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Collective Responsibility for Oppression: Making Sense of State Apologies and Other  
Practices

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by

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The Dissertation of Victor F. Abundez-Guerra is approved:

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## Dedication

I dedicate this dissertation to my chingona, cabrona, and chillona—my wife, Miriam Annel Abundez-Guerra.

## ABSTRACT OF THE DISSERTATION

Collective Responsibility for Oppression: Making Sense of State Apologies and Other Practices

by

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Doctor of Philosophy, Graduate Program in Philosophy

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Collective apologies on behalf of governments to historically mistreated minorities have become more common. It is unclear, however, how we should respond to these apologies and other practices that invoke collective responsibility for oppression (chapter 1). I review the current literature on collective responsibility to better understand the obstacles facing an account of collective responsibility for oppression (chapter 2). I then argue that we can make sense of these practices by holding powerful organized collectives (chapter 3) and privileged disorganized collectives (chapter 4) responsible for oppression. These practices then can be what I call “morally legitimate” if they are confessions of self-blame, and this self-blame contains an element of collective-self protest (chapter 5).

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## Preface

I originally became interested in the notion of collective responsibility in the Summer of 2017 when I noticed that political apologies had become more common in the last two decades. While many of my white liberal friends lauded these apologies, I could not help but be cynical and skeptical. I thought these apologies simply paid “lip service” to minorities and were nothing more than symbolic gestures to placate them. Moreover, I suspected that these apologies could only be taken seriously if they were somehow couched in a theory of collective responsibility. This theory, of course, would have to implicate organized collectives, those with governing bodies and decision-making procedures. However, it would also have to implicate disorganized collectives since said apologies often apologize on behalf of both organized and disorganized collectives.

In chapter 1, I discuss the proliferation of collective apologies. In particular, I focus on *collective state apologies*, apologies that are extended on behalf of the state and its people to a mistreated social group. I ask whether these apologies can be *morally legitimate*, that is, whether they can demand the same amount of respect and consideration ideal interpersonal apologies do. I reply to worries of the *moral-cynic* and the *moral-skeptic*. Ultimately, however, I highlight the need to develop an account of collective responsibility if we are to think these apologies can ever be morally legitimate and develop an adequate response to the moral-skeptic.

Chapter 2 reviews the current literature on collective responsibility. I outline early challenges, key issues, and prominent contributors. Furthermore, I highlight this literature's relationship with the literature on oppression. I end chapter 2 by elucidating the moral-skeptics arguments for not holding organized and disorganized collectives responsible for oppression.

In chapter 3, I develop my account of *Pluralistic Collective Responsibility* (PCR). It is pluralistic in that it incorporates six major meanings of responsibility. It is collective in that it focuses on collectives instead of individuals or structural forces. I argue that under PCR, powerful organized collectives, such as governments and corporations, are primarily responsible for oppression. This is because they can plausibly be said to be responsible under all (or most) of the six meanings of PCR. Other candidates, such as powerful individuals qua individuals, the oppressed, or society as a whole, are not responsible for oppression.

In chapter 4, I supplement PCR with the notion of *Blood Money Benefits* (BMBs). These are benefits one receives due to one's group membership that come at the expense of others. I argue that privileged disorganized collectives (PDCs) always receive BMBs under oppression, which makes them responsible for oppression as well. I also respond to concerns of shame being more suitable than guilt, PDCs lacking control over what one is responsible for, and how PDCs can manage collective guilt.

In chapter 5, having argued that powerful organized collectives and PDCs are responsible for oppression, I revisit collective state apologies. Collective state apologies can

ultimately be morally legitimate and should be seen as apologies for failing to address oppression. Furthermore, I argue that collective blame can then also be conceptualized as protesting powerful collectives and PDCs who fail to address oppression.

## Chapter 1

Our Practices:

Collective State Apologies and Moral Legitimacy

Chapter Thesis – It is unclear whether collective state apologies (and other practices that invoke collective responsibility) are morally legitimate — an account of collective responsibility for oppression would be needed to settle the matter decisively.

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## I. Introduction

We live in the “age of apology,”<sup>1</sup> particularly the age of the collective apology. As if struck by remorse, governments, state leaders, and even large corporations across the globe have extended apologies — and in some cases, even compensation — to communities that have suffered abuse and injustice. Graham Dodds (2003), a political scientist at Concordia University, counts 47 national apologies between 1993 and 1997 but 146 apologies between 1998 and 2002.<sup>2</sup> Aaron Lazare (2005), professor of psychiatry and author of *On Apology*, identified 1,193 articles with the themes “apology” or “apologize” in *The Washington Post* and *The New York Times*. Between 1998 and 2002, the number increased to 2,203 articles.<sup>3</sup> At the time of writing, December 2019, searching “apology” on The Washington Post’s site will give more than 37,000 results. The same search on The New York Times’ site will provide a staggering number of results, over 102,000.

These apologies warrant closer inspection since one does not immediately think of apologies as *collective*, between two (sometimes more) groups (I use the terms *group* and *collective* interchangeably throughout this work). To be clear, however, many of these apologies, while public and even political, are not collective apologies. Moreover, many of these collective apologies are not offered by the state but by apolitical organizations (e.g.,

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<sup>1</sup> This nickname comes from Mark Gibney, *The Age of Apology: Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008).

<sup>2</sup> Graham Dodds, “Political Apologies: Chronological List,” January 1, 2003, <https://www.upenn.edu/pnc/politicalapologies.html>.

<sup>3</sup> Aaron Lazare, *On Apology* (New York; Toronto: Oxford University Press, 2007), <http://www.myilibrary.com?id=84594>.

corporations). In this dissertation, I focus specifically on *collective state apologies*. In these apologies, political leaders apologize to a collective, often a racial or ethnic minority, on behalf of another collective. In the following section, I define exactly what collective state apologies are and how they are different from public, political, and collective apologies. For now, here are what just some of these apologies look like:

- In 1997, President Bill Clinton apologized for the Tuskegee Experiment, which misled black Americans that had contracted syphilis into believing that they were receiving treatment:

The United States government did something that was wrong — deeply, profoundly, morally wrong. It was an outrage to our commitment to integrity and equality for all our citizens...We can look at you in the eye and finally say on behalf of the American people, what the United States government did was shameful, and I am sorry. The American people are sorry — for the loss, for the years of hurt.”<sup>4</sup>

- In February of 2008, Australian Prime Minister Kevin Rudd apologized for the historical mistreatment of Aboriginal Australians in parliament:

To remove a great stain from the nation's soul and in the true spirit of reconciliation to open a new chapter in the history of this great land Australia...As prime minister of Australia, I am sorry... On behalf of the government of Australia, I am sorry. On behalf of the parliament of Australia, I am sorry.<sup>5</sup>

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<sup>4</sup> The White House - Office of the Press Secretary, “Tuskegee Study - Presidential Apology - CDC - NCHHSTP,” March 16, 1997, <https://www.cdc.gov/tuskegee/clintonp.htm>.

<sup>5</sup> By Adam Gartrell, “‘New Era’ Dawns after Indigenous Apology,” *The Sydney Morning Herald*, February 13, 2008, <https://www.smh.com.au/national/new-era-dawns-after-indigenous-apology-20080213-1rv4.html>.

- In July of 2015, Pope Francis visited Bolivia and apologized for the role the Roman Catholic Church played during the colonial era:

I say this to you with regret: Many grave sins were committed against the native people of America in the name of God...I humbly ask forgiveness, not only for the offense of the church herself, but also for crimes committed against the native peoples during the so-called conquest of America.<sup>6</sup>

- In November of 2018, Canadian Prime Minister Justin Trudeau apologized for turning away a steamliner, the St. Louis, full of Jewish refugees fleeing Nazi Germany:

We apologize to the mothers and fathers whose children we did not save, to the daughters and sons whose parents we did not help...We refused to help them when we could have. We contributed to sealing the cruel fates of far too many at places like Auschwitz, Treblinka and Belzec. We failed them. And for that, we are sorry.<sup>78</sup>

- The Canadian government apologized for the decades-long “gay purge” in which thousands of gay Canadians lost their jobs and even faced persecution due to their sexual orientation. The government gave 110 million Canadian dollars in compensation:

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<sup>6</sup> Jim Yardley and William Neuman, “In Bolivia, Pope Francis Apologizes for Church’s ‘Grave Sins’ - The New York Times,” accessed July 3, 2020, <https://www.nytimes.com/2015/07/10/world/americas/pope-francis-bolivia-catholic-church-apology.html>.

<sup>7</sup> Catherine Porter, “Trudeau Apologizes for Canada’s Turning Away Ship of Jews Fleeing Nazis,” *The New York Times*, November 7, 2018, sec. World, <https://www.nytimes.com/2018/11/07/world/canada/trudeau-apology-jews-st-louis.html>.

<sup>8</sup> This is consistent with many other apologies the Canadian Government has extended. For instance: Apologizing for the Komagatu Maru incident in which Muslim, Sikh, and Hindu refugees were turned away and instead met a violent in India#; Apologizing to the only Canadian to be detained in Guantanamo Bay, Cuba, Omar Khadr, and compensating him for 10.5 million Canadian dollars. Ian Austen, “Canada Apologizes and Pays Millions to Citizen Held at Guantánamo Bay,” *The New York Times*, July 7, 2017, sec. World, <https://www.nytimes.com/2017/07/07/world/canada/omar-khadr-apology-guantanamo-bay.html>.

It is with shame and sorrow and deep regret for the things we have done that I stand here today and say: We were wrong... It is my hope that in talking about these injustices, vowing to never repeat them, and acting to right these wrongs, we can begin to heal.<sup>9</sup>

At first glance, these apologies seem puzzling. When one thinks of apologies, one usually thinks of apologies between two people. The apology might be between oneself and one's friend, a mother and son, two co-workers, two friends, etc. This is all to say that in one's daily life, one usually thinks of apologies as being interpersonal, between two (sometimes more) individuals. If the apology is sincere and all appropriate amends are made, one might hope that the apology results in forgiveness and reconciliation. In these interpersonal apologies, the offending party is responsible for, and only for, their past actions and wrongdoings.

Thus, many worries arise regarding collective state apologies, worries ranging from whether the political leaders extending these apologies are sincere<sup>10</sup> to how a whole group could be responsible for what only some members did. This is only made more puzzling by recent research conducted by social psychologist Tyler G. Okimoto (2015). The research highlights that while more common, public apologies have also become more expected by

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<sup>9</sup> Dan Levin, "Canada Offers \$85 Million to Victims of Its 'Gay Purge,' as Trudeau Apologizes," *The New York Times*, November 28, 2017, sec. World, <https://www.nytimes.com/2017/11/28/world/canada/canada-apology-gay-purge-compensation.html>.

<sup>10</sup> Janna Thompson argues that collective apologies always fall to the charge of hypocrisy, since to apologize for a historic injustice entails expressing regret or remorse for said injustice. However, doing so in turn entails that history be drastically rewritten to the point that one might not exist. On average however, one does not regret one's existence, hence the charge of hypocrisy and the conclusion that "we cannot sincerely apologize for the wrongs done by our ancestors, and we should not do so." Janna Thompson, "The Apology Paradox," *The Philosophical Quarterly* 50, no. 201 (October 2000): 472, <https://doi.org/10.1111/1467-9213.00200>.

victims, less valued, and less likely to promote forgiveness.<sup>11</sup> This is all to say that cynicism and skepticism arise about whether these apologies are *morally legitimate*. By *morally legitimate*, I mean that they deserve to be given the authority, seriousness, and consideration that interpersonal apologies usually demand. In the following section, I propose a formal definition of morally legitimate apologies. Throughout this chapter, I refer to those who doubt the moral legitimacy of collective state apologies as either *moral-cynics* or *moral-skeptics*. Moral-cynics accuse political leaders who extend such apologies of being insincere and harboring ulterior motives. Moral-skeptics, however, question the justifiability of *any* practice that invokes blame, blameworthiness, or responsibility and in regard to collectives. Collective state apologies are just one of these practices. They also include practices such as corporations holding themselves liable for environmental harm, governments providing reparations to victims of historical injustices, and even men holding each other responsible for rape culture.<sup>12</sup> Moral-skeptics doubt the justifiability of all these practices on the grounds of *moral individualism*, which Charles L. Griswold (2007) accurately defines as the belief that

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<sup>11</sup> See Tyler G. Okimoto, Michael Wenzel, and Matthew J. Hornsey, “Apologies Demanded yet Devalued: Normative Dilution in the Age of Apology,” *Journal of Experimental Social Psychology* 60 (September 2015): 133–36, <https://doi.org/10.1016/j.jesp.2015.05.008>; Matthew J. Hornsey et al., “Embodied Remorse: Physical Displays of Remorse Increase Positive Responses to Public Apologies, but Have Negligible Effects on Forgiveness,” *Journal of Personality and Social Psychology*, September 12, 2019, <https://doi.org/10.1037/pspi0000208>.

<sup>12</sup> See for instance, Larry May, and Robert Strikwerda. “Men in Groups: Collective Responsibility for Rape.” *Hypatia* 9, no. 2 (1994): 134–51. <https://doi.org/10.1111/j.1527-2001.1994.tb00437.x>.

“individuals are the basic moral units; to them is ascribed responsibility for good or wrongdoing, responsibility for contrition and forgiveness.”<sup>13</sup>

As previously mentioned, in this particular dissertation, I choose to focus on one of these practices in particular, namely collective state apologies. This chapter aims to respond to the moral-cynic by arguing that we should not demand sincerity of collective state apologies. I also respond to the moral-skeptic by proposing that we should reject moral individualism. However, as we shall see in this chapter, merely suggesting that we reject moral individualism will not adequately respond to the moral-skeptic’s worries. As such, my goal in this dissertation as a whole is to assuage some of the worries of the moral-skeptics. I do this by grounding the aforementioned practices (of which collective state apologies are a type) in a larger theory of collective morality, particularly collective responsibility for oppression.

In chapter 2, I review the literature on collective responsibility in order to elucidate the moral-skeptic’s worries. In particular, I highlight how the moral-skeptic objects to holding organized and disorganized collectives responsible for oppression, albeit for different reasons each.

I argue for an account of collective responsibility for oppression in chapter 3, particularly one that is *pluralistic*. By pluralistic, I mean one that will incorporate different meanings of responsibility, including to responsibility-as: -causation, -attributability, -

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<sup>13</sup> Charles L. Griswold, *Forgiveness: A Philosophical Exploration* (New York: Cambridge University Press, 2007), 118.

accountability, -remedy, -ability, and -office. Many of these meanings can, in turn, be categorized as primarily backward-looking or forward-looking. Briefly put, primarily backward-looking accounts are concerned with discovering which agents have committed a moral wrong. In contrast, primarily forward-looking accounts are concerned with seeing to it that a desirable state of affairs is attained.<sup>14</sup> As we will see, no one meaning of responsibility can do all we might reasonably ask of it. As such, a balance between these different meanings must be attained. Furthermore, this balance must be attained in such a way that it does not make it impossible for agents to be blameworthy from the outset. Iris Marion Young's (2011) *social connection model of responsibility* for justice, for instance, while insightful, is primarily forward-looking, implicates many, but holds no one blameworthy.<sup>15</sup> We will not be able to rely on Young's model, and I will argue against doing so. I end chapter 3 by arguing that powerful *organized* collectives are responsible for combatting oppression. When they fail to do so, they are blameworthy.

In chapter 4, I extend this argument to privileged *disorganized* collectives. These collectives benefit from oppression but do not have an identifiable governing body or established decision-making procedures. I argue that what I call *blood money benefits*, benefits one collective receives at the expense of another, also make these collectives responsible for

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<sup>14</sup> For more on the relationship between backward and forward-looking accounts of responsibility see Ibo van de Poel, "The Relation Between Forward-Looking and Backward-Looking Responsibility," in *Moral Responsibility*, ed. Nicole A. Vincent, Ibo van de Poel, and Jeroen van den Hoven, vol. 27, Library of Ethics and Applied Philosophy (Dordrecht: Springer Netherlands, 2011), 37–52, [https://doi.org/10.1007/978-94-007-1878-4\\_3](https://doi.org/10.1007/978-94-007-1878-4_3).

<sup>15</sup> Iris Marion Young, *Responsibility for Justice*, Oxford Political Philosophy (Oxford ; New York: Oxford University Press, 2011).



oppression. Like organized collectives, if they fail to combat oppression, they are blameworthy. In chapter 4, I also respond to the objection that shame, not blame, is more appropriate for accounts of collective responsibility. I end chapter 4 by making some suggestions on managing collective guilt.

Finally, understanding how collectives can be appropriately blamed will justify any practices which invoke it, including collective-state-apologies. In chapter 5, I end by revisiting where we left off in chapter 1. Collective state apologies, and other moral practices which invoke collective blame, can be morally legitimate once we see that the aforementioned collectives are responsible for oppression. These apologies, however, should be understood as àpologizing for failing to combat oppression. They are not apologies for historical injustices that might have occurred centuries ago but for failing to end the living legacies of such injustices and present injustices. If these apologies then have an element of protest that the recipient guides, they can be morally legitimate.

Indeed this is a tall order. Nonetheless, in the chapters that follow this one, I set it as my task to respond to the moral-cynic and moral-skeptic. To be clear, my position is not that *all* collective state apologies are morally legitimate (it may be the case that most are illegitimate). Nor is it that *all* practices which invoke collective blame are justified. Instead, I argue that collective responsibility is a moral reality, collectives can be blameworthy, collectives can be appropriately blamed, and these concepts can justify a good number of our social and political practices, including collective state apologies. Thus, the moral-cynic and moral-

skeptic, by fixating on sincerity and moral individualism respectively, fail to capture the significance and potential of such practices. Far from being meaningless, practices that invoke collective morality can help spur social change, communicate long-held historical grievances, and even build solidarity.

Having contextualized this chapter, I continue in section II by delineating a taxonomy of apologies. The section will highlight not only how morally legitimate apologies are different from genuine, sincere, and successful apologies, but also how collective state apologies are different from public, political, and collective apologies. Afterward, in section III, I focus on three collective state apologies, each with a racial or ethnic aspect to them, namely 1) the United States Congress apologizing for Slavery and Jim Crow, 2) Canada apologizing to indigenous communities for compulsory boarding schools, and 3) Mexico proposing that Spain and the Vatican apologize for the Conquista. In section IV, I consider how the moral-cynic and moral-skeptic claim 1) -3) are morally illegitimate.

The moral-cynic argues that collective state apologies cannot be sincere. In contrast, the moral-skeptic argues that they rely on an empty notion of collective responsibility. In section V, I respond to both the moral-cynic and moral-skeptic. As mentioned, I reject moral individualism, especially when it takes the form of what Alice MacLachlan (2017) calls “hyperindividualism”<sup>16</sup> and overmoralizes the individual’s role in ethics. While the moral-

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<sup>16</sup> Alice MacLachlan, “In Defense of Third-Party Forgiveness,” in *The Moral Psychology of Forgiveness*, ed. Kathryn Norlock (London ; New York: Rowman & Littlefield International, 2017), 135–60.

cynic's position will be refuted in this chapter, we will not be able to attain a satisfactory reply to the moral-skeptic until the end of chapter 5.

## II. Moral Legitimacy and Collective State Apologies

In this section, I create a taxonomy of apologies. To begin, I introduce J.L. Austin's (1955) work on speech acts and how that gives us three different dimensions of analysis for apologies. We can analyze apologies in terms of their *illocutionary act*, *perlocutionary act*, and *abuses*. An utterance that performs the illocutionary act of an apology is *genuine*. That same utterance can be *successful* if it performs an intended perlocutionary act. Thirdly, if the utterance is not abused, then it is *sincere*. While these dimensions of analysis are insightful, I will argue that *moral legitimacy* is a fourth and separate dimension of apologies. I end this section by illustrating how collective state apologies are distinct from collective, political, and public apologies and posing the question the rest of the chapter grapples with, namely, "Can collective state apologies be morally legitimate?"

### A. Performative Utterances and Three Dimensions of Analysis

To begin, an apology is a performative utterance. To use J.L. Austin's (1955) terms, apologies do things with words.<sup>17</sup> Moreover, Austin's (1955) distinction between *locutionary*, *illocutionary*, and *perlocutionary acts* can be helpful to us here. Briefly put, a locutionary act is comprised of its phonetic, grammatical, and lexical characteristics that point to a sentence's

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<sup>17</sup> John L. Austin and James O. Urmson, *How to Do Things with Words: The William James Lectures Delivered at Harvard University in 1955*, 2. ed., [repr.] (Cambridge, Mass: Harvard Univ. Press, 2009).

basic meaning (*phatic act*).<sup>18</sup> The locutionary act also encompasses the speech's content (*rhetic act*).<sup>19</sup> For instance, if I *state*, "I'll be home for dinner," but my spouse suspects I will be late, I might then *promise*, "I'll be home for dinner." In these two utterances, the rhetic act is the same since the content is the same, namely that I'll be home for dinner. However, what is different is the *illocutionary act*. The illocutionary act is identifiable not only by its content but also by its *force*. While my first statement had the force of a statement, the other had the force of a promise.<sup>20</sup> This is so regardless of how my spouse received my speech act. Finally, the *perlocutionary act* is identifiable by "consequential effects upon the feelings, thoughts, or actions of the audience, or of the speaker, or of other persons."<sup>21</sup> In promising my spouse that I'll be home for dinner, I might perform several perlocutionary acts — I might *persuade* her, *encourage* them to trust me, or (if my promises mean little) even *frustrate* them.

Finally, Austin (1955) also gives us two methods of assessing performative utterances. According to Austin, performative utterances are not assessed in terms of truth and falsity, as *constative utterances* are (e.g., "Six is more than four," "Red is a primary color"). Instead, performative utterances are subject to what Austin calls *happiness* or *felicity*. A felicitous performative utterance does not *misfire*, nor is it *abused*.<sup>22</sup> If a performative utterance misfires, then it is in some sense botched, disallowed, or not actually performed, but only attempted.

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<sup>18</sup> Austin and Urmson. See Lecture 8 in particular.

<sup>19</sup> Austin and Urmson.

<sup>20</sup> Austin and Urmson.

<sup>21</sup> Austin and Urmson, 101.

<sup>22</sup> Austin and Urmson, 14–19.

For instance, I say “I do” at the altar, but the performative utterance fails because I am already married or because, unknown to me, the clergy member is not ordained. If a performative utterance is abused, however, then the speech act is still performed and has an effect, but the act is “hollow” or “empty.” According to Austin (1955), I might *abuse* the utterance “I do” when getting married if the utterance “is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant” and I do not “have those thoughts or feelings,” do not intend to conduct myself as expected, and actually do not conduct myself as expected.<sup>23</sup>

With all this in mind, I believe we can incorporate Austin’s (1955) notions of illocutionary act, perlocutionary act, and abuse to analyze apologies.

#### B. Applying Austin: Genuine, Sincere, and Successful Apologies

To begin, for an apology to be genuine means it is a “*real* apology” instead of a quasi-apology or impostor-apology. If an apology is genuine, then “*it counts*” as an apology; otherwise, it does not. I offer the following definition of a genuine apology:

*Genuine Apology* – An apology is genuine just in case it claims that i) the actions, events, policies, in question were morally wrong, ii) the recipient was wronged by the actions, events, policies in question, iii) the apologizer takes responsibility for the actions, events, policies in question.

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<sup>23</sup> Austin and Urmson, 15.

To use Austin's (1955) terms, an utterance performs the illocutionary act of apologizing just in case it does i-iii. Here, as Austin does, it might be useful to speak less of illocutionary acts and more of illocutionary *forces*. Just as Austin speaks of one utterance (e.g., "I'll be home for dinner") being able to have different illocutionary *forces* (the force of a promise or the force of a statement),<sup>24</sup> we can say that an utterance has the illocutionary force of an apology just in case it does i-iii.

A performative utterance that lacks even one of these components will consequently lack the illocutionary force of an apology and thus, not be genuine. For instance, if an utterance lacks i: "The name-calling was not wrong since it is tough-love! The name-calling hurt you, and I was the one responsible for name-calling you!" If anything, this utterance seems to have the force of a boast. If the utterance lacks ii, it appears to have the force of a confession instead of an apology: "The name-calling was wrong, and even though you were not affected by it, I was the one responsible for name-calling our friend." And if the utterance lacks iii, it seems to have the force of an excuse: "The name-calling was wrong, and it hurt you, but it was our mutual friend who forced me to do it!"

Finally, in addition to i-iii, "the performance of an illocutionary act involves the securing of *uptake*."<sup>25</sup> That is, a genuine apology must be acknowledged. A performative utterance that does i-iii, but is told to an empty room or in a language the recipient does not

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<sup>24</sup> Austin and Urmson. See Lecture VIII.

<sup>25</sup> Austin and Urmson, *How to Do Things with Words*, 116.

understand, fails to have the illocutionary force of an apology. To be completely clear, uptake here does not require accepting the apology, merely acknowledging it. As we will see later in this section, accepting an apology is a unique type of uptake that contributes to the *historical narrative* between the wronged and the wrongdoer

Note that analyzing an apology in terms of its genuineness does not tell us anything about the excellence of the apology. If anything, i-iii serve as what MacLachlan (2014) calls “entry-norms” for a speech act to be recognized as an apology. That is, “a speech act that did not have these features would not be an apology – but they do not, in themselves, guarantee a good or successful apology, just as valid moves in a chess game can be better or worse examples of chess-playing.”<sup>26</sup> It is also entirely possible that a particular apology does more than i-iii. Whether or not an apology is sincere will usually depend on whether or not the apology is accompanied by certain emotions (e.g., remorse, guilt, regret) and a commitment to behavioral reform. Speaking more broadly, an apology might also be considered insincere if it is done for selfish, hidden, or ulterior motives. To once again use Austin’s (1955) terms, an apology is sincere just in case it is *not* abused.

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<sup>26</sup>MacLachlan writes “a speech act that did not have these features would not be an apology – but they do not, in themselves, guarantee a good or successful apology, just as valid moves in a chess game can be better or worse examples of chess-playing.” MacLachlan has similar entry norms for what she calls a “valid apology.” The largest difference between our two sets of entry norms lies in iv) in which she writes that an apologizer “disavows” the actions, events, and policies in question. I chose to avoid the term disavow as I suspect it is in tension with iii), taking responsibility for said actions. Alice MacLachlan, “Beyond the Ideal Political Apology,” in *On the Uses and Abuses of Political Apologies*, ed. Mihaela Mihai and Mathias Thaler (London: Palgrave Macmillan UK, 2014), 13–31, [https://doi.org/10.1057/9781137343727\\_2](https://doi.org/10.1057/9781137343727_2).

Lastly, successful apologies are determined by how well they perform any intended perlocutionary acts, of which many are moral in nature. Still, many others are also amoral and, in some unfortunate cases, even immoral. These intended perlocutionary acts can loosely be understood as *functions* that, when successful, have an intended effect on others and even oneself. Moral functions of apologies are concerned with upholding some ethical standard. A common (but not always present) moral function is moral repair and reconciliation (or at least paving the way for such). Gill (2000) adds to this when she tells us that the moral functions of apologies include: acknowledging the wrong done to the victim, reaffirming the rights and self-esteem of the victim, reduction of the wrongdoer's punishment (if the apology is sincere), allowing the wrongdoer to redeem their moral integrity, social change, and even creating grounds for compensation.<sup>27</sup> MacLachlan (2014) mentions that the functions of apologies also include "narrating a particular story of wrongdoing; disavowing those wrongs; acknowledging the addressee as someone impacted by those wrongs; making some appropriate commitment, amends, or reform; initiating a process of reconciliation; or, on the other hand, enacting appropriate closure of the relationship."<sup>28</sup>

As mentioned, however, not all functions of apologies are moral. Moral philosophers have taken it for granted that apologies are defined primarily by their moral functions.

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<sup>27</sup> Kathleen Gill, "The Moral Functions of an Apology," *The Philosophical Forum* 31, no. 1 (March 2000): 11–27, <https://doi.org/10.1111/0031-806X.00025>. Gill makes it a point to argue that compensation is a function of apology. While both an apology and compensation aim at restoration of the victim, an apology is not aimed at giving any material thing to the victim.

<sup>28</sup> MacLachlan, "Beyond the Ideal Political Apology."



However, this is not a given if we take on a metaphilosophical and interdisciplinary lens. For instance, Gill (2000) correctly notes that apologies have already “received a considerable amount of attention from sociologists, psychologists, and linguists.”<sup>29</sup> Especially in the case of public apologies, which are performed in social spaces marked by asymmetries in power, the sociological or political functions of apologies cannot be ignored. A notable exception among moral philosophers is MacLachlan (2014). MacLachlan argues that philosophers have, by focusing on interpersonal apologies as the default of apologies, distorted the nature and functions of political apologies. In fact, “we ought to shift the emphasis in political apology from ‘apology’ to ‘political,’ thinking of them first as a form of political practice, that is, a mode of doing politics.”<sup>30</sup>

Amoral functions of apologies are not concerned with upholding some ethical standard and include: promoting social cohesion, psychologically comforting oneself (or others), and garnering sympathy in the public eye. Immoral functions of apologies violate some ethical standard, and they include: emotional manipulation (as in the case of abusive relationships), placating others, silencing others (“I apologized already – stop blaming me!”), and even pandering/paying lip service. It should be noted that while an apology might fail to perform its moral functions, it might be successful in performing any amoral (or immoral) functions it might have.

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<sup>29</sup> Gill, “The Moral Functions of an Apology,” 11.

<sup>30</sup> MacLachlan, “Beyond the Ideal Political Apology.”

Having used Austin (1955) to help us analyze apologies in terms of their illocutionary act (genuineness), perlocutionary act (success), and abuse (sincerity), we still have not discussed how the relationship between these three different dimensions. Indeed, philosophers heavily disagree on the relationship between an apology's genuineness, success, and sincerity. In particular, a great deal of time has been spent debating whether an apology must be sincere to be genuine. As mentioned, a sincere apology usually entails having certain emotions and a commitment to behavioral reform. According to Kathleen Gill (2000), an apology must be sincere to be genuine. For Gill (2000), five conditions must be met before an apology can be genuine. Two of these conditions revolve around sincerity by stipulating that the apologizer "must have an attitude of regret with respect to the offensive behavior and a feeling of remorse in response to the suffering of the victim."<sup>31</sup> Regarding behavior, the offender must also make changes so that the victim is justified in believing "that the offender will try to refrain from similar offenses in the future."<sup>32</sup> Thus, according to Gill (2000), an utterance cannot be abused and still have the illocutionary force of an apology.

On the other hand, Glenn Pettigrove (2003) argues that an apology is still an apology, albeit a bad one, even if it lacks remorse and regret. For Pettigrove, an apology "indicates one's intention to refrain from similar actions in the future."<sup>33</sup> Without this intention and any

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<sup>31</sup> Gill, "The Moral Functions of an Apology."

<sup>32</sup> Gill.

<sup>33</sup> Glen Pettigrove, "Apology, Reparations, and the Question of Inherited Guilt," *Public Affairs Quarterly* 17, no. 4 (October 2003): 323.

accompanying feelings of regret, the apology, while still genuine, is “morally deficient” and “infelicitous.” Similarly, Nick Smith (2008) suggests that we resist the temptation to adopt a binary standard to declare “whether something “is or is not” an apology.”<sup>34</sup> Instead, Smith focuses on “how well [the apology] serves certain purposes and to what extent it conveys certain kinds of subtle social meanings.”<sup>35</sup> As such, Smith would deny that insincere apologies cannot be genuine apologies. Nonetheless, Smith does adopt a regulative ideal of apologies that serves as a normative constraint: a way of distinguishing bad from good apologies. He calls this regulative ideal the categorical apology, and “it offer[s] considerable significance across all of the central forms of meaning”<sup>36</sup> including regret, a commitment to behavioral reform, and emotions.<sup>37</sup>

I join Pettigrove (2003), Smith (2008), and MacLachlan (2014) in claiming that an apology need not be sincere for it to be genuine. An utterance can be abused and still have the illocutionary force of an apology. Philosophers, for the most part, have taken it for granted that apologies are primarily moral phenomena. I suspect this has, in part, fueled the contention that a genuine apology cannot be insincere/abused. However, the idea that an apology is defined primarily as a moral phenomenon is not uncontroversial and must be argued for. As mentioned earlier, an apology can have many intended functions and therefore succeed at

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<sup>34</sup> Nick Smith, *I Was Wrong: The Meanings of Apologies*. (Leiden: Cambridge University Press, 2008), 121, <http://www.myilibrary.com?id=137048>.

<sup>35</sup> Smith, 121.

<sup>36</sup> Smith, 23.

<sup>37</sup> Smith, *I Was Wrong*. See Chapter 2.

performing different perlocutionary acts. These perlocutionary acts might be moral in nature, but they might also be amoral (or even immoral).

Furthermore, it would be a mistake to think that genuine or sincere apologies necessarily result, or ought to result, in moral and relational repair. Often an apology might serve the interests of the apologizer more than those of the recipient. The apology might, for instance, allow the apologizer to redeem themselves in the public's eye and control the narrative.<sup>38</sup> Also, even if sincere, an apology might only be the first step to changing a long and historical narrative of injustice. In which case, it might be reasonable for the recipient to hold off on accepting the apology until some behavioral reform or social change is actualized. MacLachlan (2013a) speaks on how good apologies should not necessarily be accepted, drawing our attention to the particular role of gender in apologies, including the pressures imposed on women to be compassionate:

Philosophers have typically defined a good apology as one that gives the recipient definitive reasons to accept it. This assumes that the state of harmony that follows the acceptance of apology is always better than the disharmony that preceded it. When it comes to complicated histories of public and private wrongdoing, gendered or otherwise, this assumption does not hold. In gendered political contexts, where the apology may be one step in a longer process of negotiated narrative and meaning, 'good' apologies leave space for resistance as well as acceptance.<sup>39</sup>

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<sup>38</sup> MacLachlan in particular notes some of these dangers when discussing public apologies during the #MeToo movement. Alice MacLachlan, "#MeToo vs. Mea Culpa: On the Risks of Public Apologies" 19, no. 1 (2019): 5.

<sup>39</sup> Alice MacLachlan, "Gender and Public Apology," *Transitional Justice Review*, 2013a, 1–21, <https://doi.org/10.5206/tjr.2013.1.2.6>.

Thus, even if an apology is genuine and sincere, it may not be accepted — that is, it might not be successful. Of course, this assumes that moral and relational repair is a privileged function of apologies. But as mentioned earlier, the functions of an apology, moral or otherwise, vary widely.

### C. Moral Legitimacy: A Fourth Dimension of Analysis

Having drawn distinctions between genuine, sincere, and successful apologies, I posit the following definition of a morally legitimate apology.

*Morally Legitimate Apology* - These apologies are genuine (i.e., they satisfy i-iii). The apology obligates the recipient to consider accepting the apology. The apology does not obligate the recipient to accept the apology after such consideration. Furthermore, if the apology is public, the public is obligated to consider the merits of said apology. The public is not obligated to consider the apology to be good, excellent, etc.

For an apology to be morally legitimate, it must succeed in performing at least *one* moral function. This moral function may vary from case to case, but it must always prioritize the agency of the recipient. To prioritize the recipient's agency means that the recipient's welfare and autonomy are the apology's primary goal. As such, morally legitimate apologies may often be negotiated in advance, especially when they involve collectives. Constructing the apology will often be a collaborative process that prioritizes the voice of the recipient. Do note here that moral legitimacy can be applied to other moral practices. As such, we might ask whether other practices which invoke collective responsibility (e.g., moral discourse,

reparations) can be morally legitimate. In which case, we would still say that moral legitimacy simply means that the moral community cannot dismiss the practice without first considering its moral content because a morally legitimate practice prioritizes the agency of the wronged party.

My definition is inspired by the notion of political legitimacy in political philosophy, where it is commonly argued that a legitimate political authority entails obligations of its citizens. These obligations are authoritative since they are derived from the agency of citizens.<sup>40</sup><sup>41</sup> Likewise, when an apology is morally legitimate, it obliges the recipient to consider accepting the apology. These obligations are similarly authoritative since they are derived from the agency of the recipient. This is significant since the recipient cannot dismiss the apology outright without a moment's consideration.

Dismissing the apology without consideration of accepting it would result in a lack of respect for the recipient's agency since the function of a morally legitimate apology derives from the recipient's agency. It simultaneously results in a lack of respect for upholding ethical standards since the function of morally legitimate apologies is a *moral* function. Of course, the recipient is under no obligation to accept the apology. Although ethical standards and the recipient's agency might be *somewhat* promoted by accepting the apology, many other reasons

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<sup>40</sup> For instance, Locke writes "every man, by consenting with others to make one body politic under one government, puts himself under an obligation to every one of that society to submit to the determination of the majority, and to be concluded by it" (52f). John Locke and C. B. Macpherson, *Second Treatise of Government, 1690*, 1st ed (Indianapolis, Ind: Hackett Pub. Co, 1980).

<sup>41</sup> For a competing view, see Ronald Dworkin, *Law's Empire*, 9. print (Cambridge, Mass: Belknap Press of Harvard Univ. Press, 1995).

might make it so that ethical standards and the recipient's agency are *most* promoted by not accepting the apology. As argued by MacLachlan (2013a), under complicated histories of public and private wrongdoing, the recipient may have good reason to reject a morally legitimate apology, no matter how excellent it is.

Furthermore, I hope it goes without saying that one is not required to consider morally legitimate apologies for any set amount of time. It might be that one is very adept at assessing apologies and can consider accepting them within a moment's notice. All that is required is for the apology to be considered.

Another point requires clarification at this point. While I have argued that one must consider accepting a morally legitimate apology, I have not explained what "consider accepting" entails. To *consider* the apology merely means to assess its merits in how well it promotes ethical standards and the recipient's agency. The notion of *accepting* an apology will require more explanation. At its very basic, accepting an apology necessarily entails acknowledging the apology, or to put it in Austin's (1955) terms, *uptake* is necessary. However, simply acknowledging the apology is not sufficient — acceptance entails more. At this point, it would be useful to consider first what accepting an apology does *not* necessarily entail.

