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Moral Dilemmas and Collective Responsibilities

ABSTRACT:

In this paper, I work within Ruth Marcus's account of the source of moral dilemmas and articulate the implications of her theory for collective responsibility. As an extension to Marcus's work, I explore what her account means for the moral emotions and responsibilities of those complicit in perpetuating unjust systems of a non-ideal world from which moral dilemmas arise. This move necessitates shifting away from the primacy of control. That one is born into unjust systems one had no hand in establishing does not excuse one from responsibility to mend them. Similarly, even if one's personal contribution in the perpetuation of unjust systems is negligible – the injustices would continue whether one participated or not, and one's resistance would do little-to-nothing – one nevertheless retains responsibility. This expanded sense of responsibility necessitates a specialized sort of moral emotion – one that, like agent-regret or tragic-remorse, transcends the criterion of agentic control, but nevertheless can be classified neither as agent-regret nor tragic-remorse.

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I. Introduction

The moral dilemmas literature raises an important challenge to what has been a dominant

tendency in modern normative ethics, namely, the tendency to reduce ethics to its ability to

provide guidance towards moral cleanliness.[1] The assumption that an agent always has a moral

option available, in the sense of an action that will not constitute wrongdoing,[2] is thrown into

doubt: if moral dilemmas are real – if people can do their best and, through no weakness of will,

ignorance, or vice, still do something wrong – it seems that there is something deeply inadequate

with an exclusive focus on action-guidance for ethics. If normative ethics is regarded as useful

only insofar as it provides action-guidance, normative ethics will prove inadequate in the real

world. Those in the pro-dilemma camp, then, simultaneously assert the existence of dilemmas[3]

and expand the terrain of moral consideration from the mere concern with action-guidance to the

additional concern of act-evaluation (and/or, in some cases, agent-evaluation). However, insofar

as the moral dilemmas literature focuses on actions of individuals, I contend, advocates on both sides of the moral dilemmas debate continue to rely on a reduced scope of moral concern. From Socrates' crazed friend asking for the return of his weaponry, to Sophie's forced choice to abandon one of her two children, the classic examples focus primarily on the individual who finds herself within a dilemma. Even if (as the pro-dilemma theorists state) there is nothing the agent can do to prevent doing *wrong*, thus breaking with one tendency in modern ethics, the arguments still focus on the individuals and not the contexts in which the dilemmas arise. The ethical evaluations are of Socrates and Sophie, not cultures of violence or dehumanizing totalitarian regimes or, more to my point, the individuals living within these corrupt social systems. In order to more fully expand the scope of a utilitarian-deontological moral tradition, and hence find a useful place for ethics within a non-ideal world in which inescapable moral wrongdoing regularly exists, one must open up the scope of the moral dilemmas debate to take into account collective responsibility for collective harms.

In this paper, I intend to work within Ruth Marcus's account of the source of moral dilemmas and articulate the implications of her theory for collective responsibility. Marcus's work is pivotal in presenting the implications of moral dilemmas for ethical theory; one of these implications, moreover, suggests the need for collective action in alleviating the conditions that produce moral dilemmas. Nonetheless, Marcus's interpretation falls back on individualistic attributions of responsibility. Her work is worth critical attention, then, not only for its central role in the moral dilemmas literature, but also, as I will stress, for its demonstration of the way in which a theorist – even a theorist sensitive to harms caused by, and practically addressed only through, collective effort – can falsely be lured into placing emphasis on the individual rather than the collective.

I will follow Marcus as she describes moral dilemmas as arising within non-ideal contexts and signaling the need to alter institutional structures. However, I will object to her account on the grounds of its individualistic focus.[4] By centering on the responsibilities and moral emotions of the individual agent left to deal with the moral conflicts arising from a non-ideal world, Marcus overburdens her agent with the responsibility for the proposed worldly re-arrangement. As an extension to Marcus' work, I aim to explore what her account may mean for the moral emotions and responsibilities of those who are complicit in perpetuating unjust systems of a non-ideal world from which moral dilemmas arise. This move necessitates a shift away from the primacy of control. The fact that one is born into unjust systems that one had no hand in establishing, I shall argue, does not excuse one from responsibility to mend them. Similarly, even if one's personal contribution in the perpetuation of an unjust system may be negligible – the injustices would continue whether one participated or not, and one's resistance would do little-to-nothing – one nevertheless retains responsibility. This expanded sense of responsibility also, I contend, necessitates a specialized sort of moral emotion – one that, like agent-regret or tragic-remorse, transcends the criterion of agentic control, but that nevertheless can be classified neither as agent-regret nor as tragic-remorse.

