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Being Jointly Obligated: A Reductive Account

Maike Albertzart *

Abstract: »Gemeinsam verpflichtet sein: Ein reduktiver Ansatz«. There are cases in which we intuitively want to say that individuals have a moral duty to act jointly with others in order to prevent a serious harm, even though they are individually unable to discharge this duty. I argue that existing attempts to understand these duties as duties of the group, as irreducible joint duties, or as duties to collectivise fail. I offer an alternative account according to which individuals in the relevant cases are jointly obligated to prevent the harm in question. However, there is no such thing as a joint obligation, only a state of being jointly obligated. This state is reducible to two types of individual duties. First, each agent has a duty with a conditional content of the form $O[\psi \rightarrow \phi]$. Due to its conditional content, the assignment of such a duty is compatible with “ought” implies “can.” Second, each individual has as an unconditional duty to show readiness for the joint action. By expressing an intention of the form “I will if you will,” an agent satisfies the antecedent of the other agents’ conditional duties. The respective agents do not only provide each other with a means to perform a joint action, they are also linked through their mutual power to change each other’s normative situation by turning each other’s conditional duties into unconditional duties. In this way, the interlocking tokens of individual duties create a state of being jointly obligated.

Keywords: Joint action, joint moral duties, group duties, duties to collectivise, joint ability, agency principle, ought-implies-can.

1. Introduction

By acting jointly with others, we can often cause considerably more benefits than by acting on our own.¹ Most rescue operations, for example, take more than one person to be carried out.

This paper addresses the question of whether the ability to achieve a morally desirable end through joint action can create special moral duties: moral

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¹ This paper focuses on moral benefits. It does not address cases where agents jointly intend to cause harm. Harmful joint actions raise complex questions about moral complicity which would go beyond the scope of this paper (see, e.g., Kutz 2000; Lepora and Goodin 2013; Mellema 2016).

duties to perform a joint action. I will answer this question in the affirmative and offer an account of the nature of these duties.

The paper is divided into three parts. The first part lays out the challenge one faces when trying to specify the kind of moral duties at work in cases of “joint ability.” In the second part I will outline the three dominant approaches to this challenge and highlight their main difficulties. The third and main part of this paper then offers an alternative, reductive account of the kind of moral duties which can accrue from our ability to achieve a morally desirable end through joint action.

2. The Challenge

Cases in which we can achieve a morally desirable end by acting jointly with others differ along various dimensions such as the number of individuals necessary for the respective joint action, the complexity of the joint actions, and the difference each individual can make with regard to the outcome of the joint action. The examples discussed in the literature range from small-scale scenarios such as two individuals carrying a piano upstairs and small rescue operations to pressing global challenges such as world poverty or climate change.² Intuitions about the ability to act jointly, as well as the moral duties such a potential ability might create, tend to become less clear in large scale scenarios. It is therefore helpful to start with a clearly defined small-scale example. I will briefly address more complex cases involving larger numbers of individuals towards the end of this paper. For now, I will focus on the following small-scale example which Virginia Held introduced in her seminal work on the moral responsibility of what she calls “random collections”:

Violent Attack: A group of three bystanders are witnessing a violent attack on a fourth innocent person. The aggressor cannot be subdued by any of the bystanders acting alone, but the victim could be easily rescued if two or more of the bystanders acted jointly. (See Held 1970, 476-7)

According to Held, we should “hold the random collection morally responsible for its failure to act as a group” (ibid., 477). Most people would intuitively agree that the bystanders have a moral duty to rescue the victim. The bystanders seem to have the necessary knowledge and the ability to remedy the situation. Furthermore, they seem to be able to do so at little cost to themselves.

² While some authors do not see a morally significant difference between small-scale scenarios and our obligations in larger groups (see, e.g., Killoren and Williams 2013; Wringer 2010) others confine their accounts to small groups and argue that humanity as a whole cannot hold a duty to mitigate climate change or to combat global poverty (see, e.g., Schwenkenbecher 2013). Despite these differences regarding the groups’ size, both sides focus almost exclusively on non-hierarchical groups.

However, at least on the face of it, it seems that none of the three bystanders in *Violent Attack* can be held individually morally responsible for failing to rescue the victim because none of them is able to do so acting alone. While it might be possible for each individual to perform actions such as pulling with all her might at the aggressor's right leg, the bystanders are individually unable to perform the action of rescuing the victim, where this action is described in terms of joint action. Therefore, assigning each of the bystanders an individual moral duty to rescue the victim appears to violate the principle that "ought" implies "can" (OIC). At the same time, it seems that we cannot assign the duty to the group of bystanders as a whole. It is widely agreed that only agents can be the subject of moral duties, and that a random group of bystanders does not constitute an agent. The challenge is thus to find a conception of moral duties that fulfils three desiderata:

1. It should account for our pre-theoretical intuition that there is a moral duty to rescue the victim in cases like *Violent Attack*.
2. It should respect OIC: if an agent at a given time has a moral duty to do something, then the agent at that time has both the ability and the opportunity to do that thing (see Vranas 2007, 171).³
3. It should be compatible with the Agency Principle: Only agents can be the subject of moral duties (see Smith 1983, 342; Isaacs 2011, 151; Erskine 2014, 118; Schwenkenbecher 2013, 318; 2014, 61; 2018, 111; 2021, 25-36; Lawford-Smith 2015, 225-49; Collins 2013, 239; 2019, 60; Björnsson 2021).

Existing attempts to make sense for our pre-theoretical intuitions in cases like *Violent Attack* fall into three broad categories: first, there are accounts which might be dubbed "group-duty accounts" according to which the moral duty to save the victim lies with the group itself, rather than with any of the bystanders individually (see Tännsjö 1989; Killoren and Williams 2013; Aas 2015). Second, there are joint duty accounts which argue that the bystanders have an irreducibly joint moral duty to rescue the victim (see Schwenkenbecher 2013, 2014, 2018, 2021; Björnsson 2014; Pinkert 2014). And third, there are so-called collectivising accounts which claim that there are only duties to collectivise, that is, individual moral duties to try to rescue the victim by working towards the joint action (see Collins 2013; Lawford-Smith 2015). The next section will highlight the main strategies and difficulties of these three attempts to conceptualise our moral duties in cases like *Violent Attack*.