Accepting an apology does not entail disavowing any threat of revenge or punishment. When the recipient of an apology is much weaker than the apologizer, the threat of revenge is nonexistent — there is no threat to disavow. Furthermore, a recipient can accept an apology

but still seek the wrongdoer's imprisonment, especially if they continue to be a danger to others or the lack of punishment undermines the law. There is no contradiction in doing this. Accepting an apology is not a declaration of forgiveness, reconciliation, or continuing a previous relationship. Consider the case of an abusive relationship. The abused might accept an apology for themselves and their psychological well-being and not forgive their abuser. It might also be wise not to reconcile with the abuser and discontinue their relationship. As Bovens (2009) argues, an apology is not a restoration of moral stature.<sup>42</sup> According to Bovens (2009), when a wrongdoer offends, they place themselves outside and above the moral community, foregoing "certain claims to respect" that only the recipient can restore by accepting their apology.<sup>43</sup> In cases of long historical injustice, recipients might accept an apology but still have no respect for the wrongdoer. They might not even want to be in the same moral community, choosing to instead segregate themselves, as in the case of abusive relationships.

What accepting an apology necessarily entails should be understood much more broadly. I suggest we look at what MacLachlan (2014) says about apologies and their narrative functions. MacLachlan (2014) takes inspiration from Hannah Arendt when she directs our attention to the narrative power of apologies, particularly political apologies. She writes:

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<sup>42</sup> L. Bovens, "Must I Be Forgiven?," *Analysis* 69, no. 2 (April 1, 2009): 230, <https://doi.org/10.1093/analys/anp006>.

<sup>43</sup> Bovens, 230.



Framing political apologies in Arendtian terms draws attention to their narrative functions; they are important in part because of the stories they tell, stories that reframe or reshape a shared understanding of the political sphere... Apologies are wrongdoer narratives, and when they are uttered, the wrongdoer (i.e., the former oppressor, adversary or colonial power) still has the stage, and – to some extent – still controls the story.”<sup>44</sup>

MacLachlan (2014) writes that political apologies shape the story of political life by being recorded in public documents, laws, monuments, etc. I add that even interpersonal apologies have narrative functions that add to the story of a personal relationship and how that relationship is later understood. More importantly, just as an apology is an *altering* of the moral narrative from the wrongdoer, we should understand the act of accepting (or rejecting) an apology as an altering of the moral narrative from the wronged. Accepting an apology serves as a way for the wronged to shape the story, whether that story is public or private. The story is shaped by highlighting why (or why not), how, under what conditions, where, and when the apology is accepted. Thus, accepting an apology might do many different things by serving the wronged party and how they wish to shape the narrative.

This answer might be disappointing to those who believed the practice of accepting an apology entailed one specific action. The practice, however, is simply too varied to be tied down so. Nonetheless, we can confidently say that accepting an apology necessarily entails an altering of the moral narrative. How the narrative is altered will depend on the specifics of the relationship, the apologizer, and the recipient. Now we can answer our earlier question of

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<sup>44</sup> MacLachlan, “Beyond the Ideal Political Apology.”

what “consider accepting a morally legitimate apology” means. It means that the recipient acknowledges the apology, assesses how well it promotes their agency or some ethical standard, and decides how to alter the narrative in light of it.

With all this said, moral legitimacy offers us a fourth dimension from which to analyze apologies. This dimension is distinct from genuineness, sincerity, and success. To highlight this, let me draw some distinctions. While a morally legitimate apology is necessarily a genuine apology, not all genuine apologies are morally legitimate. This is because genuine apologies might fail to fulfill a moral function that prioritizes the victim’s agency. One might object here by asking what i)-iii) are, if not moral functions. However, as we will see with the moral cynic, it is possible to fulfill i)-iii) but be dishonest. I)-iii) only require the apologizer to make claims, not to make claims honestly. Furthermore, while a morally legitimate apology is necessarily a successful apology, not all successful apologies are morally legitimate. A successful apology might succeed in amoral or immoral functions. Finally, sincerity is neither necessary nor sufficient for an apology to be morally legitimate. Sincerity does not necessarily prioritize the agency of the victim. One can imagine, for instance, that the victims of a historical injustice care little about the apologizer’s emotions but are instead concerned with social change, compensation, etc. I will say more about this when replying to the moral-cynic later in this chapter.

#### D. Collective State vs. Collective, Public, and Political Apologies

With moral legitimacy now explained, I now highlight the distinction between collective state apologies and collective, public, and political apologies. I posit the following definition:

*Collective State Apologies:* Apologies offered by recognized political leaders on behalf of a collective to another collective. The apology is sanctioned by the state.

Since both the apologizer and recipient are collectives, collective state apologies are necessarily between groups. Thus, it is correct to say that collective state apologies are collective apologies, but not all collective apologies are collective state apologies. As MacLachlan (2016) correctly tells us, there could exist apologies between collectives that are apolitical, between:

Non-governmental figures and organisations, understood broadly: for example, official apologies offered by non-governmental individuals acting in a professional rather than a personal capacity, or speaking on behalf of corporations, churches, non-profits, community, and other institutions.<sup>45</sup>

Furthermore, while always on behalf of a collective, collective apologies might not be extended *to* collectives. See, for instance, the Canadian Government's 2007 apology to Maher Arar, a Canadian citizen who was unjustly suspected of being an Al Qaeda member and

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<sup>45</sup> MacLachlan considers the gold standard of the corporate apologies to be Johnson and Johnson's official apology in 1982 when they discovered that someone had tampered with Tylenol capsules by inserting cyanide into them. Alice MacLachlan, "Fiduciary Duties and the Ethics of Public Apology," *Journal of Applied Philosophy* 35, no. 2 (May 2018): 359–80, <https://doi.org/10.1111/japp.12214>; Jerry Knight, "Tylenol's Maker Shows How to Respond to Crisis," *Washington Post*, October 11, 1982, <https://www.washingtonpost.com/archive/business/1982/10/11/tylenols-maker-shows-how-to-respond-to-crisis/bc8df898-3fcf-443f-bc2f-e6fbd639a5a3/>.

tortured in Syria.<sup>46</sup> It would also be correct to say that collective state apologies are public apologies, but not all public apologies are collective state apologies. Observe the number of public apologies that ensued from the #MeToo movement in which powerful men publicly apologized for their (individual) behavior.<sup>47</sup> Lastly, a collective state apology is a political apology, but not all political apologies are collective state apologies. As MacLachlan (2014) correctly tells us again, “a publicly issued apology from one head of state to another will certainly take on political significance.”<sup>48</sup> This would be the case even if the first head of state were acting out of their official capacity (i.e., the apology was not sanctioned by the state, and, therefore, not official).

I have now established both distinctions. The question I press in the remainder of this chapter is whether collective state apologies can be morally legitimate. That is, can collective state apologies place obligations on their recipients or the public at large? Or are collective state apologies always morally illegitimate and therefore liable to being dismissed without a moment’s consideration?

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<sup>46</sup> Government of Canada, “Prime Minister Releases Letter of Apology to Maher Arar and His Family and Announces Completion of Mediation Process,” news releases, gcnws, January 26, 2007, <https://www.canada.ca/en/news/archive/2007/01/prime-minister-releases-letter-apology-maher-arar-his-family-announces-completion-mediation-process.html>.

<sup>47</sup> See Madison Park, “Kevin Spacey Apologizes for Alleged Sex Assault with a Minor - CNN,” October 31, 2017, <https://www.cnn.com/2017/10/30/entertainment/kevin-spacey-allegations-anthony-rapp/index.html>; “Louis C.K. Responds to Accusations: ‘These Stories Are True,’” *The New York Times*, November 10, 2017, sec. Arts, <https://www.nytimes.com/2017/11/10/arts/television/louis-ck-statement.html>; Emily Stewart, “Aziz Ansari Responds to Sexual Misconduct Allegations against Him,” *Vox*, January 15, 2018, <https://www.vox.com/identities/2018/1/15/16893468/aziz-ansari-allegations>.

<sup>48</sup> MacLachlan, “Beyond the Ideal Political Apology.”

### III. Three Nations, Three Apologies

Before seeing the moral-cynic's and moral-skeptic's reply to the question of whether collective state apologies can be morally legitimate, I examine three cases. These cases are the United States apologizing for slavery and Jim Crow, Canada apologizing for residential boarding schools, and Mexico demanding that Spain and Vatican apologize for the Conquista.

#### A. The United States Apologizing for Slavery and Jim Crow

The United States Congress has apologized twice for not only slavery but also the era of Jim Crow against African Americans. In 2008, the House of Representatives passed Resolution 194, apologizing for African Americans' enslavement and racial segregation. The resolution reads, “[The House of Representatives] apologizes to African Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow.”<sup>49</sup>

The House “expresses its commitment to rectify the lingering consequences of the misdeeds committed against African Americans under slavery and Jim Crow.”<sup>50</sup> This is all done for one day being able to “move forward and seek reconciliation, justice, and harmony for all people of the United States.”<sup>51</sup>

Furthermore, House Resolution 194 acknowledges that:

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<sup>49</sup> United States House of Representatives, “Text of H.Res. 194 (110th): Apologizing for the Enslavement and Racial Segregation of African-Americans. (Passed the House Version),” GovTrack.us, accessed July 3, 2020, <https://www.govtrack.us/congress/bills/110/hres194/text>.

<sup>50</sup> United States House of Representatives.

<sup>51</sup> United States House of Representatives.

African-Americans continue to suffer from the consequences of slavery and Jim Crow laws—long after both systems were formally abolished—through enormous damage and loss, both tangible and intangible, including the loss of human dignity and liberty.<sup>52</sup>

But perhaps the line that most approximates the feelings we associate with interpersonal apologies is the following, “The legislatures of the Commonwealth of Virginia and the States of Alabama, Florida, Maryland, and North Carolina have taken the lead in adopting resolutions officially expressing appropriate remorse for slavery.”<sup>53</sup>

This all might make one suspect that the United States Congress would be open to some form of reparations or financial compensation for black folk. However, the Senate passed a Concurrent Resolution, Resolution 26, the following year. The newer resolution repeated much of the same apology mentioned by the House of Representatives, but it also included the following disclaimer: “DISCLAIMER.—Nothing in this resolution— (A) authorizes or supports any claim against the United States; or (B) serves as a settlement of any claim against the United States.”<sup>54</sup>

Nonetheless, Resolution 26 does likewise apologize to a whole racial group, namely African Americans, on behalf of all the people of the United States and “calls on all people of the United States to work toward eliminating racial prejudices, injustices, and discrimination

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<sup>52</sup> United States House of Representatives.

<sup>53</sup> United States House of Representatives.

<sup>54</sup> United States Senate, “Text - S.Con.Res.26 - 111th Congress (2009-2010): A Concurrent Resolution Apologizing for the Enslavement and Racial Segregation of African Americans,” webpage, June 18, 2009, 2009/2010, <https://www.congress.gov/bill/111th-congress/senate-concurrent-resolution/26/text>.

from our society.” Whether this call to action will result in social change is dubious since, as philosopher Rodney C. Roberts (2017) rightly notes, the resolution was not publicized:

Unfortunately, there is almost no sense in which the apology resolution was communicated to African Americans. In fact, there is barely a sense in which it was verbally delivered to the Senate. Although the resolution was read by the Senate’s clerk, and was passed with unanimous consent, the Senate chamber was nearly empty when the resolution was being considered... Since it was merely read by the clerk as part of standard Senate procedure, the purported apology was not delivered in person and few Americans had a reasonable chance of hearing it. Save for a daytime broadcast of the Senate proceedings on the C-Span television network, news coverage of the resolution seems to have been almost nonexistent.<sup>55</sup>

#### B. Canada Apologizes for Residential Boarding Schools

Let’s focus now on a state apology that did extend compensation. In 2017 Prime Minister Justin Trudeau visited the province of Newfoundland and Labrador. He apologized to local communities for the abuses indigenous children suffered at boarding schools. These boarding schools were established at the turn of the 20th century by the Moravian Mission and International Grenfell Association with the provincial government’s support. While the intended goal of the boarding schools was to educate the local populace and provide safe housing, the impact was disastrous.

In his speech, Trudeau mentioned:

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<sup>55</sup> Rodney C. Roberts, *Race, Rectification, and Apology*, ed. Naomi Zack, vol. 1 (Oxford University Press, 2017), <https://doi.org/10.1093/oxfordhb/9780190236953.013.33>.

Children who came from the communities of Black Tickle, Cartwright, Goose Bay, Hopedale, Makkovik, Nain, Natuashish, Northwest River, Postville, Rigolet and other parts of Newfoundland and Labrador were taken from their homes...Upon arrival, brothers and sisters were separated. They were forced to surrender their personal belongings, cut their hair, and comply with a strict set of rules — dictated by people who were perfect strangers...This marked the beginning of a new life for them — a life they had not chosen, enforced by strange faces.<sup>56</sup>

Indeed, many of the children were made to feel ashamed of their customs, religion, culture, and even appearance. The Canadian Government has rightly condemned colonial schools of this sort as a form of cultural genocide, but an apology had not yet been extended to Newfoundland and Labrador.<sup>57</sup> Trudeau continued his speech, mentioning:

Today, I humbly stand before you to offer a long-overdue apology to the former students of the Lockwood School in Cartwright, the Makkovik Boarding School, the Nain Boarding School, the St. Anthony Orphanage and Boarding School and the Yale School in Newfoundland and Labrador on behalf of the Government of Canada and all Canadians.

Pijâgingilagut

Apu ushtutatat

To all of you – we are sorry.<sup>58</sup>

Trudeau also evoked emotions typically associated with interpersonal apologies, namely shame, saying “For too long, [these schools were a] chapter we chose to skip; a chapter we

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<sup>56</sup> Government of Canada, “Remarks by Prime Minister Justin Trudeau to Apologize on Behalf of the Government of Canada to Former Students of the Newfoundland and Labrador Residential Schools,” Prime Minister of Canada, November 24, 2017, <https://pm.gc.ca/en/news/speeches/2017/11/24/remarks-prime-minister-justin-trudeau-apologize-behalf-government-canada>.

<sup>57</sup> Ian Austen, “Trudeau Apologizes for Abuse and ‘Profound Cultural Loss’ at Indigenous Schools,” *The New York Times*, accessed July 2, 2020, <https://www.nytimes.com/2017/11/24/world/canada/trudeau-indigenous-schools-newfoundland-labrador.html>.

<sup>58</sup> Government of Canada, “Remarks by Prime Minister Justin Trudeau to Apologize on Behalf of the Government of Canada to Former Students of the Newfoundland and Labrador Residential Schools.”



chose to leave out of our textbooks. Out of shame, out of denial, Canadians and their governments have turned a blind eye on this story.”<sup>59</sup>

Furthermore, Trudeau seemed to commit to behavioral reform and social change for the sake of reconciliation, “It’s time for us to recognize our failings in tandem with our successes, and live up to our principles we cherish and ideals we hold... All Canadians have the power to be better and to do better. That is the path to reconciliation.”<sup>60</sup>

Reconciliation was not the only goal of Trudeau’s apology, however, since, according to him, it was “time we make things right.” Indeed, Trudeau explicitly stated simply apologizing was not enough, as it would not erase the abuses suffered and culture lost.<sup>61</sup> Thus, unlike the United States Congress, the Canadian government settled a class-action lawsuit and provided approximately 50 million Canadian dollars to about 900 former boarding schools students.<sup>62</sup> Lastly, the Canadian government’s apology was not kept behind the closed doors of the legislature like the US Congress’ apology. It was delivered at the local arts center to the collective which had suffered there. It was made publicly available for all to find.<sup>63</sup>

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<sup>59</sup> Government of Canada.

<sup>60</sup> Government of Canada.

<sup>61</sup> Government of Canada.

<sup>62</sup> “Anderson v. Canada (Attorney General)” (Supreme Court of Newfoundland and Labrador, November 7, 2016), NLTD (G) 179, [http://www.newfoundlandresidentialschoolssettlement.ca/assets/200701t4955\\_anderson\\_v\\_canada\\_nov\\_7\\_2016\\_signed\\_final\\_rps.pdf](http://www.newfoundlandresidentialschoolssettlement.ca/assets/200701t4955_anderson_v_canada_nov_7_2016_signed_final_rps.pdf).

<sup>63</sup> Austen, “Trudeau Apologizes for Abuse and ‘Profound Cultural Loss’ at Indigenous Schools.”

### C. Mexico Demands that Spain and the Vatican Apologize for the Conquista

Let us consider one last case of a state apology. However, in this case, a state apology was not extended but only demanded and ultimately denied. In March of 2019, Mexico's president, Andrés Manuel López Obrador (known as AMLO), spoke at an event to commemorate one of the first battles Spanish Conquistador Hernan Cortes fought against the Chontal Maya. AMLO announced that he had sent two letters, one to King Felipe VI of Spain and another to Pope Francis, proposing that the two men apologize and ask forgiveness for the abuses indigenous Mexicans suffered. In proposing this, AMLO rejected the narrative that the Conquista was a benign discovery of the New World and a cultural exchange between two peoples. MacLachlan would, correctly, say that AMLO was relying on the narrative power of apologies to change the historical record. AMLO claimed:

It wasn't just about the encounter of two cultures... It was an invasion. Thousands of people were murdered during that period. One culture, one civilization, was imposed upon another to the point that the temples — the Catholic churches were built on top of the ancient pre-Hispanic temples.<sup>64</sup>

Unfortunately for AMLO, this proposal was not received well in Spain or even domestically in Mexico.

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<sup>64</sup> Raphael Minder and Elisabeth Malkin, "Mexican Call for Conquest Apology Ruffles Feathers in Spain. And Mexico.," *The New York Times*, March 27, 2019, sec. World, <https://www.nytimes.com/2019/03/27/world/americas/mexico-spain-apology.html>.

Spanish Prime Minister Pedro Sánchez of the Socialist Worker Party rejected the proposal. He mentioned it was “weird to receive now this request for an apology for events that occurred 500 years ago.”<sup>65</sup> The response was even worse in the Spanish right. Pablo Casado, leader of the conservative People’s Party, described AMLO’s proposal as an insult to the Spanish people, saying that AMLO should instead celebrate “with pride” Spain’s role in Mexico “the way great nations do it, those that have contributed to the discovery of other people.”<sup>66</sup> Rafael Hernando, also of the People’s Party, went further. He implied that Mexico should be grateful for the Conquista, “We Spaniards went there and ended the power of tribes that assassinated their neighbors with cruelty and fury.”<sup>67</sup> Albert Rivera, leader of Spain’s center-right Citizens Party, said AMLO’s proposal amounted to “an intolerable offense to the Spanish people.”<sup>68</sup> Officially, Spain’s government swiftly replied by denying the call to apologize:

We emphatically reject its contents...The arrival of Spaniards 500 years ago to present-day Mexican territory cannot be judged in light of contemporary considerations. Our brother nations have always known how to read our common past without anger and with a constructive perspective.<sup>69</sup>

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<sup>65</sup> Minder and Malkin.

<sup>66</sup> Minder and Malkin.

<sup>67</sup> Minder and Malkin.

<sup>68</sup> Minder and Malkin.

<sup>69</sup> Lucia Abellan and Javier Lafuente, “Madrid Rejects Mexico’s Demand for an Apology over Spanish Conquest,” EL PAÍS, March 26, 2019, [https://english.elpais.com/elpais/2019/03/26/inenglish/1553587549\\_240799.html](https://english.elpais.com/elpais/2019/03/26/inenglish/1553587549_240799.html).

As mentioned earlier, the response was not much better in Mexico. Popular Mexican columnist Sergio Sarmiento wrote, “The Spaniards who stayed in Spain bear no *responsibility* for what happened here 500 years ago” [emphasis added].<sup>70</sup> Jorge Castaneda G., former Secretary of Foreign Affairs in Mexico, noted that Hernan Cortes conquered the Aztec civilization with the help of other indigenous communities. Castaneda then asks why only Spain and the Vatican should apologize, “Do we properly know who is ‘us’ and who is ‘them?’” Most interestingly, Castaneda alluded to the idea that the whole proposal was a political stunt. He asked, “Is this a Pandora’s box we want to open? Or is it pure *demagogy*?” [emphasis added].<sup>71</sup> Indeed, AMLO was accused of creating a smokescreen for Mexico’s problems, including gang violence and a stagnant economy.

#### IV. The Cynic and Skeptic

In this section, I first consider two reasons for considering the three former apologies as morally legitimate. However, these two reasons ultimately fail. I then turn my attention to how the moral-cynic and the moral-skeptic would argue that collective state apologies cannot be morally legitimate.

##### A. Sincerity is not Sufficient for Moral Legitimacy in Apologies

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<sup>70</sup> Abellan and Lafuente.

<sup>71</sup> Abellan and Lafuente.

What are we to make of these three situations? To begin, all three were collective state apologies or a demand for a collective state apology in Mexico's case. In other words, the apology concerned a political leader apologizing on behalf of one collective to another collective. Furthermore, the apology was in a public forum and state-sanctioned.

Are they, however, morally legitimate? One might initially think so for two reasons. First, in the U.S. and Canada's case, emotions were referenced (e.g., remorse, shame) and a commitment to social change (e.g., a call on Americans to end discrimination, a call for Canadians to be better). Secondly, there are reports of folks feeling collective guilt, particularly white guilt. Of course, not all members of the U.S. or Canadian government (or of the collective they speak for) are white, so perhaps a better term for this term would be "settler-colonial guilt."

Nonetheless, the point I wish to highlight is that even if these state apologies did not reference any emotions, reports of feeling guilt are suggestive. In particular, it suggests that the apology is sincere. Philosopher Linda Radzik (2001) tells us a little bit about this guilt when she mentions:

The feeling of "white guilt" is common in the American experience. When a hate crime is committed in a particular place, the whole community is stigmatized by it... Our seeming attributions of collective responsibility even encompass a notion of inherited responsibility...And, of course, there is the case of ordinary German citizens of the 1930s-40s and the Holocaust. Even

Germans born decades after the war frequently report either feeling a sense of moral taint.<sup>72</sup>

Thus, referencing a commitment to behavioral reform, referencing emotions, and feeling some of these emotions might make us think that these apologies are morally legitimate. Thinking so, however, would ultimately be a mistake. Emotions and a commitment to behavioral reform only guarantee that the apology is sincere. Sincerity is not sufficient for moral legitimacy. Sincerity could be understood as a moral function, that is, a function that seeks to uphold standards of ethical behavior. However, a morally legitimate apology must prioritize the recipient's agency, and sincerity does not necessarily do this. For instance, it might be the case that the recipient's agency is best prioritized by providing financial compensation, bringing public awareness to the abuse they (and others) endured and continue to endure, or even ending their relationship with the apologizer. However, the apology being sincere, filled with emotional pleas and promises of change, can be detrimental to the recipient. This type of apology might center the apologizer and their redemption instead of the recipient's call for justice in the public's eye, whether intentional or not. The public might then exert pressure on the recipient to reconcile with the apologizer even though their agency was best prioritized via other means.<sup>73</sup>

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<sup>72</sup> Linda Radzik, "Collective Responsibility and Duties to Respond:," *Social Theory and Practice* 27, no. 3 (2001): 455–71, <https://doi.org/10.5840/soctheorpract20012735>.

<sup>73</sup> MacLachlan speaks on exactly this phenomena in regard to the number of public apologies which followed from the #MeToo movement. She writes, "#MeToo apologies turn our attention toward the question of male

This all leads me to discuss the moral-cynic's and the moral-skeptic's arguments that a collective state apology is never morally legitimate. I begin with the moral-cynic.

### B. The Moral-Cynic: Insincerity and Ulterior Motives

According to the moral-cynic, collective state apologies cannot be morally illegitimate because the apologizer is never sincere and cannot be sincere. Recall that insincerity in apologies is defined as an apology that is abused — the apology is not accompanied by emotions (regret, sadness, guilt, etc.), a commitment to behavioral reform, and is made for selfish or ulterior motives. Do also note that while the moral-cynic might never explicitly use the phrase “moral legitimacy,” they make it clear that they believe collective state apologies are empty gestures and can be quickly dismissed without consideration and consequence. To do such is to imply that they are indeed morally illegitimate, unworthy of being even somewhat entertained.

The apology cannot be sincere because it cannot realistically attain the emotional intimacy associated with interpersonal apologies. This emotional intimacy is what allows the apologizer to feel regret, remorse, shame, etc. But to have this emotional intimacy, the political leader, as well as the whole collective they speak for, would need to have a personal relationship

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*redemption.* The offer of apology effectively marks the end of a period of wrongdoing, denial, and demands for accountability, and the beginning of a new arc of redemption—what we might call the first step in a comeback... After the first spate of credible #MeToo apologies, think pieces started emerging musing: “Do the men of #MeToo deserve to be forgiven?”; “How to find room for forgiveness in the #MeToo movement”; “Does forgiveness have a place in the #MeToo movement?” These were not media assessments of the forgiveness already offered by victims, but critiques of the victims’ apparent *failure* to do so.” MacLachlan, “#MeToo vs. Mea Culpa: On the Risks of Public Apologies,” 26.

with every recipient of the apology.<sup>74</sup> Attaining this emotional intimacy is logistically impossible. MacLachlan (2013b) writes:

In the absence of interpersonal feelings and attitudes, what appropriate moral motivation is there to drive political apologies? The cynical answer is, of course, that they lose meaning qua apologies altogether: because they are public, formal and pre-negotiated, they are empty gestures.<sup>75</sup>

However, let us suspend disbelief for a moment and assume that all (or enough)<sup>76</sup> members of the apologizing collective could feel these emotions. The apology would still not be sincere according to the moral-cynic. As Thompson notes, collective state apologies are often apologies for massive historical injustices against minority groups. To be sincere in such an apology would be, according to Thompson (2000), to regret those injustices and prefer that they had not occurred. Unfortunately, “if our ancestors had not done what they did to indigenous people, to the blacks, the Jews, the Irish, then the history of our country, indeed the history of the world, would have been significantly different from what it has been, and we

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<sup>74</sup> Nick Smith speaks a bit on some of the difficulties in conceiving of collective emotions in a collective apology. He writes: “Perhaps the least controversial sense of collective emotions takes an aggregate view: We can say that a collective experiences certain emotions if some portion of its membership feels them... [This] returns us to the problem of attributing properties of group members to the whole: What percentage of the group must feel the emotion in order to describe it as collectively experienced? If only a few in a group of millions feel guilt and sympathy for a victim, then it seems disingenuous to speak of the emotion collectively experienced. Smith, *I Was Wrong*, 240–45.

<sup>75</sup> Alice MacLachlan, “Government Apologies to Indigenous Peoples,” in *Justice, Responsibility and Reconciliation in the Wake of Conflict*, ed. Alice MacLachlan and Allen Speight (Dordrecht: Springer Netherlands, 2013b), 193, [https://doi.org/10.1007/978-94-007-5201-6\\_11](https://doi.org/10.1007/978-94-007-5201-6_11).

<sup>76</sup> See Smith, *I Was Wrong*, 240–45. As Smith asks, what percentage of the group must feel these emotions in order for it to count? The answer to this will ultimately be arbitrary.



would not exist.”<sup>77</sup> Thompson continues by noting that we cannot regret our existence, and thus, collective state apologies cannot be sincere.

According to the moral-cynic, the political leader does not aim at sincerity. Instead, they merely perform a role while harboring hidden motives. Michael Cunningham (2004) best summarizes this view. When speaking of the general cynicism surrounding collective state apologies, he writes, “the apology is seen as a form of ‘gestural’ politics, incurring no costs for government and often serving as a (literally) cheap way to win favor with particular political or electoral grouping.”<sup>78</sup>

Recall how AMLO was accused of having ulterior motives for requesting an apology. Former Secretary of Foreign Affairs Jorge Castaneda G. implied that AMLO’s whole proposal was a political stunt “Is this a Pandora’s box we want to open? Or is it pure demagoguery?”<sup>79</sup> Also, recall that AMLO was accused of creating a smokescreen for Mexico’s problems, including gang violence and a stagnant economy. The moral-cynic would here agree with this line of criticism. AMLO is merely engaging in rhetoric that panders to indigenous Mexicans without offering any actual relief.

Furthermore, if the moral-cynic is correct, then not only was AMLO’s demand for an apology insincere, but we should not be surprised that it never actually aimed at moral

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<sup>77</sup> Thompson, “The Apology Paradox,” 471.

<sup>78</sup> Michael Cunningham, “Apologies in Irish Politics: A Commentary and Critique,” *Contemporary British History* 18, no. 4 (December 2004): 81, <https://doi.org/10.1080/13619460412331296919>.

<sup>79</sup> Minder and Malkin, “Mexican Call for Conquest Apology Ruffles Feathers in Spain. And Mexico.”

functions such as moral or relational repair. Concerning moral repair, well, as many of AMLO's detractors pointed out, no one today is a Conquistador on a holy mission in present-day Mexico. Thus, any talk of taking responsibility is a thinly veiled attempt at garnering favor via identity politics. As for relational repair, many Spanish politicians took the request as an insult. Even many Mexican columnists felt frustrated, to say the least, with AMLO. If anything, the call for an apology lessened the possibility of relational repair.

Of course, the moral-cynic's position is not confined to Mexico. It also enjoys popularity among conservatives in the United States who view collective state apologies as pandering to liberal "woke culture." For instance, during President Bill Clinton's African tour, he apologized twice, once in Rwanda for western inaction during the Rwandan genocide and again in Uganda for the slave trade. Clinton's actions were heavily scrutinized:

Clinton was attacked by the right for groveling and pandering' during his African tour... Clinton's apologies in Africa were not exactly insincere but they were clearly subordinate to political interests. And in politics you only say sorry when it suits you.<sup>80</sup>

In Alabama, concerned constituent Terry Lynch wrote to the editor of the Selma Times Journal arguing that his state should resist the urge to apologize for slavery:

We cannot change the mistakes of our Forefathers with insane apologies and delusions in an attempt to rewrite history; this is merely a vain attempt to gain sympathy, popularity and votes. ... Trying to apologize for the past is senseless,

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<sup>80</sup> John Ryle, "A Sorry Apology from Clinton," The Guardian, April 13, 1998, <https://www.theguardian.com/Columnists/Column/0,5673,234216,00.html>.

delusive, pandering for votes. Stand up for America and our elderly by freeing them from bondage today!<sup>81</sup>

And, of course, Justin Trudeau has also been suspected of using apologies as political stunts. Political columnist John Ivison and Member of Parliament Marilyn Gladu have accused Justin Trudeau of political pandering and insincerity. Ivison writes, “Are [his apologies] sincere? ... It is hard to escape the feeling that political expediency is at work for the Liberals; each apology was targeted at a key political constituency — Sikh, LGBTQ, Indigenous and Jewish Canadians.”<sup>82</sup>

As for Gladu:

[She] said apologies should not be monthly occurrences, adding that it’s becoming a “show.” “I’ve heard rhetoric even amongst my constituency that perhaps it’s not sincere. What else does he do, besides apologize for things that happened years and years ago?”<sup>83</sup>

Thus, the moral-cynic’s position finds popularity all across North America, particularly amongst those with more conservative political views. Regardless of where it is espoused, however, the goal of collective apologies is always the same — to pander, tell the people what they want to hear, and gain political power. If these goals are attained, the apology is successful but never sincere and always morally illegitimate. In this way, collective state

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<sup>81</sup> Staff Reports Email the author, “Apology for Slavery Is Pandering for Votes,” *The Selma Times-Journal*, April 25, 2007, <https://www.selmatimesjournal.com/2007/04/25/apology-for-slavery-is-pandering-for-votes/>.

<sup>82</sup> John Ivison, “John Ivison: With Another Apology, Trudeau Tries to Right — and Rewrite — the Past,” *National Post*, May 9, 2018, <https://nationalpost.com/news/politics/john-ivison-with-another-apology-trudeau-tries-to-right-and-rewrite-the-past>.

<sup>83</sup> Janice Dickson, “Conservative MP Questions Whether Trudeau’s Apologies Are Sincere | National Newswatch,” May 9, 2018, <https://www.nationalnewswatch.com/2018/05/09/conservative-mp-questions-whether-trudeaus-apologies-are-sincere/#.Xv5RiihKiUl>.

apologies serve a political function that focuses on the polity. They do not serve moral functions. Let us move on to the moral-skeptic.

### C. The Moral-Skeptic: Moral Individualism and the Impossibility of Collective Responsibility

Like the moral cynic, the moral-skeptic also argues that collective state apologies cannot be morally legitimate. Unlike the moral-cynic, however, the moral-skeptic does not care about sincerity or accuse the political leader of having a personal agenda. Instead, the moral-skeptic argues that collective state apologies cannot be morally legitimate because they cannot be genuine. Recall that a morally legitimate apology must be genuine. The moral-skeptic draws our attention to one of the claims made by genuine apologies, namely iii) that the apologizer takes responsibility for the actions, events, and policies in question. According to the moral-skeptic, claim iii) is devoid of meaning since collectives cannot be morally responsible— only individuals can. Thus, collectives cannot “take responsibility” for anything.

When formalized, the moral-skeptic’s argument is as follows:

- 1) If collective state apologies are morally legitimate, then the apologizing collective is rightly blamed for unjust actions, policies, or events (an apology can be understood as a confession of self-blame).

- 2) If the apologizing collective is rightly blamed, then they are blameworthy for said unjust actions, policies, or events.
- 3) If the apologizing collective is blameworthy, then they failed in their collective responsibility.
- 4) Collective responsibility is impossible since individuals, not collectives, are the sole building blocks of morality.

Conclusion: Collective state apologies cannot be morally legitimate.

Note that premise 4 is central to the moral-skeptic's argument. It derives from moral individualism, a popular notion in moral philosophy. Recall from the introduction, Griswold (2007) defines it as the belief that "individuals are the basic moral units; to them is ascribed responsibility for good or wrong-doing, responsibility for contrition and forgiveness."<sup>84</sup> Jan Narveson (2002) also commits himself to moral individualism when he writes, "the basic bearer of responsibility is individuals, because that is all there is – nothing else can literally be the bearer of full responsibility."<sup>85</sup> All this does not mean that collective state apologies cannot be successful, however. The moral-skeptic might argue that the collective state apology can still succeed at sociological or psychological functions. These are functions that center the well-being of society or the psyche of the apologizer, respectively.

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<sup>84</sup> Griswold, *Forgiveness*, 118.

<sup>85</sup> Jan Narveson, "Collective Responsibility," *Collective Responsibility*, 2002, 179.

Regarding sociological functions, the collective state apology might promote social cohesion. The apology might serve as a symbolic gesture aimed at alleviating tensions between the involved collectives. The hope is that both collectives will no longer hold a grudge or resentment towards the other but let bygones be bygones. The apologizing collective and their political leader might truly be committed to social change insofar as that change promotes harmony. This commitment is not grounded in any collective moral responsibility to do better. Instead, it is merely grounded in the prudential concern of promoting reconciliation.

The United States Congress' apology explicitly mentions that it hopes to heal the racial rifts between white and black Americans, to "move forward and seek reconciliation, justice, and harmony for all people of the United States." The apology does task all Americans with the responsibility of "eliminating racial prejudices, injustices, and discrimination from [American] society," but this "responsibility" is required not by moral obligation but by simple prudential concerns of securing a better future for all.

Concerning psychological functions, collective state apologies can promote and safeguard the psychological well-being of the apologizer. These apologies serve as a form of expunging misplaced guilt, especially white guilt (or colonial-settler guilt). Doing this, however, is ultimately more self-directed than other-directed. As psychologist Aarti Iyer (2003) from the University of California, Santa Cruz concluded from her research into white guilt:

Based in theory and research on personal guilt, we argued that group-based guilt is a self-focused emotional experience of in-group responsibility for an immoral advantage. More specifically, White guilt is a dysphoria European Americans can feel when focused on their illegitimate racial advantage over African Americans...we showed that a self-focused framing of racial discrimination, as perpetrated by European Americans, produced more guilt than an other-focused framing that described African Americans as the targets of racial discrimination. There was thus good support for our conceptualization of White guilt as a self-focused emotional reaction to racial inequality.<sup>86</sup>

According to the moral-skeptic, any collective guilt is ultimately misplaced since collectives cannot be responsible. Thus, collective guilt is a psychological ailment, something one must cure themselves of as soon as possible. Preventing folks from feeling this guilt is the ideal solution. Nonetheless, some folks will ultimately succumb to this guilt, in which case a collective state apology serves as a useful cure.

Columnist Linda Besner (2018) echoes the psychological function of collective state apologies when she writes of Justin Trudeau:

It's hard not to see Trudeau's penchant for penitence as a particularly Canadian form of self-aggrandizement – humble-bragging about how bad you feel. Congratulating ourselves for feeling guilty makes us feel good again, and the praise we lavish on ourselves for our honesty is warmly received – by us.<sup>87</sup>

When collective state apologies fulfill this psychological function, they prioritize the apologizer's feelings, not the recipient's agency. Thus, they cannot be morally legitimate.

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<sup>86</sup> Aarti Iyer, Colin Wayne Leach, and Faye J. Crosby, "White Guilt and Racial Compensation: The Benefits and Limits of Self-Focus," *Personality and Social Psychology Bulletin* 29, no. 1 (January 2003): 117–29, <https://doi.org/10.1177/0146167202238377>.

<sup>87</sup> Linda Besner, "Is Canada Apologising Too Much?," *The Guardian*, May 16, 2018, <https://www.theguardian.com/commentisfree/2018/may/16/canada-justin-trudeau-apologising-too-much>.

## V. Where do We Go from Here?

In this section, I briefly respond to both the moral-cynic and moral-skeptic. While what I have constructed in this chapter can give us a satisfactory reply to the moral-cynic, we will not have a complete response to the moral-skeptic until chapter 5. Let us reply to the moral-cynic first.

### A. Responding to the Cynic: Sincerity is Unnecessary, Ulterior Motives are Irrelevant

To begin, I sympathize with the moral-cynic in suspecting that many political leaders might have ulterior motives when extending collective state apologies. However, the moral-cynic mistakenly fixates on emotions. It is true that it is logistically implausible, and perhaps even impossible, for all or enough members of an apologizing collective to feel emotions of regret, shame, guilt, etc.

But feeling these emotions are only necessary for the apology to be sincere, not morally legitimate. I mentioned earlier that sincerity is neither necessary nor sufficient for an apology to be morally legitimate. I return to this point now.