II. A Summary of Marcus: Consistency and Irresolvability

Marcus's aim is two-fold: to show both that moral dilemmas do not imply the inconsistency of a set of principles, and that consistency does not imply resolvability. The latter point entails that moral "residue," manifested in the form of a negative self-evaluative emotion, is an appropriate reaction for an actor in a dilemmatic situation.

The perceived inconsistency that some theorists attribute to moral dilemmas, Marcus claims, rests on an overly stringent requirement for consistency. The requirement is that a set of

moral principles must be applicable without conflict to any actual (or perhaps possible) situation.[5] These theorists would say that moral dilemmas are only apparent, and indicate only a flaw in the set of principles the actor is considering. Should the actor more clearly understand the moral code, the right path of action would be found and the "dilemma" would disappear. To be faced with two conflicting obligations is to neglect a weighting principle, for example, or a qualifying phrase that would make one or the other obligation emerge as the more compelling.[6] The trouble with these approaches, Marcus argues, is that they each assume that dilemmas result from the inconsistency of principles themselves. This assumption is faulty: even if there were only one principle (e.g., always keep one's promises), it would still potentially produce moral conflicts (e.g., when one's appointments unintentionally and unpredictably overlap) due to worldly contingencies.

In contrast to the above definition of consistency, Marcus proposes that one "can define a set of rules as consistent if there is some possible world in which they are all obeyable in all circumstances in *that* world."[7] So long as a set of principles are logically consistent – each member of the set can be simultaneously true – the set is consistent, regardless of whether the members of the set are simultaneously true in every possible situation. Marcus illustrates her definition with a card game. She invents a set of consistent rules: black trumps red, high trumps low. These rules do not logically contradict, and so can be played out in a deck stacked in a way conducive to the rules – that is, a deck in which a higher red card will never be paired against a lower black card. In an un-stacked deck, of course, the rules will most likely come into conflict. The anti-dilemma theories above may be appropriate in the context of this card game: there is nothing wrong with tossing out the rules or trying a new set; they were silly rules anyway. There are compelling reasons, however to keep moral rules. Not only do we want them to guide us (as

the rules of a card game would), but we also want them to guide us in the right way. Our principles, we believe, illuminate what is right, and as such they are intrinsically valuable and should be realized as often as possible. This observation gives rise to a second-order regulative principle: our task "as moral agents, individually and collectively, as contrasted with the card-game players, is to try to stack the deck so that dilemmas do not arise."[8] It is not a matter of tweaking principles so that we can live more easily by them; it's a matter of arranging our world so that the principles (valuable in themselves) can more easily be met. Insofar as we are "rational agents with some control of our lives and institutions,"[9] we have a responsibility – Marcus explicitly recognizes, individually and collectively – to foster social arrangements conducive towards the moral goods that principles represent.

It is this account of ethical consistency that gives rise to the moral residue of dilemmas. Because moral principles are in themselves valuable, that is, they are valuable apart from their action-guidingness, one would be mistaken to say that once an actor in a moral dilemma has acted she has also determined the correct principle, eliminating the value of the non-action-guiding principle. Both principles remain important, and this is the source of Marcus's residue. The "ought" not acted upon (in Bernard Williams' words) becomes an unfulfilled obligation. The actor's failure to fulfill an obligation, like any actor's failure, is the cause of the actor's responsibility to make amends. That the wrongdoing happened to occur in a particular (dilemmatic) context does not justify its being left unaccounted for; the person harmed by the wrong is still entitled to, at the very least, an explanation, and more of course depending on the extent of the harm. The dilemma may be resolved, in that the agent has selected a preferable option, but the agent's choice and action is not the end of the story of moral obligation.[10]

III. A Criticism: Psychological Guilt and Individualism

So far so good. Principles are not only guides for actions, but are also indications of what is right. Because principles have worth independent of their action-guidingness we would like ideally, as a moral community, for all principles to be upheld in all circumstances. Even without the expectation that we could realize an ideal world, we may still work towards that end; and so there is, Marcus argues, reason to try to design a world where moral principles do not conflict – on a collective, and not merely individual, level.

Moreover, the supra-action-guiding value of principles indicates the source of moral residue. When obligations conflict, neither one of them should be merely discarded. To borrow an example from Michael Stocker, it would be strange to say that a person owing money to two persons, but only able to pay back one lender, therefore has no obligation to pay back the other.[11] The non-action-guiding "ought" remains. The "remainder" (or residue) apportions a continuing responsibility to the agent for the aftermath of her harmful actions. The continuing responsibility ensures that there is need for clean up, even after unavoidable mistakes.

