

Section 9

Responsibility for What? How Individual Moral Responsibility Extends in Collective Contexts

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Abstract:

Agents can be responsible not only for what they do but also for the downstream consequences of their actions. Yet, agents are not responsible for all of these downstream consequences. Which consequences are agents responsible for and why? This question is particularly pressing in contexts of collective action. This symposium brings together philosophers, legal scholars, and psychologists to discuss on-going work investigating the causal foundations of moral responsibility. The focus will be on individual responsibility in hierarchical groups, such as military organizations. Psychology and legal theory have developed approaches to address these questions that can inform the investigations in philosophy.

Titles and Abstracts of the talks

1.

David Lagnado, Lara-Christina Kirfel: Assigning causal responsibility – Moral versus Statistical Norms

Research in psychology suggests that attributions of causal responsibility are determined by multiple factors, including prior expectations, counterfactual dependencies and norm-violations. We explore how these factors combine when people assign responsibility in group situations. A common claim is that agents who violate norms are assigned greater causal responsibility. But this depends on the type of norm. We show that for statistical norms (e.g. typical behaviours), agents who conform to the norm are assigned more rather than less causal responsibility, and this is further accentuated if they simultaneously violate a moral norm. These findings require an extended model of responsibility attribution.

2.

Geert Keil: Moral Responsibility and Legal Liability without Mental Causation

The standard version of the causal theory of action (CTA) says that intentional actions are bodily movements that are both caused and rationalized by mental events. CTA has well-known problems to account for cases of forbearance, omission, negligence, and for habitual actions. In all these cases, the required mental cause seems to be missing. We do, however, hold agents responsible for their conduct, both morally and legally, in many of these cases. So what to do? We may (a) either abandon CTA, or (b) adopt a more liberal view of causation, or (c) loosen the link between mental causation and responsibility. I will argue for the third option.

3.

Carolina Sartorio: More of a Cause?

“The driver’s speeding was more of a cause of the accident than the bad state of the roads.” Claims like this, which are quite common in ordinary discourse, presuppose the idea that causal contributions come in degrees. Some accounts of moral responsibility rely on a graded notion of causation in that they ground degrees of responsibility on degrees of causal contribution. In this paper I argue that there is good reason to be sceptical. I present a puzzle about causal contribution and then argue that the best solution to that puzzle is to reject the idea that causal contributions come in degrees.

4.

Hans Vest: Participation in and Mens Rea of State Crimes

A concept fitted to the participation in collectively perpetrated (state) crimes is lacking in international criminal law both with regard to actus reus and mens rea. The jurisprudence as well as the scholarly discussion applies exclusively traditional theories developed in national criminal law. Such theories are, however, expressions of the paradigm focussing on lone perpetrators which prevails in national law. The presentation gives an overview about the discussion, shows some of the resulting problems and outlines possible solutions.