³ Similar formulations of this principle can be found in most contributions to the debate about joint action and moral duties (see Held 1970, 474; Schwenkenbecher 2013, 318; Collins 2013, 239; Killoren and Williams 2013, 298; Goodin 2012, 18-24; May, 269-78). Even though there is a long-standing and controversial debate about the details and justification of the principle, common-sense morality as well as most moral philosophers rely on some version of OIC (see, e.g., van Ackeren and Kühler 2015; Copp 2008; Frankfurt 1969; Horta 2003; Sinnott-Armstrong 1984; Stern 2004; Streumer 2007).

3. Group Duties, Joint Duties, or Duties to Collectivise?

3.1 Group Duties

According to the group-duty approach, the moral duty to rescue the victim in *Violent Attack* does not lie with any of the bystanders individually, but with the group [A, B, C] itself (see Killoren and Williams 2013; Wringe 2010). The main advantage of locating the duty within the group rather than within its individual members is that it offers a seemingly straightforward way of rendering the assignment of moral responsibility compatible with OIC. For while none of the bystanders alone is able to subdue the violent aggressor, the set of them [A, B, C] seems to be able to do so.

It is helpful to distinguish between two versions of the group-responsibility approach. The first version construes the group as an agent, while the second does not.⁴ Both versions come with their own problems. By construing every group that is capable of joint action as a moral agent, the first version is faced with an extremely permissive conception of moral agency. Most of the putative agents will lack all of the characteristics usually associated with agency: since they are supposed to exist in virtue of the mere capacity for joint action, they will often lack intentions; they do not have beliefs and desires of their own; they will often not respond to reasons or exhibit rational behaviour over time (see Gehring and Marx 2023, 18, 23-6; in this issue). They will also fail to fulfil any additional conditions for moral agency commonly discussed in the literature such as autonomy or the ability to develop reactive attitudes.

In contrast to the group agency version of the group-duty approach, the second version does not view the morally responsible group as an agent. A group of individual agents that are jointly capable of performing a joint action is, qua group, a suitable bearer of moral duties. The second version of the group-responsibility approach thereby circumvents the difficulties of the first approach. However, it does so at the cost of violating the Agency Principle, that is, the assumption that only agents can be subjects of moral duties. Since the Agency Principle is closely linked to OIC, the second version of the group-duties approach is also in danger of violating the latter. If we assume that only agents can act, it follows that only agents can act to fulfil moral duties. To argue that groups can be bearers of moral duties without being agents thus seems to violate OIC because such groups cannot act qua group to fulfil these duties.⁵

⁴ For a group-agency approach, see, e.g., Killoren and Williams 2013. For group duties without group agency, see Wringe 2010, 2020.

⁵ In reply to this objection, Wringe posits that in cases in which a group holds a duty, but does not constitute a group agent, the group is the bearer of the duty while the individuals who make up

3.2 Joint Duties

According to the joint duty approach to the challenge posed by cases like *Violent Attack*, A, B, and C have an irreducible joint moral duty to rescue the victim. Proponents of the joint duty approach define the duties in question negatively as duties that are neither duties of group agents nor individual duties (see Pinkert 2014, 189). While joint duties will give rise to individual duties to contribute to the joint action, they are meant to be “more basic, or logically prior” to the corresponding individual duties (Schwenkenbecher 2014, 64). The respective individual duties would not exist without, and are explained by, the joint duty (see *ibid.*, 65). According to the joint duty approach, the bystanders in *Violent Attack* have a joint duty to rescue the victim and individual duties to do their part in the rescue operation (see *ibid.*, 63). A, B, and C would not have any individual duties to contribute to the joint action without the joint duty to rescue the victim. Moreover, in order to explain why A, B, and C each have individual duties to contribute one would have to refer to the purported joint duty of A and B and C to rescue the victim. Joint duties are thus meant to be conceptually and explanatory prior to individual contributory duties.

Joint duties are supposed to be “nondistributive plural properties of a plurality of agents” in the same way in which “to form a circle” or “to constitute a group” are nondistributive plural properties of a plurality of agents (Pinkert 2014, 189). The main difficulty with this attempt to understand our moral duties in cases like *Violent Attack* is that, unlike “to form a circle” or “to constitute a group,” moral duties are not natural candidates for the category of plural properties. While no individual agent can form a circle or constitute a group on her own, moral duties seem to be something that an agent can *only* hold on her own. Both OIC and the Agency Principle build on the thought that moral duties can only extend to those aspects of the world that are within the control of the respective subject of the duty. If joint duties were understood as plural properties, no one individual would be in full control.

3.3 Joint Ability as a Plural Property?

Both group- and joint duties accounts build heavily on the thought that our moral duties in cases like *Violent Attack* are of a collective nature because the ability to perform the relevant actions is of a collective nature: it is an ability

the group are the addressees of the duty. He claims that this approach is compatible with OIC because the addressees of the duty are agents and as such can act to fulfil the duty (see Wringer 2010). The problem with this reply is that the fulfilment of the group’s duty requires different abilities. The group’s individual members are able to fulfil their individual membership duties, but neither the group nor its individual members are able to fulfil the duty of rescuing the victim. The group is unable to do so because it does not constitute an agent and thus cannot act, and the group’s members are individually unable to rescue the victim because it takes more than one person to subdue the aggressor.

which agents hold jointly. According to Bill Wringe, one of the main defenders of the group-duty approach, joint ability is supposed to rest neither with individual agents nor with the group understood as a group agent, but with a plurality of agents (see Wringe 2020, 1528). Joint ability is thus understood as a plural property.

Proponents of joint duties champion the same idea. Anne Schwenkenbecher, for example, introduces a collective version of OIC:

Plurality-of-agents capacity principle: For a plurality of – individual or group – agents ‘ought’ implies ‘can’ means that if agents jointly ought to do x , this implies that they jointly can do x , and if they cannot jointly do x then they need not jointly do x . (Schwenkenbecher 2021, 32)

Schwenkenbecher argues that joint duties are compatible with OIC because they are compatible with the *plurality-of-agents capacity principle*. The “can” necessary for joint duties is supposed to lie in the respective plurality of agents: it refers to a non-distributive capacity. In a similar vein, Gunnar Björnsson claims that while “[t]he full moral agency required for shared obligation is merely that of individual agents,” “the *capacity* to fulfil the obligation is one that pertains to the group as a whole” (Björnsson 2014, 117, emphasis in original). And Felix Pinkert defends his account of joint duties by introducing the concept of a non-distributive joint ability (see Pinkert 2014).