Marcus has, then, substantiated the existence of residue – moral dilemmas produce continuing harms that need to be accounted for. Marcus has also suggested that there is collective responsibility to ensure that moral dilemmas, given their harmfulness, do not crop up. However, Marcus does not follow through on this ascription of responsibility, as shown in her discussion of guilt as a motivator.

"Dilemmas," Marcus argues, "when they occur, are data of a kind. They are to be taken into account in the future conduct of our lives. If we are to avoid dilemmas we must be motivated to do so. In the absence of associated feelings, motivation to stack the deck, to arrange our lives and institutions so as to minimize or avoid dilemma is tempered or blunted."[12] This quote contains two claims: (1) dilemmas serve as important data – they signal that

conditions are non-ideal. We need not adjust our principles; we need to adjust the non-ideal

conditions that gave rise to the dilemmas. (2) In order to do this, we need proper motivation.

Simply dispassionately observing that two principles conflict would not be sufficient – one must

feel their conflict. Without the pain of moral dilemmas, Marcus implies, we would never notice

that something was awry, nor be motivated to make change. In effect, however, Marcus limits

this capacity to notice and be motivated to the individual actor within a moral dilemma affected

by guilt. Marcus describes a moral agent who does wrong *simpliciter* and, after realizing the act

is wrong, intends to not repeat the wrong in the future. She applies the same picture to the agent

in the moral dilemma – she has still done wrong (unavoidably or not), and for that, is motivated

to not act so again.

> "Most important, an agent in a predicament of conflict will also 'wish to act properly in
> the future and strive to modify his actions accordingly.' He will strive to arrange his own
> life and encourage social arrangements that would prevent, to the extent that it is
> possible, future conflicts from arising. To deny the appropriateness or correctness of
> ascriptions of guilt is to weaken the impulse to make such arrangements."[13]

In the first, simple case of wrongdoing, the wrongdoer will simply resolve to act better. In the

second case, however, because the wrong occurred due to a moral dilemma – which in turn

occurred because of improper social arrangements – the only way for the agent to not do wrong

in the future is to re-arrange the social institutions that caused the conflict. But in both the

simple and dilemmatic cases of wrongdoing, only the individual actor is affected and hence is

motivated to make amends.

Read at this individualistic level, Marcus's second-order principle seems largely

misplaced. To be fair, the second-order principle may give some prudent guidance to an

individual actor, depending on the situation. This is why, for example, people with wood-based

heating systems stockpile firewood in the fall: so that there will be enough wood to last through

the winter without having to make tough decisions between which rooms should be heated. There is no harm in giving advice that one ought to try to look ahead. But, in cases where moral dilemmas are the result not of foreseeable natural hazards but of social systems, the individualist focus of the second-order principle is both inappropriate and ineffective. It is inappropriate in that an actor in a moral dilemma should not be held solely responsible for a wrong that is also brought about by collective forces. Such a narrow understanding of responsibility would only point towards misleading guidance – if Sophie's dilemma is seen as her own responsibility to prevent, for example, one might say, perhaps, that she ought not to have had more than one child. The second-order principle not only inappropriately burdens the actor in this way; it is also ineffective. If one overlooks the larger forces that shape an actor's circumstances, and the collective responsibility for them, the institutional change needed to prevent dilemmas will never occur.

IV. An Addendum to Marcus: Existential Guilt and Collective Responsibility

Let us return to Marcus's claim that moral dilemmas arise out of the external conditions of non-ideal worlds. From this, Marcus derives a second-order principle to "stack the deck" towards ideal conditions. The motivation to fulfill this second-order principle, however, ends up applying only to individuals acting within dilemmatic circumstances, and not to the collective members of the systems that shaped them. This is because Marcus derives her account of motivation from an overly subjective model of guilt, wherein guilt is understood as an internal experience brought on by an actor's recognition of her wrongdoing. "Guilt" is limited to those who "do" wrong and know they do wrong. In contrast, Sandra Bartky offers an "existential" version of guilt: "On my view, I am guilty by virtue of simply being who and what I am: a white woman, born into an aspiring middle-class family in a racist and class-ridden society."[14]

Bartky's guilt does not depend on her actions or her feelings; she would be complicit in a racist, classist society regardless of what she did or how she felt about it. "I am making the counterintuitive claims that one can be guilty *without having done anything wrong* and that one can be guilty without feeling guilty. I am guilty by virtue of my relationship to wrongdoing, a relationship that I did not create but have not severed either."[15] Social systems are not self-perpetuating, but are, rather, intricately formed by the participants within them. If moral dilemmas arise from social systems, as Marcus claims, then guilt should not be limited to individuals within moral dilemmas, but should extend in an existential sense to anyone complicit in those social systems. Complicity need not imply intentional action; with Bartky, I understand complicity to include unintentional sustaining of an unjust social totality. In this sense, complicity stems from individuals' connections to systems that unjustly distribute privileges and burdens, and is often performed through everyday, unnoticed actions.

