

The Ethics of Intending Together

In 2017, eight members of a special unit within the Baltimore Police Department, the “Gun Trace Task Force,” were arrested on charges that ranged from armed robbery to criminal conspiracy after they planted evidence, illegally entered homes, and threatened civilians. An independent investigation revealed that there was widespread criminal misconduct throughout the police force. This culture of wrongdoing had enabled the unbridled task force to operate for years. While an additional thirteen people were later arrested for explicitly illegal activity in conjunction with the task force, identifying just who was involved – who is responsible, who is blameworthy, and who is complicit – is murkier than we might want to acknowledge.

Consider a straightforward heist equally co-planned and co-executed by three thieves. In simple cases like this one, many existing theories do a good job of explaining how agents act together to bring about a shared activity. But in more complex cases, even seemingly straightforward questions about who was involved can be harder to answer. When we begin asking questions about who is morally responsible for complex group action, answers are even more elusive. In my dissertation, I answer questions about how to determine who is involved and who is responsible in both complex and simple cases of intended collective action.

In the first chapter, *The Network View of Shared Intending*, I develop a new account of how agents intend together. My motivation for developing this new view is two-fold. First, existing accounts typically posit either that shared intentions are reducible to individual intentions or they posit that there is a new entity, like a group mind, that houses shared intentions. I argue that both kinds of accounts fail to adequately consider interaction between individuals. I utilize new work in social network analysis to develop tools to adjudicate individual involvement in complex shared activity.

Second, in considering how we normatively evaluate intentions in individual cases, I note the importance of an agent’s involvement in the formation of her own intentions. For example, imagine we learn that a supposed bank robber had only driven a get-away car because she had the intention implanted in her mind moments before by a new high-tech gadget. We would think differently about her moral responsibility. This indicates that being an author of the way you intend matters morally. In the same way, I posit that being an author of the way a group intends matters in our determinations about individual and collective moral responsibility.

In the next two chapters, I consider two applications of the Network View. Here I focus on large scale intentional group activities: genocide and war. In both activities, I am particularly concerned about determining individual responsibility for crimes that occur during armed conflict committed by a group. This is one context in which we want to be able to distinguish different levels of complicity, responsibility, and blameworthiness. I consider two different kinds of potential crimes: genocidal sexualized violence and the targeting of civilians in war.

In my second chapter, *When is Sexualized Violence Genocidal?*, I note that some instances of rape were recognized as a form of genocide in international criminal law in the 1990s after being used systematically as a tool of ethnic cleansing in Bosnia and Rwanda. Yet, while cases in the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal

for Rwanda created a precedent for treating some kinds of rape as genocide, prosecution remains rare in international law.

Those who are skeptical about the existence of genocidal rape are often concerned either that rape cannot have genocidal effect, or they doubt that rapists in the relevant cases have genocidal intent. In this chapter, I expand on the case that others have made for the possibility of genocidal effect. Using my Network View, I argue that genocidal intent does not require that individual rapists have *specific* intent to commit genocide through their acts of rape. I instead maintain that what is required for genocidal intent is that an agent be properly coordinated with others to support ongoing genocidal projects. I argue that genocidal rape is rape that both has genocidal effect and is carried out by an agent with genocidal intent. My arguments make it more plausible that genocidal rape exists and help us identify and diagnose which cases of rape are genocidal.

In my third chapter, *Who is Justifiably a Target of Harm in War?*, I consider civilians who are heavily involved in supporting war efforts and combatants who are less involved. For example: imagine a civilian truck driver who volunteers to bring large numbers of combatants to the frontlines of War X. Now imagine a member of the military who spends his time trying to, and largely succeeding in, avoiding going to the frontlines. Each agent is involved in War X but in different ways. I discuss and locate agents within a web that tracks how they contribute to the way war is intended. I argue that differing kinds of involvement ought to matter in our determination of moral responsibility. Ultimately, I utilize the Network View to conclude that moral responsibility for war is not a good basis for determining who is a justifiable target of harm in war. I conclude by offering alternative pragmatic solutions to this problem.

In the final chapter of my dissertation, *Intending Alone and Together*, I return to another normative question of responsibility. Here too, I was motivated once again by a case: Early in 2023, it was hard to open a newspaper without seeing stories about the six-year-old boy who brought a gun to school and shot his first-grade teacher. The boy's teacher, Abby Zwerner, thought school administrators were responsible for the attack and for her resulting life-threatening injuries. She sued the school board. Countless articles and op-eds appeared with headlines screaming: "A 6-Year-Old Shot His Teacher — Now What?" and "A 6-Year-Old Shot His Teacher. Who Should Be Held Responsible?"

While the public is continually fascinated by this story, consensus on the questions that have emerged around assigning moral responsibility for the shooting remains elusive. Many of these questions are concerned with responsibility for cultivating moral character. More specifically, the most difficult question to answer is what kind of responsibility, if any, attaches to those who influence an agent? Neither this six-year old's mother, nor his school board, nor anyone else in his larger community pulled, or intended that he pull, that trigger. Yet, it may be reasonable to say that some of these agents are still responsible for, or share in the moral responsibility of, the way the boy intended the shooting.

After considering in each of my earlier chapters how to think about an individual's responsibility for her part of group action, this chapter explores a related question. Here I ask: How should we understand shared responsibility for an act tokened by an individual? In this chapter, I argue that there are many instances of acts that can be understood as individual act-types and yet, moral responsibility for such an act is still distributed to a larger group or to many other individuals.