The central difficulty with conceiving of joint ability as the ability of a plurality of agents is that it breaks with the canonical notion of abilities as powers of agents. Abilities are widely believed to be properties of agents and agents only. A “plurality of agents” is not itself an agent. According to the canonical understanding of abilities as something which has agents as its subjects, the notion of ability is closely linked with the notion of agential control: having an ability implies the ability to decide to exercise that ability. The “can” in classical formulations of OIC refers to this notion of ability: if an agent morally ought to do something this implies that performing that action is within the agent’s control.⁶ Since plural property accounts of joint ability identify non-agents as bearers of abilities, they encounter serious difficulties when trying to capture the notion of agential control underlying OIC. If at all, pluralities of agents can only choose *jointly* whether to exercise their joint abilities. The reason lies in the lack of unified agency, and hence the lack of volitional control, of pluralities of agents. Since pluralities of agents are not

⁶ As Marcel van Ackeren and Michael Kühler point out, the “can” in OIC is usually interpreted as subjective possibility, which, in turn is analysed in terms of an agent’s opportunity and ability. An agent “is taken to have the ability to do something if it is in her power to do it intentionally” (see van Ackeren and Kühler 2015, 9).

themselves agents, they possess no volitional control over the outcomes they produce.⁷ They cannot decide to exercise a certain ability.

3.4 Duties to Collectivise

At least partly in response to the difficulties of group- and joint duty accounts, proponents of duties to collectivise give up on the attempt to account for the ordinary locution “The bystanders have a moral duty to rescue the victim” and instead claim that there are only individual moral duties to try to rescue the victim by working towards the joint action. Duties to collectivise are defined as individual duties “to perform responsive actions with a view to there being a collective that can reliably address the circumstance” (Collins 2013, 233). Such actions include “signalling conditional willingness to cooperate [...] acting as a trigger or responding to another’s trigger when others have signalled conditional willingness [...], persuading, remonstrating, and motivating others to take individual steps towards collectivising” (Lawford-Smith 2015, 244). Construing the duties of the bystanders in *Violent Attack* as duties to collectivise has the advantage that postulating such duties is clearly compatible with OIC and the Agency Principle. The disadvantage of the approach lies in its failure to fulfil the first desideratum for a conception of moral duties in cases like *Violent Attack*. That is, understanding the duties of the bystanders as duties to collectivise fails to do justice to the intuition that there is a moral duty to rescue the victim. According to the collectivisation-duties approach, there is no duty to rescue the victim in *Violent Attack*, there are only individual duties to perform responsive actions with a view to there being a joint action to rescue the victim. If the bystanders fail to act and the victim dies as a result of the attack, all we can say is that the individuals failed in their individual duties to collectivise. The duty to save the victim remains unallocated (see Schwenkenbecher 2014, 64; 2018, 114). Given the strength of our moral intuitions in cases like *Violent Attack*, and thus the first desiderata, such a revisionary approach seems unattractive. I will offer an alternative approach that avoids a revisionary reading of the case, but which is also compatible with OIC and the Agency Principle.

4. Being Jointly Obligated

Group responsibility- and joint duties accounts do well in capturing the collective nature of the kind of moral duties which seem to be at work in cases

⁷ In a similar vein, Zofia Stemplowska argues that the ability to act “depends on there being an intentional agent, single or collective, who can perform the action in question” (Stemplowska 2016, 289). And Holly Lawford-Smith points out that “there is nothing that [unorganised groups] ought to do, because there is nothing that they could do” (Lawford-Smith 2015, 243).

like *Violent Attack*. But they do so at the cost of violating OIC and the Agency Principle. The kind of moral duties which group responsibility- and joint duties accounts postulate are not under the appropriate control of the respective subjects of the duties. By contrast, proponents of duties to collectivise do full justice to the fact that moral duties can only extend to those aspects of the world that are within the control of the respective subject of the duty. But in doing so they lose sight of the collective normative nature of cases like *Violent Attack*. There appears to be something normatively special about such cases which standard cases of individual obligation lack. So duties to collectivise, understood as duties to work towards joint action, are not enough. However, having said that, duties to work towards joint action nevertheless seem to play a crucial role in cases like *Violent Attack*. There is a morally important end at stake in *Violent Attack*, namely the life of an innocent victim. We expect the bystanders to sufficiently care about this end and thus try to avail themselves of the means necessary to achieve this end. In *Violent Attack*, this implies some sort of duty to collectivise understood as a duty to work towards the joint action of rescuing the victim.

The fact that acting jointly constitutes a means to achieving a morally important end in cases like *Violent Attack* provides the first building block for the reductive account of being jointly obligated which I will set out in the following. I start with the idea that, in the relevant cases, joint action is a means to an end which is not only morally important but obligatory. These obligatory ends imply individual action-demanding duties, which, in turn, provide the material for a reductive account of being jointly obligated. I will agree with group responsibility- and joint duties accounts that there is something genuinely collective about the kind of moral duties at play in cases like *Violent Attack*, but I will argue that this collective element can be had within an individualistic, reductive account.

4.1 Obligatory Ends and Action-Demanding Duties

As I pointed out above, it is natural to start with the thought that there is a morally important end at stake in cases like *Violent Attack*, namely the life of an innocent victim. The joint action of rescuing the victim constitutes the means to this end. Whether the other bystanders collaborate and the joint action materialises is outside each individual's control, but we expect the individuals to try to avail themselves of this means. This is especially clear in cases like *Violent Attack* in which the joint action is the only – and an easily attainable – means to help someone in great danger. I will spell out the idea of obligatory ends with the help of Kant, who offers an illuminating conception of obligatory ends. But the idea that there are certain morally significant ends involved in cases like *Violent Attack* is a natural one quite independently of whether or not one has any sympathies with Kant's ethics.

According to Kant, there are two ends that are obligatory: one's own perfection and the happiness of others (see Kant 1996b, 6: 385). Obligatory ends constitute imperfect duties. While perfect duties prescribe certain act-types, imperfect duties are duties to adopt certain ends. They are duties *that* something be the case rather than duties *to* do certain things. However, since we cannot be said to have embraced an end if we do not act accordingly, imperfect duties indirectly also require us to perform certain actions. If one does nothing whatsoever to develop one's talents, for example, one cannot be said to have embraced the end of self-perfection. Obligatory ends thus ground action-demanding duties. I propose that we conceive of the bystanders' duties in *Violent Attack* as such derivative action-demanding duties. In what follows I will suggest that each bystander has a duty to [rescue the victim if one of the other agents were to participate in the joint action] as well as a duty to express readiness for the joint action because the joint action is a means to achieving a morally important end, namely the obligatory end of beneficence.