The differentiation of Marcus's psychological form of guilt from Bartky's existential one accords with Karl Jaspers' differentiation between "moral" and "metaphysical" guilt. Jaspers describes the former: "I, who cannot act otherwise than as an individual, am morally responsible for all my deeds, including the execution of political and military orders."[16] This sense of guilt, like Marcus's, implies one's causal role in bringing about a particular deed, mitigating circumstances notwithstanding. Jaspers defines metaphysical guilt, on the other hand, as:

> "the lack of absolute solidarity with the human being as such – an indelible claim beyond morally meaningful duty. This solidarity is violated by my presence at a wrong or a crime. It is not enough that I cautiously risk my life to prevent it; if it happens, and if I was there, and if I survive where the other is killed, I know from a voice within myself: I am guilty of being still alive."[17]

Jaspers here importantly emphasizes that guilt of the metaphysical sort exists, not primarily due to one's actions, but out of one's "presence." Even without the violation of a moral principle, as

moral guilt requires, an actor can be metaphysically guilty. Moreover, though an actor may be "especially" implicated by wrongs she is aware of, knowledge of them is not necessary for an actor to be metaphysically guilty of them. "There exists a solidarity among men as human beings that makes each co-responsible for every wrong and every injustice in the world, especially for crimes committed in his presence or with his knowledge. If I fail to do whatever I can to prevent them, I too am guilty."[18] One's co-responsibility with large-scale wrongs derives from one's association with collectives, even collectives so broad as to encompass "the human being as such."[19] Whereas moral guilt is dependent on what one does, metaphysical guilt refers to what one is.

Under the conception of existential or metaphysical guilt, one can be guilty for complicity in unjust social systems without direct, individual action. Social actors outside of an immediate moral dilemma, then, can be guilty of violating Marcus's second-order principle through their associations with the systems producing such dilemmas. Marcus does not address the aftermath of having broken the second-order principle, but if she is consistent with her definition of guilt (viz., as moral), one would expect the violator to recognize her violation of obligation and have a concomitant motivation to make amends – to keep trying to alter her life and institutions. My concern with this notion of guilt, however, is that often individuals do *not* feel in this way, particularly when they participate in the unjust social systems the second-order principle obligates them to adjust. Peggy McIntosh expresses the lack of recognition that comes from privilege: "I think whites are carefully taught not to recognize white privilege, as males are taught not to recognize male privilege. So I have begun in an untutored way to ask what it is like to have white privilege as an invisible package of unearned assets which I can count on cashing in each day, but about which I was 'meant' to remain oblivious."[20] If motivation to fix

institutional structures is left to those who recognize their violations of principles – those who acknowledge a causal connection with wrongdoing – as Marcus's guilt implies, systems that simultaneously cloak their injustices will not be affected by the second-order principle's call for institutional change.

If we conceptualize the guilt of complicity in unjust systems not as a moral guilt, as Marcus suggests, but as an existential/metaphysical guilt as Bartky and Jaspers propose, we can articulate a broader sense of moral responsibility, one that does not derive from an actor's recognition of her violation of a principle. However, this shift from moral to metaphysical guilt causes a break in Marcus's connection between the feeling of guilt and the motivation to make amends. Guilt, in Marcus's sense, serves an instrumental purpose: "[w]hen plagued by feelings of guilt… a person wishes to act properly in the future and strives to modify his conduct accordingly."[21] Metaphysical guilt, however, need not come attached to any feelings or recognitions of wrongdoing. A particular feeling of guilt would be legitimate – "if a person feels guilty because her or his location in the social totality has been a source of unearned privilege… that person is, so to speak, 'entitled' to her guilt"[22] – but the guilt in another, metaphysical sense already exists. If we replace Marcus's moral guilt with a metaphysical guilt, guilt need not be attached to a particular action nor to its attendant feelings.