Take cases of rectificatory justice in particular. A morally legitimate apology might fulfill the moral function of providing grounds for claims of compensation. This in itself might be reason enough to consider accepting the apology, so long as any following compensation is probable and prioritizes the agency of the recipients. Sincerity would not be



necessary. In this case, I agree with Roberts (2017) when he argues that what he calls a *just* apology is legitimate and need not be sincere. Roberts writes, “Contrary to those who think that when rendering a legitimate apology one must really be sorry for that which he or she is apologizing, the just apology does not include as a necessary condition that those who apologize have certain feelings.”<sup>88</sup> For Roberts, this is so since a just apology concerns itself with rectificatory justice and not the whole of morality. Rectificatory justice does, however, require compensation, “since rectificatory justice requires that unjust losses be restored or compensated for.”<sup>89</sup> Accordingly then, the requirements for a just apology are “that the person uttering the words is making a true statement about the unjust act and making a commitment to providing or at least earnestly attempting compensation.”<sup>90</sup> According to Roberts, if compensation is not attempted, such as in the United States government’s apology for slavery and the era of Jim Crow, then the apology is illegitimate.

However, unlike Roberts, I do not think compensation is necessary for an apology to be morally legitimate. I suspect Roberts believes compensation is necessary for legitimacy because if we truly listen to the recipients when crafting an apology, we will *often* find that compensation is what best prioritizes the recipients’ agency. We should be prepared to offer compensation if this turns out to be the case. However, it might not be the case. As MacLachlan (2016) notes, when evaluating the excellence of an apology, it must always be

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<sup>88</sup> Roberts, *Race, Rectification, and Apology*.

<sup>89</sup> Roberts.

<sup>90</sup> Roberts.

done contextually, *in situ*.<sup>91</sup> Likewise, I would argue what best prioritizes the agency of the recipients must be done contextually, *in situ*, and the best way to do this is by including the recipients in the process of crafting the apology. In some situations, we might find that the symbolic significance of a collective state apology is just as important, or even more important, than any compensation it gives.<sup>92</sup>

As mentioned before, neither is sincerity sufficient for an apology to be morally legitimate. While sincerity could be understood as a moral function, the moral function of a morally legitimate apology must prioritize the recipient's agency. If, as we have said, the recipient's agency is best promoted by being financially compensated, then sincerity will be irrelevant. Again, this all highlights why it is vital to include the recipient in the process of constructing an apology. Any apology that fails to include the recipient's voice will often fail to be morally legitimate and can, therefore, be dismissed without consideration.

If the collective state apology prioritizes the recipients' agency, then the apology will be morally legitimate, regardless of whether or not the political leader has ulterior motives. Of course, if the recipients' agency was prioritized, then the political leader's ulterior motives might be thwarted. But they might not be. So long as the political leader's agenda is not

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<sup>91</sup> MacLachlan, "Fiduciary Duties and the Ethics of Public Apology."

<sup>92</sup> MacLachlan, "Government Apologies to Indigenous Peoples"; Jeremy Waldron, "Superseding Historic Injustice," *Ethics* 103, no. 1 (October 1992): 6, <https://doi.org/10.1086/293468>. Waldron writes that small gestures in public apologies "symbolize a society's undertaking not to forget or deny that a particular justice took place."

prioritized before the agency of the recipients, it does not matter if the leader succeeds in their ulterior motives. So much for the moral-cynic.

### B. Responding to the Skeptic: Rejecting Hyperindividualism

Our response to the moral-skeptic, however, will not be as quick. Recall the moral-skeptics formalized argument (in Section IV C). The conclusion is derived by focusing on premise four and applying modus tollens repeatedly. The obvious move would be to deny the truth of premise four.

This is roughly the strategy that Charles Griswold (2007) and MacLachlan (2017) rely on when they argue for the possibility of third-party forgiveness. Charles Griswold discusses two reasons why some folks might be hesitant to allow third parties to forgive on behalf<sup>93</sup> of victims:

The first stems from the fact that forgiveness, as I have defined it, involves forswearing resentment, and the injured party's resentment is something that only the injured party can possess or shed. The second comes to what one might call common-sense moral individualism: individuals are the basic moral units; to them is ascribed responsibility for good or wrong-doing, responsibility for contrition and forgiveness."<sup>94</sup>

Instead of rejecting the possibility of third-party forgiveness at this point, Griswold invites us to consider cases in which one's loved one is murdered. He points, for instance, to the case of

Amy Biehl:

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<sup>93</sup> Strictly speaking, Griswold's type of third-party forgiveness might be best understood as *proxy forgiveness* since the third-party is serving as a surrogate for the injured party.

<sup>94</sup> Griswold, *Forgiveness*, 118.

Amy Biehl [was] murdered by a group of South African youths on August 25, 1993. She was a white Stanford graduate whose adult life was devoted to ameliorating the lot of black South Africans. She was in the impoverished Guguletu township at the time, helping folks register for the upcoming election]. The four ringleaders appeared before the [Truth and Reconciliation Commission] and “detailed their parts in the killing and apologized to the Biehl family.” Two who served five years in prison eventually met Biehl’s parents, asked for and received their forgiveness, and joined the staff of the Foundation set up by the parents to improve the lot of the poor in South Africa.<sup>95</sup>

Griswold asks us to note two things from these cases, namely 1) the transformative power of forgiveness and 2) the ability to forgive on behalf of others, in this case, a deceased loved one.

The moral-skeptic will object to 2) and insist that the parents of Biehl are only forgiving for the pain and anguish they *themselves* felt, not their daughters’ murder. Of course, Biehl’s parents might believe they are forgiving the murder itself, but they are simply confused about how morality operates.

Griswold calls this objection originating from moral individualism to be a “hard-line” response. It is too extreme and unfairly dismisses what Biehl’s parents report feeling when they forgive. MacLachlan similarly argues that denying third-party forgiveness risks distorting the complexities of moral reality:

When we deny the conceptual possibility and potential moral value of acts of forgiveness performed by those other than the victim of wrongdoing, we subscribe to a hyperindividualized account of wrongdoing that risks overmoralizing the victim’s position and ignoring the complex, distinct roles

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<sup>95</sup> Griswold, 95.

played by third parties, including witnesses, bystanders, and secondary participants.<sup>96</sup>

Instead of adopting this hyperindividualism, Griswold suggests a compromise in the following form:

I suggest that a third party may forgive on behalf of the victim, but only if that third person also has standing to do so. Standing would seem to presuppose not only justifiable indignation (sympathetic resentment), but also something else: identification with the victim. Indignation alone is too impersonal to grant the requisite standing. Identification, however, must be warranted; one cannot simply bestow it on oneself. It is warranted by the combination of at least two things: first, ties of care for the victim; second, reasonably detailed knowledge not only of the offender's wrong-doing and contrition, but especially of the victim.<sup>97</sup>

MacLachlan (2017) proposes something similar when she mentions that “we can recognize a distinct variant of forgiveness, third-party forgiveness, which is appropriately grounded in an imaginatively engaged, caring relationship of moral solidarity.”<sup>98</sup>

I mention all this to highlight the possibility that if third-party forgiveness is legitimate, then we should not be so quick to dismiss collective state apologies as illegitimate. If third-party forgiveness should not be constrained by hyperindividualism, then it is plausible that collective state apologies should not be either. Objecting to collective state apologies based on hyperindividualism similarly risks distorting the complexities of moral reality. Of course, the

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<sup>96</sup> MacLachlan, “In Defense of Third-Party Forgiveness,” 152.

<sup>97</sup> Griswold, *Forgiveness*, 119.

<sup>98</sup> MacLachlan, “In Defense of Third-Party Forgiveness.”

moral reality in question is that group membership is relevant, and collectives are often held responsible in our social and political practices.<sup>99</sup>

Of course, if we are using third-party forgiveness as our inspiration here, then collective state apologies would require an identification, one that is warranted, with the transgressing collective. I suggest that being a democratically elected leader of the transgressing party gives one such identification.

### C. The Need to Develop an Account of Collective Responsibility for Oppression

Have we adequately convinced the moral-skeptic by denying premise four of their argument? I suspect not. In rejecting premise four, I have also claimed that collective responsibility is a moral reality that should not be distorted. At this point, the moral-skeptic would reasonably ask me to produce an account of collective responsibility. This account would need to be philosophically deep enough to legitimize collective state apologies. In particular, this account of collective responsibility would have to implicate an account of collective blame. That is, my account must make it possible for agents to be blameworthy from the outset. If it were impossible from the outset, many of our practices that invoke collective blameworthiness, including collective state apologies, would be unjustified.

I now make it my task to provide such an account of collective responsibility. In particular, I develop an account of collective responsibility for oppression.

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<sup>99</sup>We will say more about collective responsibility in Chapter 2.

In chapter 2, I review the literature on collective responsibility. I do this to elucidate the moral-skeptic's arguments against holding collectives responsible for oppression. As we will see, the moral-skeptic will argue that neither organized nor disorganized collectives can be held responsible for oppression, albeit for different reasons.

In chapter 3, I provide an account of collective responsibility for oppression. I argue that this account should be *pluralistic*. By pluralistic, I mean that it will incorporate different conceptions of responsibility, including responsibility-as: -causation, -attributability, -accountability, -remedy, -ability, and -office. As we will see, no one conception of responsibility can do what we might reasonably ask of it. As such, a balance between these different conceptions must be attained. I end chapter 3 by arguing that *organized* collectives are responsible for oppression, and when they fail to combat it, they are blameworthy.

In Chapter 4, I extend this argument to privileged *disorganized* collectives. These are collectives that benefit from oppression but do not have an identifiable governing body or established decision-making procedures. I argue that what I call *blood money benefits*, benefits one collective receives at the expense of another, also make these collectives responsible for oppression. Like organized collectives, if they fail to combat oppression, they are blameworthy.

In chapter 5, I pick up where we left off in chapter 1. Collective state apologies, and other moral practices which invoke collective blame, can be morally legitimate once we see that the aforementioned collectives are responsible for oppression. In particular, these apologies

should be understood as resulting from failing to combat oppression. If these apologies have an element of protest that the recipient guides, then they can be morally legitimate.

In the chapters that follow, I set it as my task to respond to the moral-skeptic satisfactorily. Again, my position is not that *all* collective state apologies are morally legitimate. Nor is it that *all* practices which invoke collective blame are warranted. Instead, I argue that collective responsibility is a moral reality, collectives can be blameworthy, collectives can be appropriately blamed, and these concepts can justify a good number of our social and political practices, including collective state apologies.



## Chapter 2

Elucidating the Moral-Skeptic's Position:

A Review of Collective Responsibility

Chapter Topic – This chapter presents a literature review on collective responsibility. This is done to ultimately elucidate the moral skeptic’s position from chapter 1 and then better respond to them in the following chapters.

### Chapter Contents

- I. Introduction
- II. Early Challenges to Collective Responsibility
- III. Key Issues
  - a. Distribution Problem
  - b. Conditions for Moral Agency
  - c. Types of Collectives
  - d. Meanings of Responsibility
  - e. Literature on Oppression
- IV. Some Prominent Thinkers on Collective Responsibility
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  - a. The Moral-Skeptic on Organized Collectives
    - i. Traceability
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  - b. The Moral-Skeptic on Disorganized Collectives
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ii. The Membership Problem

iii. The Control Condition

VI. Concluding Remark

## I. Introduction

In this chapter, I review the current philosophical literature on collective responsibility. I do this to elucidate the moral-skeptic's position and strengthen it. I will then be able to respond to the moral-skeptic's arguments from chapter 2, section V in chapters 3 and 4.

I begin in section II by discussing early challenges to the idea of collective responsibility from figures such as Max Weber (1914) and H.D. Lewis (1948). Afterward, in section III, I discuss some key issues in the literature, namely the *distribution problem*, *conditions for moral agency*, *types of collectives*, *meanings of responsibility*, and this literature's relationship with the *literature on oppression*. In section IV, I discuss some prominent thinkers in collective responsibility and their major contributions to the literature. Finally, in section V, I elucidate the moral-skeptic's position given what we have reviewed. In particular, we will see that the moral-skeptic objects to holding both organized and disorganized collectives responsible for oppression. Furthermore, the moral-skeptic objects to them being responsible in both a backward and forward-looking sense.

## II. Early Challenges to Collective Responsibility

Philosophers have historically been skeptical of collective responsibility being an actual moral phenomenon. Instead, collective responsibility might be a mistaken cultural practice or sloppy (e.g., metaphorical, rhetorical) speech that must be corrected.

For instance, Max Weber (1914) argues that collective responsibility is inappropriate as we cannot identify genuine collective actions as distinct from individual actions of multiple agents.<sup>100</sup> Welsh theologian and philosopher H.D. Lewis (1948) argues that if we face difficulties in understanding individual responsibility, we should sooner abandon all our notions of moral responsibility than to “revert to the barbarous notion of collective or group responsibility.”<sup>101</sup> Stephen Sverdlik (1968) similarly has concerns regarding fairness. Namely, he claims that it would be unfair, whether we are considering a result produced by more than one person or by a different person, to blame a person for a result they did not intend or had no control over.<sup>102</sup>

More contemporary critics of collective responsibility, such as J. Angelo Corlett (2001) and Jan Narveson (2002), are less harsh but still gesture at several difficulties collective responsibility faces.

For instance, Corlett (2001) presupposes that all *action*, as opposed to mere *behavior*, begins with an intention. As such, any account of collective responsibility will need to explain collective action and its relation to a collective intention. Otherwise, the act in question is simply *collective behavior*, which is not a candidate for attributions of moral responsibility.<sup>103</sup>

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<sup>100</sup> Max Weber, *Economy and Society* (1914), vol. 1 (Berkeley: University of California Press, 1978).

<sup>101</sup> H. D. Lewis, “Collective Responsibility,” *Philosophy* 23, no. 84 (January 1948): 3–18, <https://doi.org/10.1017/S0031819100065943>.

<sup>102</sup> Stephen Sverdlik, “Collective Responsibility,” *Philosophical Studies* 51 (1987): 61–76.

<sup>103</sup> J. Angelo Corlett, “Collective Moral Responsibility,” *Journal of Social Philosophy* 32, no. 4 (November 2001): 573–84, <https://doi.org/10.1111/0047-2786.00115>.

Jan Narveson (2002) argues that collective responsibility is ultimately impossible. The basic bearers of responsibility, according to Narveson, are individuals because “nothing else can literally be the bearer of full responsibility.”<sup>104</sup> The word *literally* is not being used here for emphatic purposes, for it contrasts with understanding collective responsibility metaphorically. In other words, we might be using the idea of collective responsibility as a metaphor for understanding the responsibility of several particular individuals.<sup>105</sup>

Ultimately, all of these early challenges against collective responsibility are committed to *hyperindividualism* in varying degrees. As mentioned in chapter 1, Charles L. Griswold (2007) nicely defines moral individualism as the belief that “individuals are the basic moral units; to them is ascribed responsibility for good or wrong-doing, responsibility for contrition and forgiveness.”<sup>106</sup> Moral individualism becomes hyperindividualism when it ignores the roles collectives can play in morality. Thus, we can locate many of the critics above in the camp of the moral-skeptic from chapter 1.

### III. Key Issues

In this section, I gesture at some of the main concerns regarding collective responsibility. To name them, these concerns are the *Distribution Problem*, *conditions for*

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<sup>104</sup> Jan Narveson, “Collective Responsibility,” *The Journal of Ethics* 6, no. 2 (2002): 179–98, <https://doi.org/10.1023/A:1015823716891>.

<sup>105</sup> Narveson.

<sup>106</sup> Griswold, *Forgiveness*, 118.

*moral agency*, the different *types of collectives*, the different *meanings of responsibility*, and finally, its relationship with the *literature on oppression*.

#### A. Distribution Problem

Let us begin with what I refer to as the *Distribution Problem*. This problem asks whether collective responsibility should be understood distributively as attributions of responsibility to individual group members. If so, then collective responsibility might be reducible to individual group members' responsibility, with no responsibility left over for the collective itself. We can, somewhat ironically, call this type of account an *individualistic* account of collective responsibility. We can also use Seumas Miller's (2020) terms and call it an *atomistic* account.<sup>107</sup>

If we adopt an individualistic account, another immediate concern is how exactly responsibility should be attributed to individual members. As Peter French mentions (2020), we could distribute responsibility equally on the basis of *membership* in the collective.<sup>108</sup> However, we could also distribute responsibility unequally on the basis of how much an individual *participates* in the collective.<sup>109</sup>

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<sup>107</sup> Seumas Miller, "Collective Moral Responsibility as Joint Moral Responsibility," in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 38–50, <https://doi.org/10.4324/9781315107608-5>.

<sup>108</sup> Peter A. French, "Types of Collectives and Responsibility," in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 9–22, <https://doi.org/10.4324/9781315107608-3>.

<sup>109</sup> French.

On the other hand, a *collectivist* account of collective responsibility, or a *non-atomistic* account to use Miller's (2020) terms, cannot be reduced to the responsibility individual members possess.<sup>110</sup> However, an immediate concern that arises is discovering what responsibility, exactly, is not reducible to individuals. In other words, we must discover what responsibility is left over for the collective itself. Furthermore, if this responsibility is to be fulfilled by the collective itself and not any of its individual members, how would the collective go about fulfilling it?

#### B. Conditions for Moral Agency

How a collective can fulfill their moral responsibility leads nicely to our second key issue, *conditions for moral agency*. Moral responsibility has traditionally been the domain of the individual as it is traditionally the individual who satisfies the conditions to be considered a moral agent. Can a collective satisfy these conditions as well?

Of course, this will depend on which conditions we say are required for moral agency. For instance, we may require a *control condition*. A control condition requires a candidate to exhibit some influence or power over an event if they are to be held responsible for it. If we require such a condition, many collectives would not satisfy it. This is especially true if we use an individualistic account. As Gunnar Bjornsson (2020) mentions when he discusses the "agency challenge" to collective responsibility, namely that "often, no individual member of

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<sup>110</sup> Miller, "Collective Moral Responsibility as Joint Moral Responsibility."



the group had control over the outcome for which they are blamed, and no individual member can make a difference as to whether the group discharges its obligation.”<sup>111</sup>

Alternatively, but relatedly, we may require that a collective can only be held responsible if they acted on an intention. If so, we will require an account of collective intentionality. Furthermore, if we presuppose that only minds can have intentions, we will also need an account of collective minds.

However, we might only require that the candidate in question possess some internal mechanism with the capacity to appreciate moral reasons, react to those reasons with intentional actions, acknowledge the ownership of its actions, and participate in moral dialogue. If so, then a collective mind may be unnecessary. That is, all we might need is what John Fischer and Mark Ravizza (2000) refer to as “moderate moral reasons responsiveness.”<sup>112</sup> According to Peter French (2020), some collectives, such as corporations, have the right internal mechanisms and structure to satisfy moderate moral reasons responsiveness.<sup>113</sup>

### C. Types of Collectives

Whether a collective meets the conditions for moral agency will also largely depend on which *type of collective* we are discussing. *Organized collectives* have identifiable governing bodies and rational decision-making procedures. Examples of organized collectives can include

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<sup>111</sup> Gunnar Björnsson, “Collective Responsibility and Collective Obligations Without Collective Moral Agents,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 127–41, <https://doi.org/10.4324/9781315107608-11>.

<sup>112</sup> John Martin Fischer and Mark Ravizza, *Responsibility and Control: A Theory of Moral Responsibility*, First paperback ed, Cambridge Studies in Philosophy and Law (Cambridge: Cambridge University Press, 2000).

<sup>113</sup> French, “Types of Collectives and Responsibility.”

corporations with corporate officers and a board of directors, governments, and even religious institutions.

A notable feature of organized collectives is that they have explicit initiation requirements for membership. For instance, to be a member of the company Microsoft, one must be hired by a Microsoft employer. To be a practicing attorney, one must go to an accredited law school, pass a state bar exam, take an oath, and receive their license.

*Disorganized* collectives, however, lack a governing body and have no rational decision-making procedures set in place. Furthermore, they can often run into a *membership problem*. The membership problem is the difficulty of knowing who is and isn't a member of the collective. This is a problem unique to disorganized collectives since they often do not have explicit initiation requirements.

Katherine Richards (2018) goes some way in solving this problem when she identifies “feature social groups.”<sup>114</sup> According to her, feature social groups have specific identifiable types of behavior, beliefs, practices, activities, norms, and even intentions. To be a member of a feature social group, one must exhibit the specific traits (or at least several of them) that define the group. For instance, to be considered a member of the collective “American White Supremacist,” one would need to be an American that acts racist and holds onto the belief that whites are racially superior.

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<sup>114</sup> Katherine Richards, “Social Creationism and Social Groups,” in *Collectivity: Ontology, Ethics, and Social Justice*, ed. Kendy Hess, Violetta Igneski, and Tracy Isaacs (Rowman & Littlefield Publishers, 2018), 13–34.

Unfortunately, sometimes a collective may have nothing that ties its members together. They might simply be a group of individuals that happen to be near in both space and time. Such is the case of, say, a mob or a crowd. In these cases, it is difficult to see how the collective can satisfy any traditional conditions for moral agency.

#### D. Meanings of Responsibility

Lastly, when discussing collective responsibility, we will likely need to differentiate between different *meanings of responsibility*. It should not be surprising that philosophers disagree on what responsibility means and have identified several different plausible meanings.

H.L.A. Hart (1968) is one of the first to distinguish between four meanings of responsibility: role-responsibility, causal-responsibility, liability-responsibility, and ability-responsibility.<sup>115</sup> Likewise, John Ladd (1982) was one of the first to identify accountability (albeit he does not treat it as a form of responsibility as other philosophers later would).<sup>116</sup> Arthur Kuflik (1999) distinguishes between six different meanings of responsibility: causal responsibility, functional-role responsibility, moral accountability responsibility, responsibility as an honorific, role responsibility, and oversight

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<sup>115</sup> H. L. A. Hart, *Punishment and Responsibility: Essays in the Philosophy of Law*. 1968., 2. ed (Reprint, Oxford: Oxford Univ. Press, 2008).

<sup>116</sup> John Ladd, "Philosophical Remarks on Professional Responsibility in Organization:," *International Journal of Applied Philosophy* 1, no. 2 (1982): 58–70, <https://doi.org/10.5840/ijap1982129>.

responsibility.<sup>117</sup> Gary Watson (1996) further developed the discussion on responsibility by distinguishing between responsibility-as-attributability and responsibility-as-accountability.<sup>118</sup>

More recent literature on responsibility and its several meanings includes Michael Davis (2012). He distinguishes between: responsibility-as-simple-causation, responsibility-as-competency, responsibility-as-power, responsibility-as-office, responsibility-as-domain-of-tasks, responsibility-as-liability, and responsibility-as-accountability.<sup>119</sup> Ibo van de Poel (2011) similarly distinguishes between nine meanings, many of which are similar to Davis', but also includes responsibility-as-virtue, responsibility-as-blameworthiness, and responsibility-as-authority.<sup>120</sup> Recently, David Shoemaker (2011, 2015) has developed an explicitly pluralistic account of responsibility

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<sup>117</sup> Arthur Kuflik, "Computers in Control: Rational Transfer of Authority or Irresponsible Abdication of Autonomy," *Ethics and Information Technology* 1, no. 3 (1999): 1740175, <https://doi.org/10.1023/A:1010087500508>.

<sup>118</sup> Attributability, as its name suggests, consists of attributing an action to an agent. This attributing tells us something morally significant about the agent (who they are, their moral character, values, vices, virtues, etc.). However, Watson believes there is more to responsibility than mere attribution, responsibility "is not just a matter of the relation of an individual to her behavior." In our practices of holding people responsible, we also "demand (require) certain conduct from one another and respond adversely to one another's failures to comply with these demands." These moral demands are part of what Watson refers to as *accountability*. To hold them accountable might be to view them as appropriate targets of blame and praise. They can be blameworthy, punished, or rewarded, Gary Watson, "Two Faces of Responsibility:," *Philosophical Topics* 24, no. 2 (1996): 227–48, <https://doi.org/10.5840/philtopics199624222>.

<sup>119</sup> Michael Davis, "'Ain't No One Here But Us Social Forces': Constructing the Professional Responsibility of Engineers," *Science and Engineering Ethics* 18, no. 1 (March 2012): 14–15, <https://doi.org/10.1007/s11948-010-9225-3>.

<sup>120</sup> van de Poel, "The Relation Between Forward-Looking and Backward-Looking Responsibility."

in a tripartite theory of responsibility, which includes attributability, answerability, and accountability.<sup>121</sup>

Furthermore, many of these different meanings of responsibility can, in turn, be categorized under two larger umbrella terms: backward-looking responsibility and forward-looking responsibility.

Backward-looking responsibility, as its name implies, looks to the past. It is often an investigation of which agent(s) committed a moral wrong. Once those agents are discovered, “holding them responsible” does not necessarily entail demanding amends be made or bringing about a better state of affairs. Instead, holding them responsible entails blameworthiness or other sanctions. The basic idea is that something about the agent makes blaming them *apt*, that is, appropriate. For blame to be *apt*, the agent in question must have committed some moral wrong. Alternatively, backward-looking responsibility can also concern itself with praising an agent for bringing about a good or improved state of affairs.

It is very tempting at this point to think that blaming someone necessarily entails asking them to make amends. After all, they committed a moral wrong, so why shouldn’t they “fix their mess”? But consider the case in which an agent committed a moral wrong

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<sup>121</sup> David Shoemaker, “Attributability, Answerability, and Accountability: Toward a Wider Theory of Moral Responsibility,” *Ethics* 121, no. 3 (April 2011): 602–32, <https://doi.org/10.1086/659003>; David Shoemaker, *Responsibility From the Margins*, First edition (Oxford, United Kingdom: Oxford University Press, 2015).

but they are no longer alive or have little to no power to bring about a better state of affairs (e.g., they are currently in a coma and show no signs of recovery). In these cases, blaming them is apt, while demanding amends might not be.

Forward-looking responsibility, on the other hand, as its name also implies, looks to the future. In this case, “holding agents responsible” involves imposing obligations on agents responsible for bringing about an ideal or improved state of affairs or preventing a bad state of affairs. These obligations are imposed on said agent regardless of whether they are causally responsible for the current poor state of affairs. As R. Jay Wallace (1998) tells us, it “is not directed exclusively toward the individual agent who has done something morally wrong, but takes account of *anyone else* who is susceptible to being influenced by our responses.”<sup>122</sup> In other words, when we say that an agent is forward-looking responsible for doing *X*, we are saying that they *ought* to do *X*.

Many folks at this point might also think that forward-looking responsibility implies backward-looking responsibility. That is, one might think that one must be backward-looking responsible before one can be forward-looking responsible. Indeed, backward-looking responsibility can sometimes be a sufficient condition for forward-looking responsibility, but it is not a necessary condition. To see how forward-looking

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<sup>122</sup> R. Jay Wallace, *Responsibility and the Moral Sentiments*, 2. print (Cambridge, Mass.: Harvard Univ. Press, 1998), 56.

responsibility can divorce itself from backward-looking responsibility, consider a scenario in which an agent is not blameworthy for any past injustice as they did not cause it or contribute to its cause in any way. Nonetheless, we might saddle the agent with the duty of bringing about a better state of affairs since they are the one who is most able to do so effectively (or all other agents are incapable). In which case, if the agent fails to fulfill said duty (or fails to take steps towards it), they might justifiably be thought of as blameworthy, not for committing any past injustice, but for not bringing about an improved state of affairs.

Another connection between these two notions of responsibility is that forward-looking responsibility can sometimes lead to backward-looking responsibility. If an agent has a forward-looking responsibility that says they ought to X but fail to X, then said agent might become blameworthy. In this way, an agent failing to act on their forward-looking responsibility can be a sufficient condition for backward-looking responsibility.

Indeed, this is all to say that there are many meanings of responsibility that philosophers have identified for us. Furthermore, they interact in interesting ways and sometimes blend into each other in practice. The answer to the question “are collectives responsible for oppression?” will depend largely on the meaning of responsibility we are using.

## E. Literature on Oppression

In this dissertation, I am not just writing about collective responsibility. I am, in particular, writing about responsibility for oppression. In this section, I briefly discuss the literature on oppression. Besides a few exceptions, most philosophers writing on oppression either presuppose collective responsibility or do not bother with it, choosing to tackle oppression instead through a *structural approach*.

Larry May (1994) and, more recently, Michael Hardimon (2020) are some of the few philosophers who discuss collective responsibility for oppression without presupposing collective responsibility.<sup>123</sup> May argues that men are responsible for rape. He grounds this responsibility partially on a view of “pre-reflective” group intentions and partially on the idea that men benefit from rape.<sup>124</sup>

Hardimon (2020), on the other hand, discusses the relationship between institutional racism and individual responsibility. In particular, he discusses idealized cases of racist institutions that are not dependent on any members to be racist. In these idealized cases, no member is to blame, according to Hardimon. Nonetheless, nonracist members are not off the

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<sup>123</sup> Larry May and Robert Strikwerda, “Men in Groups: Collective Responsibility for Rape,” *Hypatia* 9, no. 2 (1994): 134–51, <https://doi.org/10.1111/j.1527-2001.1994.tb00437.x>; Michael O. Hardimon, “Institutional Racism and Individual Responsibility,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 501–12, <https://doi.org/10.4324/9781315107608-40>.

<sup>124</sup> Larry May, *The Morality of Groups: Collective Responsibility, Group-Based Harm, and Corporate Rights*, Soundings, v. 1 (Notre Dame, Ind: University of Notre Dame Press, 1987); May and Strikwerda, “Men in Groups.”



hook since they can still be held to account for their institution's racist effects and can even be guilty of "indifference racism."<sup>125</sup>

However, most philosophers who research oppression do not approach the topic from the perspective of collective responsibility. They often presuppose the possibility of collective responsibility. Presupposing collective responsibility will not help us develop an adequate response to the moral-skeptic however.

Other times, philosophers eschew collective responsibility in favor of a structural approach. In a structural approach, the focus is on holding whole structures and systems responsible for oppression instead of collectives or individuals.

For instance, Iris Marion Young (1990) (2011) develops an account of responsibility for justice which she calls the "Social Connection Model."<sup>126</sup> This model does not blame or isolate any group or agent for oppression. Instead, it holds any agent who causally contributes to the structures of oppression as responsible. That is, this model blames none but implicates many agents, individuals and groups alike.

Robin Zheng (2018) also takes a structural approach to oppression. She develops her "role ideal model," in which she argues that all individuals are responsible for structural

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<sup>125</sup> Hardimon, "Institutional Racism and Individual Responsibility."

<sup>126</sup> Iris Marion Young, "Five Faces of Oppression (1990)," in *Justice and the Politics of Difference*. 1990, Paperback Reprint (Princeton, N.J, 2011), 39–65; Young, *Responsibility for Justice*.

injustice through and in virtue of their social role.<sup>127</sup> According to Zheng, social “roles are the site where structure meets agency.”<sup>128</sup> While Zheng is concerned with structural injustice like Young, attributions of responsibility are resolved on a much more individualistic basis under Zheng’s account.

Other contemporary philosophers writing on oppression concern themselves largely with the role of the oppressed and privileged. Many of them presuppose the possibility of collective responsibility.

For instance, Carol Hay (2011) (2013) (2018) argues that victims have an imperfect Kantian duty to resist their own oppression.<sup>129</sup> This duty is grounded in a moral imperative to respect one’s rational nature, which oppression harms. Since the duty is imperfect, it allows for much flexibility on how the victim might resist.

Ashwini Vasanthakumar (2016) (2020) also argues that victims must resist their own oppression.<sup>130</sup> However, Vasanthakumar (2016) grounds her account not on self-regarding

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<sup>127</sup> Robin Zheng, “What Is My Role in Changing the System? A New Model of Responsibility for Structural Injustice,” *Ethical Theory and Moral Practice* 21, no. 4 (August 2018): 869–85, <https://doi.org/10.1007/s10677-018-9892-8>.

<sup>128</sup> Zheng.

<sup>129</sup> Carol Hay, “The Obligation to Resist Oppression,” *Journal of Social Philosophy* 42, no. 1 (March 2011): 21–45, <https://doi.org/10.1111/j.1467-9833.2010.01518.x>; C. Hay, *Kantianism, Liberalism, and Feminism: Resisting Oppression*, 2013th edition (New York: Palgrave Macmillan, 2013); Carol Hay, “Resisting Oppression Revisited,” in *The Bloomsbury Companion to Analytic Feminism*, ed. Pieranna Garavaso, 1st ed., Bloomsbury Companions (London: Bloomsbury Academic, 2018), 483–506, <http://www.bloomsburycollections.com/book/the-bloomsbury-companion-to-analytic-feminism/ch24-resisting-oppression-revisited/>.

<sup>130</sup> Ashwini Vasanthakumar, “Epistemic Privilege and Victims’ Duties to Resist Their Oppression,” *Journal of Applied Philosophy* 35, no. 3 (2016): 465–80, <https://doi.org/10.1111/japp.12255>; Ashwini Vasanthakumar,

concerns but on the duty to assist other victims. According to Vasanthakumar (2016), victims of oppression are epistemically privileged when it comes to understanding their oppression. This privilege, in turn, grounds their unique duty to assist.

Rosa Terlazzo (2020) develops an interesting account of the oppressed's duties which is motivated not by "the urgent aim of ending or mitigating the harm that oppression imposes on the oppressed."<sup>131</sup> Terlazzo (2020), in particular, is concerned with unfairly demanding too much of victims. Thus, like Hay (2018), Terlazzo allows for a lot of flexibility in how victims resist their oppression. All that is required is that they act "non-normatively" so that new ways of self-expression become available to their fellow victims.<sup>132</sup>

Ekow Yankah (2019) and Zsolt Kapelner (2021), on the other hand, emphasize the role of privileged groups' duties to combat oppression.<sup>133</sup> According to Yankah (2019), oppression is carried out, either explicitly or implicitly, in the name of the privileged. This, among other reasons, grounds the privileged's duty to combat oppression.<sup>134</sup> Kapelner (2021), on the other hand, agrees that the privileged have unique duties to combat oppression. However, Kapelner (2021) eschews traditional routes of explaining this duty, namely by

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"Recent Debates on Victims' Duties to Resist Their Oppression," *Philosophy Compass* 15, no. 2 (January 2020), <https://doi.org/10.1111/phc3.12648>.

<sup>131</sup> Rosa Terlazzo, "(When) Do Victims Have Duties to Resist Oppression?," *Social Theory and Practice* 46, no. 2 (2020): 391–416, <https://doi.org/10.5840/soctheorpract20204690>.

<sup>132</sup> Terlazzo.

<sup>133</sup> Ekow Yankah, "Whose Burden to Bear? Privilege, Lawbreaking and Race," *Criminal Law and Philosophy*, August 9, 2019, <https://doi.org/10.1007/s11572-019-09503-x>; Zsolt Kapelner, "Structural Injustice and the Duties of the Privileged," *Social Theory and Practice* 47, no. 2 (2021): 247–64, <https://doi.org/10.5840/soctheorpract202148120>.

<sup>134</sup> Yankah, "Whose Burden to Bear?"

rejecting the “reparation account” and the “restitution account.” Instead, he grounds this duty by developing his “domination account.” According to Kapelner, the privileged always pose a threat of domination to the oppressed in virtue of being privileged. This constant threat, in turn, grounds duties to combat oppression.<sup>135</sup>

While all these accounts are interesting, none make the philosophical nuances of collective responsibility central. As we saw earlier, most philosophers who make collective responsibility central are not concerned with oppression. Thus, my project, which seeks to develop an account of collective responsibility for oppression, bridges these two literatures.

In responding to the moral-skeptic, I will argue that powerful organized collectives and privileged disorganized collectives are responsible for oppression, albeit they’re each responsible on different grounds. Some key features of my argument that set it apart from others are that: it does not do away with blame but instead embraces it; it is not individualistic or atomistic in the sense that an individual action discharges all obligations; it does not rely on intentions, but on benefit and other factors to ground responsibility; is both backward and forward-looking; implicates both powerful organized collectives and privileged disorganized collectives.

#### IV. Some Prominent Thinkers on Collective Responsibility

In this section, I discuss some of the most prominent thinkers of collective responsibility and their major contributions. As we will see, they tend to have general strategies

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<sup>135</sup> Kapelner, “Structural Injustice and the Duties of the Privileged.”

for dealing with the issues of collective responsibility. For one reason or another, though, I find that their views fail to capture something important.

One popular strategy is to argue that although disorganized collectives cannot be responsible, organized collectives can be. For instance, Virginia Held (1970) (2001) is one of the earliest proponents of collective responsibility.<sup>136</sup> Held (1970) famously argued that a random collection of individuals, such as a mob, may fail to meet many of the traditional conditions of moral agency. Nonetheless, the random collection of individuals can be held responsible for failing to organize themselves.

Other philosophers go further than Held and take a strong stance in arguing that institutions, such as corporations, can fulfill the conditions for moral agency. An early proponent of this move is Peter French (1984) (1998) (2020), who has repeatedly argued that corporations can be held responsible.<sup>137</sup> In particular, French (2020) argues that due to their internal structure, they fulfill the requirements for moderate reasons responsiveness, as detailed by Fischer and Ravizza (2000).<sup>138</sup> David Copp (1979) (1980) (1984) (2006) (2020) takes inspiration from Thomas Hobbes' *Leviathan* (1651) to argue that collectives can indeed

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<sup>136</sup> Virginia Held, "Can a Random Collection of Individuals Be Morally Responsible?," *The Journal of Philosophy* 67, no. 14 (July 23, 1970): 471, <https://doi.org/10.2307/2024108>; Virginia Held, "Group Responsibility for Ethnic Conflict," 2001, 22.

<sup>137</sup> Peter A. French, *Collective and Corporate Responsibility* (Columbia University Press, 1984), <https://doi.org/10.7312/fren90672>; Peter French, ed., *Individual and Collective Responsibility* (Schenkman Books, 1998); French, "Types of Collectives and Responsibility."

<sup>138</sup> Fischer and Ravizza, *Responsibility and Control*.

perform actions.<sup>139</sup><sup>140</sup> Furthermore, according to Copp (2020), there is nothing metaphysically or morally problematic in thinking that institutional entities, such as corporations, can have intentions and, therefore, moral obligations and responsibilities.

