

Niels de Haan - Moral Collectivism and the Methodology of Ethical Theory

According to *moral collectivism*, groups can qualify as moral agents and can bear moral duties and moral responsibility (Björnsson and Hess 2017; Collins 2019; Copp 2006; de Haan 2023; French 1984; Hindriks 2018; List and Pettit 2011). According to *moral individualism*, only individuals can bear moral duties and responsibility (Haji 2006; Ludwig 2007; McKenna 2006; Miller 2006; Moen 2024; Rönnegard and Velasquez 2017; Thompson 2018). The explanandum of ethical theory contains the *individual domain*, which concerns all deontic and evaluative moral judgments and relevant practices and concepts involving individuals, and the *group domain*, which concerns all judgments, practices and concepts involving groups. Individualists and collectivists often implicitly assign all-out primacy to the individual domain: They take the best theory of individual moral agency/responsibility and mechanistically apply this theory to groups (Chant 2021). Unless groups can satisfy the *exact* conditions for individual moral responsibility, they cannot be morally responsible entities. For example, McKenna (2006) straightforwardly applies his conversational and communicative theory of moral responsibility to groups and expresses his skepticism that group agents can live up to these exact conditions. Shoemaker (2019) applies his tripartite theory of responsibility to groups, and argues that they cannot be morally accountable, because angry blame expresses a demand for sincere remorse, which groups are incapable of.

I argue that this involves a methodological mistake, because all-out primacy of the individual domain is unjustified. Instead, I defend *moderate primacy*: We should start theorizing based on individual cases; and extensional inadequacy is worse for the individual domain. But group cases can nonetheless play an important role in our theorizing about principles and concepts. I sketch a directed reflective equilibrium method for systematically including the group domain in our theorizing about moral agency, responsibility, and blame (cf. Slavny et al. 2021).

Finally, I explain why collectivists are justified in developing agent-neutral principles and concepts. Suppose we reach a narrow reflective equilibrium for the individual domain. According to the Defeater Argument, there are cases of corporate wrongdoing where each individual has a legitimate excuse, therefore individual responsibility is defeated (Copp 2006; Pettit 2007). We need corporate responsibility to bring our moral accountability books in order. According to the Moral Agency Argument, collective agents can possess core features of moral agency (Pettit 2007, Hindriks 2018). If we revise our theories of moral agency and responsibility to account for the group domain, then we end up with *agent-neutral* principles. To justify this, I develop the *Core Features Argument*: To the extent types of agents have similar functional core features, we have good reason to think that similar principles and concepts apply to them. If corporate agents possess certain core capacities of moral agency; and we cannot make sense of the moral phenomena that involve such entities with our

current theoretical resources; and the moral phenomena involve the same moral concept, then the fact that these entities share core features is a strong reason to revise our theories, principles and concepts to account for this part of the explanandum of ethical theory.

References:

- Björnsson, G. and K. Hess. 2017. Corporate Crocodile Tears? On the Reactive Attitudes of Corporate Agents. *Philosophy and Phenomenological Research*, 94(2): 273-298.
- Chant, S.R. 2021. Responsibility Unincorporated: Group Agents and Corporate Persons. In T. Marques and C. Valentini (eds), *Collective Action, Philosophy and Law*, 176-92. Oxon: Routledge
- Collins, S. 2019. Group Duties. *Group Duties: Their Existence and Their Implications for Individuals*. Oxford: Oxford University Press.
- Copp, D. 2006. On the Agency of Certain Collective Entities: An Argument from Normative Autonomy. *Midwest Studies in Philosophy*, 30: 194-221.
- de Haan, N. 2023. Group Agents, Moral Competence and Duty-bearers: The Update Argument. *Philosophical Studies*, 180: 1691-1715.
- French, P. 1984. *Collective and Corporate Responsibility*. New York: Columbia University Press.
- Haji, I. 2006. On the Ultimate Responsibility of Collectives. *Midwest Studies in Philosophy*, 30: 292-308.
- Hindriks, F. 2018. Collective Agency: Moral and Amoral. *Dialectica*, 72(1): 3-23.
- List, C. and P. Pettit. 2011. *Group Agency: The Possibility, Design and Status of Corporate Agents*. Oxford: Oxford University Press.
- Ludwig, K. 2007. The Argument from Normative Autonomy for Collective Agents. *Journal of Social Philosophy*, 38(3): 410-427.
- McKenna, M. 2006. Collective Responsibility and an Agent Meaning Theory. *Midwest Studies in Philosophy*, 30: 16-34.
- Moen, L.J.K. 2024. Against Corporate Responsibility. *Journal of Social Philosophy*, Online First.
- Miller, S. 2006. Collective Moral Responsibility: An Individualist Account. *Midwest Studies in Philosophy* 30: 176-193.
- Pettit, P. 2007. Responsibility Incorporated. *Ethics*, 117(2): 171-201.
- Rønnegard, D. and M. Velasquez. 2017. On (Not) Attributing Moral Responsibility to Organizations. In E. Orts and N. Smith (eds), *The Moral Responsibility of Firms*, 123-42.
- Shoemaker, D. 2019. Blameworthy but Unblamable: A Paradox of Corporate Responsibility. *The Georgetown Journal of Law & Public Policy*, 17: 897-917.
- Slavny, A., K. Spiekermann, H. Lawford-Smith, D. V. Axelsen. 2021. Directed Reflective Equilibrium: Thought Experiments and How to Use Them. *Journal of Moral Philosophy*, 18(1): 1-25.
- Thompson, C. (2018). The Moral Agency of Group Agents. *Erkenntnis*, 83(3): 517-538.