It is important, then, to introduce a new obligation that will ensure that one take responsibility for wrongdoing: one *ought* to feel guilty about one's complicity in unjust systems. Larry May's interpretation of Jaspers' existentialist ethics phrases the obligation thus: "one is always morally responsible for who one chooses to be, that is, for choices of attitude, disposition, and character, as well as for one's behavior… The discussion [of Jaspers' metaphysical guilt] reveals that people should strive to understand who they are and to approach the self with a

strong enough attitude of accountability to take necessary steps to change themselves for the better whenever possible."[23] For the existentialist, persons' identities are crucially formed within group association; their choices in the groups they associate with, and/or their responses to the groups, constitute persons' metaphysical guilt.[24] Though moral guilt, for Jaspers, applies only to what one does, metaphysical guilt applies to who one chooses to be. In this way, metaphysical guilt does involve a moral obligation – the obligation to readjust who one is. This obligation, furthermore, cannot be accomplished while remaining on an individualistic level. As Bartky has argued elsewhere, self-transformation cannot be understood as a sheer act of will.[25] Personal transformation is not a matter of isolated determination, but is instead crucially influenced by larger, social forces. Insofar as one's self is not a matter of individual discretion, but is instead at least partly a result of the systems one associates with, self-transformation entails efforts within and in relation to collectives.

Bartky's account of existential guilt similarly includes a call for critical assessment of one's position in the world. "So far, my analysis suggests that privileged people in general are not innocent of injustice; nevertheless, only a fraction recognize this to be the case.… [W]e need to imagine, in the most vivid sense, what it would be like to be one of the insulted and injured of this world, for the insults and injuries of others, when we open ourselves up to them as best we can, are indeed not easy to bear."[26] In the absence of a direct connection between personal wrongdoing and moral guilt (with its contained self-evaluation), it becomes a moral duty to self-reflect. One *should* feel guilty. In Marcus's case, the moral responsibility is to make amends for the personal violation of a principle, which in effect means altering corrupt social institutions. In Bartky's and Jaspers' analysis, however, the moral responsibility is to become the sort of person who cares to make such alterations; this work of self-transformation is not voluntaristic, but must

instead be achieved on the collective levels that critically inform one's sense of self. Marcus's, Bartky's, and Jaspers' approaches each emphasize the need for changes on an institutional level, but Bartky's and Jaspers' demand the responsibilities of a much wider range of persons, and not only those who directly, individually violate moral principles.

V. Objection: Doesn't "Ought" Imply "Can"?

There may seem to be something strange about assigning guilt – even if renamed "metaphysical" – to persons based on the harms that their social system may produce. Surely persons do not create their institutions – they are, rather, born into them. To say that someone is "guilty" for their happenstance social location is akin to saying she "ought not" to have been so located or else that she ought to remove herself. Both directives would be manifestly impossible.

This objection, however, identifies as primary moral elements one's purposeful actions and intentions, while ignoring unpredictable outcomes. In other words, it depends on the control condition: "that people cannot be morally assessed for what is due to factors beyond their control."[27] The control condition, Margaret Walker argues, is neither a condition we accept in our ordinary moral lives, nor one that we ought to. To take an example from Bernard Williams, suppose a "lorry driver" unintentionally kills a child who darted into his path; that the driver "shrug it off" would strike us as quite impermissible.[28] Correlating control with responsibility too closely would preclude the need for integrity.[29] Instead of justifiably abandoning moral harms that were not sufficiently of one's own doing, a person of integrity would rise to the occasion and accept her part towards eliminating harms that she did not intentionally create.

There seems to be another violation of "ought" implies "can" at work in the preceding sections, however. Suppose it is acceptable to say that a person in an unjust system is in some sense guilty; is it appropriate to suggest that this person should adjust her emotions to become

more sensitive and to thereby feel her own guilt? Can we really reconfigure ourselves in this way?

Alison Jaggar makes the case that one's emotions are not, contra traditional philosophical discourse, wholly out of one's control. Emotions are not merely physical sensations that sweep over one, and they are not completely divorced from reason. Anyone who has taken a deep breath and counted to ten has realized the control one can enact over one's emotional reactions. Over time, one can retrain oneself to respond differently to various situations, as any proper behavior modificationist would maintain. "Perhaps it is more helpful to think of emotions as habitual responses that we may have more or less difficulty in breaking,"[30] rather than as purely involuntary.[31] If this is the case, and emotions are partially under cognitive control, it does not seem so unreasonable to hold people responsible for them.

