under the like-minded group model or is it not? If it is, then it is not true that all Southern whites share collective responsibility for violent acts perpetrated against blacks.

If it is not, if “participating in the community” and sustaining the “climate of opinion in which the actions in question take place” is sufficient, then the Southern blacks share in this collective responsibility too. After all, the “culture of inequality” was not constituted merely by many arrogant whites, but also by many submissive blacks, those Malcolm X would call “Uncle Toms”. With their submissive behavior, with their participation in the system, they reinforced the white ideal of the black, of a black who is submissive and “knows his place” – thus creating a “climate of opinion” in which a black who does not fit the picture is seen as an aberration deserving severe punishment. However, if the “victims” are collectively equally responsible as the “perpetrators,” then the whole model of collective responsibility loses its sense.

Incidentally, since the example seeks to exemplify how an *individual* can share in collective responsibility, it is actually an example of *individual* responsibility. The individual whites, according to Miller, are individually responsible for the collective injustice by their “participating in the community”

It is difficult, however, to give such a sweeping model of responsibility any credit –at least within a liberal and rationalist framework. Of course it is a severe problem here that the whole talk about sustaining “the climate of opinion in which the actions in question take place” is rather vague, to say the least. First of all, if a rare racist act occurs *in* an utterly *anti*-racist climate, are those who help to sustain the anti-racist climate then automatically collectively responsible for the racist act? Obviously not. So at best the issue cannot be which climate happened to

reign *when* a certain criminal act took place but rather whether the climate actually *contributed* to the act.

Now consider this case:

Bob participates in the protests of a group of blacks in the American South that wants to change the racist climate in the long run by demonstrating against it and engaging in civil disobedience. They know that this new climate, the protest climate, will also produce a counter-protest climate on the side of their adversaries, contributing to the motivation of members of the Ku Klux Klan to take violent counter-measures against blacks. Indeed, such counter-measures are taken. For example, one black protestor is murdered.

If “helping to sustain” a climate of opinion that contributes to violent actions is sufficient for collective responsibility, as Miller’s formulations suggest, then Bob shares in the responsibility for the murder of the black protestor.

But, one may ask, is this such an absurd conclusion? Must not indeed the Civil Rights Movement take into account the effects their actions will have, even if those effects are mediated by the culpable decisions of others? Can they simply wash their hands of all guilt?

No, they cannot. Indeed, I think it is reasonable to say that the Civil Rights Movement bears *some* kind of responsibility for “its” actions and their effects, even if those effects include the murder of blacks by the Ku Klux Klan. If, for example, the Civil Rights Movement could reach its goals equally well with strategies that do not strongly provoke the Ku Klux Klan so strongly, they should probably (all else being equal) use those other strategies in order to protect the lives of innocents.

However, that they have *this* kind of responsibility does not mean that they are

“outcome responsible” in Miller’s sense. Unfortunately, again, it is not completely clear what Miller means by this term. On the one hand, he claims that

outcome responsibility often gives us reason to let gains and losses stay where they fall, or, in the different case where A is outcome responsible for a loss suffered by P, to require A to make compensation or redress. When we make these judgements, we need not be assigning moral praise or blame. A may, for instance, have been acting in a way that is morally innocent or even admirable, and yet may owe compensation to P since he is outcome responsible for a loss to P – for instance, if A damages P’s car in the course of rushing Q to hospital.<sup>13</sup>

On the other hand, however, Miller states that “imputations of outcome responsibility depend on judgments about what it is reasonable to expect of normal people”.<sup>14</sup> In other words, if it is not reasonable to expect them not to do A, then they are not outcome responsible for the consequences of doing A. But is it not strange to claim that it is reasonable to expect A not to rush Q to the hospital if that is a morally innocent or even admirable thing to do? It seems to me that Miller’s views on outcome responsibility are not consistent.

Thus, I think it is best to resolve this tension by keeping to the concept of outcome responsibility suggested by the last indented quote. This is, at the least, an interesting and relevant concept of responsibility., and is familiar enough from law: One can be legally justified by necessity statutes to damage someone else’s property in an emergency situation and still owe this other person compensation. In other words, one can be legally obliged to compensate for harms one has inflicted on another person legally.