Let me start with the duty to [rescue the victim if one of the other agents were to participate in the joint action]. This is a duty with conditional content. Each individual has a duty of the form $O[\psi \rightarrow \phi]$. A has an individual duty to [rescue the victim if either B or C were to participate in the joint action], B has an individual duty to [rescue the victim if either A or C were to participate in the joint action] and C has an individual duty to [rescue the victim if either A or B were to participate in the joint action].

Just as everyday parlance has it, the bystanders thus have a duty to perform a joint action. Because of the conditional content of the duties, assigning A, B, and C individual duties to perform a joint action is compatible with OIC and the Agency Principle: A can rescue the victim if B joins in, and vice versa. The abilities in question are time-indexed: once the joint action of subduing the aggressor is in progress, each individual agent has the ability to rescue the victim by means of the help of the other agents. While A was unable to subdue the aggressor at t_0 , she is able to do so at t_1 . The ability to rescue the victim is a conditional ability: A is only able to rescue the victim by means of the help of B or C (or both of them). But this is no different from other cases where an agent needs certain means in order to achieve a certain end. Furthermore, A might lose her ability to subdue the aggressor at t_2 due to some breakdown in the joint action. However, again this is no peculiarity of joint actions. For example, a person might be able to drive someone to hospital at t_1 and become unable to do so when the motor of her car breaks down at t_2 .

At this point one might object that none of the bystanders can rescue the victim. All A, B, and C can do is to try to do their best in bringing off the rescue if at least one other bystander participates effectively in the rescue operation. The thought behind this objection is that the success of the rescue operation is beyond the bystanders' individual control: A simply cannot guarantee the success of the rescue operation even if B or C joins in, and vice versa. In reply

to this worry, one might argue that the duty to rescue that victim is not a duty to succeed in the endeavour, but rather a duty to [*intend to rescue the victim if either of the other bystanders were to participate in the joint action*], which includes taking all necessary, available means to do so. There would thus be no duties to succeed in producing certain state of affairs. Rather, there would only be moral duties to form certain intentions, and, if things go well, these intentions will cause the respective actions. Following David Velleman's Searle-inspired notion of an effective intention, we could say that an effective intention is "a mental representation that causes behaviour by representing itself as causing it" (Velleman 1997, 36; see also Searle 1990, 408). Of course, intentions can fail to be effective and even effective intentions can fail to produce successful actions. But this is true regardless of whether one is concerned with individual action or joint action. So this concern is not unique to duties to perform joint actions, it pertains to all action-demanding duties. In the case of individual actions, we nevertheless usually speak of moral duties to successfully perform certain individual actions, if only for reasons of linguistic simplicity. I will therefore continue to do the same with regard to joint actions. Thus, according to my suggestion, the bystanders each have an individual duty to perform a joint action. Because of the conditional content of the duties, assigning A, B, and C individual duties to perform a joint action is compatible with OIC and the Agency Principle: A can rescue the victim if B joins in, and vice versa.

However, the objection that none of the bystanders can rescue the victim might also be understood in a different way, one that is specific to joint action. One might argue that no individual bystander can rescue the victim, even with the help of the others, because rescuing the victim will have to be a joint action. Thus, assigning A, B, and C individual duties to perform a joint action might seem to presuppose that one agent can perform the entirety of a joint action. For example, it seems to presuppose that if you are lifting your end of the sofa, then I can perform the action of lifting the sofa. But, commonsensically, I do not lift the sofa; we do.⁸

Whilst this latter observation is undeniably correct, it is worth noting that at the same time we do say things like "John is getting married" or "John danced the pas de deux in Giselle," even though getting married and dancing a pas de deux are by definition joint actions: I cannot get married or dance a pas de deux on my own. The statements carry with them the implication that John is getting married to – and danced the pas de deux with – someone. In the case of act-types, which are not by definition joint actions, this implication usually has to be made explicit: I did not move the sofa on my own, I moved it with your help. The point of the bystanders' duties with conditional content is precisely to account for the fact that an individual agent cannot

⁸ In this context, Kirk Ludwig claims that "[i]n English, 'it was done by x' implies that x was the sole agent of it" (Ludwig 2016, 25).

perform a joint action on her own. A can only rescue the victim by means of the help of B or C.

This is not to say that A can treat B and C merely as tools. Joint action requires that each participant treats the others as intentional co-participants in the shared activity (see Bratman 2014, 48). As Michael Bratman has pointed out, going to New York together by throwing you in the boot of my car is not a joint action. The joint activity has to be in accord with and in part the result of the intention of each participant (see *ibid.*, 49-50). A can thus only rescue the victim in *Violent Attack* by means of B's or C's intentional agency.

Moreover, it is important to stress that this does not commit one to the claim that the intentions of the participating agents actually take the form of means-end intentions. Duties with conditional content offer an answer to the question of how an individual can have a duty to perform a joint action. But the idea of performing a joint action by means of other agents' intentional agency is not to be misunderstood as an analysis of joint intentions.⁹ Rather, it describes the way in which each bystander can rescue the victim in *Violent Attack*. The account I offer here aims to be as neutral as possible between different theories of joint intentions.

Duties with conditional content are clearly not enough to explain our moral obligations in cases like *Violent Attack*. If no bystander participates in the rescue operation, then none of them would have violated their duty to [rescue the victim if one of the other agents were to participate in the joint action]. So, if there were no other moral obligations there would be no wrongdoing in this case. However, as I pointed out before, the idea that there is an obligatory end at play in cases like *Violent Attack*, and that joint action is a means to this end, leads naturally to the thought that individuals have an obligation to try to avail themselves thereof. According to my proposal, each bystander also has as an unconditional duty to show readiness for the joint action by expressing the appropriate participatory intention.¹⁰ By doing so, each agent satisfies the antecedent of the other agents' duty to [rescue the victim if one of the

⁹ For a recent critique of accounts which understand joint intentions through "by-means-of-intentions," see Ludwig 2016, 238-47.