Proposing a responsibility that a moral actor has to alter her attitude, then, shouldn't be seen as a flat-out rejection of "ought implies can." But it does demand a different sense of what an actor can be seen as responsible for than is typically held by theorists subscribing to the control condition. The actor is responsible for her apathy, as opposed to her actions. This apathy is not merely the result of one's being born into a system of privilege that precludes one's immediate notice of injustices. It is also a result of an actor's choices. Interpreting Jaspers, May claims that "metaphysical guilt is not merely based on group membership. Rather, it arises out of the fact that a person did not but could have (and should have) responded differently when faced with the harms committed by his or her follow group members."[32] One may not be able to choose one's associations – with the middle-class in a capitalist system, with white people in a racist culture, and so on – but one does have the option at least of disapproving and working against the harms perpetuated by those associations. There is still an element of control at stake,

but the control one has is over one's position towards a group's wrongdoing and not precisely one's own, and so still constitutes an expansion of what a moral agent can traditionally be thought to have responsibility for.

VI. A Concession to the Objection: Rethinking Guilt

The worry about assigning guilt to agents who have done their personal best, yet nevertheless remain complicit in less-than-ideal systems, has some merits. When I initially objected to Marcus's individualism, I charged that her guilt was overburdening to the actor in a dilemmatic situation – the individual could have no hope of ever attaining what her second-order principle tells her to do on her own. Likewise, it would seem, the metaphysically/existentially guilty person would seem beleaguered by guilt in this account. Suppose that she has become cognizant of systemic injustices and her role within them; she is in a position where she recognizes her obligation to adjust social institutions. So long as the institutions go unadjusted, this person continues to leave her "ought" unfulfilled and thus violate an obligation. Though I have expanded the range of people who suffer Marcus's guilt, thus taking away the criticism that only a few individuals (rather than a collective) are burdened with the responsibility to alter institutions, it is still admittedly unlikely that a collective will realize an ideal institution. What sort of "guilt" is appropriate to ascribe to these well-intentioned individuals in the meanwhile?

The notion that guilt is necessarily overburdening is one that derives, again, from a narrow conception of control. Traditional deontological-utilitarian theories make room for two moral emotions: regret and remorse. The former corresponds to unfortunate events – events that were out of one's control. The latter applies to cases where an agent recognizes that she committed a moral violation, and that this violation was within the agent's control.[33] It seems that if I want to retain some sense of control for agents, I need to place them in the remorse

camp. To put them in the regret camp would be to neglect their role in perpetuating unjust systems – the very role that I have argued that agents should recognize – and also of any accountability for moral clean-up. An appropriate phrase accompanying a feeling of regret may be, "oh well," or "what a shame" – clearly improper reactions if an agent is to maintain some sense of responsibility and motivation to work towards improvement. How, then, to maintain motivation to make amends for harms, without implying an agent's complete control over the actions that produced those harms?

De Wijze summarizes Bernard Williams' "agent-regret." This form of regret "factors into our emotional responses our role in bringing about certain states of affairs albeit unintentionally. Unlike regret, agent-regret can only be felt by a person 'towards his own past actions (or, at most, actions in which he regards himself as participant).'"[34] To return to the example of the lorry driver, it seems the driver should express regret, and a concomitant desire to make amends, even without his intentional action bringing the event about. It seems "agent-regret" may be suited to cases where an agent recognizes her complicity in unjust institutions. That the agent is complicit is out of her control; she was born into her position and is merely working within the already established system. However, agent-regret does not provide an "adequate vehicle for the agent's state of mind, one which feels the moral pollution from deliberately violating a cherished moral precept and the disgust and disquiet given her causal role in the furthering an immoral project (albeit the lesser one) of others."[35] Driving an ill-fated lorry is not entirely like complicity in an unjust system: the lorry driver, who did not drive unsafely, knows that he could not have foreseen or avoided hitting the child and need not work towards any change in his behavior or system. The child was simply dropped into his path. As previously stated, however, agents in social systems are not completely devoid of causal roles.

Systems are not self-perpetuating, and resistance towards such perpetuation is possible.

Moreover, the lorry driver is involved in a harmful act, but does not contribute to a system in which such acts continue; the child's darting out was accidental, and there is no need for the agent to desire change at a systemic level. Agent-regret does not take into account either the metaphysically guilty agent's sense of causality or her perpetuation of an ongoing system of wrongs.