The shortcoming in these philosophers' accounts is that they only tell us how organized collectives can come to be responsible. However, we often do think that disorganized collectives can be held responsible when they share a particular trait. That is, Held, Copp, French, and others overlook what Katherine Richards (2018) identifies as "feature social groups."<sup>141</sup> In particular, I disagree with Held et al. when the relevant feature of the group is a *position* in society. The position in society I have in mind is being *privileged* in society. As I will argue later in Chapter 4, *privileged disorganized collectives* can have collective responsibility.

Yet another tactic in the collective responsibility literature is to rely on collective intentions. For instance, Margaret Gilbert (1992) (1997) (2000) (2006) (2014) takes

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<sup>139</sup> David Copp, "Collective Actions and Secondary Actions," *American Philosophical Quarterly* 16, no. 3 (1979): 177–86, <http://www.jstor.org/stable/20009757>; David Copp, "Hobbes on Artificial Persons and Collective Actions," *The Philosophical Review* 89, no. 4 (1980): 579–606, <https://doi.org/10.2307/2184737>; David Copp, "What Collectives Are: Agency, Individualism and Legal Theory," *Dialogue* 23, no. 2 (June 1984): 249–69, <https://doi.org/10.1017/S0012217300044899>; David Copp, "On the Agency of Certain Collective Entities: An Argument from 'Normative Autonomy,'" *Midwest Studies in Philosophy* 30, no. 1 (September 2006): 194–221, <https://doi.org/10.1111/j.1475-4975.2006.00135.x>; David Copp, "Collective Obligations and the Point of Morality," in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 94–112, <https://doi.org/10.4324/9781315107608-9>.

<sup>140</sup> Thomas Hobbes and Christopher Brooke, *Leviathan (1651)*, Penguin Classics (Harmondsworth, Meddlesex: Penguin Books, 2017).

<sup>141</sup> Richards, "Social Creationism and Social Groups."

inspiration from Emile Durkheim's (1895) theory of social facts.<sup>142</sup><sup>143</sup> Her text *On Social Facts* (1992) is foundational for the literature on collective responsibility, and in it, she develops a “plural-subject account.” This account is meant to highlight joint commitments that, to Gilbert, constitute a group intention. In turn, this group intention serves as the basis of collective responsibility. This group intention also makes her account strictly anti-individualistic. More recently, Gilbert and Maura Priest (2020) highlight how Gilbert’s joint-commitment account relates to collective blameworthiness and argue for the intelligibility of a member feeling guilt for what their group has done.<sup>144</sup>

Larry May (1985) (1987) (1994) (1996) (2006) (2010) also develops an account of group agency which arises out of “pre-reflective intentions.”<sup>145</sup> May (1987) clarifies that these intentions cannot be reduced to individual intentions. Pre-reflective intentions arise from the

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<sup>142</sup> Margaret Gilbert, *On Social Facts*, 1. Princeton paperback print (Princeton, NJ: Princeton Univ. Press, 1992); Margaret Gilbert, “Groups Wrongs and Guilt Feelings,” *The Journal of Ethics* 1, no. 1 (1997): 65–84, <https://doi.org/10.1023/A:1009712003678>; Margaret Gilbert, *Sociality and Responsibility: New Essays in Plural Subject Theory* (Lanham, Md: Rowman & Littlefield Publishers, 2000); Margaret Gilbert, “Who’s to Blame? Collective Moral Responsibility and Its Implications for Group Members,” *Midwest Studies in Philosophy* 30, no. 1 (September 2006): 94–114, <https://doi.org/10.1111/j.1475-4975.2006.00130.x>; Margaret Gilbert, *Joint Commitment: How We Make the Social World* (New York, NY: Oxford University Press, 2014).

<sup>143</sup> Emile Durkheim and Steven Lukes, *The Rules of Sociological Method (1895)*, 1st American ed (New York: Free Press, 1982).

<sup>144</sup> Margaret Gilbert and Maura Priest, “Collective Moral Responsibility and What Follows for Group Members,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 23–37, <https://doi.org/10.4324/9781315107608-4>.

<sup>145</sup> Marilyn A. Friedman and Larry May, “Harming Women as a Group,” *Social Theory and Practice* 11, no. 2 (1985): 207–34, <http://www.jstor.org/stable/23559757>; May, *The Morality of Groups*; May and Strikwerda, “Men in Groups,” 199; Larry May, *Sharing Responsibility* (Chicago: University of Chicago Press, 1996); Larry May, “State Aggression, Collective Liability, and Individual Mens Rea,” *Midwest Studies in Philosophy* 30, no. 1 (2006): 309–24; Larry May, *Genocide: A Normative Account* (Cambridge ; New York: Cambridge University Press, 2010).

relationships individuals in the collective have with each other.<sup>146</sup> Furthermore, May is one of the few that approaches collective responsibility through the lens of oppression. That is, May considers how groups may be responsible for oppression. In particular, May (1994) argues that men are collectively responsible for rape. According to May, what grounds this responsibility, at least partially, is that men benefit from rape.<sup>147</sup>

Raimo Tuomela (1989) (1991) (2005) (2006) (2016) (2020) dedicates much of their research to tackling the issue of group intentions.<sup>148</sup> Like Gilbert, Tuomela is interested in joint commitments and how they create what Tuomela calls “we intentions.” These we intentions rightfully belong to the group and cannot be reduced to individual intentions. Unlike Gilbert, however, Tuomela (1989) goes on to mention how “we intentions” *supervene* on the individual members in such a way that the “we intentions” are simultaneously embodied in and determined by individual members.<sup>149</sup> Seumas Miller (2001) (2005) (2006) (2018) (2020), like Gilbert and Tuomela, develops an account of responsibility that relies on joint

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<sup>146</sup> May, *The Morality of Groups*.

<sup>147</sup> May and Strikwerda, “Men in Groups.”

<sup>148</sup> Raimo Tuomela, “Actions by Collectives,” *Philosophical Perspectives* 3 (1989): 471–96, <https://doi.org/10.2307/2214278>; Raimo Tuomela, “We Will Do It: An Analysis of Group-Intentions,” *Philosophy and Phenomenological Research* 51, no. 2 (1991): 249–77, <https://doi.org/10.2307/2108127>; Raimo Tuomela, “We-Intentions Revisited,” *Philosophical Studies* 125, no. 3 (September 2005): 327–69, <https://doi.org/10.1007/s11098-005-7781-1>; Raimo Tuomela, “Joint Intention, We-Mode and I-Mode,” *Midwest Studies in Philosophy* 30, no. 1 (September 2006): 35–58, <https://doi.org/10.1111/j.1475-4975.2006.00127.x>; Raimo Tuomela, *Social Ontology: Collective Intentionality and Group Agents*, First issued as an Oxford University Press paperback, 2016 (Oxford New York: Oxford University Press, 2016); Raimo Tuomela and Pekka Mäkelä, “A We-Mode Account of Group Action and Group Responsibility,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 65–77, <https://doi.org/10.4324/9781315107608-7>.

<sup>149</sup> Tuomela, “Actions by Collectives.”



commitments.<sup>150</sup> He uses these joint commitments to develop what he calls a “joint moral responsibility” (JMR) account of collective responsibility. In particular, Miller (2020) highlights how JMR can help explain morally significant diachronic institutional action.<sup>151</sup>

I believe the accounts of Miller, Gilbert, Tuomela, and May will sometimes explain how a disorganized collective can come to be responsible via their intentions. But I do not believe they will explain all instances of disorganized collectives being responsible. Their scope is not wide enough, nor do I think we should expect them to be. Thinking otherwise would be to over-rely on intentionality to ground responsibility. As I argue in Chapter 4, I do not rely on intentionality but on *blood-money-benefits*. These are benefits one gains for being a member of a collective at the expense of another collective.

Linda Radzik (2001) relies on blood-money benefits when she develops her theory of collective responsibility. She argues that we must only show that an existing group benefits from a past injustice to hold them responsible for oppression. She refers to her theory as the *Blood Money Theory of Responsibility*.<sup>152</sup> She does mention, though, that her theory does not justify collective guilt, blaming members of the group (or the group itself), or punishing

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<sup>150</sup> Seumas Miller, “Collective Responsibility,” *Public Affairs Quarterly* 15, no. 1 (2001): 65–82, <http://www.jstor.org/stable/40441276>; Seumas Miller and Pekka Makela, “The Collectivist Approach to Collective Moral Responsibility,” *Metaphilosophy* 36, no. 5 (October 2005): 634–51, <https://doi.org/10.1111/j.1467-9973.2005.00397.x>; Seumas Miller, “Collective Moral Responsibility: An Individualist Account,” *Midwest Studies in Philosophy* 30, no. 1 (September 2006): 176–93, <https://doi.org/10.1111/j.1475-4975.2006.00134.x>; Seumas Miller, “Joint Epistemic Action: Some Applications,” *Journal of Applied Philosophy* 35, no. 2 (May 2018): 300–318, <https://doi.org/10.1111/japp.12197>; Miller, “Collective Moral Responsibility as Joint Moral Responsibility.”

<sup>151</sup> Miller, “Collective Moral Responsibility as Joint Moral Responsibility.”

<sup>152</sup> Radzik, “Collective Responsibility and Duties to Respond.”

them.<sup>153</sup> I believe this is a major shortcoming since, as I will argue in chapter 4, blame has (and should have) an important role to play in collective responsibility.

Finally, Kirk Ludwig (2007) (2016) (2017) (2020) argues against non-atomistic accounts of collective responsibility.<sup>154</sup> In particular, Ludwig (2020) takes issue with what he calls the Autonomy Thesis, the idea that “Groups may be morally responsible for harms (or benefits) without their members being morally responsible, either at all, or in the same way or to the same degree as the group.”<sup>155</sup> Ultimately, he argues for an individualist account of collective responsibility. According to Ludwig (2020), any claim of collective responsibility must be resolved by distributing all responsibility to individual group members, with none left over for the group *per se*.<sup>156</sup> My account of collective responsibility will distribute all forward-looking obligations to individual members and, in this sense, it can be said to be individualist. However, as I will argue, and Ludwig overlooks, this responsibility *can only* be discharged through collective effort, action, and collaboration. As such, agents will have responsibility as individual members *in a collective* to coordinate with other members in their collective.

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<sup>153</sup> Radzik.

<sup>154</sup> Kirk Ludwig, “The Argument from Normative Autonomy for Collective Agents,” *Journal of Social Philosophy* 38, no. 3 (September 2007): 410–27, <https://doi.org/10.1111/j.1467-9833.2007.00388.x>; Kirk Ludwig, *From Individual to Plural Agency*, First edition (Oxford, United Kingdom: Oxford Univ Press, 2016); Kirk Ludwig, “From Individual to Collective Responsibility,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 78–93, <https://doi.org/10.4324/9781315107608-8>; Ludwig.

<sup>155</sup> Ludwig, “From Individual to Collective Responsibility,” 78.

<sup>156</sup> Ludwig, “From Individual to Collective Responsibility.”

To sum up, some key features that will make my account of collective responsibility unique include:

- It does not do away with blame but instead embraces it
- It is individualistic in the sense that all responsibility is distributed to individuals
- It is also *not* individualistic in the sense that individual action cannot discharge all obligations to act, only collective action can
- It does not rely on intentions but on benefits and other factors to ground responsibility
- It is both backward and forward-looking
- It implicates both powerful organized collectives and privileged disorganized collectives.

## V. Elucidating the Moral-Skeptic's Position

In this section, I return to the moral-skeptic from chapter 1. From chapter 1, it is clear that the moral-skeptic is committed to moral individualism. This commitment makes the moral-skeptic object to collective state apologies and, ultimately, any practice invoking collective responsibility for oppression. However, now that we have laid out the key issues and reviewed the literature, we are better positioned to expand on the moral-skeptic's objections.

The moral skeptic's position can be divided into two parts. The first part argues that organized collectives cannot be responsible for oppression, while the second part argues that disorganized collectives cannot be responsible for oppression.

#### A. The Moral-Skeptic on Organized Collectives

Regarding organized collectives, the moral-skeptic objections to the notion of collective

responsibility with four broad arguments. The moral-skeptic's first argument implicates backward-looking responsibility, and it consists of 1) denying that oppression is traceable to organized collectives. The skeptic's second argument claims that 2) in an ideal world, society would be committed to moral-individualism, so we in our non-ideal world should be too.

The moral-skeptic might add that even if collectives could fulfill the conditions for moral agency, 3) holding organized collectives responsible for oppression is ineffective, and 4) too demanding. In other words, they might argue that holding organized collectives responsible would not work out in terms of forward-looking responsibility.

##### i) Traceability

To begin, we have 1) the problem of traceability, or, as Michael Davis calls it, the Problem of Many Hands.<sup>157</sup> That is, regardless of whether we live in an ideal or non-ideal world, wrongs such as oppression are so complicated, intricate, and involve countless agents.

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<sup>157</sup> Davis, "Ain't No One Here But Us Social Forces."

As such, the origin, history, location, and applications of such wrongs cannot be verified via recorded documents, testimony, or other means, in such a way that they implicate particular agents.

Notice that this challenge focuses on backward-looking responsibility. The moral-skeptic looks to past oppression and argues that it cannot be attributed to a collective since it is not traceable to the collective.

ii) Appealing to Ideal Theory

Turning to 2), let us briefly describe ideal theory. Ideal theory concerns itself with discovering and applying principles of justice for what Rawls (1971) calls “well-ordered societ(ies), [those] effectively regulated by a shared conception of justice” where “there is also a public understanding as to what is just and unjust.”<sup>158</sup> This is contrasted with *non-ideal theory*, which, as Zack (2018) writes, are “theories of justice for nonideal societies that seek to bring them closer to ideal societies.”<sup>159</sup> Of course, what is unique to ideal theory is *not* that it uses an ideal of justice as a normative standard — non-ideal theory also does this. Instead, what is unique to ideal theory is, as Charles Mills (2005) writes, is “the reliance on idealization to the exclusion, or at least marginalization, of the actual... ideal theory either tacitly represents the

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<sup>158</sup> John Rawls, *A Theory of Justice*. 1971, Reissue edition (Cambridge, Mass: Belknap Press, 2005), 56.

<sup>159</sup> Naomi Zack, *Philosophy of Race: An Introduction*, Palgrave Philosophy Today (Cham: Palgrave Macmillan, 2018), 214.

actual as a simple deviation from the ideal, not worth theorizing in its own right, or claims that starting from the ideal is at least the best way of realizing it.”<sup>160</sup>

From this reliance on idealization, ideal theory makes several assumptions about what an ideal world looks like. It assumes, for instance, an idealized social ontology in which *only* equal atomic individuals exist – collectives, disorganized or otherwise, do not exist. The moral-skeptic then claims that we should emulate this ideal world as much as possible.

In other words, the moral-skeptic might admit that many of our moral practices do indeed invoke collective responsibility. Nonetheless, we should still reject these practices instead of dispensing with moral individualism. The moral-skeptic’s grounds for doing so would be that group membership is irrelevant to moral responsibility in an ideal world, and we should emulate this hypothetical ideal world as much as possible. This is all done as a way of “course-correcting” our society away from non-ideal practices.

### iii) Effectiveness & Demandingness

One could argue that we could ignore the backward-looking concerns of the moral-skeptic. However, holding organized collectives responsible would still not work out practically. In other words, it would not work out in terms of forward-looking responsibility.

For instance, Young (2011) has famously argued that 3) holding only collectives responsible for oppression is not effective. By effective, the moral-skeptic means the ability to

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<sup>160</sup> Charles W. Mills, “Ideal Theory’ as Ideology,” *Hypatia* 20, no. 3 (2005): 168, <https://doi.org/10.1111/j.1527-2001.2005.tb00493.x>.

bring about significant change. Taking the example of sweatshops, for instance, Young (2011) argues that even they are subject to structural constraints, limiting how much change they can bring about.<sup>161</sup> Zheng (2018) likewise argues the structural constraints of collectives, even the most powerful ones.<sup>162</sup>

However, even if collectives could bring about significant change, holding them accountable would not be enforceable, according to the moral-skeptic. We would not be able to enforce holding them responsible for oppression because they would escape their obligations by shirking responsibility.

Responsibility-shirking occurs when an agent escapes responsibility by appealing to any number of social forces. This appeal is made to create moral distance between oneself and oppression and ultimately excuse oneself from responsibility. When it comes to discussions of structural injustice, one of the most common social forces to appeal to are structural constraints.

Note that responsibility-shirking can be done in good faith when an agent truly believes they should not be held responsible. It can potentially create justified excuses. An agent can also abuse responsibility-shirking, engaging in it even when the agent believes they are actually responsible. This can result in unjustified but persuasive excuses done for simply

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<sup>161</sup> Young, *Responsibility for Justice*.

<sup>162</sup> Zheng, "What Is My Role in Changing the System?"

“getting off the hook.” When the agent successfully shirks responsibility, the public views it as unfair when an enforcing agency holds the agent responsible.

It should be noted that responsibility-shirking is a common topic of discussion in the literature of *professional responsibility*. Regarding engineers, in particular, William Lynch (2000) tells us:

Most engineers operate in an environment where their capacity to make decisions is constrained by the corporate or organizational culture in which they work. Engineers are rarely free to design technologies apart from cost and schedule pressures imposed by a corporate hierarchy, a government agency concerned with its image, or market pressures.<sup>163</sup>

As Michael Davis (2012) correctly points out, the purpose of this argument is to exonerate engineers from responsibility. It attempts to claim that:

The engineers are causal factors but (the argument runs) the organization so hems them in that they are not free enough to be faulty causes. The engineer who prepares a plan for a project is not responsible for it because she could have prepared no other. She had “no choice.”<sup>164</sup>

According to the moral-skeptic, this type of responsibility-shirking would be available to collectives, even the most powerful collectives, if we tried to hold them responsible for oppression. That is, collectives could responsibility-shirk to justifiably (and unjustifiably) excuse themselves from combatting oppression. The result would be that so many collectives

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<sup>163</sup> William T. Lynch and Ronald Kline, “Engineering Practice and Engineering Ethics,” *Science, Technology, & Human Values* 25, no. 2 (April 2000): 195–225, <https://doi.org/10.1177/016224390002500203>.

<sup>164</sup> Davis, “Ain’t No One Here But Us Social Forces,” 32.



would escape responsibility that it would no longer be effective even to try holding them responsible

A related concern to all this talk of (in)effectiveness is that asking these organized collectives to combat oppression can be tantamount to asking them to lose profits, risk going out of business, or be destroyed by the pressure of structural constraints. In other words, 4) it would be too *demanding* on collectives to hold them responsible for oppression when they may have to pay hefty prices for challenging the status quo.

#### B. The Moral-Skeptic on Disorganized Collectives

The moral-skeptic would also argue against the idea that disorganized collectives are responsible for oppression, albeit they rely on three different arguments. The first argument implicates backward-looking responsibility and consists of 1) intentionality, insisting that all action begins with an intention and an intention requires a mind. The second argument is 2) the membership problem and it is largely a practical problem that concerns forward-looking responsibility. Finally, the last argument is largely backward-looking and concerns 3) a control condition. One can also build on the control condition towards some forward-looking concerns regarding ability.

##### i) Intentionality

Elaborating on 1) now, the moral-skeptic might insist that all meaningful moral action begins with an intention, which in turn must be traced back to a mind. While organized

collectives can arguably have intentions through their governing boards, group manifestos, or joint-moral commitments, disorganized groups cannot say the same. In other words, it is unlikely that a collective intention or collective mind existed in the past when injustice or oppression occurred.

Furthermore, the moral-skeptic would also argue that it is unlikely a collective intention, much less a collective mind, can be created in the future, given the variety of opinions and values in a disorganized collective. The members of a disorganized collective do not have any group manifestos, for instance, from which they can create joint-moral commitments. As such, backward looking-responsibility and the blame associated with it would not be apt for disorganized collectives.

#### ii) The Membership Problem

Elaborating on 2) the membership problem is namely that it is difficult to ascertain who belongs to the collective since it has no explicit initiation procedures. As such, the moral-skeptic will argue that it will ultimately become arbitrary who counts as a member and is held responsible for a past wrong. This membership problem is largely a practical problem, a problem with distributing obligations and ascertaining who ought to do what in the future. As such, it concerns forward-looking responsibility.

### iii) The Control Condition

Furthermore, and perhaps most importantly, the skeptic will argue 3) that disorganized collectives do not fulfill any meaningful control condition to be held responsible. That is, any one member of a disorganized collective does not have significant influence over past oppression that another member of their collective committed. To think otherwise would proverbially blame the son for the father's sins. Nor would any one member have significant control over other members of their collective who continue to participate in oppression. It does not help to aggregate the influence of all individual members in the disorganized collective. Just as organized collectives are subject to structural constraints, so are disorganized collectives.

In these situations, there is something about the agent, namely their lack of control, that makes blaming them not apt. As such, the problem of the control condition is largely backward-looking.

One can, however, build on the notion of the control condition in order to argue that no single individual has (or will have) the ability to control their collective. As such, saddling any individual with the responsibility to remedy a situation or combat oppression would be ineffective. In this way, concerns over the control condition can overlap with forward-looking concerns about effectiveness.

## VI. Concluding Remark

This chapter is meant to take stock of the key issues and history of collective responsibility. More importantly, it is meant to elucidate the moral-skeptic's position. While it is clear from chapter 1 that they are committed to moral-individualism, we have now strengthened their position by informing it with the current literature.

The moral-skeptic argues that organized and disorganized collectives cannot be held responsible for oppression. Moreover, they argue that they cannot be held responsible in either a backward or forward-looking sense.

In chapter 3, I argue that powerful organized collectives can be held responsible for oppression. I develop a model of responsibility called Pluralistic Collective Responsibility (PCR) which is both backward and forward-looking. PCR holds powerful organized collectives responsible in a backward-looking sense and goes some way in holding them responsible in a forward-looking sense. The second part of chapter 3 cements the forward-looking responsibility of powerful organized collectives by responding to the moral-skeptic's arguments concerning effectiveness and demandingness.

In chapter 4, I argue that disorganized collectives can also be held responsible for oppression. Chapter 4 begins by responding to the membership problem before moving on to the moral-skeptic's concerns regarding collective intentionality and a control condition. In particular, chapter 4 relies on what I call *blood money benefits* to respond to many of the moral-skeptic's arguments.

Now we know the relevance of collective responsibility for oppression in our daily practices from chapter 1 and have reviewed the literature and theoretical objections against it in chapter 2. Let us now begin seeing how collective responsibility for oppression is possible in chapters 3 and 4.

## Chapter 3

### Pluralistic Collective Responsibility and Powerful Organized Collectives

Chapter Thesis – Powerful collectives, such as governments or corporations, are responsible for oppression, and this can be seen once we utilize the notion of pluralistic collective responsibility (PCR).

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## I. Introduction

I ended chapter 1 by responding to the moral-cynic and moral-skeptic. They argued that collective state apologies cannot be morally legitimate, and I replied that the moral-cynic makes the mistake of conflating sincerity with moral legitimacy. At the same time, the moral-skeptic relies on moral individualism, which we should reject. Lastly, we elucidated and strengthened the moral-skeptic's position in chapter 2.

While my response to the moral-cynic is satisfactory, my response to the moral-skeptic is not. This chapter argues that powerful organized collectives can be held responsible for oppression by responding to the moral-skeptic's arguments. I do this by developing my account of Pluralistic Collective Responsibility (PCR) and responding to the moral-skeptics arguments from chapter 2, section VA.

PCR will incorporate different conceptions of responsibility, including responsibility-as: -causation, -attributability, -accountability, -remedy, -ability, and -office. Many of these conceptions can, in turn, be categorized as primarily backward-looking or forward-looking. As mentioned in chapter 2, primarily backward-looking accounts are concerned with discovering which agents have committed a moral wrong. In contrast, primarily forward-looking accounts are concerned with attaining a desirable state of affairs.<sup>165</sup> No one conception of responsibility can do what we might reasonably ask of it, so a balance between them must be struck. This

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<sup>165</sup> For more on the relationship between backward and forward-looking accounts of responsibility see van de Poel, "The Relation Between Forward-Looking and Backward-Looking Responsibility."



balance must also be struck in such a way that it leaves the door open for agents to be blameworthy. That is, my account must not make it impossible for agents to be blameworthy from the outset. If it were impossible from the outset, many of our practices that invoke collective blameworthiness, including collective state apologies, would be unjustified.

I begin section II by developing PCR. I argue that a compromise must be struck between forward-looking and backward-looking aspects of responsibility. I also utilize a relational account of oppression. Ultimately, I argue that under PCR, powerful organized collectives are responsible for oppression.

In section III, I respond to the moral-skeptic's arguments for holding organized collectives responsible. In particular, I consider their argument that implicates backward-looking responsibility, namely their argument that oppression is not traceable to organized collectives.

In section IV, I defend my account from the moral-skeptic's forward-looking arguments found in chapter 2, section VA. These objections are namely that a collective approach to oppression, such as mine, is ineffective and overdemanding. I also criticize structural approaches to oppression, that is, approaches that focus on structures instead of collectives. Structural approaches include Iris Marion Young's *social connection model*, and they have a problem with *responsibility-shirking*. Responsibility-shirking, as its name implies, is avoiding one's responsibility. Responsibility-shirking is less of a problem for *collective*

*approaches* since powerful collectives cannot plausibly argue that they lack transformative power.

In section V, I respond to the moral-skeptic's argument that society would not practice collective responsibility in an ideal world, so neither should we in our non-ideal world. I first point out that this argument might be motivated by hyperindividualism. Furthermore, simply emulating a hypothetical ideal society is not the best path towards justice, as it may ignore obstacles in our non-ideal reality.

At the end of this chapter, I will have used my account of *pluralistic collective responsibility* to respond to all of the moral-skeptic's arguments from chapter 2, section VA. More importantly, I will have demonstrated that under PCR, *organized* powerful collectives, that is, collectives that have defined decision procedures and a designated governing body (e.g. corporations, governments), are responsible for oppression.<sup>166</sup> If these collectives fail in their responsibility, they are blameworthy. I will not, however, have shown how powerful *disorganized* collectives might be responsible for oppression. These include collectives grouped by race, class, and gender. In chapter 3, I argue that *Blood Money Benefits* makes these disorganized collectives responsible for oppression as well.

## II. Pluralistic Collective Responsibility

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<sup>166</sup> The distinction between well-organized collectives, disorganized collectives, and their relationship to moral responsibility can be traced back to Held, "Can a Random Collection of Individuals Be Morally Responsible?"

In this section, I develop my account of responsibility, *pluralistic collective responsibility* (hereafter PCR). As its name suggests, this account is pluralistic and collective. It is pluralistic in that it strikes a balance between different conceptions of responsibility, particularly between backward and forward-looking meanings of responsibility. However, it is also collective in that it holds powerful collectives responsible for addressing oppression. I begin by identifying six meanings of responsibility that constitute PCR and how these six can, in turn, be identified as primarily backward or forward-looking. Afterward, I argue for my account of oppression and how it is necessarily relational. That is, it entails a privileged collective.

The main argument of this section is that PCR identifies powerful collectives as responsible for oppression. It does this by asking, “which agent can plausibly be held responsible for oppression under all (or most) of PCR’s six meanings?” and then distributing responsibility accordingly.

#### A. Six Meanings of Responsibility

As mentioned in chapter 2, philosophers have identified several different meanings of responsibility. These philosophers include H.L.A. Hart (1968),<sup>167</sup> John Ladd

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<sup>167</sup> Hart, *Punishment and Responsibility*.

(1982),<sup>168</sup> Arthur Kuflik (1999),<sup>169</sup> Gary Watson (1996),<sup>170</sup> Michael Davis (2012),<sup>171</sup> Ibo van de Poel (2011),<sup>172</sup> and David Shoemaker (2011, 2015).<sup>173</sup>

I follow these philosophers' steps and identify the most used and important meanings of responsibility in the literature. These are:

- 1) Responsibility-as-cause: As in, the hurricane is responsible for all the property damage.
- 2) Responsibility-as-attributability: As in, he is responsible for his actions since his actions reflect on his character, values, or identity.
- 3) Responsibility-as-accountability: As in, we are holding him responsible for his actions, and he is responsible for them in the ways that predominantly characterize moral blame.<sup>174</sup>

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<sup>168</sup> Ladd, "Philosophical Remarks on Professional Responsibility in Organization."

<sup>169</sup> Kuflik, "Computers in Control: Rational Transfer of Authority or Irresponsible Abdication of Autonomy," 1740175.

<sup>170</sup> Attributability, as its name suggests, consists of attributing an action to an agent. This attributing tells us something morally significant about the agent (who they are, their moral character, values, vices, virtues, etc.). However, Watson believes there is more to responsibility than mere attribution, responsibility "is not just a matter of the relation of an individual to her behavior." In our practices of holding people responsible, we also "demand (require) certain conduct from one another and respond adversely to one another's failures to comply with these demands." These moral demands are part of what Watson refers to as *accountability*. To hold them accountable might be to view them as appropriate targets of blame and praise. They can be blameworthy, punished, or rewarded, Watson, "Two Faces of Responsibility."

<sup>171</sup> Davis, "'Ain't No One Here But Us Social Forces,'" 14–15.

<sup>172</sup> van de Poel, "The Relation Between Forward-Looking and Backward-Looking Responsibility."

<sup>173</sup> Shoemaker, "Attributability, Answerability, and Accountability"; Shoemaker, *Responsibility From the Margins*.

<sup>174</sup> According to Gary Watson, "Holding responsible' can be taken as equivalent to 'holding accountable'...

- 4) Responsibility-as-remedy: As in, he is responsible for remedying the situation or paying compensation. This responsibility includes legal liability or responsibility-as-liability.
- 5) Responsibility-as-ability: As in, he is responsible since he is the one who has the requisite capacities.
- 6) Responsibility-as-office: As in, he is responsible since he is the one who has been tasked with obligations to act.

As a qualification, it is important to note that while 1) – 6) are theoretically distinct (i.e., they can be identified as separate meanings of responsibility), they often overlap in practice. For instance, it is often the case that we demand an agent account for some event precisely because they were the cause of said event – I must explain why my spouse’s cheese puffs disappeared since I am the one who ate them. Also, one is likely obligated to remedy the situation by being liable to pay damages. To continue with the cheese puff example, I must remedy the situation by promising never again to eat my spouse’s cheese puffs without her permission. I would also buy her a new bag of cheese puffs immediately. Lastly, being tasked with obligations to act often also gives one the capacities to act, especially in official government positions. For instance, we task a school

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Holding people responsible involves a readiness to respond to them in certain ways.” That is to say, there is something about the moral agent that allows us to make certain demands of them. If they do not meet these demands, then they are open to certain adverse treatments, which includes blame. Watson calls these adverse treatments “sanctions,” “Holding accountable thus involves the idea of liability to sanctions.” Watson, “Two Faces of Responsibility,” 235–37.

principal to keep students safe and healthy and thus give them the power to ban cheese-puffs from school vending machines. I am sure there are many other ways these different meanings interact, but what is important to note now is that one cannot neatly separate one from the rest in practice. Our practices regarding responsibility are messy — they often cannot invoke one meaning of responsibility without invoking others.

An objection at this point comes from John Ladd (1982), who argues that not all six of these meanings are relevant to discussions of moral responsibility. Ladd, speaks of professional responsibility in particular, but his point can be generalized to moral responsibility in general:

The word "responsibility" is itself a weasel word: it has a number of different meanings and consequently ascriptions of responsibility have a number of different implications and consequences, many of them inconsistent with each other. As a result, talk about professional responsibility lends itself to *demagogic* use as much as it does to other more *morally respectable* uses.<sup>175</sup> [emphasis added]

I agree with Ladd that responsibility has several different meanings, which can lead to confusion. Furthermore, as Ladd correctly points out, many might abuse the different meanings of responsibility as a way of obfuscating and escaping obligations.<sup>176</sup> Ladd continues by privileging one meaning of responsibility, namely what I have identified as responsibility-as-ability:

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<sup>175</sup> Ladd, "Philosophical Remarks on Professional Responsibility in Organization," 58.

<sup>176</sup> Ladd, 65.

Moral responsibility may be broadly described as the concern of people for people... one of the principal factors that creates moral responsibilities for one person rather than another is a difference of power, which usually consists of superior knowledge and ability to affect outcomes. For that reason, the more power a person or a group has, the greater are the accompanying responsibilities... the narrow, limited concepts of responsibility usually used in discussions of responsibility should be replaced by a broader unlimited concept of moral responsibility, one that makes everyone who is in the slightest degree able to do something about it morally responsible for safety, for everyone's safety.<sup>177</sup>

Ladd hopes that his meaning of responsibility will be broad enough to encompass all other meanings. However, it is not clear that this is possible. For instance, Ladd himself acknowledges that much of the confusion regarding the different meanings of responsibility stems from some of them being more common to discussions of *legal* responsibility than moral responsibility (e.g., responsibility-as-liability). In response, Ladd creates a sharp distinction between legal and moral responsibility and privileges moral responsibility over legal responsibility. This is a mistake.

I, instead, agree with Michael Davis (2012) when he mentions:

While I do not think moral responsibility and legal responsibility necessarily mirror each other, I see no reason to suppose that the term “responsibility” in morality has a special meaning that cannot be incorporated into law—or that “responsibility” in law has a special meaning not to be found in morality. The difference has certainly not been established.<sup>178</sup>

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<sup>177</sup> Ladd, 67–69.

<sup>178</sup> Davis, “Ain’t No One Here But Us Social Forces,” 17.

As mentioned before, in practice, different meanings of responsibility often overlap and are simultaneously invoked. As a result, it will often be the case that we use legal and moral meanings of responsibility simultaneously. Furthermore, I am hesitant to categorize different meanings of responsibility, as Ladd (1982) does in the passages above. Ladd creates a dichotomy between *broad, morally respectable* meanings of responsibility and *narrow, demagogic* meanings. This dichotomy, I suspect, is not useful. Some agents might indeed be using different meanings of responsibility as a means of escaping responsibility (e.g., “I’m not responsible for the factory accident! I am not the one who caused it since I didn’t operate the machinery!”). That is, they might conflate different meanings of responsibility in order to responsibility-shirk. However, simply replying to these folks that they are using the wrong meaning of responsibility (e.g., “That doesn’t matter — you’re the supervisor and therefore you’re responsible”) might ignore many of the legitimate concerns those folks might have. A more insightful reply would be to mention that while they may not be a bearer of responsibility under one meaning, they qualify under a different meaning (e.g., “While you were not causally responsible, the power and office you hold still place some obligations on you.”)

Furthermore, to insist that one meaning of moral responsibility is the *true* or privileged meaning of responsibility runs into two other problems. First, different philosophers have already argued that different meanings of responsibility can be unified



under a single overarching meaning. These philosophers, among others, include Ladd (1982), R.J. Wallace (1998),<sup>179</sup> and George Sher (2009).<sup>180</sup> Unsurprisingly, their accounts disagree on what the unifying meaning of responsibility actually is. Instead of arguing that one or more of these thinkers are mistaken, I instead insist that they each highlight an important aspect of our responsibility practices, practices that evolve. I agree with Derk Pereboom (2017) when he applies the notion of Wittgensteinian (1953) “family resemblance” to responsibility. Pereboom writes:

Even if a referring term with such a history originally had just one specific referent, over time it is apt to be applied to similar but distinct referents, thereby acquiring different senses. The terms “moral responsibility” and “blame” plausibly have this profile. Ludwig Wittgenstein famously makes the general point with the example of “game.” There is a family resemblance among the referents of this word, but these referents do not exhibit a relatively simple, non-disjunctive necessary and sufficient condition for class membership, and the word may therefore have multiple senses.<sup>181</sup>

Ultimately, in situations where our practices do not correspond with our philosophical ideas, we must revise either our practices or ideas. Revising our ideas here seems the best

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<sup>179</sup> Wallace argues that moral responsibility’s unified meaning is that the wrongdoer is the appropriate target or *reactive attitudes*. Wallace, *Responsibility and the Moral Sentiments*.

<sup>180</sup> For Sher, moral responsibility’s unified meaning incorporates both attributionism and volitionism. As he states “what renders an unwitting wrongdoer or foolish agent responsible is the causal connection that obtains between his failure to realize what he should realize and the psychological and physical features that make him the person he is. The proposal therefore presupposes that responsible agents are in fact constituted by constellations of features that are capable of causing the relevant cognitive failures... On the view that emerges, an agent’s constitutive features are precisely those whose causal interaction sustains his capacities to reach judgments about reasons and to make conscious choices based on them. George Sher, *Who Knew? Responsibility Without Awareness* (New York: Oxford University Press, 2009).

<sup>181</sup> Derk Pereboom, *Responsibility, Regret, and Protest*, vol. 1 (Oxford University Press, 2017), <https://doi.org/10.1093/oso/9780198805601.003.0007>.

option since I doubt that we can collapse responsibility into one meaning without overlooking important moral practices.

## B. Categorizing Into Backward and Forward-Looking Responsibility

With this said, my account of responsibility, PCR, will strike a balance between its six meanings. This balance is struck by first noting that we can categorize all six meanings as *forward-looking* or *backward-looking* meanings of responsibility.<sup>182</sup> We should not prioritize forward-looking responsibility at the expense of backward-looking responsibility, or vice-versa, since doing so ignores that all six meanings in PCR have forward and backward-looking aspects and runs into fairness issues.<sup>183</sup> I continue by discussing backward and forward-looking responsibility and how we can categorize the six meanings of PCR as primarily one or the other.

As a reminder from chapter 2, backward-looking responsibility looks to the past as its name implies. It is often an investigation of which agent(s) committed a moral wrong or brought about a poor state of affairs. Once those agents are discovered, holding

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<sup>182</sup> For more on the relationship between backward and forward-looking accounts of responsibility see van de Poel, “The Relation Between Forward-Looking and Backward-Looking Responsibility.”

<sup>183</sup> Marion Smiley has an excellent discussion on how *future-looking collective responsibility* must take issues of fairness into account, but that philosophers disagree on what exactly fairness consists in. Marion Smiley, “Future-Looking Collective Responsibility: A Preliminary Analysis: Future-Looking Collective Responsibility,” *Midwest Studies In Philosophy* 38, no. 1 (September 2014): 1–11, <https://doi.org/10.1111/misp.12012>.

them responsible usually entails blameworthiness or other sanctions. Forward-looking responsibility, on the other hand, as its name also implies, looks to the future. Its concern is holding agents responsible for bringing about an ideal or improved state of affairs, regardless of whether they are causally responsible for the current poor state of affairs.