¹⁰ Similarly, Robert Goodin suggests that each agent in rescue scenarios like *Violent Attack* has two individual duties: a conditional duty to perform the necessary joint action and an unconditional duty to show willingness for the joint action, thereby trying to activate the conditional duty (see Goodin 2012). My account differs from Goodin's in three respects. First, in my account the individual action-demanding duties are derived from and explained by an obligatory end. Second, in my account the ought is not conditional: each bystander has an unconditional duty with conditional content. As I will show later, this is relevant when it comes to the first desiderata, that is, accounting for our pre-theoretical intuition that there is a moral duty to rescue the victim in cases like *Violent Attack*. Third, in my proposal the two individual duties are used for a reductive account of being jointly obligated.

other agents were to participate in the joint action], thus turning their duties with conditional content into unconditional duties to rescue the victim.¹¹

Two clarifications are at order here. First, most action theorists agree that readiness for a joint action can be expressed in non-verbal ways. Sometimes a nod or even a slight movement towards the scene of action suffice to express an agent's intention to participate in a joint action (see Gilbert 2014, 86-7; Ludwig 2016, 2111.).

The second clarificatory point concerns the sincerity of the intention. One might worry that showing readiness and expressing the appropriate intention does not ensure that one actually is ready to participate or actually has the intention. Hence, one might think that the antecedent of the duty to [rescue the victim if one of the other agents were to participate in the joint action] is not fulfilled even if the bystanders fulfil their unconditional duty to show readiness. In answering this concern, it is helpful to recall Searle's definition of an effective intention as a representation that causes behaviour by representing itself as causing it. Given this definition, announcing an effective intention to join the rescue operation is to represent the intention as something that causes this action. Moreover, agents can omit the word "effectively" when announcing their intentions, because announcing an intention carries the conversational implicature that it is effective (see Velleman 1997, 43). Thus, if an agent fulfils her unconditional duty to show readiness for the joint action by expressing an intention of the form "I will if you will," she has formed an effective intention that causes the respective behaviour by representing itself as causing it. Each bystander's expression of readiness has conditional causal powers (see *ibid.*, 46-7). If one of the other agents expresses an intention of the same form, there will be a joint intention and – if things go well – a joint action of rescuing the victim.

Each bystander in *Violent Attack* thus has two action-demanding individual duties: first, a duty to [rescue the victim if one of the other agents were to

¹¹ Goodin points out that it is not enough for one bystander to say to the other "I will if you will" since this would simply leave us with two conditional commitments. Instead, one of the bystanders has to either make an unconditional commitment or voice the weaker commitment of "I will if (you will if I will)" (see Goodin 2012, 24). In this context, David Velleman has argued that the statement "I will if you will" should be understood as meaning "I hereby frame an effective intention that is conditional on your framing an effective intentions as well," that is "I hereby will it, conditional on your willing likewise." It would therefore seem uncooperative to answer "I will if you will" with "Well, I will if you will." By saying "I will if you will," I have willed it and the response "I will if you will" unnecessarily calls into question whether I have in fact willed. According to Velleman, the proper response to "I will if you will" would be "Then I will." The word "then" is supposed to indicate that your intention is conditional on mine (in the same way in which my intention is conditional on yours), but that the condition has already been satisfied (see Velleman 1997, 44-6). Margaret Gilbert emphasises that the conditional commitments are of a special kind: they bound individuals simultaneously and interdependently (see Gilbert 1990, 7). Since the question of how a joint intention comes into the world is a question that all theories of joint intention have to answer, I do not need to commit myself with regard to the exact details of showing readiness for a joint action at this point.

participate in the joint action] and, second, a duty to express readiness for the joint action. These duties are not simply stipulated to account for our moral intuitions in cases like *Violent Attack*. Rather, they are derived from and explained by each bystander's obligatory end of beneficence.

4.2 A Reductive Account

The two individual action-demanding duties set out above provide the material for a reductive account of *being jointly obligated*. In my account the bystanders in *Violent Attack* are *jointly obligated* to rescue the victim. They are jointly obligated if each agent has an individual duty of the form $O[\psi \rightarrow \phi]$ as well as an individual duty to signal readiness. Being jointly obligated is a state of interlocking individual duties. The agents' duties can be said to be interlocking in two ways. First, the agents provide each other with a means to perform a joint action and hence to act in accordance with one of their individual obligatory ends, in this case the end of beneficence. Second, the agents are linked through their mutual power to turn each other's duties with conditional content into duties with unconditional content. They can change each other's normative situation. All this is common knowledge between the agents.

To say that the bystanders are jointly obligated is not to say that there is such a thing as a joint obligation or a joint duty that is separate from, or irreducible to, the agents' individual duties. Just as one might plausibly argue that there can be no such thing as a token of joint intention which is literally shared between agents, but only a state of jointly intending an action, I suggest that there is no such thing as a joint obligation, but only a state of being jointly obligated (see Velleman 1997, 49). The bystanders' individual duties are conceptually and explanatory prior to the state of being jointly obligated.

This reductive account of being jointly obligated is distinct from existing approaches to cases like *Violent Attack*. In contrast to the collectivisation-duties approach, the duties at work in the reductive account of being jointly obligated proposed here are not individual duties to perform responsive actions with a view to there being a group action or joint action, but individual duties to [perform a joint action if one of the other agents were to participate in the joint action]. The duty to show readiness for the joint action is a duty to work towards the truth of the conditional of the other agent's duties with conditional content. In contrast to the group-responsibility approach the relevant moral duties do not reside with the group, but with the respective individual agents. Agents' individual duties are also not derived from a group's putative collective duty.¹² In contrast to the joint duty approach, there is not one duty

¹² For example, Aas argues that "[w]hen a group is obligated to ϕ , its members are thereby obligated to be prepared to do their part in ϕ -ing, if they become (sufficiently, reasonably)

which is shared between the agents, but three individually held tokens of the duty to [rescue the victim if one other agent were to participate in the joint action] which, together with the duty to show readiness for the joint action, create a state of jointly obligated agents. The state of being jointly obligated is reducible to the agents' individual duties. The latter give rise to the former.