However, it is important to note that the law does not state that we owe another person compensation whenever we have *somehow* contributed to this person

being harmed. In the above example of Bob, for instance, Bob certainly does not legally owe the murdered black person compensation although he has indirectly contributed to his being murdered and could in fact foresee that such a thing would happen. Similarly, if Jane knows that whenever Bill is in some way defeated by a woman he lets it out on his own wife by beating her, then of course Jane nonetheless does not owe Bill's wife compensation in case she successfully defended herself against an unjust attack by Bill and he therefore beat his wife later that day.

If A has harmed another person B by committing a legally justified act, then he only owes B compensation if he has infringed upon B's legal *rights*. Thus, the owner of the car that was justifiably damaged by the person who rushed another person to the hospital has a (non-absolute) *right* that his property not be damaged by anyone. However, while the murdered black person has a right not to be murdered, he does not have a right that others refrain from any action – for example from an exercise of their freedom of speech – that might increase the danger of him being murdered by someone else. And while Bill's wife has a right not to be beaten by her husband, she does not have a right against others to refrain from any action – for example from an exercise of their right to self-defense – that might increase the danger of her being beaten by her husband.

The *moral* situation, I submit, corresponds to the legal one. This is at least very plausible, and Miller has certainly not provided any argument to the contrary – nor has anyone else, for that matter.

With this in mind let us come back to the whites in the post-bellum south. Do the blacks have a right that the whites do not “participate in the community”? They certainly have not, at least not if “participating in the community” means just that – going to work, going to the baker and the butcher, talking to people,

going to a dance by the river. Of course, Miller can simply deny that, but first, this would be counter-intuitive, and second, as already pointed out above, he would have to apply the same standards to blacks. *They*, too, participate in *this* sense.

Do the blacks have a right that the whites do not sustain the climate Miller is talking about in a *straightforward* manner, for example by giving racist speeches? Given that I take the right to free speech very seriously, I would deny that. However, I still think that they might have a free-floating moral obligation – one that is not necessarily based on other people’s *rights* – not to engage in racist speech. In other words, I think people have a right to engage in racist speeches – that is, they cannot justly be *forced* not to –; but it would be immoral to engage in racist speeches all the same.

This seems to open a window with regard to outcome responsibility – or, more precisely, with responsibility for compensation. While it is, in my view, certainly correct that one can only be liable to pay compensation for the harm produced by one’s *justified* acts if those acts infringe upon other people’s *rights*, one might doubt that liability to pay compensation for the harm done by one’s *unjustified* acts presupposes that those acts have violated other people’s rights – it might be sufficient that they, say, simply have foreseeably harmed them.

Still, even if this were true (and it is by no means clear that it is), it would not be enough to burden every member of a “group” like “the whites in the post-bellum South” with a shared responsibility for crimes committed by only *some* members of the group. Participation in the community simply was not unjustified per se; only *some* forms of participation were; yet, not all whites did engage in those forms of participation (while, conversely, some blacks collaborated with the Ku Klux Klan). Simply putting everyone in the same bag is not fair and just at all.

In that light, let us have another look back at the mob example, where Miller

differentiates between different participants: “Some actively attack persons or property; others shout abuse or issue threats; yet others play a more passive role, running alongside the activists, urging them on and contributing generally to the atmosphere of excitement and fear.” But then we have a distinction not only between different persons, but also between different collectives: one made up of people who actively attack persons or property; one made up of those who shout abuse or issue threats; yet another made up of people playing a more passive role; etc.

However, it is clearly wrong to say that each of these collectives has the *same* responsibility for the overall harm. Each of them produced different harms. Thus, even if one accepts that “outcome responsibility” for the harms produced by a collective “must,” at least as a default position, be distributed equally between the members of the collective, we still come to the conclusion that the members of the first collective mentioned cannot have the same responsibility as the members of the last one. But then to stipulate that “the mob” and not “the submobs” is the relevant entity when it comes to the distribution of responsibility seems to be simply arbitrary. Arbitrariness in the imputation of responsibility, however, is itself immoral.

Let me summarize the results so far.

1. The fact that “it may be impossible to assign specific shares of responsibility for what has happened to individual members of the mob” does not imply that “our starting point must be that the group is collectively responsible”. The *impossibility* of knowing who is responsible to what degree clearly cannot imply that everyone is *equally* responsible. Of course, under *some* circumstances the impossibility of knowing which member of a given group is responsible to what degree for a given act can provide a justification for *assigning* equal

responsibility, but being justifiably *held* responsible by some authority and actually *being* responsible are different things.