As mentioned, 1) – 6) can be categorized as *primarily* backward or forward-looking. I say “primarily” instead of “wholly” since most of these different meanings often have both forward and backward-looking elements that one cannot disentangle from each other.

Let us, for instance, look at meanings of responsibility that are primarily forward-looking. To begin, responsibility-as-remedy is nearly synonymous with forward-looking responsibility. They only differ in that “remedy” implies a situation that needs to be set right due to it previously being wronged. Forward-looking responsibility does not mean that the current situation needs fixing — the situation might be decent, albeit not ideal. It merely requires that some agents be responsible for improving the situation.

Similarly, responsibility-as-office and responsibility-as-ability are primarily forward-looking in that an agent is obligated to act sometime in the future in virtue of their office or power. Nonetheless, we must often look to the past to see how the said agent came to have office and power. Looking to the past affects the obligations they may

be saddled with (e.g., an official who came into power by rigging the election might have a duty to step down). Furthermore, and rather unfortunately, as Thomas Pogge (2008; 2011) and Solomon R. Benatar (2003) have correctly argued elsewhere, on a global scale, what we will often find is that agents hold office and power in part due to shameful legacies of historical injustice. These include those legacies of colonialism, slavery, and imperialism. When these shameful legacies are coupled with unfair international markets, the result is that injustice empowers agents in affluent countries, both those in and outside political office.<sup>184</sup>

Responsibility-as-accountability seems to be equally forward-looking as it is backward-looking, at least in the case of wrongdoing. We might ask an agent to explain their wrongdoing either now or sometime in the future. This is what it means to “be accountable *to a person*,” namely that said person (the accountee) can oblige the agent (the accouter) to explain their actions and provide reasons for them (i.e., an *account*). Of course, the accountee usually only demands an account when wrongdoing occurs. Furthermore, if said explanation fails, the accountee would be warranted in sanctioning the agent with blame, punishment, etc.

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<sup>184</sup> Thomas Winfried Menko Pogge, *World Poverty and Human Rights*, 2nd ed (Cambridge: Polity, 2008); Thomas Pogge, “The Health Impact Fund: How to Make New Medicines Accessible to All,” in *Global Health and Global Health Ethics*, ed. Solomon Benatar and Gillian Brock (Cambridge: Cambridge University Press, 2011), 241–50, <https://doi.org/10.1017/CBO9780511984792.021>; Solomon R. Benatar, Abdallah S. Daar, and Peter A. Singer, “Global Health Ethics: The Rationale for Mutual Caring,” *International Affairs* 79, no. 1 (January 2003): 107–38, <https://doi.org/10.1111/1468-2346.00298>.

On the other hand, responsibility-as-attributability, and cause are primarily backward-looking. Responsibility-as-attributability looks to past actions and how they are reflective of an agents' character. Looking to the past does not necessarily entail blame in the present or future, however. Take, for instance, the case of an addict who frequently hurts those around him. His actions might not be under his control because of his addiction. Thus, we may not sanction him.<sup>185</sup><sup>186</sup> However, we might take his destructive behavior as grounds for modifying our relationship with him moving forward. As for responsibility-as-liability, it looks to past wrongs that require redress. As Iris-Marion Young (2011) mentions, it is very much concerned with allocating blame to agents for said past wrongs.<sup>187</sup> Nonetheless, it cannot be wholly backward-looking as damages must be paid sometime in the future.

Perhaps it is only responsibility-as-cause that we can describe as wholly backward-looking. Take cases where forces of nature, such as hurricanes, are responsible for devastating property damage. This meaning of responsibility looks only to the past, and

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<sup>185</sup> See, for instance Harry Frankfurt's discussion on the *willing addict* and the *unwilling addict*. While both have a *first-order* desire to take the substance, the unwilling addict has a higher, *second-order*, desire to not actually take it while the willing addict has a second-order desire to take it. In the case of unwilling addict, their first-order desire might overpower their higher desires in such a way that the addict is "helplessly violated by his own desires." This in turn might affect our ascriptions of responsibility. Harry G. Frankfurt, "Freedom of the Will and the Concept of a Person," *The Journal of Philosophy* 68, no. 1 (January 14, 1971): 5, <https://doi.org/10.2307/2024717>.

<sup>186</sup> For a recent discussion on this see also Chandra Sripada, "Frankfurt's Unwilling and Willing Addicts," *Mind* 126, no. 503 (July 2017): 781–815, <https://doi.org/10.1093/mind/fzw013>.

<sup>187</sup> Young, *Responsibility for Justice*. As we will see later, this concern with placing blame is one of the reasons Young thinks responsibility-as-liability cannot be applied to structural injustice.

perhaps this is why philosophers have traditionally excluded it from conversations of moral responsibility.<sup>188</sup> Nonetheless, responsibility-as-cause is often invoked alongside responsibility-as-ability in many of our practices (e.g., “He is responsible for my broken vase since he is the one who smashed it and had the capacities qua rational agent to do otherwise”). Insofar as this is the case, responsibility-as-cause will often implicate the future, albeit indirectly.

### C. What is Oppression?

So far, I have spent the previous two subsections developing an account of pluralistic collective responsibility (PCR). One can use PCR to answer who is responsible for several different phenomena (e.g., climate change, a poor economy, falling education standards). However, the purpose of this chapter is specifically to ask who is responsible for *oppression*. Thus, I provide and defend a relational account of oppression in this subsection.

In my relational account, oppression involves:

- a) Structural processes that

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<sup>188</sup> Kuflik, for instance, says that responsibility-as-cause is a “morally-thin notion of responsibility.” For Kuflik, for someone to have responsibility-as-cause is “to say no more than that it (1) is the proximate cause of the decision’s being made (cf. “the hurricane-force winds are responsible for the felling of the old oak tree”) or that it (2) plays a certain role in a functional system (cf. “decomposing bacteria are responsible for the recycling of nitrogen in a forest ecosystem”, “the heart is responsible for pumping blood through the circulatory system of a human being”). Kuflik, “Computers in Control: Rational Transfer of Authority or Irresponsible Abdication of Autonomy,” 174.

- b) significantly and systematically constrain the life and opportunities
- c) of some collective (i.e., the oppressed) along some dimension of their life (e.g., politically, socially, financially, psychologically, etc.)
- d) relative to another privileged collective that is not constrained by said processes.

It is worth noting that Iris Marion Young (1990),<sup>189</sup> Titus Stahl (2017),<sup>190</sup> and Rosa Terlazzo (2020)<sup>191</sup> also operate with a similar relational account.

A relational account is in opposition to Daniel Silvermint's (2013) effect-centered account of oppression, which does not entail a privileged collective. Silvermint's effect-centered account argues that oppression is principally a burden. Daniel Silvermint (2013) writes:

Oppression is a social circumstance that systematically and wrongfully burdens a victim's autonomy or overall life prospects. Oppression is thus a kind of effect, often the cumulative effect of diffuse norms, actions, practices, and institutions. And it is the kind of effect that saturates all or nearly all domains of an individual's life, and does so stably over time.<sup>192</sup>

I agree with Silvermint that a necessary component of oppression is for there to be a detrimental effect. I also agree that oppression often affects all domains of one's life. I disagree, however, on two counts.

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<sup>189</sup> Young, "Five Faces of Oppression (1990)."

<sup>190</sup> Titus Stahl, "Collective Responsibility for Oppression:," *Social Theory and Practice* 43, no. 3 (2017): 488, <https://doi.org/10.5840/soctheorpract201773110>.

<sup>191</sup> Terlazzo, "(When) Do Victims Have Duties to Resist Oppression?"

<sup>192</sup> Daniel Silvermint, "Resistance and Well-Being†: Resistance & Well-Being," *Journal of Political Philosophy* 21, no. 4 (December 2013): 405, <https://doi.org/10.1111/jopp.12002>.

First, I disagree that oppression *must* saturate all dimensions of one's life. To think this ignores intersectionality. It ignores how a person can suffer from one type of oppression and therefore have one dimension of their life negatively affected while still being privileged in other aspects. One might, for instance, be a rich, white, gay man. In which case, one's life opportunities might be constrained socially due to one's sexual orientation. However, the same person might remain relatively unconstrained (and even privileged) financially and politically.

It might be worth mentioning the role contexts, and populations play in situations of privilege and oppression. For instance, a Latinx man may experience xenophobia when they are in a room full of patriotic WASP Americans. In this context, the Latinx's man identity as Latinx will be the most morally relevant feature in regard to oppression and privilege; they will rightly be seen as a member of an oppressed group. However, that same Latinx man can be seen as a member of an oppressive group when in a room full of Latinx women, namely as a man.

We can further complicate the situation by considering a situation in which this Latinx man is in a room where everyone else is a woman, but they are all patriotic WASP American women. Or, we can even consider a case where half of the room's inhabitants are Latinx women and the other half are WASP American men. In situations such as these, the same Latinx man can simultaneously inhabit the role of oppressor and



oppressed. What is due to them and expected of them in said situations must be carefully navigated and will vary on the topic the room is encountering (e.g., whether the room is discussing or engaging in issues that mostly affect gender, ethnicity, or both). I will later develop my account of Blood Money Benefits, but for now, I will simply mention that it is possible that the Latinx man must both be given certain dues on certain topics and give certain dues on other topics when these populations are considered.

Silvermint might respond to me, of course, that he expected as much, and this is why he added the caveat that oppression might not saturate all dimensions of one's life but "nearly all." This response does not help his case, however. The phrase "nearly all" implies a majority, and an individual may be oppressed in only one or very few dimensions of one's life. Silvermint could, of course, insist that when the burden is so minimal, it is not actually oppression but merely an inconvenience. In many cases, if one is sufficiently privileged in other aspects of one's life, one can insulate themselves from such inconveniences most of the time. Consider, however, the racist caricatures of President Obama when he first took office.<sup>193</sup> I would be hard-pressed to claim that President Obama was not experiencing racism because he, as an extremely powerful man, did not have "nearly all" of the dimensions of his life burdened.

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<sup>193</sup> "Political Caricatures Of Obama, 'Birther Movement,'" NPR.org, accessed January 24, 2021, <https://www.npr.org/2011/04/27/135770521/political-caricatures-of-obama-birther-movement-hint-of-racism>.

Second, and more importantly, I disagree that *only* burdens are necessary for something to count as oppression. Of course, oppression does indeed burden its victims. However, oppression is more than just a burden. By focusing only on burden, Silvermint treats the oppressed as if they suffered in a vacuum. However, there is always a privileged collective that does not suffer (or does not suffer to the same degree) as the oppressed. For instance, Stahl (2017) tells us that in oppression, “we can always identify a set of members that collectively enjoys a dominant position and forms a social group in virtue of that feature.”<sup>194</sup> We can imagine a situation in which a collective suffers some form of systematic injustice (e.g., inadequate medical care), but no other collective is privileged in relation to the first. Perhaps there is no second collective, or all others similarly suffer from the same injustice. Consider also that while financial exploitation constitutes oppression, an economic recession that burdens the whole population does not constitute oppression. While this recession would be an unfortunate burden that results from structural processes, it would not be a case of oppression since no privileged group benefits.

Indeed, Silvermint overlooks that in cases of oppression, the privileged class *benefits* from oppression. I take cases such as slavery, racism, sexism, homophobia, and economic exploitation to be paradigmatic cases of oppression. In each of these cases, we

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<sup>194</sup> Stahl, “Collective Responsibility for Oppression,” 474.

can quickly identify an oppressed collective (enslaved people, black people, women, LGBT+ folk, the poor) and a privileged collective (enslavers, white people, men, heterosexuals, the rich). The privileged collective is not only exempt from the life constraints the oppressed are subject to but also benefits from oppression.

Moreover, the privileged collective benefits from oppression even if they simultaneously suffer some harm. Take the case of sexism, for instance. Men are plausibly harmed by sexism and the toxic masculinity<sup>195</sup> which arises from it. Men might, for example, receive sanctions for showing emotion and vulnerability. These harms arise from the same oppression that saddles women with child-rearing and emotional labor.<sup>196</sup>

Nonetheless, relative to women, men are privileged. Men cannot be said to be oppressed *qua* men because, as Young mentions, “for every oppressed group there is a group that is privileged in relation to that group.”<sup>197</sup> No such gender group exists. On the contrary, men often benefit from women having their life opportunities constrained.

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<sup>195</sup>For more on toxic masculinity, see Kate Manne, *Down Girl: The Logic of Misogyny* (New York, NY: Oxford University Press, 2018). See especially chapter 4.

<sup>196</sup> In the next chapter I argue that powerful disorganized collectives, such as men, are responsible for oppression. I will also be using the idea of Blood Money Benefits to argue that they have an obligation to combat oppression. This is the case even if the benefits are few and the man in question is disadvantaged in other aspects of their life or receives some harms from the same oppression which gives him blood money benefits. I will say more on this later, but for now, I highlight that the man still ought to combat injustice even if they suffer some harms.

<sup>197</sup> Young, “Five Faces of Oppression (1990).”

Men benefit from sexism because men *might* actively pass laws and policies which explicitly treat women as second-class citizens in society. In which case, luxury goods and services are given exclusively to men. In these cases of explicit and intentional political oppression, we can identify men as not only a privileged collective but as intentional oppressors. However, in other cases, men might *not* pass such laws.

Nonetheless, oppression against women might still exist, and men still benefit. I agree with Young (1990) when she mentions that oppression might arise from “the well-intentioned practices of a liberal society.”<sup>198</sup> That is, in the case of sexism, men might be well-intended, merely acting in compliance with social institutions and dominant social norms without actively seeking to harm women. These institutions and norms might nonetheless harm women.

Thus, in my account, oppression always entails a privileged collective that is not subject to the constraints the oppressed are. The privileged collective benefits from oppression, and they might even intentionally perpetuate oppression. If they do so intentionally, we can rightfully label them as oppressors. There need not be intentional oppressors, however, for oppression to exist.

Now that we have a good picture of oppression and how I define it, I use PCR to answer the question, “Who is responsible for oppression?”

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<sup>198</sup> Young, 40.

#### D. Who is Responsible for Oppression?

In this sub-section, I use PCR to identify those responsible for oppression. Candidates that other philosophers have argued are responsible for oppression include: oppressors,<sup>199</sup> governments,<sup>200</sup> corporations,<sup>201</sup> beneficiaries of oppression,<sup>202</sup> the oppressed,<sup>203</sup> society as a whole,<sup>204</sup> other individuals, and other collectives. I do not deny that many individual oppressors may be responsible in terms of individual responsibility. However, regarding collectives, my conclusion is that powerful organized collectives, such as governments and corporations, are responsible for oppression. Other powerful

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<sup>199</sup> David Atenasio argues that often, but not always, we can trace instances of oppression to discrete actions. This is in contrast to Young (2008), who argues that structural injustice, by its very nature, cannot be traced to discrete actions. According to Atenasio, when oppression can indeed be traced to discrete actions then “from an analytical stance, once we clarify the source of the injustice in a structural injustice, we can successfully address them with standard individualist theories of blame and distributive justice. If a structure is systematically unfair or exploitative, whether due to intentional manipulation or simply because some extract unreasonable concessions on account of asymmetric background conditions, then participants in that scheme who exploit others deserve blame and ought to take measures to remediate those who are wronged.” David Atenasio, “Blameless Participation in Structural Injustice;,” *Social Theory and Practice* 45, no. 2 (2019): 174, <https://doi.org/10.5840/soctheorpract201942655>.

<sup>200</sup> David Atenasio argues “If a social structure inadequately distributes resources or opportunities, despite every participant acting fairly and in good faith, then responsibility for the shortcoming ought not lie with those implicated in the structure or structures, but either with the government, society at large or those who are in the best position to help.” Atenasio, 151.

<sup>201</sup> Atenasio, 171.

<sup>202</sup> Ekow N. Yankah argues that white people have a unique duty to combat racism. He writes, camps. “the most serious demands of political morality do not rest on the victims of injustice. Rather, the demands weigh on the slave-owner, Polish and German officials, on their families, their wider communities and even the nation in whose name the oppression is carried out.” Stahl also argues that members of dominant collectives in society hold collective and individual responsibility for oppression. Yankah, “Whose Burden to Bear?”; Stahl, “Collective Responsibility for Oppression.”

<sup>203</sup> For a good summary of philosophers arguing that victims are responsible for their own oppression see Vasanthakumar, “Recent Debates on Victims’ Duties to Resist Their Oppression.”

<sup>204</sup> See Atenasio, “Blameless Participation in Structural Injustice”; Young, *Responsibility for Justice*; Zheng, “What Is My Role in Changing the System?”

*disorganized* collectives which benefit from oppression and are responsible for it include men, white folk, heterosexuals, and the rich, but I do not argue that until chapter 4. Other collectives fail to plausibly be bearers of responsibility in two or more meanings of PCR.

To see how I arrive at my conclusion, we simply need to take a potential candidate and ask, “Under which, if any, of the six meanings of PCR is it plausible to say that this candidate is responsible for oppression?”

To be more explicit, my account of responsibility is one of *distributive responsibility*. By this, I mean that when we hold agents responsible (as my account does), we impose obligations, norms, and expectations on them. In other words, when we hold agents responsible, we *distribute* responsibility to them. Some folks may have more or less responsibility distributed to them due to several factors. For instance, Iris Marion-Young uses four parameters to determine how much responsibility is allocated to an agent, namely power, privilege, interest, and collective ability.

Similarly, in PCR, we distribute responsibility to a collective in proportion to how many PCR meanings they can plausibly be responsible for oppression. Suppose the collective can plausibly be held responsible for oppression under all meanings. In that case, they will have more obligations to address oppression than a collective that can only be held responsible under some. My account of PCR is, therefore, individualistic in nature. It is individuals in

these collectives who hold responsibility. They hold their responsibility particularly in virtue of their membership in the group. Thus, if all members of an organized collective left the collective, if the collective dissolved, said individuals would no longer hold any collective responsibility for oppression. They might still hold individual responsibility for oppression, of course.

In the case of governments, especially powerful western governments, they can be held responsible under all of PCR's six meanings. We can rely on the notion of joint-moral commitments, as Margaret Gilbert (1992)<sup>205</sup> and Seumas Miller (2020)<sup>206</sup> do. As mentioned in chapter 2, section IV, these joint moral commitments highlight that organized collectives can indeed act, and these actions arise from group intentions. We can infer the existence of these from explicit sources such as mission or policy statements, but also from implicit sources, such as patterns of behavior.

In general, governments swear oaths to serve and safeguard the well-being of their political constituents (responsibility-as-office). This service may often take the form of having to remedy situations, such as addressing a viral pandemic or devastation from a natural disaster (responsibility-as-remedy). Furthermore, powerful governments such as those of the United States have far-reaching power and the abilities needed to effectively remedy said situations (responsibility-as-ability). In the 21<sup>st</sup> century, the United States

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<sup>205</sup> Gilbert, *On Social Facts*.

<sup>206</sup> Miller, "Collective Moral Responsibility as Joint Moral Responsibility."

government is often called upon to account for its past actions in the public eye. This is partially why there are so many collective state apologies (responsibility-as-accountability). These apologies are sometimes, albeit not always, rightfully accompanied by monetary compensation (responsibility-as-liability). Lastly, we can also see how political entities, as they exist through centuries (or even millennia), are also themselves the causes of much oppression (responsibility-as-cause). These past actions are attributable to these political entities' moral character insofar as we interpret "moral character" as these agents' historical record/legacy (responsibility-as-attributability).<sup>207</sup> Thus, because it is plausible for powerful western governments to be held responsible in all of our six meanings, they are responsible for oppression in PCR.

After western governments, powerful corporations will hold the most responsibility. In other words, after western governments, PCR will distribute the most responsibility to powerful corporations. Let us take, for instance, the Chiquita corporation, which is most famous for selling bananas. Chiquita played an integral role in shaping the politics of "Banana Republics" such as Guatemala and Honduras. Chiquita,

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<sup>207</sup> Ta-Nehisi Coates speaks on how the moral character of a nation is closely tied to its historical record when discussing reparations for slavery. Coates writes, "What I'm talking about is more than recompense for past injustices—more than a handout, a payoff, hush money, or a reluctant bribe. What I'm talking about is a national reckoning that would lead to spiritual renewal. Reparations would mean the end of scarfing hot dogs on the Fourth of July while denying the facts of our heritage. Reparations would mean the end of yelling "patriotism" while waving a Confederate flag. Reparations would mean a revolution of the American consciousness, a reconciling of our self-image as the great democratizer with the facts of our history." Ta-Nehisi Coates, "The Case for Reparations," *The Atlantic*, 2014, <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>.



then known as United Fruit, was directly and indirectly involved in many injustices. These include: rampant workers' rights violations; lasting environmental harms; bribery of government officials; invasions of Honduras by American troops in 1903, 1907, 1911, 1912, 1919, 1924, and 1925; massacring of Colombian strikers in 1928; lobbying for a coup of Guatemala in 1954; and paying more than \$2 million to right-wing paramilitary death squads.<sup>208</sup> Chiquita and their actions directly stoked the revolutionary ire of Che Guevara and Fidel Castro.<sup>209</sup> It is not surprising that the result was decades of civil war, guerilla attacks, government crackdowns, and widespread violence. It is also not surprising that today Guatemala is one of the most violent countries in the western hemisphere,<sup>210</sup> while Chiquita remains the world's largest banana company.

In situations such as these, the oppression of Latin Americans is traceable to the actions of Chiquita. By traceable, I mean that the origin, history, location, or application of something can be verified via recorded documents, testimony, or other means. In Chiquita's case, they not only left a paper trail, but many former workers were also able to testify against Chiquita.

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<sup>208</sup> For an overview on Chiquita and its many crimes, see Peter Chapman, *Bananas: How The United Fruit Company Shaped The World* (New York: Canongate U.S., 2014), <http://www.myilibrary.com?id=911157>; Daniel Kurtz-Phelan, "Big Fruit," *The New York Times*, March 2, 2008, sec. Books, <https://www.nytimes.com/2008/03/02/books/review/Kurtz-Phelan-t.html>; Food Empowerment Project, "Peeling Back the Truth on Bananas," accessed July 3, 2020, <https://foodispower.org/our-food-choices/bananas/>.

<sup>209</sup> Chapman, *Bananas*.

<sup>210</sup> U.S. Department of State, Overseas Security Advisory Council, "Guatemala 2020 Crime & Safety Report," accessed July 3, 2020, <https://www.osac.gov/Country/Guatemala/Content/Detail/Report/d8c492ad-b604-457b-bd8f-18550eec1ff2>.

There were, of course, other agents involved in the injustices mentioned above. These agents include the U.S. government and local Latin American governments. But these other agents have already been identified as bearers of responsibility under PCR. Moreover, other agents being responsible does not exempt Chiquita from being held responsible. Thus, Chiquita can be said to be responsible in nearly all six meanings of PCR — they caused the oppression and should be held liable for it. Indeed, Chiquita has repeatedly been sued by different parties.<sup>211</sup> Their past is attributable to them and they have actively tried to account for it by arguing that “times have changed” and “so has our Company” in their 2000 Corporate Responsibility Report.<sup>212</sup> Chiquita has also tried to account for its actions by having Fernando Aguirre, one of its former chief executives, speak on its behalf. According to Aguirre, Chiquita’s payments to paramilitary death squads “were always motivated by [their] good faith concern for the safety of [their]

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<sup>211</sup> Amy Guthrie, “Chiquita Sued by Nonprofit Alleging Colombians Hurt by Company’s ‘Campaign of Terror,’” *Daily Business Review*, April 3, 2020, <https://www.law.com/dailybusinessreview/2020/04/03/chiquita-sued-by-nonprofit-alleging-colombians-hurt-by-companys-campaign-of-terror/>.

<sup>212</sup> The report mentions, “The United Fruit Company became known as “the octopus,” an organization reputed to have such broad reach and influence that it could hold sway over governments and the lives of its employees. This reputation was born of many things, including allegations of the Company’s participation in labor rights suppression in Colombia in 1928 and involvement in a government overthrow in Guatemala in 1954, as well as its involvement in a bribery scandal in Honduras in 1975. And in the years since, some would argue that the Company has been closed and defensive in addressing concerns about its standards and practices. In the eyes of many, all of this casts a shadow, even today, over the Company. Times have changed. And so has our Company. Our stakeholders expect more of us. We expect more of ourselves.” Chiquita, “Chiquita Brands International, Inc. 2000 Corporate Responsibility Report,” 2000, <http://dev.chiquita.com/getattachment/d13227d3-aad0-42e8-a0ff-04d615deff2f/2000-%20CR-Report.pdf.aspx>.

employees.”<sup>213</sup> They have also already paid \$25 million in settlements to victims of these death squads<sup>214</sup> and should reasonably pay more in order to continue remedying the situation in Latin America. The only meaning of PCR in which it is not plausible to hold Chiquita responsible is responsibility-as-office. Chiquita did not take a legal office or oath to overlook the welfare of Latin Americans. Any statements they might have made about being bound to serve the community are, at worst, puffery or, at best, merely too vague. Because of this, powerful corporations such as Chiquita are responsible for oppression in PCR, second only to powerful governments.

Of course, different members of powerful organized collectives should be held responsible to different degrees. In this case, I am glad to adopt parameters for how much responsibility is attributed to individual members of a collective. These parameters include power, privilege, and the level of participation in the collective. As such, a corporate officer of Chiquita will be allocated much more responsibility than an intern who may not know of Chiquita’s past (or worse, was cleverly lied to regarding Chiquita’s past). An entry-level postal worker will also be allocated less responsibility than a high-ranking government official, such as a governor or senator.

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<sup>213</sup> New York Times Staff, “Chiquita Fined for Payments to Colombian Militia,” March 15, 2007, <https://www.nytimes.com/2007/03/15/business/worldbusiness/15iht-bananas.4916910.html>.

<sup>214</sup> New York Times Staff.

I will, however, argue in chapter 4, section V that this responsibility cannot be discharged by the actions of individual members. This is because the benefits one accrues at the expense of others, *blood money benefits*, cannot be eliminated by individual action. They can only be ended by collaborating with one's collective and taking collective action.

Nonetheless, corporations such as Chiquita and governments such as those of the U.S. are both well-organized collectives. That is, they are collectives with defined decision procedures, a recognizable governing body, identifiable members, and exist through time. In chapter 4, I will also consider how powerful *disorganized* collectives can be held responsible. These collectives do not have defined decision procedures or a governing body. Instead, they are defined by identity markers (e.g., class, race, sexuality, etc.).

On the other hand, PCR is also different from other accounts of responsibility in that I do not hold the oppressed responsible for their own oppression. Other philosophers that do, include Hill (1973), Young (2008), Boxill (2010), Hay (2011), Zheng (2018), and Vasanthakumar (2020). Under PCR, the oppressed are not responsible for their oppression either as a collective or as individuals. Arguing why I do not hold victims responsible is outside the scope of this dissertation, but simply put, holding victims responsible for oppressions runs into issues of over-demandingness.

Other candidates cannot plausibly be the bearers of responsibility in all six meanings. For instance, oppressors cannot always be responsible for oppression simply because there may not always be oppressors. In my account of oppression, there is always a privileged collective in relation to the oppressed. Still, this collective may not be an oppressor since they may not intentionally seek to oppress. Thus, in some situations of oppression, there will be no oppressors to be responsible.

One can respond, of course, that to be an oppressor simply means to be privileged, to be a beneficiary of oppression. I am amenable to redefining oppressors in this way. It is possible, for instance, that privileged collectives harm others by their very presence, even without any intention. In chapter 4, I argue that privileged collectives are indeed responsible for oppression.

Finally, except in rare cases, no individual can be responsible for oppression *solely as an individual*. I agree with Young (2011) and Zheng (2018) that even the most powerful agents, individual or otherwise, cannot cause oppression by themselves. However, I do disagree with Young (2011) when she claims that oppression cannot be traced back to certain powerful individuals (see section III).

Nonetheless, while they may act as private individuals, these powerful individuals always also act as members of a collective when oppression is concerned. Influential

individuals depend on and rely on others' cooperation for their power. Take the case of Chiquita again. While powerful individuals, Chiquita's chief executives acted as members of a collective, not private individuals. Their power to oppress comes from their identity of being a member of the collective. In particular, their powers come from being a member of the collective's governing body. Since they receive power from their collective, their actions implicate the whole collective. This is also the case for powerful individuals acting in official government capacities — their power, and any oppression they cause, comes from their membership in the collective, not from their individual identity. For these reasons, no individual can be held liable for oppression or asked to remedy oppression *solely as an individual*. It would be too overwhelming even for the most powerful individual. If they are to be held responsible as individuals, they would need to be held responsible as members of a powerful collective simultaneously. In other words, the collective would necessarily be implicated. This should not surprise us, as obligations to address injustice are frequently collectivized. Robert Goodin (1998) here tells us:

There are good reasons for pursuing certain sorts of goals through some sort of coordinated, collective apparatus like the state... Responsibilities get collectivized simply because that is the only realistic way (or anyway, much the most effective way) of discharging them.<sup>215</sup>

Furthermore, insofar as we try to hold a powerful individual responsible for oppression, we will fail to address oppression. Asking said individuals to point out a few bad apples in

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<sup>215</sup> Robert E. Goodin and David Schmitter, *Social Welfare and Individual Responsibility*, 1st ed. (Cambridge University Press, 1998), 50, <https://doi.org/10.1017/CBO9780511815508>.

their collective, including themselves, enables corporations to continue having scapegoats without changing their underlying corporate culture. This pointing out is a common criticism of sexual harassment in the #MeToo movement, Hollywood, and police departments.<sup>216</sup> Asking a few high-profile individuals to resign or be reprimanded ultimately does nothing to change the underlying structures of oppression. Addressing oppression requires us not to ask powerful individuals to resign — since those individuals can ultimately be replaced — but to hold the collective itself responsible, demanding that they do better.

### III. Responding to the Moral-Skeptic's Traceability Argument

Now that I have developed my account of collective responsibility for oppression, namely PCR, I return to my conversation with the moral-skeptic. Unsurprisingly, the moral-skeptic will object to it with the five arguments mentioned in chapter 2, section VA. In this section, I respond to the moral-skeptic's argument that implicates backward-looking responsibility, that oppression is not traceable to collectives.

I argue that it is untrue that structural injustice is necessarily untraceable to certain agents. Again, by traceability, I mean that the origin, history, location, and applications of oppression can be verified via recorded documents, testimony, or other means, in such a way that they implicate particular agents.

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<sup>216</sup> See Vicki Schultz, "Reconceptualizing Sexual Harassment, Again," *SSRN Electronic Journal*, 2018, <https://doi.org/10.2139/ssrn.3165561>.

Iris Marion Young (2011) herself argues that oppression is not traceable to collectives.

In particular, she argues:

The problem with structural injustice is that we cannot trace this kind of connection. It is not difficult to identify persons who contribute to structural processes. On the whole, however, it is not possible to identify how the actions of one particular individual, or even one particular collective agent, such as a firm, has directly produced harm to other specific individuals.<sup>217</sup>

Young continues a few pages later by mentioning:

None ought to be *blamed* for that outcome, I am suggesting, because the specific actions of each cannot be causally disentangled from structural processes to trace a specific aspect of the outcome. Presumably none intended the outcome, moreover, and many regret it.<sup>218</sup>

If it was not clear, I disagree with Young. We can begin by looking at the case of Chiquita, the fruit company, for an instance of how oppression is traceable to discrete collectives.

Much of the oppression Latin Americans faced is traceable to them. Of course, there were other agents involved. However, it would be wrong to say that we cannot trace certain harms to Chiquita because other agents were involved. They were implicated in many of the harms and have readily admitted it. It is not just Chiquita, however. Traceability has been well developed by U.S. law and other nations throughout the last decade. We can see this, for instance, in the case of food law, where U.S. law demands that food and any dangers it might pose to the public be traceable to discrete stages in production. William Fisher (2015), head of the Global Food Traceability Center, tells us:

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<sup>217</sup> Young, *Responsibility for Justice*, 96.

<sup>218</sup> Young, 100.



Traceability has become increasingly important. The global food supply chain today has evolved into a tangled web as companies seek to enhance their capabilities to feed the world's growing population. While food safety problems remain rare, when they do occur, time is the enemy as public health and lives are at stake, as well as the livelihoods of industries, companies and employees... Food traceability is about more than recalls. Being able to ascertain the origin of products, ingredients and their attributes, from the farm through food processing to retail, food service and the consumer, is growing in importance. Increasingly, public health concerns are demanding traceability, but it will be the business economic drivers that will sustain it. For example, according the Grocery Manufacturers Association in the U.S., the financial impact of a recall is quite significant: 52% of all recalls cost over \$10M and 23% cost over \$30M.<sup>219</sup>

Fisher continues by mentioning that establishing traceability is possible when all relevant stakeholders, including corporations and governments, are properly motivated:

Why is traceability so important? The reason really depends on who you talk to. For public safety, it's about reducing incidences of food fraud as well as unintentional or intentional adulteration; disease management; and environmental emergencies. For businesses, it's all about risk management and mitigation—lowering the impact of recalls and lowering liability costs. For the supply chain, efficiencies relate to productivity; cash flow improvements; innovation; and reducing waste. And for consumers, it's about access to markets and specialty foods; and enhancing or strengthening brand confidence. But regardless of the specific reason, traceability is critical to all stakeholders.<sup>220</sup>

Finally, it is worth mentioning that there is new research on how technologies like blockchain can improve supply chain traceability in many different industries.<sup>221</sup>

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<sup>219</sup> William Fisher, "The Importance of Food Traceability," Food Safety Magazine, March 17, 2015, <https://www.foodsafetymagazine.com/enewsletter/the-importance-of-food-traceability/>.

<sup>220</sup> Fisher.

<sup>221</sup> foodnavigator.com, "What's next for Blockchain in the Food Industry?," foodnavigator.com, accessed January 31, 2021, <https://www.foodnavigator.com/Article/2019/09/24/Blockchain-technology-is-improving-food->

To be fair to Young, she posthumously published her account of SCM in 2011. That was the same year the United States passed the Food Safety Modernization Act.<sup>222</sup> The act gave the federal government mandatory recall authority and the power to demand traceability of food corporations. So, perhaps Young could not have predicted that we would have been able to develop our food practices in such a way that they would be traceable. Since she primarily discusses clothing law in her book, she might have been looking at the Textile Fiber Products Identification Act<sup>223</sup> and the Wool Products Labeling Act.<sup>224</sup> Both of these acts have abysmal records of tracing sweatshop labor, and their 2014 amendments only gave marketers “greater flexibility in marketing their products using certain hang-tags that need not disclose the product’s full fiber content.”<sup>225</sup> We, however, have the gift of hindsight that Young did not have. We should

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traceability; Ju Myung Song, Jongwook Sung, and Taeho Park, “Applications of Blockchain to Improve Supply Chain Traceability,” *Procedia Computer Science*, 7th International Conference on Information Technology and Quantitative Management (ITQM 2019): Information technology and quantitative management based on Artificial Intelligence, 162 (January 1, 2019): 119–22, <https://doi.org/10.1016/j.procs.2019.11.266>; Martin Westerkamp, Friedhelm Victor, and Axel Küpper, “Tracing Manufacturing Processes Using Blockchain-Based Token Compositions,” *Digital Communications and Networks* 6, no. 2 (May 1, 2020): 167–76, <https://doi.org/10.1016/j.dcan.2019.01.007>.

<sup>222</sup> Center for Food Safety and Applied Nutrition, “Food Safety Modernization Act (FSMA),” FDA (FDA, April 10, 2020), <https://www.fda.gov/food/guidance-regulation-food-and-dietary-supplements/food-safety-modernization-act-fsma>.

<sup>223</sup> United States Federal Trade Commission, “Textile Fiber Products Identification Act,” Federal Trade Commission, July 19, 2013, <https://www.ftc.gov/enforcement/statutes/textile-fiber-products-identification-act>.

<sup>224</sup> United States Federal Trade Commission, “Wool Products Labeling Act,” Federal Trade Commission, August 12, 2013, <https://www.ftc.gov/node/119457>.

<sup>225</sup> United States Federal Trade Commission, “Threading Your Way Through the Labeling Requirements Under the Textile and Wool Acts,” Federal Trade Commission, July 2, 2014, <https://www.ftc.gov/tips-advice/business-center/guidance/threading-your-way-through-labeling-requirements-under-textile>.

be able to see that traceability is possible if we hold our government and businesses responsible for it without accepting any excuses.

#### IV. Responding to the Moral-Skeptic's Ideal-Theory Argument

In this section, I respond to the moral-skeptic's argument that in an ideal world, society would be committed to moral individualism, so we, in our non-ideal world, should be as well. In particular, I point out that this argument might be motivated by hyperindividualism. Furthermore, simply emulating a hypothetical ideal society is not the best path towards justice, as it may ignore obstacles in our non-ideal reality.

As mentioned in chapter 2, the moral-skeptic might make a principled defense of moral individualism using ideal theory. They might admit, for instance, that many of our moral practices do indeed invoke collective responsibility. Nonetheless, we should still reject these practices instead of dispensing of moral individualism. Their grounds for doing so would be that group membership is irrelevant to moral responsibility in an ideal world, and we should emulate this hypothetical ideal world as much as possible.

In response, I begin by pointing out that this supposed principled defense might be motivated by defensiveness resulting from hyperindividualism. While individualism is not in and of itself pernicious, when it denies the importance of group membership, it can become what Alice MacLachlan (2017) refers to as "hyperindividualism," in which we overmoralize

the role of the individual in morality.<sup>226</sup> For instance, consider the co-worker who tells the working-class woman that they were passed up for a promotion because they need to “pull themselves up by their bootstraps more.” This, of course, ignores the fact that women are still frequently passed over for promotion on the basis of their womanhood.<sup>227</sup> Another example of hyperindividualism in action would be the white friend who claims they worked hard for everything they have and did not benefit from any privilege whatsoever. While the white friend may indeed have been a hard worker, they likely have simply been able to operate their whole life without having to reflect on how their racial membership privileges them in subtle ways. That is, to use Peggy McIntosh’s (1989) terms, they have not unpacked their “invisible knapsack” of privilege.<sup>228</sup>

As the previous examples point out, the problem with hyperindividualism is that it captures our moral reality incorrectly. Group membership affects our socioeconomic prospects and this, in turn, affects our practices surrounding responsibility. It is not surprising, then, that collective responsibility is frequently invoked. With the rising popularity of collective state apologies and other practices, I do not believe the moral individualist can stop collective responsibility from being invoked, no matter how much they’d like to.