Moreover, the individual duties in question are not only ontological, but also explanatory prior to the state of being jointly obligated. The bystanders' interrelated individual duties explain why they are jointly obligated to rescue the victim in *Violent Attack*. By contrast, proponents of the joint duty approach refer to the existence of joint duties in order to explain why individuals have the particular individual participatory duties which they do (see Schwenkenbecher 2021, 31). Similarly, defenders of group-responsibility argue that we need to appeal to the duties of the group in order to explain the individual duties of its members (see Wringer 2016, 473, 482, 485). Proponents of joint duties as well as defenders of the group responsibility approach claim that "it is an advantage of a collectivist approach that it can explain and justify the emergence of contributory obligations in joint necessity cases in a way that individualist accounts cannot" (Schwenkenbecher 2019, 166). However, the reductive account of being jointly obligated proposed here shows that this does not need to be the case. I argued that the bystanders' individual duties to [rescue the victim if one of the other agents were to participate in the joint action] as well as their individual duties to express readiness for the joint action are derived from and explained by each bystander's obligatory end of beneficence.

Defenders of group responsibility and joint duties accounts have argued that individualistic approaches to cases like *Violent Attack* fail to do justice to moral phenomenology (see Wringer 2016, 483; Schwenkenbecher 2018, 115; 2021, 84). They point out that research from experimental economics, social psychology, and evolutionary biology suggests that we regularly take a collective perspective when faced with problems that cannot be resolved through individual actions (see Schwenkenbecher 2021, 131; Gehring and Marx 2023, 16-8; in this issue). We seem to perceive such problems as problems that concern us as a group (see *ibid.*). It would be unnatural – according to the argument – to start by thinking "Here is a problem, now I need to find someone to help me with this," instead it is a problem which a group of individuals face together (see Wringer 2016, 438). However, a reductive account of being jointly obligated can capture this phenomenology without the ontological commitments of group responsibility or joint duties. Individuals in cases like *Violent Attack* feel that they are collectively responsible to act in a certain way

certain that others will as well" (Aas 2015, 7). According to this account, the group's putative moral obligation is ontologically and explanatory prior to the individual duties of the group's members. It presupposes that a group like the group of bystanders in *Violent Attack* can be a duty bearer.

because they realise that their individual duties are interlocking. They are aware of the fact that they are each bound by an obligatory end and that this end can only be achieved through joint action in the particular situation in which they find themselves. They also realise that they have the power – as well as the duty – to turn each other’s duties with conditional content into duties with unconditional content. This dependency and mutual normative power gives rise to a collective perspective: a group of individuals feels jointly obligated. A reductive account of being jointly obligated thus preserves and explains the moral phenomenology of cases like *Violent Attack*.

4.3 Duty Violations

In order to see how the proposed account accommodates the intuition that there is a duty to rescue the victim in *Violent Attack*, it is helpful to look at the different ways in which the joint action can fail to materialise. To begin with, we can set aside cases in which the failure is due to circumstances that are external to the bystanders’ intentional agency. For example, the bystanders to a violent attack in an underground carriage might be unable to rescue the victim because the lights in the subway stop working and they become unable to coordinate their actions in the dark or because two of them suddenly suffer leg cramps. We would not want to say that the bystanders violated a moral duty in such cases.

There are two relevant ways in which the bystanders can violate a moral duty in *Violent Attack*: first, through universal unwillingness to rescue the victim and, second, through the unwillingness of the majority of agents. Both scenarios raise difficulties.

The case of universal unwillingness raises the difficulty of mutual release. In this case A, B, and C express their unwillingness to do their part in the joint action. Since each agent has reason to believe that the other will not make her necessary contribution, each has a reason not to proceed with the joint action. This, in turn, might seem to release them of their respective duties (see Goodin 2012, 19-20). However, I argued that each agent has a duty to show readiness for the joint action and thereby work towards the truth of the conditional of the other agent’s duties with conditional contents. At this point one might worry that if none one of the bystanders forms and makes known the required intention, then the wrong that is done is merely psychological or communicative. That is, one might argue that the wrong in question is the wrong of not forming or communicating the intention to rescue the victim and not the wrong of failing to rescue the victim. In responding to this worry it is important to again note that the duty to show willingness is not merely a duty to communicate an intention, but a duty to communicate a sincere intention and thus to form an effective intention. Moreover, each agent’s duty with conditional content exists despite the unwillingness of the agents

because the conditional does not stand before the duty ($\psi \rightarrow O \phi$), but in the formulation of the content of the duty ($O [\psi \rightarrow \phi]$). Accordingly, A has an individual duty to [rescue the victim if either B or C were to participate in the joint action] even if B and C do not join in, and vice versa. In the case of universal unwillingness, all three bystanders violate their individual duties to work towards the truth of the conditional of the other agent's duties with conditional contents. This is not merely a psychological wrong, but a failure to act in a certain way. In addition, joint action is each agent's only means to act in accordance with her obligatory end of beneficence in *Violent Attack*. Thus, by expressing her unwillingness to act jointly with the others, each agent deliberately deprives herself of the only means to an obligatory end.

While this solves the problem of mutual release, we still need to explain our pre-theoretical intuition that the bystanders violate a duty to rescue the victim if they fail to take action in *Violent Attack*. At this point, the fact that the interlocking individual duties of the bystanders create a state of being jointly obligated proves vital. The bystanders were jointly obligated to save the victim and they failed to act accordingly. They were jointly obligated to save the victim even if all of them failed to express their willingness to save the victim because the existence of the duty to [rescue the victim if one of the other agents were to participate in the joint action] is not conditional on the expression of readiness. It is an unconditional duty with conditional content and not a conditional duty. The state of being jointly obligated consists in the combination of this duty with the duty to show readiness (or, more precisely, the bystanders' individual interlocking tokens of these duties). Given its conditional content, the bystanders cannot violate the first duty through their collective inaction. But they culpably fail to enact the combination of the two duties. That is, they fail to "activate" the first duty by turning into a duty with unconditional content. Since the state of being jointly obligated is reducible to the agents' individual duties, everyday parlance such as "The bystanders have a moral duty to rescue the victim" has to be understood in some sense as elliptical. Such statements are elliptical in the sense that one can unpack the statement as saying that each agent has an individual duty to [perform the requisite joint action if enough other agents were to participate in the joint action] as well as an individual duty to show readiness for the joint action, and that by fulfilling the latter, agents can turn each other's duties to rescue the victim into duties with unconditional content. However, the sentence "The bystanders have a moral duty to rescue the victim" is not elliptical for "A, B and C each have an individual duty to rescue the victim."