2. More often than not, however, *holding* people responsible because one does *not know* who is responsible is not justified at all, but rather egregiously unfair and unjust and a violation of the rights of innocent bystanders.

3. Miller's criterion of "participation in the community," which he uses to identify responsible parties, is entirely vague (and thus of course also open to all kinds of abuses). Moreover, interpreted narrowly, it will exclude certain people from collective responsibility who according to Miller should not be excluded from it. If interpreted widely, on the other hand, it includes certain people from collective responsibility for certain acts who, according to Miller, should not be included. More important still, if interpreted *reasonably*, it will no longer have anything to do with a shared and indiscriminate collective responsibility at all, but rather with a discriminate individual responsibility, thus allowing for fine-grained ascriptions of guilt and liability as opposed to sweeping, unwarranted and unjust generalizations.

4. Miller's implicit assumption that "helping to sustain a climate" that is conducive to certain harms towards innocent people is more or less, that is, all else being equal, sufficient to incur the liability to compensate for those harms is unwarranted and indeed implausible. Many forms of participation in the community – *even if* this participation should have negative effects on some innocents – are neither unjustified nor do they violate anyone's rights. Therefore, there is no compensatory liability attached to such participation.

5. There is never only one collective involved in certain collectively produced harms. To ignore this complication and to simply choose the relevant unit of equally shared collective liability as one pleases or as political correctness might

dictate is arbitrary, unfair and unjust. In fact, justice demands the recognition of the fact that actual moral liability or “outcome responsibility” is always individual and not collective.

Let me now turn to the “cooperative practice model” Miller again introduces it by way of example (and again without considering any possible counter-examples):

Consider an employee-controlled firm whose manufacturing process has unwanted environmental effects—it involves depositing chemical substances in a river, for instance. Members are divided on whether this practice should continue, or whether a different, more expensive, technology should be used, but when the matter is discussed the majority favours staying with the existing process. The employees, I want to claim, are collectively responsible for the environmental damage they are causing, and if they are required to pay the costs of cleaning up the river, these costs should be borne collectively by all the members. Why does collective responsibility extend to the dissenting minority? They are the beneficiaries of a common practice in which participants are treated fairly—they get the income and other benefits that go with the job, and they have a fair chance to influence the firm’s decisions—and so they must also be prepared to carry their share of the costs, in this case the costs that stem from the external impact of the practice.

While Miller does not claim that it would in general be right to blame or punish the dissenting minority for the results of the practice in question, he does claim that “it is right to hold them, along with others, liable for the damage they have caused”.<sup>15</sup>

*But why?* Note that Miller does not give any *argument* here for his assessment

(though below we will deal with the democratic procedure argument he gives a few pages later) – the “so” in “so they must” is a *non-sequitur*. Maybe he thinks that the example is intuitively compelling, but in fact it simply is not. Indeed, it is rather easy to produce counter-examples demonstrating that the cooperative practice model must be wrong.

We have already come across one such example, namely the example of Bob’s participation in the cooperative practice of the civil rights movement. He benefits from it, and, let us assume, he also has a fair chance to influence it. Bob is liable to pay damages to the innocent person killed by the Ku Klux Klan not only on Miller’s like-minded groups model, but also on his cooperative practice model. But, of course, he is not.

Let us consider yet another example. I call a taxi, get in and tell the taxi driver that I want to go to *The Leaky Cauldron*. He says he does not know where it is, so I tell him at each corner where he has to turn. We are engaged in a co-operative practice from which we both benefit (I will get where I want to and he will get the money) and I have a fair chance to influence the taxi’s course (so does he; if he does not like the area with the strange folks, he can tell me so and throw me out). We also both know that driving a car imposes a certain risk on pedestrians. After ten minutes drive the taxi driver is briefly distracted by the weird sight of a man with a pointed hat, cape and a wand standing on the sidewalk, and accidentally runs over a pedestrian on the cross-walk.

According to Miller’s co-operative practice model I would be liable to pay damages to the pedestrian. But of course I am not. Thus, Miller’s model is wrong.