De Wijze has an alternate suggestion for cases in which an agent becomes complicit in such immoral projects. "Tragic-remorse captures this cost of violating *both* a cherished moral value and being part of the causal process of furthering the immoral projects of others."[36] The "remorse" of the term refers to an agent's participation in immorality, whereas "tragic" qualifies the immorality and takes into consideration the inescapability of the participation.[37] In this way, there is a stronger sense of an agent's causal role in the moral harm of the event, without implying her intention to cause such harm. As in the lorry case, cause is distinguished from intent; but in instances of tragic-remorse, the agent's causal role extends past an immediate action and implicates the agent in greater systemic wrongs. In some respects, this description may seem to fit with the situation of an actor complicit in unjust institutions. Unlike in cases of agent-regret, in tragic-remorse "part of the moral phenomenology is that we learn something from these situations and about ourselves; we discover what we have become by so acting."[38] One becomes "morally polluted"[39] – recognition of this moral cost is what prompts an agent to not only regret the event and her role in it (as in agent-regret), but also to take action to change herself and her systems. In other respects, however, tragic-remorse seems not quite accurate for the metaphysically guilty actor. De Wijze created the term to apply to "dirty hands" cases, wherein "the immoral projects of others leaves choices only between bad or evil options."[40] In

choosing the lesser of two evils, an agent furthers an immoral project, but purely out of moral considerations. The intent of the agent is to do good, which justifies the agent's action in some way: the actor should on some level feel "pride and relief."[41] The actor does not think that she should have acted differently – "no reform of the agent's character or behavior is necessary; on the contrary, she is to be admired."[42] Actors guilty of complicity in unjust systems, however, are not always entitled to justification – their participation is inevitable, but there is not necessarily any moral imperative to participate, and as such, they may lack this recourse to admirability. It is the recognition of this very lack of admirability that motivates the actors to change themselves through disapproval and further resistance towards their systems.

None of the proposed concepts for appropriate moral emotions, then, fully describe the metaphysically guilty actor I have been describing. The emotional state of the metaphysically guilty actor is more focused on the individual's sense of self than agent-regret entails, and may lack the recourse to admirability guaranteed to the actor of tragic-remorse. Metaphysical guilt implies a distinct emotional term. Whatever this term, however, the comparison of metaphysical guilt to agent-regret and tragic-remorse should make it clear that the ascription of metaphysical guilt need not be considered overburdening. Though it does not let its actor off the hook, as the traditional denotation of "regret" would, it also does not impart to the actor a sense of her solitary cause of wrongdoing, as traditional "remorse" would. The worry that an account of metaphysical guilt is overly demanding can thus be at least somewhat diffused by considering the range of meanings for guilt outside of the conventional confines of control.

VII. Conclusion

Marcus begins an insightful discussion of responsibilities of a community to eliminate injustices derived from its operations. Her account in itself is too individualistic; however,

replacing her concept of moral guilt with metaphysical guilt helps to sustain her call for collective responsibility. The introduction of "metaphysical guilt" requires, if not an outright rejection, a significant softening of "ought implies can" and the control condition. Another question may be raised at this point: if there is metaphysical guilt, what can one do to resolve it? Is it possible for one to not be guilty, to remove one's complicity? I cannot answer this question. I agree with Bartky, that worries "over degrees of complicity… can become… a backhanded way of keeping ourselves still in the center."[43] In a world with pervasive dirt, the chief concern should not be with one's own moral cleanliness, but rather, with what one can do to better the situation. The moral dilemma debates help with this discussion, insofar as they examine one's responsibilities even for wrongs that were in some way inescapable. In order to more broadly expand responsibilities, though, we need to notice that it is not only on individual levels that wrongs are committed, but also collective levels. We should not only ask what one can do as an individual to clean up in the aftermath of actions that were out of one's control, but also what one can do as a member of a collective for actions outside of any individualistic control.

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Notes:

[1] Michael Stocker, "Moral Conflicts: What They Are and What They Show," *Pacific Philosophical Quarterly* 68 (1987), 107.

[2] As opposed to the sense in which an agent may make a morally correct decision regarding how to act, it seems manifestly plausible that one can remain morally correct in this way, if (for example) one accepts the disjunctive requirement argued for by Christopher Gowans (in *Innocence Lost*. New York: Oxford University Press, 1994). That an action is morally correct, however, does not necessarily imply that the action is also good (also argued by Gowans).

[3] Gowans has convincingly argued that a strict definition of moral dilemmas entails irresolvability. Ruth Marcus and Bernard Williams (whose work she draws from), however, include resolvable moral conflicts as instances of moral dilemmas. As I will be addressing Marcus's work, I will maintain her definition, wherein a moral conflict necessitating moral wrongdoing can count as a dilemma even if one can identify a preferable path of action.