The same holds true for the case where not all, but the majority of bystanders show unwillingness to act jointly to rescue the victim. Let us assume A is willing to act jointly, while B and C are not. As in the case of universal unwillingness, the bystanders are jointly obligated to rescue the victim and fail to act accordingly. However, the bystanders' individual normative situations

differ. In contrast to the case of universal unwillingness, only B and C failed to fulfil their duties to express willingness. A has not herself violated a moral duty. Moreover, by showing her willingness, A turned B and C duties to [perform the requisite joint action if enough other agents were to participate in the joint action] into unconditional duties. Consequently, B and C each also failed to fulfil an unconditional duty to rescue the victim. The victim thus has a strong complaint against B and C, but not against A. And the victim is not the only one who has grounds for complaint against B and C. By failing to fulfil their duties, B and C have deprived A of her only means to rescue the victim and thus to act in accordance with her obligatory end of beneficence. This accords well with, and explains, common-sense morality. Although the victim's complaint against B and C will be by far the most significant one, we would also expect A to feel morally wronged by B and C, and justifiably so. Jointly obligated agents are bound together by certain mutual claims and obligations.

The duty to [rescue the victim if one of the other agents were to participate in the joint action] and the duty to express readiness for the joint action are pro-tanto duties. They can thus be outweighed or attenuated by different considerations in different contexts. For example, other things being equal, an agent's duty to express readiness for a joint action will be weaker if doing so would imply serious danger for the agent. By contrast, the duty might be particularly stringent for agents who are in the possession of abilities or resources that are crucial for the success of a joint action. *Violent Attack* constitutes a simple case in so far as the bystanders can rescue the victim at little cost to themselves. Moreover, they all possess the same abilities and resources to do so. The bystanders' duties in *Violent Attack* are thus all equally weighty and their mutual claims and obligations are relatively strong. However, it is important to emphasise that the duties towards a relevant third party as well as the claims and obligations among the agents who are capable of joint action are context-dependent. This helps to dispel concerns about over-demandingness. One might worry that the ability to act jointly creates a multitude of new and strenuous individual duties to try to initiate and participate in potentially beneficial collective projects. Given the seemingly endless benefits we could achieve by acting jointly with others, postulating such duties seems overdemanding.

This concern about overdemandingness is intensified by the fact that, according to the account proposed here, jointly obligated agents also acquire obligations towards each other. An agent has justifiable grounds for complaint against individuals who fail to participate in a joint action and thereby render it impossible for her to act in accordance with her obligatory end of beneficence. The Kantian idea underlying this line of thought seems even more demanding: "the ends of a subject who is an end in itself must as far as possible be also my ends" (Kant 1996a 4: 430). This does not only apply to

obligatory ends, but to all ends. According to Kant, “[t]he capacity to set oneself an end – any end whatsoever – is what characterizes humanity (as distinguished from animality)” (Kant 1996b 6: 392). Treating another person as a human being, that is, as an end in itself, has a negative and a positive component. Negatively, it requires us to refrain from undermining the person’s capacity to set and pursue her own ends. Positively, it implies making that person’s ends my own ends by acknowledging the importance of her ends. The latter falls under the category of imperfect duties. It is thus a duty to set ends, not a duty to perform certain actions. However, some cases are such that it is impossible to fail to help someone in the pursuit of her ends without also failing to acknowledge that person as a subject who has certain ends. I claim that *Violent Attack* is such a case. But not all cases where individual (obligatory) ends are achievable through joint action are of this kind. Your claim on me to sing a canon with you in order to further your obligatory end of self-perfection, for example, is, at best, a very weak one.

In the following I will show that these differences in normative strength are not only due to the pro tanto nature of the individual duties in question, but also to the fact that being jointly obligated comes in degrees.

4.4 A Matter of Degree

As I pointed out at the beginning of this paper, cases in which benefits or harms are caused through joint actions come in very different forms. Intuitions about the moral duties at play in these cases vary depending on the details of the respective cases. In the remainder of this paper, I will show that my account of being jointly obligated can explain these varying moral intuitions. I will argue that the strength of the involved agents’ individual duties as well as the strength of obligatoriness between these agents depends on various parameters.

To begin with, it is important to remember that cases like *Violent Attack* are cases where joint action is possible. The question of how to reconcile our intuition that there is a moral duty to rescue the victim with OIC and the Agency Principle would not arise if joint action were not possible. Although the exact details of the requirements for joint action are debatable, most philosophers of action agree that joint intention, and hence joint action, presupposes common knowledge among the participating agents about each other’s relevant intentions and beliefs (see, e.g., Bratman 2014; Gilbert 1989; Lewis 1969; Tuomela 2007). For example, A and B cannot jointly intend to subdue the aggressor if they do not know of each other’s existence as well as each other’s readiness to work towards and engage in the joint action. So, if mutual knowledge is not attainable, and joint action therefore impossible, there can be no duty to perform the joint action. Moreover, if one holds that the stringency of a duty can depend at least partly on how difficult it is to fulfil the

respective duty, the question of how difficult it is to establish common knowledge will be relevant for the stringency of each individual's duties. The difficulties of establishing joint action tend to increase with group size and spatial distance between individuals. Individual duties to perform and work towards joint action will therefore tend to be less relevant in larger groups.

In addition to the level of difficulty of establishing joint action, it is helpful to distinguish between four types of cases: cases with incremental goods; joint necessity; threshold goods; and threshold goods with harm (see Lawford-Smith 2012, 460-1). In cases with incremental goods, each agent can make things a bit better: the respective outcome will be the better the more agents contribute and the more each individual agent contributes (see *ibid.*, 460). Other things being equal, individuals will have three types of action-demanding duties in such cases. First, since each agent can make a difference for the better, there will be an individual duty to do good. Individuals will have this duty regardless of whether joint action is possible or whether other agents fulfil their respective individual duties. Second, if joint action is likely to produce more good than the mere accumulation of individual beneficial actions, each agent will also have a duty to [perform the respective joint action if enough other agents were to participate in the joint action]. Since this is a duty with a conditional content, individuals acquire this duty irrespectively of other agents' actual participation in the joint action. The same holds true for the third duty, that is, the duty to show readiness for the joint action.

In joint necessity cases, the moral benefit can be achieved only through the joint action of all agents. Neither any of the individual agents nor any subset of individual agents can realise the moral benefit on their own. They all need to act together (see *ibid.*). In such cases there will be no duty to try to perform individual acts of beneficence, because such actions would be futile. However, each individual's obligatory end of beneficence will ground a duty to [perform the necessary joint action if enough other agents were to participate in the joint action]. In addition, each agent has a duty to show readiness for this joint action.