Consider still a further example. Wong is a member of *The Sunday Afternoon Club*. He pays monthly fees, gets the club’s newsletter (one of his preferred reading materials), and takes part in their discussions and many of their afternoon

undertakings. Indeed, the main idea of the club is to meet on Sundays at 1 pm in order to then democratically decide what to do for the rest of the day. Mostly they decide to engage in some sports activities, which Wong mostly enjoys a lot, and then afterwards they go to a bar – where Lee, a member of the club, starts some bar fight every third night (in which the other members of the club never take an active part -- in fact, they always try to calm Lee down). Wong has voted for excluding Lee, but the majority always outvoted him.

Thus, Wong participates in a cooperative practice – namely going out with the club members on Sundays. He has a fair chance to influence this practice, and he benefits from it. Yet, this practice also has the foreseeable side-effect of harming innocent bystanders via Lee's – and not Wong's – affinity towards bar brawls. Are all the members of the club, Wong included, liable to pay damages to the persons unjustly harmed by Lee? Again the answer is clearly “No”. Lee, and Lee alone, is liable.

Thus, the cooperative practice model is wrong.

This must come as a relief to any true liberal, for, as Miller himself recognizes, his analysis of collective responsibility

may ... set liberal alarm bells ringing. For it implies that in certain circumstances membership in a group may be sufficient to establish responsibility for acts performed by other members of that community even when one is opposed to those acts, and this goes against an intuition that it is only what a person does herself that can make her responsible for harmful actions.<sup>16</sup>

This intuition is in fact quite correct. Miller, however, attempts to undermine it. For example, he claims that

mere inactivity will not, in general, relieve members of their group-based responsibility. A member who stands by and does nothing still provides passive support to other members of his group (in the like-minded group case) or still receives his share of the benefits (in the cooperative practice case).<sup>17</sup>

However, inactivity is inactivity – hence the name –, and not support. To re-label “inactivity” as “passive support” is just arbitrary. Why not re-label it as “passive resistance”? And as regards the benefits – Miller merely claims, but has nowhere *shown*, that they automatically make you co-responsible for acts done by other members of the groups. This is not surprising, for the counter-examples provided above show that they do not.

Miller also thinks that it is not “sufficient simply to voice your opposition to the activities that are imposing the costs”<sup>18</sup> on others. Here what I announced above as his democratic procedure argument comes into play:

Democratic procedures work on the basis that people who find themselves on the losing side of a vote must regard themselves as bound by the result, unless that result is so morally offensive, or so far outside the competence of the decision-making body, that some form of civil disobedience (or its equivalent) is justified. Just as a member of the minority must, except in these special circumstances, comply with the majority’s decision even though she strongly dislikes it, so she must bear her share of the costs if the decision turns out to have costly consequences.<sup>19</sup>

The first sentence of this quote is an empirical claim, and one that is wrong. If Miller means by “work” that people will abide by the democratically made decisions, then all this requires is that they will in fact abide by them – whether they do so because they consider themselves to be “bound” by them or whether

they do so because they fear jail or inconveniences is irrelevant.

Second, that someone feels bound by something does not imply that he is actually bound by it. And that people must, except in special circumstances, comply with the majority's decision is a mere claim, and one that has been very convincingly criticized by philosophical anarchists. Miller simply ignores this criticism. In fact, his claim is quite simply wrong.

Why? I would think that a majority decision to commit genocide is morally very offensive, while a majority decision to abstain from jaywalking is not. So, if Miller shares my view on jaywalking, I would, according to his account, be obliged to abstain from jaywalking. But I am not. If I stand as a pedestrian at a deserted street in front of a red light and can clearly see that no car is coming, it is permissible for me to cross the road. I am a thinking human being, not a conditioned rat. To sacrifice my autonomy in the way required by Miller to majority decision is in my view absurd. Thus, it is the other way round: Just as a member of the minority is not obliged to comply with silly majority decisions she has opposed (even if those decisions are not highly offensive), she is also not obliged to bear her – alleged – share of the costs if the decision turns out to have costly consequences.