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<sup>226</sup> MacLachlan, “In Defense of Third-Party Forgiveness.”

<sup>227</sup> Herminia Ibarra, Nancy M. Carter, and Christine Silva, “Why Men Still Get More Promotions Than Women,” *Harvard Business Review*, September 1, 2010, <https://hbr.org/2010/09/why-men-still-get-more-promotions-than-women>.

<sup>228</sup> Peggy McIntosh, “White Privilege: Unpacking the Invisible Knapsack (1989) 1,” in *On Privilege, Fraudulence, and Teaching As Learning*, by Peggy McIntosh, 1st ed. (Routledge, 2019), 29–34, <https://doi.org/10.4324/9781351133791-4>.

Even if we could eliminate all references to collective responsibility in our practices, group membership would nonetheless be relevant to morality. While group membership *might* be irrelevant in an ideal world, we do not live in an ideal world. We live in a non-ideal world, where atomic individuals with idealized capacities have *not* been the sole bearer of rights. Historically, rights have been given based on group membership, and many dominant groups have, to put it mildly, not strictly complied with justice.

Thus, to deny the relevance of group membership in the name of ideal theory is tantamount to denying history. In her work *White Fragility*, Robin DiAngelo (2011) tells us how some white Americans do just this when they deny the relevance of group membership:

Individualism erases history and hides the ways in which wealth has been distributed and accumulated over generations to benefit whites today. It allows whites to view themselves as unique and original, outside of socialization and unaffected by the relentless racial messages in the culture. Individualism also allows whites to distance themselves from the actions of their racial group and demand to be granted the benefit of the doubt, as individuals, in all cases.<sup>229</sup>

Furthermore, to insist on using ideal theory is detrimental to both oppressed and privileged collectives. It is harmful to the oppressed because they are discouraged from using conceptual resources regarding group membership. For instance, consider the woman and her co-worker from a few paragraphs ago. When the co-worker insists that the woman was passed up for a promotion simply because she did not work hard enough, the co-worker discourages her from discussing issues of gender biases and unequal treatment in the workplace. If the woman is

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<sup>229</sup> Robin DiAngelo, "White Fragility," *International Journal of Critical Pedagogy* 3, no. 3 (2011): 54–70.

indeed a victim of sexism in the workplace, simply working harder may not help her. The problem does not lie with her work ethic, but with the way her group is valued in this organization. Thus, the co-worker does her an epistemic disservice by misdiagnosing the issue and subsequently giving a poor prescription. The woman, as a result, stays disempowered.

It is also harmful to privileged collectives insofar as it enables low stamina to discuss matters concerning privilege, disadvantage, and group disparities. Taking from DiAngelo (2011) once more, she tells us how individualism makes some white folks *racially fragile*, “Given the ideology of individualism, whites often respond defensively when linked to other whites as a group or “accused” of collectively benefiting from racism.”<sup>230</sup> This, of course, is not limited to racial oppression and is also the case for other types (e.g., “I earned my wealth! Belonging to a wealthy household had nothing to do with it!” “My students respect me because I am confident and assertive — my being a man has nothing to do with it”).

Simply trying to emulate a world where group membership is irrelevant is not the best way to achieve justice. Doing so turns a blind eye to power dynamics implicated in oppression. One cannot (effectively) combat what one is blind to. Instead, we must begin with our non-ideal world’s particularities and the unique challenges it poses before moving forward. As Mills (2005) tells us:

A nonideal approach is ... superior to an ideal approach in being better able to realize the ideals, by virtue of realistically recognizing the obstacles to their

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<sup>230</sup> DiAngelo.

acceptance and implementation... Ideal theory, by contrast, too often simply disregards such problems altogether or, ignoring the power relations involved, assumes it is just a matter of coming up with better arguments.... The best way to bring about the ideal is by recognizing the nonideal, and that by assuming the ideal or the near-ideal, one is only guaranteeing the perpetuation of the nonideal.<sup>231</sup>

Still, in a final effort, the moral-skeptic might erroneously appeal to tradition. They might argue that ideal theory and the individualism encapsulated in it, as opposed to non-ideal theory, have historically been the only option available to philosophers addressing moral responsibility. For moral responsibility to not entail moral individualism, then, is to be speaking of something else entirely.

In response, I point out that this line of thinking ignores all the recent and contemporary work (including this work that you are reading), which has distinguished between different meanings of responsibility. However, regarding tradition, the notion of responsibility favoring individualism, which western philosophers prefer, is only one of many.

As Marion Smiley (2010) tells us, contrary to the popular assumption of many philosophers:

[This] notion of moral responsibility is not moral responsibility per se. Instead, it is a distinctly Kantian notion of moral responsibility that, unlike, say, its Aristotelian, Christian, and utilitarian, counterparts, locates moral blameworthiness in the wills of moral agents rather than in social and legal practice, insists that moral blameworthiness be independent of any goals or purposes that we may have as a community, and construes moral blameworthiness as a matter of moral guilt or moral taint.<sup>232</sup>

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<sup>231</sup> Mills, “‘Ideal Theory’ as Ideology,” 182.

<sup>232</sup> Marion Smiley, “From Moral Agency to Collective Wrongs: Re-Thinking Collective Moral Responsibility,” *Journal of Law and Policy*, 2010, 189.

We cannot dismiss alternative notions of responsibility since they do not pertain to the Kantian “moral realm,” whatever that might mean. To do so would be to unfairly scrutinize alternate accounts of responsibility on the terms of one’s favored account. With this said, we should have much more freedom and creativity when discussing moral responsibility than Kantians and other philosophers would have us think.

#### V. Responding to the Moral-Skeptic’s Forward-Looking Concerns

At this point, I have developed an account of responsibility, namely PCR. PCR is a collective approach to addressing oppression. It holds collectives, such as powerful governments and wealthy corporations, responsible for combatting oppression. In developing this account, I am departing from the moral-skeptic’s moral-individualism and arguing that oppression can be traceable to collectives.

The moral-skeptic, however, can still object to this account on the basis of practicality. In other words, they might concede that organized collectives can be held responsible in a backward-looking sense but not in a forward-looking sense.

Thus, in this section, I defend the collective approach from some objections which implicate forward-looking responsibility. I do this by arguing three points. First, I challenge the idea that no collective agent can efficiently create social change, no matter how powerful. Second, I address the concern that the collective approach is too demanding of collectives. I argue that we should readily expect powerful agents to pay high costs when addressing



oppression. Finally, a collective approach to oppression is superior to a structural approach in that it better prohibits responsibility-shirking.

#### A. The Collective Approach is Effective

I begin with what I believe is the biggest challenge to the collective approach, namely that no collective agent, however potent, can affect structural processes underlying injustices. In other words, the challenge is that my account is ineffective for addressing oppression.

Again, my goal is to use PCRs to address oppression. PCR identifies powerful collectives as those responsible for addressing oppression. However, if these collectives cannot affect structural processes and are themselves subject to constraints, my account fails to get off the ground. Such constraints can include, for instance, pressure from competitive markets, other nations, or large organizations.

Let us look at an example of this objection. Regarding sweatshops, Young (2011) tells us:

When confronted with accusations that they wrongly exploit and oppress their workers, however, some of these agents are likely to try to mitigate their responsibility by pointing to factors outside their control. They may claim that they have little choice about the wages they pay and that they cannot afford to give workers time off or invest in better ventilation and equipment. They operate in a highly competitive environment, they may say, where other operators are constantly trying to undercut them. They can stay in business only by selling goods at or below the prices of worldwide competitors, and they can do that only by keeping labor and production costs to a minimum... Such an appeal to mitigating circumstances can only go so far, of course...

There is a good measure of truth to the claim that the employers themselves operate under serious structural constraints.<sup>233</sup>

Thus, according to Young, when these powerful corporations claim they operate under structural constraints and must submit to more powerful institutions, “there is some basis to their excuses.”<sup>234</sup> As a result, Young does not use a collective approach to structural injustice or oppression as PCR does. Young does not give collectives any unique duties to combat oppression. Instead, Young (2011) holds all members of society individually responsible for the structure that underwrites injustice since all individual members causally contribute to injustice. In other words, Young believes that holding all of those agents who causally contribute to oppression, even a little, is the most effective route to combatting oppression.

The implication of all this is that small retailers and consumers will share responsibility for the structural injustice of sweatshops. Even more strikingly, those oppressed by sweatshops, the workers, will also be responsible. They are responsible because, under the Young’s *Social Connection Model* (SCM) of responsibility, their physical labor in the factory causally contributes to the perpetuation of oppression.

I respond by saying that we can begin by looking at instances of compensation and reparation, such as those mentioned in chapter 1. When we looked at the case of Canadian Prime Minister Justin Trudeau, his collective state apology to indigenous communities was accompanied by financial compensation. The Canadian government even settled a class-action

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<sup>233</sup> Young, *Responsibility for Justice*, 131.

<sup>234</sup> Young, “Five Faces of Oppression (1990),” 133.

lawsuit and provided approximately 50 million Canadian dollars to about 900 former boarding school students.<sup>235</sup> The first of these apologies began in 2008:

In 2008, the Conservative government in power apologized for the residential program as part of a settlement of a class action that also included paying 1.6 billion Canadian dollars to survivors of the system. The settlement created a national Truth and Reconciliation Commission, which produced a long list of recommendations, most of which Mr. Trudeau has promised to implement.<sup>236</sup>

Since 2008 more apologies and compensation have followed. This is all part of a national effort to address oppression, as “The settlement — affecting as many as 30,000 people — is part of a broader push across Canada in the last few years to grapple with its legacy of injustices against the country’s indigenous populations.”<sup>237</sup>

Of course, I do not presume that these apologies and reparations have closed the book on oppression. But they are a significant first step in the right direction, and they have set a useful precedent. This is in large part because the Canadian government is an immensely powerful collective. Indeed, all governments of industrialized nations wield immense power, perhaps none more than the United States.

It would be implausible at this point to insist that the U.S. government is not economically powerful enough to provide financial reparations to black Americans for the sake of addressing oppression. As we saw in 2020, the U.S. government gave citizens two

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<sup>235</sup> Ian Austen, “Canada to Pay Millions in Indigenous Lawsuit Over Forced Adoptions,” *The New York Times*, accessed July 3, 2020, <https://www.nytimes.com/2017/10/06/world/canada/indigenous-forced-adoption-sixties-scoop.html>.

<sup>236</sup> Austen.

<sup>237</sup> Austen.

COVID relief checks.<sup>238</sup> If the U.S. sent similar checks to black Americans, then the act would set an immense precedent and be a significant step in addressing oppression.

Besides the Canadian government, there have already been other cases of powerful collectives who have taken steps to address oppression. For instance, we can look at Johnson and Johnson's public apology in 1982 and the precedent it set:

Certainly, the familiar gold standard of corporate apology remains Johnson and Johnson's official apology in 1982 – well before our present 'apology epidemic' – following the discovery that someone had tampered with Tylenol capsules, inserting cyanide. Johnson and Johnson's apology is consistently praised for its promptness, sincerity, its focus on public interest, and its attention to immediate remedies.<sup>239</sup>

Other examples of powerful collectives addressing oppression include those pressured to act by the #MeToo movement. As Rebecca Beitsch (2018) tells us, social media users placed a lot of pressure on powerful corporations to act:

The #MeToo movement has touched almost every industry in the past year, and state legislatures have been under growing pressure to curb sexual assault and harassment in private workplaces and within their own chambers. But has the reckoning had an impact on the law? Early signs point to yes. Sure, the resignations have been plentiful as credible allegations of sexual harassment have toppled lawmakers. *A Stateline Review* found at least 32 lawmakers who left office, or lost influential positions in legislatures, in the face of such accusations. Some states have placed limits on nondisclosure agreements (NDAs). Legislators also have cited the #MeToo movement in passing legislation to improve the testing of rape kits and to extend the statute of limitations for victims who want to file civil lawsuits against their abusers. And

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<sup>238</sup> "Coronavirus Tax Relief and Economic Impact Payments | Internal Revenue Service," accessed January 26, 2021, <https://www.irs.gov/coronavirus-tax-relief-and-economic-impact-payments>.

<sup>239</sup> MacLachlan, "Fiduciary Duties and the Ethics of Public Apology"; Knight, "Tylenol's Maker Shows How to Respond to Crisis."

nearly every legislature in the country has reexamined its own policies for dealing with workplace harassment.<sup>240</sup>

Anna North (2019) tells us even more about the effects of the #MeToo movement:

As the #MeToo movement gained attention, several states passed laws prohibiting the use of nondisclosure agreements in sexual misconduct cases. In September 2018, California banned the agreements in cases involving sexual assault, harassment, or sex discrimination. New York and New Jersey enacted similar laws. The federal BE HEARD Act — introduced earlier this year by Sen. Patty Murray (D-WA), Rep. Katherine Clark (D-MA), Rep. Ayanna Pressley (D-MA), and others — also bans some types of nondisclosure agreements.<sup>241</sup>

The moral-skeptic might argue that political movements, such as the #MeToo Movement, are not a collective effort but several individual efforts. My response is that there is some truth to this. Political movements, especially de-centralized movements like #MeToo, often involve many individual actors moving towards a common goal. However, whether we should interpret this as many individual efforts or as a single disorganized collective effort is an open question.<sup>242</sup> I do not intend to settle the question here.

However we interpret this, it is clear that social media users successfully pressured a collective agent into collective action. Under a structural approach, such as Young's *social*

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<sup>240</sup> Beitsch, “#MeToo Has Changed Our Culture. Now It’s Changing Our Laws,” accessed July 7, 2020, <https://pew.org/2M66sSP>.

<sup>241</sup> Anna North, “7 Positive Changes That Have Come from the #MeToo Movement,” Vox, October 4, 2019, <https://www.vox.com/identities/2019/10/4/20852639/me-too-movement-sexual-harassment-law-2019>.

<sup>242</sup> Olle Blomberg and Frank Hindriks create an interesting distinction between *acting together* and *strategic interaction*, arguing that “collective moral responsibility is not uniquely tied to the former.” Olle Blomberg and Frank Hindriks, “Collective Responsibility and Acting Together,” in *The Routledge Handbook of Collective Responsibility*, ed. Saba Bazargan-Forward and Deborah Tollefsen, 1st ed. (Routledge, 2020), 142–54, <https://doi.org/10.4324/9781315107608-12>.

*connection model*, there is less reason to pressure them since they are subject to structural constraints. A collective approach, such as mine, however, claims that such collective agents can address oppression in a meaningful way. Of course, they might need pressure from other agents, regardless of whether those other agents are disorganized collectives or several individuals. PCR would still hold them responsible for oppression.

Finally, recall that my account of responsibility, PCR, determines who should be *held* responsible for oppression. It is ultimately agnostic as to who should *do the holding* and whether one has a duty to hold others responsible.

#### B. The Collective Approach is Not Overdemanding

An objection from the moral-skeptic at this point is that powerful collectives simply cannot be expected to challenge oppression. While they might be able to address oppression and effect change – that is, holding them responsible would be effective - they would simply pay too high a price for so challenging. This objection relates to the previous objection that the collective approach is ineffective but ultimately separable. Recall Young’s (2011) example of sweatshops from the previous sections. Someone raising this objection might admit that sweatshop owners could indeed address oppression by making significant changes, but these changes ultimately come at too high a price. Since these businesses also face structural constraints, they might lose profits or even go out of business. In other words, the collective approach is overdemanding.

I do not deny that powerful collectives are subject to the pressures of structural constraints. I do deny, however, that it is too costly for powerful corporations. First, it is important to note that as collectives become powerful enough, they can affect structural constraints just as much as structural constraints affect them. Furthermore, in virtue of being powerful, powerful collectives are better positioned to take on the cost of challenging structural constraints. As Young (2011) herself mentions, oppression often makes it so that victims often depend on oppression for their very survival. Challenging oppression can often be costly for the oppressed, leading to financial or physical ruin. Powerful collectives, however, are much more financially resilient than the oppressed – they can take on the cost better without perishing.

However, suppose that a corporation, perhaps one of Young’s sweatshops, claims that they would indeed perish if they challenged structural constraints. That is, they claim, “We simply have to use sweatshops due to competition, or else we would go out of business! We have no choice.” Suppose further that their claim is likely true — they would indeed go out of business without sweatshop labor. Then as a simple matter of logic, it is untrue that they have only one choice. They can always choose to go out of business.

At this point, one might object that going out of business is not a real choice. However, I agree with Michael Davis (2012) when he considers this same argument in relation to engineers. Suppose an engineer is working on a project to develop an important bridge. Their boss might pressure them by asking them to cut corners and costs. Thus, the engineer

might claim that they are similarly subject to structural constraints, that they “had no choice but to approve the plan or else risk going out of business!” Regarding this excuse, Davis tells us:

Argument[s] from institutional constraint [have a logical flaw]. The engineer always has at least one other choice, that is, not to prepare the plan. That other option may be suicidal, but—as a matter of logic—it always exists. Morally, there is an important difference between “no choice” and “no attractive choice.”<sup>243</sup>

It might sound cruel and insensitive to some to say that a business always has a choice, albeit not an attractive choice, to go out of business. To this, I would respond that capitalism and business are inherently risky, unfeeling, and profit-driven. Business owners know this when they begin. Moreover, if a business cannot operate without perpetuating oppression, it should simply not be operating. A business that can pay its workers a living wage ought to take its place. A business ending is preferable to workers being oppressed. Furthermore, their ending can serve as a warning to other potential businesses that oppression is not tolerated.

Still, in one final effort, one might exclaim a business should not be held responsible when the harm they cause is small, and remedying the harm would prove disastrous. For instance, suppose that Smith steals 10USD from Jones. Smith is financially rich and is not much worse off for being 10USD poorer. However, for whatever reason, Jones can only return the 10USD by committing suicide. In which case, we might justifiably excuse Jones from returning the 10USD. One might argue that the situation is similar for a business, which might

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<sup>243</sup> Davis, “Ain’t No One Here But Us Social Forces,” 32.



only be able to remedy the situation by committing “suicide.”

In response, I remind the reader that we are not discussing small harms but oppression. As we have defined it, oppression significantly and systematically constrains the life opportunities of the oppressed. Furthermore, even harms that appear small can be the latest in a pattern of accumulated wrongs when discussing oppression. In other words, if the harm was indeed small, we might justifiably excuse the business when they exclaim they would need to commit “suicide” to remedy the situation. However, the harms we are discussing are not small at all.

#### D. The Collective Approach is Superior in Stopping Responsibility-Shirking

Lastly, in this section, I respond to the moral-skeptic’s argument from chapter 2 that holding collectives responsible for oppression runs into the problem of responsibility-shirking. Again, responsibility-shirking is whenever an agent appeals to social forces to excuse themselves from being held responsible. These appeals may be done in good faith, or they may be abused. Regardless, the result is that the agent excuses themselves in such a way that if an enforcement agency chooses to hold them responsible, the public will view it as unfair.

In particular, I argue that responsibility-shirking will still be a problem for my account. Nonetheless, it will be *less* of a problem for my account, which uses a collective approach, than for accounts that opt for structural approaches.

To begin, it should be noted that responsibility-shirking is a serious issue for anyone who wants to develop a practical model of responsibility for oppression. For instance, Robin Zheng (2018) criticizes Young's social connection model on the ground of responsibility-shirking:

On the SCM, individuals are responsible for unjust outcomes because of their causal contributions to structural processes.<sup>244</sup>

She continues:

Young recognizes that individuals often avoid responsibility by declaring that it is not their job to address poverty, racism, and so on – it is the state's job, perhaps, or the job of someone working for a charity... In response, Young argues that qualitatively different contributions are required from different social positions: although governments are more powerful agents, for instance, they will not act unless pressured by the actions of citizens. While this reply goes some way toward answering the question of justification, I do not think it goes far enough. It remains far too easy for individuals to believe that other people can and should do the work of promoting structural change, and that they are morally in the clear so long as their causal contributions are not blatantly wrong.<sup>245</sup>

I agree with Zheng (2018) that any decent account of responsibility that addresses responsibility must have safeguards in place so agents cannot shirk responsibility. One can, for instance, appeal to structural constraints to escape responsibility. As mentioned in chapter 2, this type of responsibility-shirking is a common topic of discussion in the literature of professional responsibility. Regarding engineers, in particular, William Lynch (2000) tells us:

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<sup>244</sup> Zheng, "What Is My Role in Changing the System?," 874.

<sup>245</sup> Zheng, 879.

Most engineers operate in an environment where their capacity to make decisions is constrained by the corporate or organizational culture in which they work. Engineers are rarely free to design technologies apart from cost and schedule pressures imposed by a corporate hierarchy, a government agency concerned with its image, or market pressures.<sup>246</sup>

As Michael Davis (2012) correctly points out, the purpose of this argument is to exonerate engineers from responsibility. It attempts to claim that:

The engineers are causal factors but (the argument runs) the organization so hems them in that they are not free enough to be faulty causes. The engineer who prepares a plan for a project is not responsible for it because she could have prepared no other. She had “no choice.”<sup>247</sup>

This argument succeeds if we adopt structural approaches to oppression since structural approaches hold *individuals*, not collectives, responsible for oppression. It is plausible, of course, that an individual is subject to structural constraints that limit their *transformative power* insofar as they are viewed as an individual. Here, I define *transformative power* as the ability to challenge or change structural processes without facing unreasonable costs or risks. I discuss transformative power in more detail in chapter 4, section IIIC.

However, if we view the same agent not as a private individual but as a member of a powerful collective, they cannot plausibly plead helplessness. As Davis (2012) tells us:

So long as we think of engineers as individuals without the power to coordinate their conduct, this argument from helplessness is sound—at least for a large number of engineering decisions. The flaw in the argument is that engineers, as members of a profession, are never mere individuals. They are always, in addition, members of the profession. The profession may adopt

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<sup>246</sup> Lynch and Kline, “Engineering Practice and Engineering Ethics.”

<sup>247</sup> Davis, “‘Ain’t No One Here But Us Social Forces,’” 32.

standards of practice which, applying across all employers in a market, would eliminate market pressures that might otherwise block adoption of the practice. Where the market still resists adoption of the standards, the engineers may, through professional organizations, appeal to insurance companies, other private entities, or the government to enforce the standards.<sup>248</sup>

An individual agent might despair at the enormity of structural injustice – they cannot change the structure alone. If they did try to change it, they might plausibly perish (financially or otherwise). However, once we view that same individual as a member of a powerful collective, this excuse is not plausibly available to them. It is not available because powerful collectives cannot plausibly plead helplessness. Yes, the collective might incur a loss. Another market or government might outperform them. But we should expect this of them. When combatting oppression, some agents will have to pay a cost at the end of the day – there is no avoiding this. It is better for everyone if we expect powerful collectives to be the ones to pay this cost.

## VI. Concluding Remark

I have argued that, under PCR, powerful organized collectives are primarily responsible for oppression in both a backward-looking and forward-looking sense. Furthermore, I have responded to the moral-skeptic's arguments against holding organized collectives responsible.

I have not yet argued how powerful *disorganized* collectives are also responsible for oppression. These collectives do not have well-defined decision procedures or a governing body. Instead, they are grouped by identity markers (race, class, sexuality). In the following

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<sup>248</sup> Davis, 33.

chapter, I add the notion of *blood money benefits* to PCR to argue that disorganized collectives are also responsible for oppression.

## Chapter 4

### Blood Money Benefits and Privileged Disorganized Collectives

Chapter Thesis – Privileged Disorganized Collectives (PDCs) are also responsible for oppression, and this can be seen once we complement pluralistic collective responsibility (PCR) with blood money benefits (BMBs).

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- II. Responding to the Moral-Skeptic’s Membership Argument
  - a. The Membership Problem: Organized vs. Disorganized Collectives
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  - b. From Likemindedness to Blood Money Benefits
  - c. Putting it Together: Oppression, Disorganized Collectives, Blood Money Benefits, and Pluralistic Collective Responsibility
- IV. Responding to the Moral-Skeptic’s Control Condition Argument
  - a. Reconceptualizing the Control Condition
  - b. Blame vs. Shame
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## I. Introduction

I ended chapter 3 by arguing for my account of collective responsibility, namely Pluralistic Collective Responsibility (PCR). Using PCR, I argued that those primarily responsible for oppression are powerful organized collectives. These are collectives with an identifiable governing body and rational decision-making procedures (e.g., government, corporations). I also claimed that other candidates, such as the oppressed or individuals *solely* as individuals, cannot be responsible for oppression. I did not, however, argue that *disorganized* collectives are also responsible for oppression. These collectives do not have an identifiable governing body or rational decision-making procedures set in place and are identified via identity markers (e.g., class, race, sex, gender, etc.).

In this chapter, I argue that *Blood Money Benefits*, benefits that come at the expense of others, are one way disorganized collectives come to be responsible for oppression. There are, of course, other philosophers who hold disorganized collectives similarly responsible. However, they do not make the notion of *Blood Money Benefits* central to their account as I do.

I begin section II by elaborating on disorganized collectives and how they are different from organized collectives. In particular, I respond to the moral-skeptic's membership problem — the problem of who counts as a member and what requirements there are, if any — poses a unique problem to disorganized collectives. This is troublesome to any account of collective responsibility. If we do not know who the members of a collective are, though, we



cannot confidently say which collective is responsible for oppression. To solve this problem, I argue that we should adopt a formal definition of disorganized collectives, one that goes beyond simply claiming they do not have a governing body or decision-making procedures. As we will see, this definition is both intersubjective and functional.

Then in section III, I respond to the moral-skeptic's intentionality argument. In particular, I circumvent the argument by relying entirely on the notion of blood money benefits to ground responsibility.

In section IV, I respond to the moral-skeptic's control condition argument. I acknowledge that the control condition should not be violated. Nonetheless, I argue that my account does not violate it when it holds privileged disorganized collectives responsible for oppression.

The upshot of sections III and IV will be that collective responsibility for disorganized collectives makes way for collective blame. Collective blame, in turn, warrants the appropriateness of collective guilt insofar as guilt is understood as self-regarding blame.<sup>249</sup> In chapter 5, I discuss how we can reconceptualize collective guilt as a form of "us-blame" while simultaneously revisiting whether collective state apologies can be morally legitimate.

## II. Responding to the Moral-Skeptic's Membership Problem Argument

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<sup>249</sup> This is roughly what R. Jay Wallace understands guilt to be when considering psychopathy. Thus, I understand guilt to primarily be a feeling or judgment turned inward. If one wishes to understand guilt in a moral realist sense (i.e. "one is or is not guilty, emotions do not enter the picture") that is fine, just note that what is mentioned here only pertains to self-regarding blame. Wallace, *Responsibility and the Moral Sentiments*.

Defining disorganized collectives is always more challenging than defining an organized one. This is in large part due to the membership problem. This is the problem of discerning who counts as a member of the collective and what requirements, if any, there might be. The membership problem is troublesome for any account of collective responsibility since if one cannot ascertain who belongs to a collective, which individuals are held responsible will become arbitrary.

Recall from chapter 2, section VC that the moral-skeptic relies on the membership problem to argue against disorganized collectives being held responsible for oppression. In this section, I develop my solution to the membership problem.

#### A. The Membership Problem: Organized vs. Disorganized Collectives

Organized collectives often have explicit built-in policies to solve the membership problem. They also often have public requirements for becoming a member laid out. Take, for instance, police forces in which members are identifiable via their badge and a licensed firearm. Membership requirements include some training in the academy and a background check. Governments and corporations often also have employee keycards, rosters, or online databases. Membership requirements include running for office and being elected, or if for a corporation, interviewing, and being hired. These policies are often, if not always, definite and discrete — they tell us exactly who counts as a member, the number of members, and who counts as a non-member.

Regarding disorganized collectives, no such policies exist. Take the case of race, for instance. A national census cannot be equally relied on as the aforementioned policies to identify all white people in America. This is, in large part, simply because many white folks may choose not to fill out the census, and this is expected. However, there may also be other reasons. For instance, what if an individual appears white but has black ancestry? Or what if the individual considers themselves *aracial* and therefore does not mark themselves as white in the census? Or what if a white individual simply, due to human inaccuracy, incorrectly marks another race (or forgets to mark a race)? Nor is there a *Global White Person Corporation* with which we could realistically expect all white people to affiliate. Indeed, defining disorganized collectives and who falls under them is much more difficult.

We cannot solve the membership problem by appealing to traditional western metaphysics, which discusses “essences” or necessary features. For instance, there is no physical trait, biological or otherwise, that all black people share. To think otherwise is to erroneously believe, as Paul C. Taylor (2004) tells us, that traits among races are consistent when they are not.<sup>250</sup> Furthermore, as Taylor (2004) tells us, there simply is no racial essence that is passed down in the blood, for to think so is to rely on a misleading and “archaic conception of

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<sup>250</sup> Paul C. Taylor, *Race: A Philosophical Introduction* (Cambridge, UK : Malden, MA: Polity ; Distributed in the USA by Blackwell Pub, 2004).

inheritance.”<sup>251</sup> Essences do not exist for disorganized collectives. They cannot help us with the membership problem.

### B. An Intersubjective and Functional Definition: Solving the Membership Problem

Thus, we cannot rely on social policies or “essences” to help us with disorganized collectives’ membership problem. Nonetheless, I believe we can arrive at a satisfactory answer to the membership problem, particularly for those disorganized collectives implicated in oppression (i.e., collectives that are either oppressed or privileged). Even though disorganized collectives may not be grounded by social policies or a traditional western ontology, they are nonetheless grounded in a *social ontology*. Here I take the lead from Charles Mills (1998) when he responds to concerns that race-talk is empty:

At the level of interpersonal interaction, human beings and human Being are so radically shaped by the “second nature” of social structure that it becomes meaningful to speak of a metaphysics that is contingent and variable, real but historical, fundamental but nonnecessary: the social ontology of a racial world.

<sup>252</sup>

To put the point less eloquently than Mills, disorganized collectives, particularly racial collectives, exist as social constructs. These constructs may not have ahistorical and necessary essences, but they still exist in a meaningful way since it, unfortunately, has been the case that belonging to these constructs has carried serious consequences.

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<sup>251</sup> Taylor.

<sup>252</sup> Charles W. Mills, *Blackness Visible: Essays On Philosophy and Race* (Ithaca, N.Y: Cornell University Press, 1998).

At this point, I suggest we take inspiration from Sally Haslanger's (2000) functional account of collectives. In regards to racial collectives, in particular, she writes:

A group is racialized iff its members are socially positioned as subordinate or privileged along some dimension~economic, political, legal, social, etc., and the group is "marked" as a target for this treatment by observed or imagined bodily features presumed to be evidence of ancestral links to a certain geographical region.<sup>253</sup>

Haslanger's account of race adequately captures the social meaning of race. That is, it captures the social ramifications of belonging to one racial collective or another, i.e., being privileged or subordinate along some dimension. Thus, a collective becomes the black race when its members are perceived as black and subsequently subordinated as black folk. This fits in nicely with the social ontology introduced by Mills (1998). More importantly, for our purposes, it fits nicely within the framework of relational oppression introduced in chapter 2. Recall that in relational oppression, a collective's life opportunities are always constrained in relation to another privileged collective.

However, I propose we make one modification to Haslanger's (2000) definition.

Haslanger's previous definition only tells us how a collective *becomes* racialized — it only details how a collective becomes a *racial* collective. However, this ignores that race in the West has never existed without a vertical racial system, namely white supremacy.<sup>254</sup> Thus, it is less

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<sup>253</sup> Sally Haslanger, "Gender and Race: (What) Are They? (What) Do We Want Them To Be?," *Notus* 34, no. 1 (March 2000): 44, <https://doi.org/10.1111/0029-4624.00201>.

<sup>254</sup> For an overview as to how white supremacy has shaped Western history, see Charles W. Mills, *The Racial Contract*, Nachdr. (Ithaca, NY: Cornell Univ. Press, 2011).

accurate to say that a collective becomes the black race when its members are perceived and treated as black than it is to say that the black race simply *is* the collection of individuals who are perceived to be and treated as black. With this in mind, the definition of disorganized collectives I will work with is as follows:

Disorganized Collective C *is* the collection of individuals who are perceived as belonging to C and subsequently subordinated or privileged along some dimension (economic, political, legal, social, etc.), and the members of C are a target for this treatment *by observed (or imagined) traits presumed to be characteristic of C.*<sup>255</sup>

There are three things to note from this definition. First, this definition is intersubjective. To belong to C means that there has been an (often tacit) intersubjective agreement in one's community that one belongs to C. Secondly, this agreement is not without consequence. Being perceived as a member of C allows one to function as a member of C, namely by being privileged or subordinated in some dimension. This definition is, therefore, also functional. Thirdly, this definition is only applicable to those disorganized collectives implicated in oppression.

From this definition, we continue to capture the social meaning of belonging to one of these collectives. We also come to see that to be, say, white is to be perceived and privileged as a white person. The collection of all white individuals subsequently is the white race. The membership problem is thus solved.

### III. Responding to the Moral-Skeptic's Intentionality Argument

In this section, I respond to the moral skeptic's argument from chapter 2, section VC, which focuses on intentionality. In particular, the argument claims that all action originates from an intention, and intention presupposes a mind. Since disorganized collectives cannot have intentions or minds, they cannot be held responsible.

In responding to this objection, I formally define blood money benefits and how they ground obligations to combat oppression for disorganized collectives. I begin by discussing Larry May's (1994) work on responsibility for disorganized collectives, particularly men. I argue that we should dispense of May's *likemindedness* criterion in favor of blood money benefits. Doing this allows us to circumnavigate worries of collective intentions and argue that members of a disorganized collective are responsible in virtue of their membership, not their participation or beliefs.

#### A. Larry May, Likemindedness, and the Problem of Collective Minds

Larry May's (1994) work on collective responsibility for disorganized collectives focuses on gender. In particular, May argues that men are collectively responsible for rape and attempts to ground this responsibility by saying:

[1] Insofar as some men, by the way they interact with other (especially younger) men, contribute to a climate in our society where rape is made more prevalent, then they are collaborators in the rape culture and for this reason share in responsibility for rapes committed in that culture. [2] Also, insofar as some men are not unlike the rapist, since they would be rapists if they had the

opportunity to be placed into a situation where their inhibitions against rape were removed, then these men share responsibility with actual rapists for the harms of rape. [3] In addition, insofar as many other men could have prevented fellow men from raping, but did not act to prevent these actual rapes, then these men also share responsibility along with the rapists. [4] Finally, insofar as some men benefit from the existence of rape in our society, these men also share responsibility along with the rapists.<sup>256</sup>

1-4 are meant to serve as criteria for collective responsibility. While I do not want to deny the importance of 1 and 3,<sup>257</sup> I focus on 2 and 4.

In regards to 2, May (1994) argues that some men are “not unlike the rapist” in that they are “like-minded” insofar as they both might be inculcated in what he calls a *culture of rape*, a culture in which rape is normalized or trivialized in our speech, actions, and mannerisms. Of course, May imagines a male reader protesting by saying:

I am adamantly opposed to rape, and though when I was younger I might have tolerated rape-conducive comments from friends of mine, I don't now, so I'm not a collaborator in the rape culture. And I would never be a rapist whatever the situation... So how can I be responsible for the prevalence of rape?<sup>258</sup>

What this hypothetical male reader fails to understand, however, is how powerful the ideology of rape culture is and how even a seemingly innocuous comment could promote rape-culture.

Nonetheless, I am skeptical about using *like-mindedness* to ground collective responsibility, as May (1994) does. Using *like-mindedness* as a criterion runs into the problem

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<sup>256</sup> May and Strikwerda, “Men in Groups,” 146. It is unclear whether 1-4 are sufficient or necessary conditions for collective responsibility for rape in May's account. Nonetheless, he suspects that all men meet at least criterion 2 and 4.

<sup>257</sup> Both 1 and 3 concern themselves with action or inaction. That is, they concern themselves with some *control condition* of responsibility. I discuss a control condition for responsibility in the following section when discussing the separateness of persons.

<sup>258</sup> May and Strikwerda, “Men in Groups,” 147.



that we simply do not know how fine-grained it has to be. Is sharing one or two thoughts with other members of a collective sufficiently like-minded to ground responsibility? Or are only whole patterns of thinking and ideology sufficient? How explicit must these thoughts be? Whatever is decided upon will ultimately feel arbitrary.

Focusing too much on like-mindedness also runs the risk of blinding us to the other three criteria. Take, for instance, lynch mobs in the pre-Civil War South. All members who actively participated in a mob or were passive bystanders are responsible for their actions or lack of action to some degree. But I highly doubt all of them, even the passive bystanders who might have been sympathetic to the lynch victim, were like-minded. We can, for instance, imagine a bystander who explicitly disavowed racism and lynching but feared for her life if they were to have tried to stop the lynching. This person is still responsible to some degree<sup>259</sup> — they *should* have done something to stop this lynching but failed. Yet, their mind is very different from the other members of the mob, so it appears that like-mindedness is not necessary for this instance of collective responsibility.

However, the biggest problem with using like-mindedness as a criterion for collective blame is that it runs into the problem of collective minds and intentions. I am skeptical that an account of collective minds and intentions can be given for disorganized collectives. While

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<sup>259</sup> They are of course, responsible to a much lesser degree than those active participants because of the risk she ran. In the following section I expound on how risk can be a mitigating factor when determining how blameworthy an individual is for their collective.

some philosophers have tried to explain how collectives have functional minds, their accounts are limited and do not seem to apply to disorganized collectives.

For instance, Held (2001) argues that when a collective has “structure and set of decision procedures, it is capable of acting and should, it can well be argued, be considered morally as well as legally responsible.”<sup>260</sup> One could plausibly argue that this structure and decision procedures functionally serve as a collective mind or intention. Of course, however, this would only apply to organized collectives, not disorganized collectives.