Cases with threshold goods are cases where there are more agents than are necessary to jointly produce a morally desirable end. Once enough agents participate in the joint action, any additional agent will make no difference for the better or worse (see *ibid.*).¹³ Given my description of the case, *Violent Attack* falls into this category. In order to subdue the aggressor, two of the

¹³ This is slightly ambiguous. The help of an additional agent might make no difference for the outcome insofar as the victim is concerned, but it might make a difference for the effort which the participating agents have to put into the joint action: it might lighten their burden. The notion of being jointly obligated can explain why an agent might have a duty to participate in the joint action in such cases. In such cases, the action of the additional agent would not be owed to the victim, but to the other participating individuals with whom she is jointly obligated to rescue the victim. This pro tanto obligation is grounded in the imperfect duty to make other agent's ends one's own ends.

bystanders need to perform a joint action. The participation of the third bystander will make no difference for the better or worse. In such cases each agent will have a duty to [perform the joint action if enough other agents were to participate in the joint action] and to show readiness to act jointly with the others until there are enough agents engaged in the action.

Cases of threshold goods with harms are cases where the participation of more agents than necessary for the joint action will be a hindrance or otherwise cause harm (see *ibid.*). In such cases, an agent will have a duty to perform, and show readiness for, the respective joint action only if there are not yet enough participating agents. This is nicely explained by the fact that the duty to [perform a joint action if enough other agents were to participate in the joint action] is derived from each agent's more fundamental individual obligatory of beneficence. If an agent's participation in a joint action is counterproductive to this end, she will be obliged to refrain from engaging in the joint action.

So far, I have highlighted different parameters which determine the strength of agents' individual moral duty to [perform a joint action if enough other agents were to participate in the joint action] as well as their duty to show readiness for the respective joint action. I will now address the strength of obligatoriness between these respective agents. I defined "being jointly obligated" as a state of interrelated individual obligations. The strength of these interrelations, and hence the strength of the link of obligatoriness between the agents, depends crucially on two factors: first, whether or not the joint action is a necessary means to achieve the morally desirable end, and, second, how many agents are necessary for the joint action. Let me discuss these factors in turn.

In the case of *Violent Attack*, joint action is a necessary means to rescue the victim. It is also each agent's only means to act in accordance with her obligatory end of beneficence. Moreover, rescue scenarios are cases where it is difficult to justify a refusal to help without failing to uphold the obligatory end of the happiness of others. This creates a strong link of obligatoriness between the bystanders. This link would be less strong if the benefits and harms at issue were less weighty. It would also be less strong if the bystanders were able to rescue the victim on their own. Indeed, if such individual rescue operations had a good chance of success and could be performed at relatively little cost, it would seem altogether counterintuitive to claim that the bystanders are jointly obligated to rescue the victim.

The second factor that determines the strength of the link of obligatoriness between the agents concerns the number of agents necessary for the joint action. In *Violent Attack*, two agents are necessary for performing the required joint action. Each bystander therefore has the power to turn the other agents' duties into unconditional duties. This mutual power to change each other's normative situation makes for a strong link of obligatoriness. In cases where

more than two agents are needed for the joint action, each agent's expression of readiness can only make the joint action more likely and thereby put normative pressure on the other agents to likewise express their readiness. This means that the more agents are needed for a joint action, the more fragile their link of mutual obligatoriness becomes. This accords with, and explains, our pre-theoretical judgements about relevant cases. Other things being equal, two people seem to be more strongly jointly obligated to perform a joint action than, say, a hundred.

Thus, being jointly obligated comes in degrees. On the one side of the spectrum are cases where the joint action is the only means to achieve a morally obligatory end and in which agents have the mutual power to turn each other's duties into unconditional duties. On the other side of the spectrum are cases in which the joint action requires a large number of agents and constitutes only one means among others to achieve the morally desirable end. Our pre-theoretical intuitions about *Violent Attack* are so strong because the case is firmly placed on the former end of the spectrum. By contrast, global challenges such as world poverty and climate change are cases which not only involve a large number of individuals but in which it is not even clear whether joint action is possible at all. It seems highly unlikely that all of humanity (or even all affluent Westerners) could mitigate climate change or end world poverty by acting jointly in unstructured groups (see Schwenkenbecher 2013). There is therefore no significant link of obligatoriness between agents in these cases. For this reason, it is misleading to try to understand our individual moral duties in large-scale scenarios by building on small-scale cases like *Violent Attack*. Global ethical challenges like climate change or world poverty can usually only be effectively addressed through organised group agency: they require institutional solutions.

5. Conclusion

According to Held, we should hold the random collection of bystanders in *Violent Attack* morally responsible if they fail to subdue the aggressor. I pointed out that if this is understood as claiming that the bystanders are morally responsible as a group or that they have some form of irreducible joint responsibility, this claim violates either OIC or the Agency Principle or – depending on the details of the underlying theory – both.

Given this result, one might give up on the attempt to account for the ordinary locution “The bystanders have a moral duty to rescue the victim” and instead claim that there are only individual moral duties to try to rescue the victim by working towards the necessary joint action. I offered an alternative approach that avoids this revisionary reading of the example, while still being compatible with OIC and the Agency Principle.

According to my account, the bystanders in *Violent Attack* are *jointly obligated* to rescue the victim. Being jointly obligated is a state which is reducible to two types of individual duties. A, B, and C each have an individual duty with conditional content to [rescue the victim if one of the other agents were to participate in the joint action] as well as an individual duty to show readiness for the joint action. These duties are derived from each individual's obligatory end of beneficence. Just as everyday parlance has it, the bystanders thus have a duty to perform a joint action. However, due to its conditional content, the assignment of such a duty is compatible with OIC and the Agency Principle: an individual agent can perform a joint action by means of other agents' intentional agency. Moreover, although the duties in *Violent Attack* are not literally shared between the agents, there is something genuinely collective about them: the bystanders provide each other with a means to perform a joint action and hence to act in accordance with their individual obligatory ends of beneficence. In addition, the bystanders are also linked through their mutual power to change each other's normative situation by turning each other's duties with conditional content into unconditional duties. In this way, the interlocking tokens of individual duties create a state in which the bystanders are jointly obligated to rescue the victim.

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