It is also noteworthy that Miller's "special circumstances" provision has very strange consequences. Suppose that I strongly oppose both a majority decision to engage in genocide and a majority decision to engage in jaywalking, and I later on also act on my convictions instead of complying with the decision. On my account, I am not liable to pay the damages that are produced by either one of those decisions. On Miller's account, however, I *would* be liable to pay damages that are produced by the prohibition of jaywalking (for example, some doctors might reach their patients too late) but *not* the damages produced by the decision

to commit genocide – although my attitude and behavior has been the *same* in both cases, namely opposition and non-compliance. Is it not obvious that any presumed logic that lies behind *this* distinction between the two cases must be deeply flawed? If so, however, this reflects badly on Miller’s premises.

Thus, I conclude that Miller’s two models of collective responsibility fail on their own terms, that is, even *before* one applies them to the question of *national* or *state* responsibility. People are morally responsible and outcome responsible for their *own* acts. Of course, a person *can* be individually morally and outcome responsible for his contribution to another person’s crime, but that requires significantly stricter conditions than the mere “contribution” to a “climate” that in turn might contribute to certain crimes. Thus, in particular you are certainly not responsible for someone else’s act merely because you *sympathize* with that act; and you are not responsible for your state’s crimes only because you happen to be a voter. Voting for a crime indeed makes you liable; voting against it does not.

Isn’t that obvious? It should be, I submit, for any real liberal.

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#### NOTES

<sup>1</sup> See Roland Pierik, “Collective responsibility and national responsibility,” *Critical Review of International Social and Political Philosophy* 11 (2008), pp. 465-83, esp. pp. 474-5 and 479-80. Jacob T. Levy, “National and state

responsibility,” *Critical Review of International Social and Political Philosophy* 11 (2008), pp. 485-99, does not discuss the cooperative practice model explicitly, but in effect refers to it (see esp. *ibid.*, pp. 486-8) and, like Pierik, stresses that it applies not so much to nations but to states.

<sup>2</sup> Sune Lægaard, “David Miller on Immigration Policy and Nationality,” *Journal of Applied Philosophy* 24(3) (2007), pp. 283-98, esp. pp. 287-90, also merely argues that Miller’s models of collective responsibility are not applicable to the level of the nation (in Miller’s sense of the term) but does not engage the two models as models of collective responsibility as such.

<sup>3</sup> Pierik, “Collective responsibility and national responsibility,” is somewhat critical towards the like-minded group model, but not critical enough. With regard to Miller’s example of the post-bellum American South, he states: “Here the like-minded model ascribes two forms of collective responsibility. It correctly holds all Southern whites responsible for keeping blacks in a state of subjugation. However, it incorrectly holds active perpetrators in lynchings and society members that disapprove lynchings equally responsible for the sufferings in which they resulted.” *Ibid.*, p. 477. In contrast, I think that both ascriptions of responsibility are incorrect. That there might be something seriously wrong with Miller’s like-minded group model of collective responsibility in and of itself is, incidentally, also noticed by Richard Child, “Should We Hold Nations Responsible?” (a review of Miller’s book), *Res Publica* 15 (2009), pp. 195-202, at pp. 200-1. He correctly claims (and provides an illustration) that with this model “assignments of outcome responsibility are likely to spiral out of control” (*ibid.*). I shall provide further arguments for this point of view below.

<sup>4</sup> Miller's like-minded group model has much in common with a model of responsibility already developed by Larry May in his *Sharing Responsibility*, University of Chicago Press, Chicago and London 1996, pp. 46-54. However, May seems to be somewhat less sweeping in his attributions of responsibility than Miller is. That being said, the criticism of Miller's position offered here is for the most part also applicable to May's.

<sup>5</sup> David Miller, *National Responsibility and Global Justice*, Oxford University Press, Oxford 2007, pp. 114-17.

<sup>6</sup> *Ibid.*, p. 84.

<sup>7</sup> *Ibid.*, p. 85.

<sup>8</sup> *Ibid.*, p. 118.

<sup>9</sup> See also Pierik, "Collective responsibility and national responsibility," p. 475.

<sup>10</sup> See also again *ibid.*

<sup>11</sup> Miller, *National Responsibility and Global Justice*, p. 117.

<sup>12</sup> *Ibid.*, p. 118.

<sup>13</sup> *Ibid.*, p. 90.

<sup>14</sup> *Ibid.*, p. 115, n. 115.

<sup>15</sup> *Ibid.*, p. 119.

<sup>16</sup> *Ibid.*, p. 120.

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

<sup>18</sup> *Ibid.*, p. 120-1.

<sup>19</sup> *Ibid.*, p. 121.