Also, Raimo Tuomela and Pekka Makela (2016) have an account of collective responsibility in which they argue “if the group members have accepted the group agent’s (attributed) attitudes and are committed to them, we can favorably compare the situation with the case of individual human agents and a group agent can be regarded as morally responsible for its intentional activities.”<sup>261</sup> This account is useful, but unfortunately, it is limited to what Tuomela and Makela call well-functioning *we-mode* groups, collectives that have “extrinsic” mental states attributed to them primarily by their members. Disorganized collectives, such as racial collectives, are not plausibly *we-mode* groups (e.g., whites, as individuals, do not attribute “white mental states” to the “white collective”).

Finally, Olle Bloomberg (2020) also argues for collective responsibility. In particular, he locates blame in an agents’ ill-will and proceeds to argue that individual agents are more

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<sup>260</sup> Held, “Group Responsibility for Ethnic Conflict,” 157.

<sup>261</sup> Raimo Tuomela and Pekka Mäkelä, “Group Agents and Their Responsibility,” *The Journal of Ethics* 20, no. 1–3 (September 2016): 306, <https://doi.org/10.1007/s10892-016-9236-7>.

blameworthy when *sharing intentions* instead of simply *acting strategically*.<sup>262</sup> This seems to be more applicable to disorganized collectives than Held's (2002) or Tuomela's (2016) account. However, while I do not deny that ill-will factors into our attributions of blame, I am not convinced that we can settle on an answer as to how conscious/unconscious or fine/broad-grained intentions must be for them to qualify as *shared*.

#### B. From Likemindedness to Blood Money Benefits

Unfortunately, once we have *like-mindedness* in the picture as a requirement for collective responsibility, it will only be natural for the skeptic to demand what a collective mind is, how collective intentions work,<sup>263</sup> how conscious or unconscious those intentions can be, which type of collectives can have them, and how well-structured those collectives must be. These are difficult issues, and instead of attempting to disentangle them, I suggest we eschew like-mindedness in favor of criterion 4, that of benefit. This will let us circumvent the problems of intentionality by grounding collective responsibility for disorganized collectives in non-mental terms. It will also mesh nicely with our definition of disorganized collectives, which centers around privilege and subordination.

As an example, let's turn to some of the benefits men collectively enjoy due to the rape of women, which May (1994) highlights for us by telling the following story:

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<sup>262</sup> Blomberg and Hindriks, "Collective Responsibility and Acting Together."

<sup>263</sup> For two attempts at defining collective responsibility and linking it to collective minds, see Allard Tamminga and Frank Hindriks, "The Irreducibility of Collective Obligations," *Philosophical Studies* 177, no. 4 (April 2020): 1085–1109, <https://doi.org/10.1007/s11098-018-01236-2>; Blomberg and Hindriks, "Collective Responsibility and Acting Together."

Several years ago, at a social occasion in which male and female professors were present, I asked offhandedly whether people agreed with me that the campus was looking especially pretty at night these days. Many of the men responded positively. But all of the women responded that this was not something that they had even thought about, since they were normally too anxious about being on campus at night.<sup>264</sup>

The result is not only that women suffer a psychic cost associated with rape culture, but that men enjoy psychic carefreeness. Men are also then able to use whatever finite resources women did not use out of fear, say, by checking out a rare book in the library, meeting up with colleagues to study, and overall freedom of travel.

Of course, receiving a benefit from one's collective is not necessarily wrong. But as we see with the case in gender, belonging to a collective (men) grants one benefits that come at the expense of another collective (women). We should, at this point, ask whether the case is analogous when it comes to other disorganized collectives, such as racial collectives.

When speaking of the United States and other nations deeply affected by race politics, benefits one attains from belonging to the racially dominant collective rarely do not come at the expense of another. Even if the benefit was inherited by a previous generation, said benefit might continue to come at the expense of a current collective. When the United States Congress apologized for slavery, for instance, they explicitly mentioned that "African-Americans continue to suffer from the consequences of slavery and Jim Crow laws—long after both systems were formally abolished—through enormous damage and loss, both tangible and

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<sup>264</sup> May and Strikwerda, "Men in Groups," 147.

intangible, including the loss of human dignity and liberty.”<sup>265</sup> It goes without saying that slavery was an economically lucrative business that not only benefited enslavers but their progeny as well via wills and inheritances.

This type of benefit, which comes at the expense of another, is what Radzik (2001) discusses when discussing the *Blood Money Theory of responsibility*. She writes:

Another, importantly different way in which individuals can come to share in the responsibility for the wrongs committed by their groups is by benefitting from those crimes. Suppose that in Adam’s town work, education, and other social benefits are routinely passed out in a way that favors his group over the rival ethnic group. As a member of this community, Adam has benefitted from the system of discrimination. This fact in and of itself can confer responsibility on Adam... Oppression can be economically lucrative. It can also lead to more intangible benefits by creating a sense of unity and self-esteem within the oppressive group since the group defines itself as opposed to and better than the other... Let’s call this theory that links collective responsibility to the reception of benefits from collective crimes the “Blood Money” theory of responsibility.<sup>266</sup>

I refer to this type of benefit, which comes at the expense of another collective, as a *Blood Money Benefit (BMB)*. As we can see, BMBs come in 2 main types: material and psychic benefits. Material BMBs include any financial or asset boons (e.g., being eligible for a housing loan, inheriting your parents’ house). However, psychic BMBs, like Radzik (2001) mentions, include more intangible boons such as being able to see one’s race celebrated in history books,

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<sup>265</sup> United States Senate, “Text - S.Con.Res.26 - 111th Congress (2009-2010).”

<sup>266</sup> Radzik, “Collective Responsibility and Duties to Respond,” 458.

feelings of belonging, carefreeness, etc.<sup>267</sup> We can further distinguish between immediate BMBs, such as a man walking at night carefree of rape culture, and “downstream” BMBs, such as said man arriving at his destination to enjoy a game of poker with friends.<sup>268</sup>

### C. Putting it Together: Oppression, Disorganized Collectives, Blood Money Benefits, and PCR

Let me take a moment to connect the two definitions introduced so far, that of disorganized collectives and BMBs, to ideas mentioned in the previous chapter, namely relational oppression and pluralistic collective responsibility (PCR).

As mentioned earlier, my definition of disorganized collectives *only* applies to collectives implicated in oppression, particularly those without governing bodies and decision-making procedures. Our account of relational oppression from chapter 3 shows that oppression always implicates an oppressed collective and a privileged collective (i.e., a non-oppressed group). In chapter 3, I also mentioned that the privileged collective might (or might not) benefit from oppression. However, to be a privileged collective, they need only be

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<sup>267</sup> Some qualifications regarding BMBs are as follows: It is perfectly possible in this account that one can receive BMBs in one aspect of one’s identity (e.g. race) while having to pay the cost for them in another aspect of one’s identity (e.g. gender). Furthermore, BMBs are not necessarily evenly distributed. For instance, while all white folk might receive material BMBs for their being perceived as white, some white folk may receive gratuitously large amounts of material BMBs while others receive only meager BMBs

<sup>268</sup> Insofar as both immediate and “downstream” BMBs are at least indirectly causally connected to another collective having to pay a cost, I treat them the same in this paper. This is partially because I think it is good ethical practice to know where the many benefits and luxuries we enjoy come from, but also because I am not confident that a neat distinction can be made between immediate and downstream BMBs. Of course, the further a BMB is in the causal chain from the other collective paying a cost, then the less “bloody” it might be, but the blood never fully washes off in my account.

privileged in the sense that they are not subject to the same life constraints the oppressed collective is. I now argue that privileged disorganized collectives are also responsible for oppression.

They are responsible because, due to BMBs, they *always* benefit from oppression. Belonging to a privileged disorganized collective (hereafter, PDC) does not occur in a vacuum. Being privileged bestows one with BMBs, benefits that come at the expense of the oppressed. Receiving BMBs creates moral obligations for one to act both as an individual and in one's collective. Choosing not to act, therefore choosing to ignore one's moral obligations, results in others continuing to pay the cost. This is blameworthy because one is essentially condoning and perpetuating harm on oppressed collectives.

To tie this into PCR, this grounds responsibility-as-cause. This also reasonably grounds responsibility-as-accountability since the oppressed can reasonably ask PDCs to account for their (in)actions. For example, the oppressed might ask, "why did you laugh at your boss' sexist joke last night?" Or, "the police officer assaulted that black man, and you did not even bother to record the incident?" The oppressed can even ask PDCs to account for seemingly innocent actions. Suppose that I, as a man, choose to enjoy a late-night stroll. By complete coincidence, a young woman walks in front of me and takes the same route as I do for many blocks. The young woman, as a result, suffers from anxiety, wondering if I am following her. The young woman could reasonably ask me, "Why did you have to enjoy your walk in such a way that my night was ruined? Why didn't you choose to take another path?"

More generally, the oppressed can ask the privileged, “Why did you accept those BMBs that come at my/others’ expense?”

In virtue of these BMBs, however, members of PDCs also have more transformative power, unlike the oppressed themselves. I define transformative power as the ability to challenge or change the structural processes without facing unreasonable costs or risks. I agree with Stahl (2017) when he mentions that “it is defining for group oppression that members of the oppressed group are caught in relationships regarding the structure of which they lack transformative power” while the privileged collective is not.<sup>269</sup> To elaborate, the PDCs have either the financial, political, or social power to change structural processes. Of course, they need not have every type of power, but simply a power relative to the oppressed collective in some dimension. This, I argue, grounds responsibility-as-ability. Insofar as having the ability to remedy a situation is a reason to remedy it, transformative power also grounds responsibility-as-remedy.

Moreover, PDCs are not trapped in systems that heavily incentivize them to submit to oppressive practices and relinquish their transformative power. This is, unfortunately, not the case for oppressed collectives who are incentivized in such a manner. This should not be surprising since oppression depends on the oppressed to accept existing norms. Take the case of sexism as an example. Women are incentivized in

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<sup>269</sup> Stahl, “Collective Responsibility for Oppression,” 474.



the workplace not to challenge sexist practices so as not to be flagged as “difficult,” “uncooperative,” or “unable to take a joke.” Being flagged as such is immensely costly to women as they may then be denied a promotion (or just be terminated). Conforming to these practices instead, however, results in women being praised as “being one of the guys.” In the short term, this praise might serve as a BMB, but it serves to reaffirm the structural processes that sexism depends on and disempowers women in the long term. While PDCs might be similarly incentivized to accept structural processes, it is less costly to challenge them. Continuing with the case of sexism, it is not surprising that research has found that “relative to women who confront sexism, men who act as allies are evaluated more positively” and “their confrontations are taken as more serious and legitimate efforts to combat sexism.”<sup>270</sup> Thus, blood money benefits give members of PDC transformative power and the authority to challenge oppressive practices without facing high costs. Within PCR, this situates responsibility-as-liability since PDCs can best pay any associated costs in challenging oppression. Insofar as being able to remedy a situation without paying high costs is a reason to remedy it, this also further grounds responsibility-as-remedy.

Finally, oppression is carried out in the name of PDCs. By this, I mean that PDCs receive blood money benefits from oppressive systems, systems that are set up to benefit

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<sup>270</sup> Benjamin J. Drury and Cheryl R. Kaiser, “Allies Against Sexism: The Role of Men in Confronting Sexism,” *Journal of Social Issues* 70, no. 4 (2014): 637–52, <https://doi.org/10.1111/josi.12083>.

PDCs. Yankah (2019) agrees with me here when he writes the following regarding racial oppression:

The most serious demands of political morality do not rest on the victims of injustice. Rather, the demands weigh on the slave-owner, Polish and German officials, on their families, their wider communities and even the *nation in whose name the oppression is carried out*. We need not imagine that modern-day American injustice reaches such levels to see the point. Outside our admiration for resilience, the question ought not be how ghetto residents should view the criminal law but *how ordinary advantaged Americans, in whose name the state oppresses*, should relate to a substantially illegitimate criminal justice system.<sup>271</sup> (emphasis added)

Oppression is carried out in the name of PDCs, and they subsequently receive blood money benefits. I add that this is so even if PDCs are ignorant of the fact, even if they explicitly disavow oppression, and even if the government (or whoever the oppressor is) denies that this is the case. Take the case of mass incarceration, for instance. Michelle Alexander (2010) convincingly argues that mass incarceration disproportionately affects poor black folk and is the new Jim Crow. Alexander writes, “Every system of control depends for its survival on the tangible and intangible benefits that are provided to those who are responsible for the system’s maintenance and administration. [Mass incarceration] is no exception.”<sup>272</sup>

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<sup>271</sup> Yankah, “Whose Burden to Bear?”

<sup>272</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Revised edition (New York: New Press, 2012), 71.

Of course, state and local police departments, organized collectives, benefit in that they are given a ludicrous amount of funding for playing their role.<sup>273</sup> However, average middle-class Americans, a privileged disorganized collective, also benefit because they are given access to various goods and services. The incarcerated serve as a source of cheap labor, making everything from clothes,<sup>274</sup> license plates, and mattresses.<sup>275</sup> They even fight wildfires for \$1 an hour in California, so the average Californian will not have to worry about traffic in their morning commute or their property being damaged.<sup>276</sup> It does little for the average American to protest that they did not know about mass incarceration since they still benefit from it whether they would like to or not. In fact, the state and prisons often intentionally keep the average American remain ignorant of mass incarceration. As Alexander (2012) writes:

The new system had been developed and implemented swiftly, and it was largely invisible, even to people, like me, who spent most of their waking hours fighting for justice... Mass incarceration is a system that locks people not only behind actual bars in actual prisons, but also behind virtual bars and virtual walls—walls that are invisible to the naked eye but function nearly as effectively as Jim Crow laws once did at locking people of color into a permanent second-class citizenship... Once released, former prisoners enter a

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<sup>273</sup> Alexander, 71–74.

<sup>274</sup> Emily Yahr, “Yes, Prisoners Used to Sew Lingerie for Victoria’s Secret — Just like in ‘Orange Is the New Black’ Season 3,” *Washington Post*, 2015, <https://www.washingtonpost.com/news/arts-and-entertainment/wp/2015/06/17/yes-prisoners-used-to-sew-lingerie-for-victorias-secret-just-like-in-orange-is-the-new-black-season-3/>.

<sup>275</sup> PBS Staff, “Cheap Labor Means Prisons Still Turn a Profit, Even During a Pandemic,” *PBS NewsHour*, May 8, 2020, <https://www.pbs.org/newshour/economy/cheap-labor-means-prisons-still-turn-a-profit-even-during-a-pandemic>.

<sup>276</sup> Abigail Hess, “California Is Paying Inmates \$1 an Hour to Fight Wildfires,” *CNBC*, November 12, 2018, <https://www.cnn.com/2018/08/14/california-is-paying-inmates-1-an-hour-to-fight-wildfires.html>.

hidden underworld of legalized discrimination and permanent social exclusion. They are members of America's new undercaste.<sup>277</sup>

Of course, the government and prisons might claim that they are not oppressing black folk and other minorities. They might claim that they are not trying to benefit average Americans (and themselves) — they are simply trying to keep law and order. They claim that higher drug crime rates among the minority populations account for mass incarceration. Mass incarceration, they claim, is a result of ensuring safety, not enriching the privileged. However, as Alexander (2012) once again correctly notes, appealing to crime rates and law and order is deceitful:

The truth, however, is that rates and patterns of drug crime do not explain the glaring racial disparities in our criminal justice system. People of all races use and sell illegal drugs at remarkably similar rates. If there are significant differences in the surveys to be found, they frequently suggest that whites, particularly white youth, are more likely to engage in illegal drug dealing than people of color.<sup>278</sup>

PDCs receive blood money benefits from oppression, whether they would like to or not, and even if the state says otherwise. Since oppression is carried out in the name of PDCs, blood money benefits are attributable to PDCs. This, of course, does not necessarily make those collectives and their members immoral or bad people. But the oppression that results in BMBs is carried out in their name, either implicitly or explicitly. As such, even

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<sup>277</sup> Alexander, *The New Jim Crow*, 3, 12.

<sup>278</sup> Alexander, 97.

though individual actions of oppression are not attributable to PDCs, BMBs are. This grounds responsibility-as-attributability.

Note that it does little to protest by exclaiming, “How can these BMBs be attributable to me and who I am? I never chose to accept them!” In response, I assure this hypothetical protestor that they are not blameworthy for having received BMBs. Indeed, as I will argue in section IV.B., belonging to a privileged collective and receiving BMBs is not blameworthy *per se*. This is because one does not choose to receive BMBs — BMBs are instead thrust upon one.

Nonetheless, these BMBs are still attributable to members of privileged collectives in that they tell us *something* significant about the agent. BMBs (and oppression overall) do not fatalistically pre-determine one’s identity, but it would be naïve to think that they do not drastically affect one’s life, opportunities, and experiences. Concerning race, ignoring BMBs and what they say about one’s life is paramount to being color-blind instead of *color-conscious*.<sup>279</sup> As P. W. Taylor (1973) tells us regarding racial oppression, “To ignore the fact that a person is [black] would be to ignore the fact that there had been a social practice in which unjust actions were directed toward [black] persons as such.”<sup>280</sup> Similarly, to ignore the fact that a person is white would be to ignore the fact that there

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<sup>279</sup> See Bill Shaw, “Affirmative Action: An Ethical Evaluation,” *Journal of Business Ethics* 7, no. 10 (October 1988): 763–70, <https://doi.org/10.1007/BF00411023>. In particular, section IIIA.

<sup>280</sup> P. W. Taylor, “Reverse Discrimination and Compensatory Justice,” *Analysis* 33, no. 6 (June 1, 1973): 179, <https://doi.org/10.1093/analys/33.6.177>.

had been (and continues to be) social practices that significantly and systematically benefits them at the expense of others. So it is with all oppressions.

Thus, due to BMBs, privileged disorganized collectives are plausibly responsible in five out of the six meanings of PCR: responsibility-as-cause, liability, attributability, accountability, remedy, and ability. The only meaning they cannot be said to be plausibly responsible is under responsibility-as-office. Of course, as mentioned in the previous chapter, corporations were not responsible in that last meaning either. We, rightly, nonetheless held them responsible for oppression. Likewise, it is right to hold privileged groups responsible for oppression, albeit to a lesser degree than powerful governments (who, as I argued in chapter 3, are responsible in all six meanings of PCR).

Again, as mentioned in chapter 3, section IID, I adopt a distributive account of collective responsibility. Using parameters of power, privilege, and the level of participation in the collective, I will allocate different levels of responsibility to different members of the collective. A poor, transgender, white woman, for instance, will have less responsibility to combat racism than a wealthy, cisgender, white man. Nonetheless, this responsibility cannot be discharged by the actions of individual members. As I will argue in section VB, the obligations that arise from BMBs can only be discharged by engaging in collective action.

For now, however, I would like to state some hypothetical considerations. My account is committed to the idea that if BMBs ceased to exist, the obligations one has to combat oppression would also cease to exist. Furthermore, I have mostly used BMBs to show how disorganized collectives can come to be responsible, albeit organized collectives can receive them too. Nonetheless, BMBs can only be discharged via collective action (more on this in Chapter 5).

I'd like to consider cases in which one's BMBs appear to be minor (or non-existent) and the obligations they place on one seem unreasonably high. Let us take the hypothetical example of a man named Steve.

Steve suffers from toxic masculinity. He is small, weak, diffident, perhaps too sensitive even. In short, he is everything a man is not supposed to be according to toxic masculinity. As a result, he plausibly suffers from toxic masculinity – he is frequently passed up in romance, work, and other social affairs in favor of other more desirable men. Perhaps he is even bullied by other men (and perhaps even by some women). Should we say that a man like Steve benefits from patriarchy? Steve himself might say that he does not benefit at all from patriarchy.

Well – yes, we should. Steve's closest real-life analog would be the contemporary Incel (involuntary celibate) online culture. Many of these heterosexual men have a

number of traumas stemming from toxic masculinity, which results in feelings of being unwanted.<sup>281</sup> Nonetheless, they still gain some blood money benefits at the expense of women. It might be difficult to see these at first. So let us make it clear what psychic benefits men like Steve might still gain from patriarchy.

In their online communities, Incels frequently bond at the expense of “Chads” and “Stacys,” who are, according to incels, stereotypically desirable men and women, respectively.<sup>282</sup> One incel might, for instance, relate a story as to how an unintelligent and attractive Stacy chose a brutish Chad over them. The other incels would then affirm the original incel’s feelings of frustration and injustice. It should be clear that this is still a benefit that comes at the expense of women. It is a Blood Money Benefit. Note that this is a Blood Money Benefit even if Steve never relies on it – the fact that a community is readily available to accept him with open arms and validate his suffering is a benefit, whether one uses it or not.

Let us suppose, though, that Steve is not a member of the Incel community. In fact, they try their best to respect women, and, let us pretend, they actually do. Furthermore, let us suppose that, for whatever reason, Steve can only combat oppression in such a way that is costly to him – say, by losing his finger or the equivalent. Steve might

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<sup>281</sup> Jonathan Griffin, “Incels: Inside a Dark World of Online Hate,” *BBC News*, August 13, 2021, sec. BBC Trending, <https://www.bbc.com/news/blogs-trending-44053828>; Jia Tolentino, “The Rage of the Incels,” *The New Yorker*, May 15, 2018, <https://www.newyorker.com/culture/cultural-comment/the-rage-of-the-incels>.

<sup>282</sup> Griffin, “Incels.”



protest, “I hardly gain anything from patriarchy! Why should I have to invest my energy?” Indeed, this is not ideal. In these situations, I concede that Steve would have less responsibility allocated to him than a man who has more power and benefits more from patriarchy. Furthermore, we should try as much as possible to find alternative ways that Steve can combat oppression. But supposing none are available, Steve should still act on the obligations from his BMBs. He should still lose his finger or the equivalent.

This might seem like a high price to pay. Indeed this might seem unfair or too demanding. But I remind the reader that we similarly asked corporations and businesses to combat oppression even if they face losing major profit or even going out of business. We should remember that members of the oppressed class are likely to be under similar or worse constraints than those of Steve and businesses. Women and those oppressed by unjust market structures ultimately have less transformative power. Women are just as likely to suffer from Steve’s predicament – one in which they can only combat oppression when the price on them is high.

Again, ideally, the larger burden would fall on another man who is more privileged, receives more BMBs than Steve, and has more transformative power. But let us suppose that the only options are that 1) Steve must lose his finger to fulfill the obligation the BMB places on him, 2) the work of combatting oppression is completed not by Steve

but instead by a woman who might also lose a finger (or something comparable). In which case, I believe that 1) is the best choice.

In the final section, I will make some suggestions on what one can do if one is blamed and subsequently feels guilty for not fulfilling the obligations BMBs place on them. For now, though, we have a definition of disorganized collectives. By reading BMBs into this definition, some disorganized collectives are responsible for oppression insofar as they ignore their obligations to act. Furthermore, by grounding our racial categories purely in terms of benefit, we have avoided any mental-talk of collectives. So much for objections I and II. Let us turn to objections III and IV.

#### IV. Responding to the Moral-Skeptic's Control Condition Argument

In this section, I respond to the moral-skeptic's argument that disorganized collectives cannot be held responsible for oppression because they have no control over oppression, either in the past or future. In particular, I argue that my account does not violate this control condition. Under my account, privileged disorganized collectives are held responsible for failing to act once they receive blood money benefits. Furthermore, when a privileged disorganized collective is held responsible in this way, blaming them is appropriate.

##### A. Reconceptualizing the Control Condition

At its most basic, a control condition claims that an agent cannot be held responsible for an event or action if they had no influence or power over it. At first glance, it sounds

plausible to claim that PDCs have not met any robust control condition. After all, in disorganized collectives, members often do not choose to fulfill membership requirements, unlike in organized collectives. Furthermore, since they do not have decision-making procedures in place, they might not have any influence over what members of their collective do, who they might not even know. Why should an individual member be held responsible and blameworthy for something they had no control over?

Radzik (2001) has similar worries when she writes, “[Metaphysical guilt] appears to deny the traditional link between responsibility and control, since one’s group membership is often beyond one’s power of choice, as in the cases of racial, ethnic, and often national identities.”<sup>283</sup>

In particular, Radzik (2001) has concerns that to use BMBs the way I do, to ground collective blame, is unjust. She writes, “The acceptability of the Blood Money theory will turn on what it means to hold someone responsible in this sense. If this kind of responsibility is linked to guilt, blame, and punishment, it will be unjust.”<sup>284</sup>

Radzik does not explicitly tell us why it would be unjust. However, I interpret Radzik (2001) here as implying that guilt, blame, and punishment should ultimately be linked to some control condition. Overall, I agree with this sentiment, but I am confident that my account can accommodate it.

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<sup>283</sup> Radzik, “Collective Responsibility and Duties to Respond,” 456.

<sup>284</sup> Radzik, 458.

Returning to Radzik's case of Adam from earlier, suppose distant members of Adam's collective, whom he does not even know, acted on his behalf in such a way that BMBs are bestowed on him. Let us take stock of what Adam has and lacks control over in this situation. In this case, Adam's collective acting is, to a large part, out of his control, and so it would be unfair to guilt or punish Adam on that count. Furthermore, to a very large degree, Adam does not have control over whether people view him as white and subsequently see him as a potential candidate for receiving BMBs. Unless he takes drastic measures to conceal his ancestry and change his outward appearance, Adam cannot control whether he fulfills the membership requirements of being white. Thus, it would also be unfair to hold Adam responsible for being white or being given BMBs. However, Adam still has a choice on what to do with these BMBs now that he has them. That is, given that his collective has acted in such a way — how will Adam respond? If Adam does nothing or chooses inaction and passivity, he is essentially perpetuating the status quo, accepting his benefit, which comes at others' expense. This is blameworthy and does not break the connection between responsibility, blame, and control.

Radzik (2001) herself concedes this point when she writes, "Another way individuals may come to share the responsibility for collective crimes is through acts of omission... Since

choice and control are still relevant to the attribution of responsibility, the separateness of persons principle is respected.”<sup>285</sup>

To blame a collective and its members, disorganized or otherwise, for oppression then is to claim that they are not doing enough (or, in some cases, anything at all) to combat oppression. I want to emphasize that Adam has control in both a backward-looking and forward-looking sense of responsibility here. For instance, Adam may not have had control over what his ancestors did centuries ago. But he had control over how he responded to the death of George Floyd in May of 2020. Furthermore, he has control, albeit limited, control in how he will respond to receiving BMBs in the future.

In the case of blood money benefits, blameworthy privileged collectives have not done enough to fulfill the obligations BMBs place on them. To “do enough” would mean to end the oppressive systems that repeatedly bestow BMBs. Only by doing this would one discharge one’s BMBs and their obligations on one. Of course, I acknowledge that this is easier than done, and I am willing to accept the implication that working towards justice is the never-ending work of a lifetime.

### B. Blame vs. Shame

Nonetheless, even conceding that Adam had control over his actions and is therefore responsible, Radzik (2001) still hesitates to blame Adam. She opts for what I refer to as the *Severing Strategy* in discussions of structural injustice. The severing strategy essentially breaks

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<sup>285</sup> Radzik, 458.

the conceptual link between responsibility and blame in regard to structural injustice. The result is that an agent can be responsible for oppression without being blameworthy. This strategy is not unique to Radzik (2001). Young (2011), for instance, also utilizes it when she claims that her view on responsibility for injustice implicates “many actors who are not plausibly to blame for the situation of specific individuals.”<sup>286</sup> Other philosophers who use this strategy include Robin Zheng (2018), Titus Stahl (2017), and Gunnar Björnsson (2020).<sup>287</sup>

As for Radzik (2001) herself, regarding the severing strategy, she writes:

The lack of a causal link does have an effect on our understanding of the sort of responsibility involved, however. Depending on the details of the case, shame and the disapprobation of the community may be a more appropriate response to acts of omission than guilt, blame, and punishment.<sup>288</sup>

We should ask ourselves what motivates Radzik (2001) here to create distance between responsibility and blame — why does she loosen the connection between responsibility and blame here? In a footnote, she mentions:

Among the details that will matter to whether guilt or shame is more important will be the degree of effort or risk that acting would entail, the degree of effectiveness acting would have in preventing harm, and whether or not the person who omits to act has any special obligations to act based on her social role.<sup>289</sup>

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<sup>286</sup> Young, *Responsibility for Justice*, 161.

<sup>287</sup> Zheng, “What Is My Role in Changing the System?”; Stahl, “Collective Responsibility for Oppression”; Björnsson, “Collective Responsibility and Collective Obligations Without Collective Moral Agents.”

<sup>288</sup> Radzik, “Collective Responsibility and Duties to Respond,” 458.

<sup>289</sup> Radzik, 458. Note 8.

I take this to imply that if acting would require a great deal of effort, would not effectively reduce harm, and one has no special obligations based on their social role, then shame instead of guilt is appropriate. I am somewhat inclined to agree with this, but I'd like to make a few cautions regarding these three criteria.

Recall that according to DiAngelo (2011), white folk, in particular, suffer from racial fragility. Simply discussing race requires a great deal of effort and might cause a great deal of anxiety. Any sort of racial encounter in which racial differences are confronted can become labors of effort:

In a white dominant environment, each of these challenges becomes exceptional. In turn, whites are often at a loss for how to respond in constructive ways. Whites have not had to build the cognitive or affective skills or develop the stamina that would allow for constructive engagement across racial divides.<sup>290</sup>

We can reasonably imagine that explicitly confronting one's BMBs would require even more effort. A large amount of effort required to act is not an excuse. Accepting it as an excuse would reinforce white fragility and enable low racial stamina. Instead, a good deal of effort, discomfort, and anxiety should be expected as one attempts to develop one's racial stamina. Foregoing to act on one's BMBs because it is "too hard" will only make it that much more difficult to act in the future. Moreover, we should reasonably expect that engaging in racial justice to be morally onerous —creating a just world is not easy.

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<sup>290</sup> DiAngelo, "White Fragility," 57.

Regarding the efficacy of preventing harm, I worry about making evaluations in bad faith. That is, I worry that Adam may judge the efficacy of his stepping in to help his non-white friends not to be very effective, not because he has rationally weighed out the situation, but because he is implicitly aware that it would require great effort on his part. For instance, Adam might judge the efficacy of his actions in bad faith if he believes he is already in the Most-He-Can-Do-Sweet-Spot. The idea here is that Adam is already doing as much as possible to combat racism in his life. To do any more in the present encounter would demand too much of Adam. In fact, it would make him morally worse in that he might end up “burning out” and become less effective. Eric Schwitzgebel (2019) considers the Most-We-Can-Do-Sweet-Spot when discussing how most people choose to be morally mediocre and attempt to rationalize said mediocrity. He mentions:

This may be the case for some people. If you’re a homeless mother of three who has managed to keep it together through a cold winter and physical abuse, I’m ready to believe that you might really have no resources to do better than you’re already doing. But for most of us, it’s probably good policy to be skeptical of any tendency to think that you are already in The-Most-You-Can-Do Sweet Spot.<sup>291</sup>

I agree with Schwitzgebel (2019) and add that instead of being content that we are indeed in the sweet spot when combatting racism, we should ask ourselves whether we are making our evaluations of efficacy in good faith. There is, of course, no way to be sure that one is completely honest with oneself. One’s biases may get the better of one despite one’s best

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<sup>291</sup> Eric Schwitzgebel, “Aiming for Moral Mediocrity,” *Res Philosophica* 96, no. 3 (2019): 347–68, <https://doi.org/10.11612/resphil.1806>.



efforts. A good strategy is to ask others if they can do the emotional labor of giving one an honest assessment. That is, to ask someone one trusts and who feels comfortable the hard question, “Give it to me straight – am I really doing all I can? All I should be able to?” Asking folks outside one’s privileged group can be particularly useful, but again, one should be mindful of being respectful and of the emotional labor involved in “giving it to someone straight.”

Finally, regarding special obligations given by one’s social role, I am a bit unsure as to which social roles would constitute special obligations in Radzik’s (2001) view. It seems intuitive that being in a leadership position or position of power might constitute special obligations. But what of the social role of belonging to a racial collective that has acquired BMBs? Does this not create special obligations, especially when the involved parties are sometimes fellow citizens? I do not know what Radzik (2001) would answer, but I suspect the answer is yes; special obligations hold. Developing an account of what civic duties entail and what we owe each other as civilians are outside this dissertation’s scope. Still, I encourage us to consider this topic when discussing race and BMBs.

Thus, I have shown that my account of how some collectives come to be blameworthy via BMBs does not violate the control condition. I will say more about the nature of this collective blame in chapter 5, particularly in section IIC, where I connect it to what I call “us-blame.”

## V. Concluding Remark

Before closing this chapter, one final note deserves mention. This chapter has primarily focused on racial collectives. In particular, it focuses on the obligations white individuals incur from their collective responsibility for oppression. However, the points made here are readily generalizable to other privileged disorganized collectives. These other privileged disorganized collectives, just to name a few, include men, heterosexuals, the wealthy, and citizens of industrialized nations. These collectives also have their hands bloodied and are thus also obligated to act. Most, if not all, of us likely fall into one of these privileged disorganized collectives and thus receive BMBs of some kind. This should not be hard to see for those of us in industrialized nations that benefit from cheap global labor. Like Schwitzgebel (2019), I suspect most of us are not in The-Most-We-Can-Do-Sweet-Spot and could do more to discharge the obligations our BMBs place on us. Many of us can do more to combat the oppressions which benefit us at the expense of others.

## Chapter 5

### Revisiting Collective State Apologies

Chapter Thesis – A Collective State Apology (CSA) can be a confession of “us-blame.” As a confession of us-blame, CSAs can contain an element of self-protest. However, the apology’s recipient must guide this protest if the CSA is to be morally legitimate.

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## I. Introduction

In chapter 1, the moral-skeptic argued that collective state apologies (CSAs) could not be morally legitimate since only individuals can be the bearers of responsibility. I ended that chapter by mentioning that I would need to develop an account of collective responsibility for oppression. Furthermore, I elaborated and strengthened the moral-skeptic's position in chapter 2 with various objections. In chapters 3 and 4, I developed such an account of collective responsibility for oppression and responded to the moral-skeptic's arguments from chapter 2.

However, the upshot of chapter 4, sections III and IV, was that collective responsibility for disorganized collectives makes way for collective blame. Collective blame, in turn, warrants the appropriateness of collective guilt insofar as guilt is understood as self-regarding blame.<sup>292</sup> In this chapter, I want to explore the nature of this blame, particularly when it concerns collective state apologies (CSAs). I argue that a CSA can be a confession of "us-blame." As a confession of us-blame, CSAs can contain an element of collective self-protest. This element of self-protest is equivalent to challenging the moral conduct in one's own behavior. However, the apology's recipient must guide this protest if the CSA is to be

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<sup>292</sup> This is roughly what R. Jay Wallace understands guilt to be when considering psychopathy. Thus, I understand guilt to primarily be a feeling or judgment turned inward. If one wishes to understand guilt in a moral realist sense (i.e. "one is or is not guilty, emotions do not enter the picture") that is fine, just note that what is mentioned here only pertains to self-regarding blame. Wallace, *Responsibility and the Moral Sentiments*.

morally legitimate since, as mentioned in chapter 1, morally legitimate apologies must prioritize the recipient's agency.

I begin in section II by arguing that just as we reconceptualized the control condition in chapter 4, section IVA, we will need to reconceptualize CSAs. In particular, they should be reconceptualized as apologies for failing to combat oppression. Interestingly, once CSAs are reconceptualized in such a manner, they can also become a confession of what I call “us-blame.”

I continue in section III by suggesting how one can manage one's us-blame. Ultimately, us-blame ought to contain an element of protest that the CSA's recipient guides. If so, the apology can become morally legitimate.

## II. Collective State Apologies as Confessions of Us-Blame

CSAs should be reconceptualized as apologizing for failing to combat oppression. Understanding a CSA in this way allows it to be a confession of what I call “us-blame.” My argument here is an argument from analogy. I focus on interpersonal apologies and their relationship with guilt. Afterward, I analogize to the collective realm, highlighting how similar relationships hold between CSAs and collective guilt.

### a. Reconceptualizing CSAs as a Failure to Combat Oppression

It is useful to understand what many, if not most, people consider CSAs to be. To Janna Thompson (2000), many understand CSAs as apologies for what one's ancestors did. She writes that if:

We should apologize for what our ancestors did to the indigenous, the blacks, or the Jews, or the Irish, etc. ... then [doing so] requires that we understand what 'Sorry' means in the way we understand it when we apologize for our own actions. We regret the bad deed; we wish that we had not done it, and our apology is taken as a sign of remorse.<sup>293</sup>

That is, in these cases, people are apologizing for past deeds. An indicator that this is indeed the case can be seen by the reactions of those who *oppose* CSAs. For instance, we can remember, from chapter 1, concerning constituent Terry Lynch, who wrote to the editor of the Selma Times Journal arguing that his state should not apologize for slavery:

We cannot change the mistakes of our Forefathers with insane apologies and delusions in an attempt to rewrite history; this is merely a vain attempt to gain sympathy, popularity and votes. ... Trying to apologize for the past is senseless, delusive, pandering for votes. Stand up for America and our elderly by freeing them from bondage today!<sup>294</sup>

We can also remember, from chapter 1, popular Mexican columnist Sergio Sarmiento who wrote that Spain should *not* apologize for la Conquista since “the Spaniards who stayed in Spain bear no responsibility for what happened here 500 years ago.”<sup>295</sup>

Finally, we can look at the apology itself and its wording to discover what most people think it is for. Let us look back at the two main apologies from chapter 1, the United States apologizing for slavery and Jim Crow, and Canada apologizing for residential boarding schools. These apologies were explicitly for past historical crimes. The United States’ apology states, “[The House of Representatives] apologizes to African Americans on behalf of the

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<sup>293</sup> Thompson, “The Apology Paradox.”

<sup>294</sup> Staff Reports Email the author, “Apology for Slavery Is Pandering for Votes.”

<sup>295</sup> Minder and Malkin, “Mexican Call for Conquest Apology Ruffles Feathers in Spain. And Mexico.”

people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow.”<sup>296</sup>

Again, while the apology is both to living folk and their long-departed ancestors, the apology is for past actions, namely slavery and Jim Crow.

As for Canada, the apology states:

Today, I humbly stand before you to offer a long-overdue apology to the former students of the Lockwood School in Cartwright, the Makkovik Boarding School, the Nain Boarding School, the St. Anthony Orphanage and Boarding School, and the Yale School in Newfoundland and Labrador on behalf of the Government of Canada and all Canadians...  
To all of you – we are sorry.<sup>297</sup>

Again, in this situation, the apology is to living folk for past injustices.