[4] My interpretation of Marcus is somewhat at odds with Patricia Marino's ("Moral Dilemmas, Collective Responsibility, and Moral Progress," *Philosophical Studies* 104 (2001)). Marino dismisses an individualistic read of Marcus as a narrow construal, and argues that Marcus must be read as entailing collective responsibility in order to avoid the problems of her second-order principle (1) failing to guide and (2) reinforcing feelings of unproductive guilt on an already suffering actor. I differ from Marino, however, in that I find an individualistic reading of Marcus quite plausible, due to her association of residue with a negative self-evaluative emotion inhering in the individual actor. As such, I find it difficult to explain how her residue pertains to collectives. My essay will focus on these lattermost issues.

[5] Ruth Marcus, "Moral Dilemmas and Consistency," *The Journal of Philosophy* V77 n3 (March 1980), 123.

[6] Marcus also addresses intuitionist approaches to dilemma-dissolution, which similarly assume that the problem of moral dilemmas is epistemological, not ontological (124). She rejects strict act-utilitarian approaches as well, which dismiss altogether the intrinsic features of acts themselves which give rise to purported dilemmas (126).

[7] Marcus, 128.

[8] Marcus, 130.

[9] Marcus, 121.

[10] The source of residue is the same for both resolvable and irresolvable dilemmas. Marcus's framework for moral dilemmas allows room for both resolvable and irresolvable dilemmas. Whether both are properly called dilemmas is beyond the scope of my paper; however, what is interesting to me for this essay is the moral residue both carry due to inevitable moral wrongdoing.

[11] Stocker, 110.

[12] Marcus, 131.

[13] Marcus, 133, quoting John Rawls, *A Theory of Justice* (Cambridge: Harvard, 1971), 481-483.

[14] Sandra Bartky, "In Defense of Guilt," *On Feminist Ethics and Politics*, ed. Claudia Card (Lawrence: University Press of Kansas, 1999), 41.

[15] Bartky, 41. Emphasis in original.

[16] Karl Jaspers. *The Question of German Guilt*, trans. E B Ashton (New York: Capricorn Books, 1947), 31.

[17] Jaspers, 71.

[18] Jaspers, 32.

[19] Jaspers, 71.

[20] Peggy McIntosh, "White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women's Studies," Working Paper No. 189 [Wellesley, Mass.: Wellesley College Center for Research on Women, 1988], 44, quoted in Bartky, 43.

[21] Rawls, 481-483, quoted in Marcus, 132.

[22] Bartky, 42.

[23] Larry May, *Sharing Responsibility*. (Chicago: U of Chicago Press, 1992), 150. A central point in May's work is the differentiation between shared and collective responsibility: he makes the case that the former necessarily distributes its responsibilities to individual members, whereas the latter does not. I am not concerned with this distinction for the purposes of this essay, as I am aiming to contrast *either* collective or shared responsibility with individual responsibility.

[24] May, 147.

[25] Bartky, "Feminine Masochism and the Politics of Personal Transformation," *Femininity and Domination: Studies in the Phenomenology of Oppression* (New York: Routledge, 1990). Here, Bartky sounds pessimistic regarding the possibility for self-transformation. I differ from her somewhat in this respect; however, I retain her insight that self-transformation is not voluntaristic.

[26] Bartky, 39-40.

[27] Walker, Margaret. *Moral Contexts*. (Rowman and Littlefield, 2003), 22.

[28] Bernard Williams, *Moral Luck* (Cambridge: Cambridge University Press, 1981), 28.

[29] Walker, 24.

[30] Jaggar, Alison. "Love and Knowledge: Emotion in Feminist Epistemology," *Inquiry: An Interdisciplinary Journal of Philosophy*, v32 (June 1989), 159.

[31] Jaggar argues not only that the cognitive influences the emotional, but that emotions influence cognitive beliefs as well. The latter claim is outside the scope of my immediate project.

[32] May, 147.

[33] Stephen De Wijze. "Tragic-Remorse – The Anguish of Dirty Hands," *Ethical Theory and Moral Practice* V7 n5 (Jan. 2005), 460.

[34] De Wijze, 462, quoting Williams, 27.

[35] De Wijze, 464.

[36] De Wijze, 464.

[37] De Wijze, 468.

[38] De Wijze, 469.

[39] De Wijze, 469.

[40] De Wijze, 466.

[41] De Wijze, 469.

[42] De Wijze, 468.

[43] Bartky, 49.

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