However, understanding apologies as the previous conceptualization violates the control condition. Again, the control condition is that under any meaning of responsibility, one must have been able to exercise some degree of control over events to be responsible for those events. As mentioned in chapter 4, they lack any robust control over past historical injustice. In many cases, albeit surely not all, no one alive today can or could have exerted control over past injustices.

An objection here would be that even though no individual member of the collective today could have exerted control over the past historical injustice, the collective itself existed in

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<sup>296</sup> United States House of Representatives, “Text of H.Res. 194 (110th).”

<sup>297</sup> Government of Canada, “Remarks by Prime Minister Justin Trudeau to Apologize on Behalf of the Government of Canada to Former Students of the Newfoundland and Labrador Residential Schools.”



the past when the injustice took place. Moreover, the collective as it exists through time could have exerted control over the historical injustice. This objection is asking us to take the notion of corporate personhood seriously, something that Peter French (1984) argues.<sup>298</sup> Of course, this notion of corporate personhood can be applied to other collectives such as nations. An implication is that since the corporation existed in the past when the injustice took place, then the corporation could have exerted some control over it. Thus, the control condition is not violated.

However, this would be odd and a bit of a jump. What would it mean to say that Chiquita had control over the coup in Guatemala in 1954, and thus current Chiquita corporate executives are responsible for it? Either 1) one must say that new Chiquita executives did not have any control over the coup in 1954, but this does *not* matter since Chiquita, as a corporate person, did, and now the new executives are responsible. In which case, the control condition is still violated/not respected/subsumed under the notion of corporate personhood. Or 2) One must say that its current executives, by becoming Chiquita executives, now have some control that transcends time and location, which they didn't have before signing their employment contract.

The 1st option is not a solution at all since we are still violating the control condition. The 2nd option requires a full theory of how responsibility and control become transitive, that

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<sup>298</sup> French, *Collective and Corporate Responsibility*.

is, how they transfer from previous corporate executives (who might be dead) to current executives.

However, a 3rd and more hopeful option is to say that 3) Chiquita had control over the coup, and new executives had control over becoming executives in Chiquita. Thus, the executives are directly responsible for their employment in Chiquita and *indirectly* for the coup. This option still runs into the problem of what it would mean to have *indirect* control and why indirect control is sufficient to ground responsibility.

Moreover, I ask why it is relevant that the executive has control over becoming a Chiquita executive? The answer, I presume, is that becoming a Chiquita executive gives one certain benefits (e.g., employment, income), which come at the expense of others (those workers in Guatemala who continue to suffer from intergenerational poverty in no small part due to the coup in 1954). That is, they are blood money benefits, as I have discussed in chapter 4.

Instead, these collective state apologies should be thought of as apologies for failing to combat oppression. The reason these past injustices are often invoked, I believe, is because their legacies are still alive today. Yes, it is incorrect that the wording is for the past injustice itself. But it is, in some sense, right to bring them up, as they often have lasting effects, and the apologizing collective has failed to address them. Conceptualizing collective state apologies in this way does *not* violate the control condition. This conceptualization also nicely complements everything we have mentioned concerning collective responsibility (*viz.*,

collectives are responsible for combatting oppression). It also complements what we have said of collective blame (collectives are blameworthy when they fail to combat it) and collective guilt (collectives rightly feel guilt when they fail to combat oppression.) Thus, this is why collective state apologies should be reconceptualized. They should not be thought of as apologizing for past injustices but for failing to combat oppression.

#### b. Interpersonal Apologies and Guilt as Self-Blame

Let us briefly elaborate on the relationship between blame, interpersonal apologies, and guilt. This will allow us to better analogize to the collective sphere in the next subsection. When discussing blame, it is common to think of it as other-directed. That is, when one thinks of blame, one often imagines one person blaming a second. This blame takes the form of a judgment that the second person has behaved wrongly somehow, perhaps by shirking or neglecting their moral responsibility. If the behavior is not excusable and reflects on the agent, then it is appropriate for us to expect an apology.

Let us now consider the case of when blame is self-directed, however. First, it is worth noting that self-directed blame is discussed less than other-directed blame. This is partly because self-directed blame often goes by another name, namely *guilt*. Here, I agree with R. Jay Wallace (1998) that guilt, as a moral practice, is best understood as *self-directed blame*. However, the term guilt often occludes a certain expectation. Just as other-directed blame can make an apology appropriate, so can self-directed blame (i.e., guilt).

I am not claiming that all apologies result from guilt. I only claim that guilt often prompts apologies. When they do, the apology reveals that the apologizer blames themselves. That is, the apology becomes a confession of self-directed blame.

c. Collective State Apologies and Collective Guilt as Us-Blame

I now create an analogy between CSAs and interpersonal apologies, using what I discussed in the last section. I argue that CSAs parallel interpersonal apologies. Furthermore, individual guilt parallels *collective* guilt. As such, we are warranted in thinking of collective guilt as collective self-directed blame, what I call *us-blame*. The upshot of all this is that if we are warranted in understanding interpersonal apologies as confessions of self-directed blame, we are warranted in understanding CSAs as confessions of us-blame.

I begin by noting that a CSA, if genuine, will have the same important characteristics as an interpersonal one. Recall the definition of a genuine apology from chapter 1:

*Genuine Apology* – An apology is genuine just in case it claims that i) the actions, events, policies in question were morally wrong, ii) the recipient was wronged by the actions, events, policies in question, iii) the apologizer takes responsibility for the actions, events, policies in question.

When we compare genuine interpersonal apologies to genuine CSAs, there is no significant difference besides the parties being individuals in one case and collective in the other. What is morally important is that the apologies be genuine. If both types of apologies are genuine, they

make the same three claims that i) the actions were morally wrong, ii) the recipient was wronged by them, and iii) the apologizer takes responsibility for them.

We should now ask if individual guilt functions the same as collective guilt. Like individual guilt, collective guilt is self-directed in that the agent themselves, the collective, makes the judgment that they have committed a moral wrong. The moral wrong is that they have failed to combat oppression. Because of this, we are warranted in understanding collective guilt as us-blame.

To make this clearer, let us take the case of Adam again from chapter 4, section IVB. If Adam is rightly blamed for his inaction when he receives blood money benefits, he might internalize said blame and feel guilty. How should we conceptualize this guilt? One way to conceptualize this guilt is to represent it as a result of Adam's collective having done some injustice in the past and Adam feeling guilty because of it. However, conceptualizing collective guilt in this way will (unjustifiably) make the individual guilty for something they had no control over. Our account of collective blameworthiness accommodated a control condition. Our notion of collective guilt should as well. Furthermore, I suspect that telling white folk (and all members of PDCs) that they should feel guilt for something that was out of their control will be met by defensiveness and a shutting down of conversation.

Instead, we should re-conceptualize collective guilt as being tied in directly with BMBs. BMBs obligate one to act, lest others continue to pay the price for one's BMBs. Failing to act makes one blameworthy, and one might then internalize said blameworthiness, making one

guilty. That is, one judges one's inaction, both the inaction of oneself as a member in a PDC and the inaction of the whole PDC of which one is a part. This inaction is morally blameworthy, and internalizing it, results in self-directed blame and its accompanying emotions (e.g., disappointment, sadness, regret, etc.).

It is worth noting that this collective guilt cannot be reduced to individual guilt, that is, the guilt an individual might feel for their own actions. For instance, if Adam has not sufficiently combatted racial injustice as a white person, the collective guilt is not reducible to the judgment "I, as a white person, have not done enough." It is indeed the individual person who feels guilt — there is no collective mind that feels guilt. However, the collective guilt Adam feels is informed by their being a member of the PDC. As such, a collective dimension *indirectly* affects how we understand this guilt. Still, this dimension of collective guilt is individualist since it concerns what the individual member has done (or not done).

Moreover, this guilt is also informed *directly* by the collective since Adam might feel guilty that their PDC, as a whole, has not done enough. Thus, Adam may also experience us-guilt due to their group's actions, over which Adam has some influence. Adam has some influence over the collective since they can coordinate and collaborate with them as members of that collective. Of course, Adam does not have complete control since many other members might reasonably be out of Adam's sphere of influence. Still, an integral feature of collective guilt is the judgment that the group as a whole is not doing enough to combat oppression. Due to this, collective guilt also has an ultimately collectivist nature.

I say all this to argue that if guilt *simpliciter* can be understood as a form of self-directed blame, collective guilt can be understood as blame directed at one's PDC, a sort of "us-directed" blame, or as I call it, "us-blame." In other words, for Adam, an appropriate judgment when feeling collective guilt is not "Members of my collective have done some moral wrong in the past." Instead, it would be "White people, of which I am a member, are not doing enough," and this judgment adequately captures both the individualist and collectivist nature of us-blame.

It might be objected that reconceptualizing guilt in this manner, as us-blame, is a big departure from how it is normally defined in analytic philosophy. This may be true, but it is not altogether foreign to other disciplines, such as American literature. Audre Lorde (1997), in discussing anger and its uses, tells us:

I cannot hide my anger to spare you guilt, nor hurt feelings, nor answering anger; for to do so insults and trivializes all our efforts. Guilt is not a response to anger; it is a response to one's own actions or lack of action. If it leads to change then it can be useful, since it becomes no longer guilt but the beginning of knowledge.<sup>299</sup>

When conceptualizing collective guilt, let's adopt a revisionary account of collective guilt inspired by Lorde's work. This revisionary account does not say, "We have done wrong in the past" but instead says, "We have not done enough in the present." This is, I admit, easier said than done. I suspect it will take much consciousness-raising to make the conceptual shift from

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<sup>299</sup> Audre Lorde, "The Uses of Anger," *Women's Studies Quarterly*, October 1, 1981, <https://academicworks.cuny.edu/wsq/509>.

seeing guilt over some injustice one had no control over to seeing guilt over one's inaction when receiving BMBs. Nonetheless, it is the correct shift to make.

Most importantly, since we are warranted in understanding apologies as confessions of self-directed blame, we are also warranted in understanding CSAs as confessions of us-blame.

One final reservation one might have in understanding CSAs as confessions of us-blame might be with how I understand blame. In particular, one might object with how I have understood blame as a judgment that one has done a moral wrong. I agree that there is more to blame than simply a judgment. In particular, I agree with Smith's (2012) answer that blame requires an element of protest. I begin section III by giving tips on how to manage us-blame before ultimately advising that we adopt Smith's protest account of blame for our own purposes.

### III. Managing Us-Blame, Moving Forward

In this section, I consider how members of collectives can manage us-blame. I begin by offering what I consider to be "band-aid" solutions, which, while impermanent, can be useful for daily coping. I then incorporate Smith's (2012) protest account of blame to illustrate that the best way to manage us-blame is via protest. Of course, in the case of CSAs, this protest should be guided by the recipient if the CSA is to be morally legitimate. I end this section with some cautions against "slacktivism."

#### A. Managing Us-Blame



Useful strategies for managing one's us-blame include 1) leveraging one's BMBs for the sake of racial justice, for the sake of those whose expense it came, 2) foregoing one's BMBs so others might benefit, and 3) connecting with other members in one's collective to create systematic change.

Suggestion 1) might, for instance, look like using one's presence or visibility at work to explicitly ask what a racial minority suggests on an important issue. 2) might look like passing up on a promotion or pay raise so that a racial minority might receive it instead.

At this point, it is worth mentioning that it can be attractive to think that us-blame could be discharged via individual action, namely by doing 1) and 2). It can be attractive in the sense that one's sense of individualism is maintained — one is only responsible for one's actions or lack of actions. Once one does all one can do, one is no longer responsible. After all, how can one be responsible if one can do no more? As such, one might think that once one does all one can, one should no longer feel guilt.

However, this dissertation has spent a good deal arguing against individualism and that the Kantian conception of responsibility mentioned earlier is not the appropriate view. Of course, doing 1) and 2) might help one *manage* one's blameworthiness and guilt. By managing one's guilt and blameworthiness, I mean that one is keeping them at tolerable levels via a "band-aid" solution.

Doing 1) and 2) will not be enough to *eliminate* one's blameworthiness, and it should not stop one's rightfully felt guilty. This is because due to the nature of BMBs, one only has

control over what to do with one's BMBs — one does not have direct control of when and how many BMBs one will receive. Many socio-psychic BMBs are given to PDCs every day and, in a sense, are constantly renewed. To use an analogy, receiving BMBs is much like a credit card subscription that you cannot simply cancel over the phone. One can temporarily wash one's hands free of blood. They will, however, be bloodied again. As long as one continues to receive BMBs, one will eventually be blameworthy again and will (rightfully) feel guilty again.

To eliminate this blameworthiness and, therefore, justifiably no longer feel guilty, one will need to make it so that one's PDCs no longer receive BMBs. To do this, one must essentially eliminate the oppression that bestows BMBs upon one. One will need to do 3), sync up with members of one's PDC to create systematic change. By definition, this cannot be done alone, and thus collective blame can only be collectively discharged. This is, however, exactly what we should expect from an account of collective blame. If collective blame and guilt could be decisively discharged via one's (individual) actions, well, it would begin to look more like *individual* blame and be reminiscent of Kantian morality. Here I believe I am in good company as Young (2011) also agrees that the responsibility to change unjust systems can only be collectively discharged.<sup>300</sup>

This is, of course, easier said than done. Doing 3) will require great effort. It will require coordinating with others, either online, perhaps via social media, or in person. It will require donations to groups that can push the fight forward, protesting, voting, writing to

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<sup>300</sup> Young, *Responsibility for Justice*.

one's representatives, and placing pressure on other powerful collectives. In essence, it will require activism. This might sound overwhelming, but the reader should remember that there are likely other members of your PDC out there that are already doing good work. One does not have to reinvent the wheel, and one must not do this task alone.

Still, to do 3) to the point that oppression is eliminated, and one's PDC no longer received BMBs may not be attainable in one's lifetime. This, while unfortunate, is something one might need to accept due to oppression's resilient and enduring nature. This unfortunate reality does not, however, excuse one from the hard work of activism, the work of protest.

#### B. Us-Blame and Protest

Smith (2012) defines her protest account of blame when she writes:

The Moral Protest Account: To *blame* another is to judge that she is blameworthy (i.e., to judge that she has attitudes that impair her relations with others) and to modify one's own attitudes, intentions, and expectations toward that person as a way of *protesting* (i.e., registering and challenging) the moral claim implicit in her conduct, where such protest implicitly seeks some kind of moral acknowledgment on the part of the blameworthy agent and/or on the part of others in the moral community.<sup>301</sup>

Seeing blame as necessarily having an element of protest has many conceptual strengths. First, it accommodates the popular notion that emotions (e.g., anger, sadness, indignation) often accompany blame insofar as these emotions are subsumed under the category of *attitudes*.

However, *attitudes* are a broader category than emotions and can also include a change in one's

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<sup>301</sup> Angela M. Smith, "Moral Blame and Moral Protest," in *Blame*, ed. D. Justin Coates and Neal A. Tognazzini (Oxford University Press, 2012), 27–48, <https://doi.org/10.1093/acprof:oso/9780199860821.003.0002>.

behavior. Thus, it also correctly notes that emotions, while common to blame, are ultimately unnecessary. One can, for instance, blame stoically and dispassionately. This gives Smith's (2012) account a second strength, namely being able to (correctly) categorize a broader set of actions as blame. Thirdly, however, the account is not so broad that it counts false positives. By false positives, we mean cases in which we incorrectly categorize some actions as blame. By requiring the action to have an element of protest, a *challenge* to the blameworthy agent, false positives are diminished. Smith (2012), for instance, considers the case of a sad mother:

[Consider] the reactions of a mother whose son has been justly convicted of murder. Assume that she judges that her son is blameworthy for the crime (she does not doubt that he is guilty) and that she strongly desires that he had not committed it. She desires this because she knows that his wrongdoing will ruin the rest of his life, and she is deeply distraught by this fact. Her reactions, in this case, might well take the form of deep sadness, despair, or pity, and these reactions appear to be justified by her belief and desire. Yet I would not be inclined to say that these are reactions of blame.<sup>302</sup>

If blame required judgment and emotions, we might erroneously consider the sad mother's case to be a case of blame. However, Smith's (2012) account highlights that it lacks a necessary element of protest. The mother does not challenge her son's behavior.

Smith (2012) speaks mostly of interpersonal blame when developing her account. We should now ask if her account is generalizable to collective blame. The answer is yes.

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<sup>302</sup> Smith.

Although Smith never explicitly mentions the terms *collective* or *group*, she implicitly acknowledges them when she mentions the *moral community*. The moral community can be a collective and is in many cases.

Furthermore, it is worth noting that protest is already seen as something that collectives do. While some might reasonably be skeptical about how a collective can apologize, no one can reasonably deny that collectives have historically protested. One does not need to look far into the past since contemporary protests from social collectives (e.g., Black Lives Matter) highlight that protests can be done in collectives. To say that a collective can protest means that individual people come together to challenge the moral behavior of an agent. These individual members could have constituted a collective before protesting, such as belonging to the same oppressed collective. However, they also constitute a collective once they come together and share a moral commitment. In this case, they form a collective which we can simply refer to as *protestors*.

Thus, we have good reason to generalize Smith's (2012) Protest Account of Blame to collectives. Blame necessarily entails an element of protest. In the case of CSAs, however, the blame is modified in two ways. It is collective and it is self-directed. That is, the agent who protests is a whole collective (e.g., the United States government, a corporation), and they are blaming themselves. The upshot of all this is that CSAs can be confessions of us-blame, and when they are, they can contain an element of collective self-protest.

### C. The Element of Protest Should be Guided by the Recipient

Although CSAs can contain a self-protest element, apologizers should allow the recipients to guide this element. If this is allowed, the CSA will prioritize the recipient's agency. To prioritize the recipient's agency means having the recipient's welfare and autonomy as the apology's primary goal. Having prioritized the agency of the oppressed, it can attain moral legitimacy.

Recall my definition of a morally legitimate apology.

*Morally Legitimate Apology* - These apologies are genuine. The apology obligates the recipient to consider accepting the apology. The apology does not obligate the recipient to accept the apology after such consideration. Furthermore, if the apology is public, the public is obligated to consider the merits of said apology. The public is not obligated to consider the apology to be good, excellent, etc.

As mentioned in chapter 1, for an apology to be morally legitimate, it must succeed in performing at least *one* moral function. This moral function may vary from case to case, but it must always prioritize the recipient's agency. As such, morally legitimate apologies may often be negotiated in advance, especially when they involve collectives. Constructing the apology will often be a collaborative process that prioritizes the voice of the recipient.

However, now we can see that if a CSA is a confession of us-blame, it can contain an element of self-protest. Containing an element of self-protest is equivalent to saying that it fulfills one of the several functions of protest. These functions can range, for instance, from

communicating a moral message (of which there can be many), laying the grounds for compensation, and being the first step in the process of reparations.

We now should ask two questions, namely whether the CSA fulfilling one of these functions qualifies as a moral function and whether this function prioritizes the recipient's agency. To the first, we can confidently say yes. As we mentioned in chapter 1, section II, a moral function is concerned with upholding some ethical standard. These elements of self-protest do just that.

However, it is less clear that this moral function necessarily prioritizes the recipient's agency. Suppose the CSA fulfills the moral function of communicating a moral message. Suppose this moral message is one of expressing regret and even condemnation of the apologizing collective. This is indeed a moral function and even a form of collective self-protest. However, if the apology's recipient does not care for condemning the apologizing collective, then this function will not prioritize the recipient's agency.

The apology must and should be guided by the input of the recipient. In many situations, this practice allows the recipient to guide the CSA's element of protest. In other words, the apologizing collective removes themselves as obstacles when constructing the CSA and allows the recipient to take the lead.

If all this is done, then this collective self-protest will not become slacktivism. Furthermore, it will fulfill a moral function that prioritizes the recipient's agency. It will attain moral legitimacy.

#### D. A Caution Against “Slacktivism”

Now that I have briefly outlined useful strategies for managing one’s us-blame, I end this section by mentioning strategies that are not as useful. In particular, I caution against the dangers of virtue signaling.

I begin by defining virtue signaling, or as Justin Tosi and Brandom Warmke (2016) call it, *moral grandstanding*.<sup>303</sup> As we will see, much of the controversy regarding virtue-signaling concerns itself with the charge of hypocrisy. This, I believe, is a mistake. The problem with virtue signaling is not that the signaler might be hypocritical but that virtue signaling can lead to slacktivism. Slacktivism is a problem because it leads to little social change (it does not combat oppression) and makes PDCs complacent.

According to Tosi (2016), moral grandstanding contributes to moral discourse in the form of some expression. Moral discourse, Tosi claims, is justified because it improves the moral beliefs of the audience and perhaps even improves the world. However, when one moral grandstands, one *might* be concerned about improving others’ beliefs or improving the world. One’s primary aim, though, is to communicate one’s moral character and have it be recognized (usually via respect and admiration). Thus, according to Tosi (2016), moral grandstanding consists of two components: a “recognition desire” and a “grandstanding expression” that

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<sup>303</sup> Justin Tosi and Brandon Warmke, “Moral Grandstanding,” *Philosophy & Public Affairs* 44, no. 3 (2016): 197–217, <https://doi.org/10.1111/papa.12075>.



hopes to satisfy that desire.<sup>304</sup> Finally, according to Tosi (2016), moral grandstanding makes moral discourse into a “vanity project.”<sup>305</sup>

These two components are synonymous with virtue-signaling since we can understand virtue signaling as a form of communication whose aim is to have one’s good moral character recognized. If the terms are not exactly synonymous, there is at least a good deal of overlap, so what applies to one might easily apply to the other. Like Neil Levy (2020),<sup>306</sup> I choose to use the term *virtue signaling* over *moral grandstanding* since it is more common. For instance, according to David Shariatmadari (2016), the prevalence of accusing others of virtue signaling is “out of control.”<sup>307</sup>

Levy (2020) agrees with Tosi’s definition when he claims that the “virtue signaller” is unduly concerned with *herself* rather than the issues she purports to discuss.<sup>308</sup> This, however, is essentially where Levy’s (2020) and Tosi’s (2016) agreement ends. While Tosi (2016) disparages virtue signaling as a perversion of moral discourse, Levy rhetorically asks, “What, precisely, is wrong with turning moral discourse into a vanity project?”<sup>309</sup> Levy (2020)

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<sup>304</sup> Tosi and Warmke, 200.

<sup>305</sup> Tosi and Warmke, 199.

<sup>306</sup> Neil Levy, “Virtue Signalling Is Virtuous,” *Synthese*, April 16, 2020, <https://doi.org/10.1007/s11229-020-02653-9>.

<sup>307</sup> David Shariatmadari, “‘Virtue-Signalling’ – the Putdown That Has Passed Its Sell-by Date,” *The Guardian*, 2016, <https://www.theguardian.com/commentisfree/2016/jan/20/virtue-signalling-putdown-passed-sell-by-date>.

<sup>308</sup> Levy, “Virtue Signalling Is Virtuous.”

<sup>309</sup> Levy.

entertains that the problem folks might have with virtue signaling is *hypocrisy*. Indeed, the charge of hypocrisy dominates much of the controversy regarding virtue signaling.

For instance, Tosi (2016) argues that moral grandstanders deserve judgment since they claim to be concerned about morality and others but are actually self-promoting:

The incongruity between the subject matter of public moral discourse and the behavior and motivation of grandstanders often justifies a negative aretaic judgment. Individual acts of grandstanding are typically self-promoting, and so grandstanding can reveal a narcissistic or egoistic self-absorption. Public moral discourse involves talking about serious and important issues... matters that generally call for other-directed concern, and yet grandstanders find a way to make discussion at least partly about themselves.<sup>310</sup>

Levy (2020) takes this charge of hypocrisy seriously. He elaborates on how exactly we might understand the virtue signaler to be a hypocrite. According to him, a virtue signaler might be hypocritical if 1) the selfless content of their signal does not match their motivation for giving the signal or if 2) they are not actually virtuous, and thus, the signaler is dishonest.<sup>311</sup>

In response to 1), Levy (2020) draws on evolutionary theory and social epistemology to argue that humans, as social animals, are routinely altruistic.<sup>312</sup> While it might be true, Levy admits, that virtue-signaling *functions* to promote oneself, this function is not its motivation. Concern for others is the psychological motivation. Thus, according to Levy, to suspect that

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<sup>310</sup> Tosi and Warmke, "Moral Grandstanding," 215.

<sup>311</sup> Levy, "Virtue Signalling Is Virtuous."

<sup>312</sup> Levy (2020) primarily cites the following: Robert H. Frank, *Passions within Reason: The Strategic Role of the Emotions* (New York, NY: Norton, 1988); Michael T. Ghiselin, *The Economy of Nature and the Evolution of Sex* (Berkeley: University of California Press, 1974).

most people are motivated by self-promotion when they virtue-signal is to reveal an unmotivated cynicism about morality.

In response to 2,) Levy (2020) argues that making virtue signals is costly and difficult. Albeit, social media might make it easier to make such signals, one's reputation is always on the line "and that requires—at minimum—a stable name across time and ideally use of a real name (insofar as one seeks a good reputation for oneself, and not just an online avatar).<sup>313</sup> Because of this "deceptive signals remain at least somewhat difficult to fake. Stability of name raises the costs of online hypocrisy; use of real name raises the costs of hypocrisy across the board."<sup>314</sup> Levy (2020) further argues that virtue signalers often genuinely feel the emotions they express.

However:

Such feelings are partially *constitutive* of possession of the relevant virtues. To that extent, we ought to be confident both that virtue signallers take themselves to be honest ... That fact goes some a long way toward excusing them from a charge of hypocrisy.<sup>315</sup>

Unfortunately, what Levy (2020), and to some extent, Tosi (2016) do when they fixate on the charge of hypocrisy is that they center PDCs and their point of view. They fail to center the oppressed, their suffering. Keeping the point of view centered on the non-oppressed has a significant repercussion, namely that it overshadows a much bigger concern than moral purity.

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<sup>313</sup> Levy, "Virtue Signalling Is Virtuous."

<sup>314</sup> Levy.

<sup>315</sup> Levy.

This bigger concern is whether virtue-signaling effectively combats oppression and makes the world a better place. Unfortunately, it does not. At least not by itself.

Levy (2020), however, is hopeful that virtue signaling can make the world a better place. He argues that it can solve “coordination problems” in being able to identify who is indeed trustworthy. Solving these coordination problems can be useful in struggles against oppression. Virtue signaling solves coordination problems by providing “higher-order evidence” that the signaler is trustworthy. This evidence consists of the *confidence* expressed in the agents’ signaling and their *piling-on*. Levy (2020) describes *piling on* as the “serial reiteration of a condemnation already made by earlier commentators.”<sup>316</sup> However, there is no reason to limit piling on to condemnations artificially, and it can easily be expanded to encompass other forms of moral expression (e.g., approval, praise, sadness, etc.).

There are two problems with Levy’s (2020) argument here. First, it is not obvious that *piling on* always solves coordination problems. Consider, for instance, the #BlackOutTuesday fiasco of Summer 2020. On Tuesday, June 2<sup>nd</sup> Jamila Thomas and Brianna Agyemang, two women in the music industry, posted on Instagram with the hashtag #TheShowMustBePaused. Their goal was “to hold the industry at large, including major corporations + their partners who benefit from the effort, struggles and successes of Black

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<sup>316</sup> Levy.

people accountable.”<sup>317</sup> The two women asked people to “take a beat for an honest, reflective and productive conversation about what actions we need to collectively take to support the Black community.”<sup>318</sup>

While some celebrities and social influencers did use this opportunity to reflect and help organizations that promoted black lives, others simply posted a vague black square on their social media. Soon enough, the trend caught on, and the millions of followers posted similarly vague black squares. In other words, they *piled on*. Unfortunately, many decided to use the BlackLivesMatter hashtag in their post. The result was that social media, which many activists depended on for coordination and up-to-date information, was flooded with useless black squares.<sup>319</sup> In this situation, piling on exacerbated a coordination problem.

In mentioning this, I am not arguing that piling on (via social media or otherwise) always exacerbates coordination problems. Instead, it is a caution that piling on and virtue signaling must be done carefully to be effective. Doing this carefully will often require careful research and thought (Where did this specific virtue signal originate in social media? What will be its immediate effects? Long term effects? Who benefits and who loses from me virtue signaling in this way?) What I am cautioning is that if virtue signaling is done without adequate research and thought, it will lead to *slacktivism*.

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<sup>317</sup> Zoe Haylock, “How Did #BlackOutTuesday Go So Wrong So Fast?,” Vulture, June 2, 2020, <https://www.vulture.com/2020/06/blackout-tuesday-guide.html>.

<sup>318</sup> Haylock.

<sup>319</sup> Haylock.

By slacktivism, I mean a form of activism that is necessarily low-cost but promotes one's self-esteem and leads to complacency. Matias Cabrera (2017) is less sympathetic than I when he calls slacktivism "an online form of self-aggrandizing, politically ineffective activism."<sup>320</sup> Unlike Cabrera (2017), I do not believe slacktivism is limited to an online platform, but I do likewise believe that it is ineffective at creating social change. The most immediate and pressing problem regarding virtue signaling is not that one might or might not be a hypocrite. In fact, to center one's moral character like this instead of focusing on creating social change for the oppressed is perverse. The problem is that when one fixates on virtue-signaling, one might be engaged in slacktivism. Slacktivism, in turn, is morally problematic because it is ineffective and leads to complacency. This is namely the second problem with Levy's argument that virtue signaling can lead to social change, namely that he ignores how it often leads to nothing more than slacktivism.

There is ample evidence that virtue-signaling leads to slacktivism. For instance, Elaine Wallace (2020) studied the relationship between conspicuous virtue signaling (CVS), one's need for uniqueness (NFU), and effective activism. Wallace (2020) found that:

NFU predicts people's use of a charity brand to express themselves on Facebook. NFU also predicts other-oriented CVS. Benabou and Tirole (2006)<sup>321</sup> explain "holier than thou competition", where competition between

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<sup>320</sup> Nolan Cabrera, Cheryl Matias, and Roberto Montoya, "Activism or Slacktivism? The Potential and Pitfalls of Social Media in Contemporary Student Activism," *Journal of Diversity in Higher Education*, April 3, 2017, <https://doi.org/10.1037/dhe0000061>.

<sup>321</sup> Roland Bénabou and Jean Tirole, "Incentives and Prosocial Behavior," SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, September 1, 2004), 1673, <https://papers.ssrn.com/abstract=621544>.

individuals may induce participation in prosocial activities that may have little public benefit but high public visibility. As NFU indicates a desire to avoid similarity, it is suggested that its influence on other-oriented CVS may be explained by individual's desire to impress others yet stand apart from them.<sup>322</sup>

Moreover, regarding conspicuous virtue signaling and self-esteem, Wallace (2020) found that their study:

Provides insights into the relationship between CVS and self-esteem. Findings from both the student and adult samples reveal a significant positive relationship between self-oriented CVS and self-esteem. These findings suggest that this relationship is explained by the self-enhancing role of CVS. When people mention a charity that has personal meaning for them, this is associated with greater self-esteem...We suggest that, for independent consumers, engaging in self-oriented CVS on Facebook may enhance their self-esteem as it allows them to reaffirm to themselves that they are unique, and standing apart from others.<sup>323</sup>

The danger here is that once one virtue signals, they will bolster their self-esteem. As a result, they might do away with any rightfully felt guilt and become morally complacent. This is, of course, nothing but self-deception. One has not actually done much, and therefore one is still blameworthy for not combatting oppression.

There is, unfortunately, some evidence that suggests that most "allies" to marginalized groups are engaged in slacktivism and do not effect change. While Levy (2020) does cite empirical work<sup>324,325</sup> to argue that virtue signaling is virtuous, the work he cites does not center

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<sup>322</sup> Elaine Wallace, Isabel Buil, and Leslie de Chernatony, "'Consuming Good' on Social Media: What Can Conspicuous Virtue Signalling on Facebook Tell Us About Prosocial and Unethical Intentions?," *Journal of Business Ethics* 162, no. 3 (2020): 577–92, <https://doi.org/10.1007/s10551-018-3999-7>.

<sup>323</sup> Wallace, Buil, and Chernatony.

<sup>324</sup> Frank, *Passions within Reason*.

<sup>325</sup> Ghiselin, *The Economy of Nature and the Evolution of Sex*.

the oppressed's point of view. Once we center the oppressed's point of view, we can see that virtue-signaling often leaves much to be desired.

For instance, Kendrick Brown and Joan Ostrove (2013) looked at three different studies in which people of color evaluated white allies. They found that white allies rank as high as allies of color when it comes to *affirmation*. *Affirmation* here was broadly understood as whether the ally seemed to be a good interpersonal friend to the person of color (e.g., “my ally creates a feeling of connection with me,” “my ally is respectful toward me,” “my ally is interested in what happens to me”). I add that when a white ally affirms their friend of color (either online or in-person), it is often low cost. Brown (2013) did, however, find that white allies gave higher affirmation scores to themselves than people of color gave them.<sup>326</sup>

However, even more troubling was that when it came to *Informed Action*, white allies scored much lower than allies of color. *Informed action* was broadly understood as an ally's initiative in addressing racial issues (e.g., “my ally proposes possible actions to address racist situations,” “my ally is active in racial/ethnic communities other than their own,” “my ally takes action to address bias among his or her own racial/ethnic group”).<sup>327</sup> Informed action is often more costly and requires greater effort from white allies.

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<sup>326</sup> Kendrick T. Brown and Joan M. Ostrove, “What Does It Mean to Be an Ally?: The Perception of Allies from the Perspective of People of Color,” *Journal of Applied Social Psychology* 43, no. 11 (2013): 2220, <https://doi.org/10.1111/jasp.12172>.

<sup>327</sup> Brown and Ostrove, 2216.



Brown and Ostrove (2013) conclude the discussion of their findings by mentioning that:

This two-factor conceptualization of an ally also helps distinguish an “ally” from a “friend”— Who may be high on affirmation but not on informed action; and an “activist,” who may be an informed actor but not necessarily affirming... Our work also suggests that White allies differ from allies of color in important ways. Most notably, they are perceived as less engaged with informed action, even as they seem equivalently affirmative in their attitudes toward people of color... In any case, our work reveals a potentially important arena for “shoring up” White people’s ability to take action that is perceptible by and meaningful to people of color.<sup>328</sup>

At this point, one might think that the best way to take informed action is to get informed, perhaps by reading some anti-racist literature. However, this by itself is not enough. Saida Grundy (2020) writes that the growing popularity of purchasing anti-racist books online will do nothing in and of itself, “texts that seek to raise the collective American consciousness are rendered futile without concrete systemic changes.”<sup>329</sup> In other words, one cannot forget the action in informed action.

My advice to PDCs who want to ensure that their involvement in combatting oppression does not amount to mere slacktivism is this: *do not shirk from doing the hard work*. Reading a book in the comfort of one’s home is pleasant and uncostly. Engaging in effective social change by protesting, donating, or writing to one’s representatives requires more effort. Similarly, virtue-signaling thoughtlessly on social media with a simple “share” click might do

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<sup>328</sup> Brown and Ostrove, 2220.

<sup>329</sup> Saida Grundy, “The False Promise of Anti-Racism Books,” *The Atlantic*, July 21, 2020, <https://www.theatlantic.com/culture/archive/2020/07/your-anti-racism-books-are-means-not-end/614281/>.

little to help the oppressed. Virtue signaling in a manner that is well researched and thought-out might have better effects. Virtue signaling in and of itself is not wrong as the concern of personal hypocrisy is ultimately irrelevant to justice. Virtue signaling is only morally wrong when it leads to slacktivism (which it often does). Thus, as a tool, virtue-signaling should be used carefully, lest we deceive ourselves into complacency.

Ultimately, Levy (2020) should heed Tosi's (2016) words that:

Whatever else is true about the nature of morality, its real-world efficacy depends a great deal upon the practice of public moral discourse. The ability to discuss effectively matters of moral concern with other people is an indispensable tool both for interpersonal dealing and promoting moral improvement. One might expect to find universal reverence for such an important practice. At minimum, one would expect people to use the tools of moral talk carefully, so that they remain effective.<sup>330</sup>

#### IV. Conclusion

I conclude my dissertation by summarizing my main claims.

Chapter 1 claimed that Collective State Apologies (CSAs) have become more common. We should ask whether they and other practices that invoke collective responsibility for oppression can be morally legitimate. By morally legitimate, I mean that the practice cannot be dismissed as lacking moral content without a moment's consideration. To be morally legitimate, a practice must fulfill a moral function that prioritizes the wronged party's agency. To prioritize their agency means to have their welfare and autonomy as the apology's primary goal.

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<sup>330</sup> Tosi and Warmke, "Moral Grandstanding," 198.

In the case of CSAs in particular, moral legitimacy obligates us to consider accepting them. In the case of other practices, such as moral discourse, we simply cannot dismiss such practices without first considering their moral content. It is possible that these other practices might promote the oppressed's welfare and autonomy.

Furthermore, at the end of chapter 1, the moral skeptic challenges us to develop an account of collective responsibility. In chapter 2, we expanded on the moral-skeptic's arguments against holding organized and disorganized collectives responsible for oppression.

However, as we saw in chapters 3 and 4, we can use *pluralistic collective responsibility* and *blood money benefits* to hold powerful organized collectives and privileged disorganized collectives responsible for oppression. Furthermore, in these chapters, we responded to the moral-skeptic's arguments from chapter 2 as well as some forward-looking concerns from other philosophers.

Finally, in chapter 5, we have seen that CSAs, in particular, can be confessions of us-blame. If so, then they can contain an element of self-protest. If this protest is guided by the apology's recipient, then the CSA will be morally legitimate. In the case of other practices that invoke collective responsibility, we should also ask if 1) the practice fulfills a moral function which 2) prioritizes the agency of a wronged party.

Much of what has been said here, specifically regarding CSAs, will be generalizable to other moral practices which invoke collective responsibility for oppression. However, just as the moral legitimacy of CSAs must be determined on a case-by-case basis, neither dismissing

them all out of pessimism nor accepting them all uncritically, so must all other practices which invoke collective responsibility.

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