The moral agency of group agents

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Abstract

Christian List and Philip Pettit have recently developed a model of group agency on which an autonomous group agent can be formed, by deductive inference, from the beliefs and preferences of the individual group members. In this paper I raise doubts as to whether this type of group agent is a moral agent. The sentimentalist approach to moral responsibility sees a constitutive role for moral emotions, such as blame, guilt, and indignation, in our practices of attributing moral responsibility. These moral emotions are important for the alignment of moral understandings, and for valuing other members of the moral community. I argue that while the intentional objects of beliefs and preferences are propositions, the intentional objects of moral emotions are other agents. Because agents are not subject to rules of inference, we cannot generate group agent emotions – such as guilt – in the same way as we can generate group agent beliefs and preferences. And because the group agents lack moral emotions, we have reason to resist treating them as moral agents.

1. Introduction

At the time of writing, the Volkswagen motor company is involved in a scandal
involving emissions testing. The company has admitted that it fitted up to 11 million diesel cars with software that detected when the car was being tested and artificially reduced nitrogen oxide emissions. The extra worldwide emissions of nitrogen oxide from these cars may be the equivalent of the UK’s combined annual emissions from its power stations, cars, industry and agriculture. The actions of the company have not only disadvantaged taxpayers (there are tax advantages to owning a low-emissions vehicle), but may well have contributed to the loss of life - nitrogen oxide emissions are linked to 9500 premature deaths annually in London alone. It may be that some individuals within Volkswagen will be held to account for the scandal; already the new CEO of Volkswagen has expressed his personal deep sorrow at the broken trust of the customers and wider public. But it may also be the case that some of the blame for the harm caused by Volkswagen’s actions cannot be attributed to the actions of individual members of that corporation and will instead be attributed to the corporation itself; Volkswagen have published ads stating “We have broken the most important part in our vehicles: your trust” [emphasis added].

Christian List and Philip Pettit (2011) have recently developed a model of group agency, which they argue can support the attribution of moral responsibility to group agents themselves. List and Pettit take a functionalist approach to agency: roughly, to be an agent is to have beliefs and preferences, and to act on the basis of these. They use the formal tools of social choice theory, and deductive inference, to establish the possibility that a group agent can have beliefs and preferences that are distinct from the beliefs and preferences held by any member agent, and thus counts as an autonomous agent in its own right. List and Pettit also advance an account of moral responsibility on which an agent is morally responsible for its actions if the agent faces a normatively significant choice, the agent has the understanding and evidence to make judgments
about the options available to it, and has the control required for choosing between the options. On List and Pettit’s analysis, group agents can meet these conditions of moral responsibility.

A strikingly different approach to the attribution of moral responsibility, advanced most notably by P.F. Strawson, focuses on moral emotions including blame, indignation, and guilt. On this emotivist or sentimentalist approach, the moral emotions have a function of valuing moral norms and other persons. The purpose of exhibiting blame towards a wrongdoer is to elicit an emotion of guilt in them; it is only when the wrongdoer experiences the emotion of guilt that there is an alignment in moral understanding and valuing between victim and wrongdoer.

I take no issue with List and Pettit’s model of group agency; it is arguably the most plausible account of how a group agent can be a genuine agent in its own right, autonomous from, and irreducible to, the individuals that make up the group. But in this paper I argue that there are important, in-principle reasons why List and Pettit-type group agents cannot meet the sentimentalist criteria for being held morally responsible. The possibility of List and Pettit–type group agency arises because (on their model) the intentional objects of beliefs and preferences are propositions, and propositions are subject to rules of deductive inference. By contrast, the intentional objects of moral emotions are other persons, which are not subject to rules of inference, and so it is not possible for a group agent to have moral emotions that are distinct from the moral emotions of group members. As such, the group agents cannot experience the guilt that is necessary for them being a suitable target of blame.

If it is the case that moral emotions play an essential role in our practices of attributing moral responsibility, then in cases such as the Volkswagen emissions scandal, moral
responsibility may be limited to the individual members of the company that caused harm.

The remainder of this paper is structured as follows. In section 2 I introduce the List and Pettit model of group agency and moral responsibility. List and Pettit provide an extremely detailed and nuanced account of group agency in their 2011 book, and in other joint and individual work, and I can only provide a concise summary here. In section 3 I provide a summary of P.F. Strawson’s rival account of moral responsibility; again, a concise summary will have to suffice. Readers familiar with List and Pettit’s, and Strawson’s frameworks may skip over this expository material. List and Pettit take a functional approach to agency, so in section 4 I consider the functional role that moral emotions play in our practices of holding others morally responsible. In sections 5 and 6 I present the main arguments of this paper: that the List and Pettit-type of group agent is constitutionally incapable of the moral emotions required by the sentimentalist account of moral agency. In section 5 I argue that a List and Pettit-type group agent cannot form moral emotions via a so-called ‘premise-based procedure’; in section 6 I argue that this type of group agent cannot form moral emotions via a so-called ‘conclusion-based procedure’. In section 7 I consider and dismiss one possible functional equivalent for the moral emotions group agents lack. In section 8 I conclude the paper.

2. The Discursive Dilemma and moral responsibility for group agents

In this section I introduce the List and Pettit model of group agency and moral responsibility. Readers familiar with the List and Pettit framework can safely skip over this section.
List and Pettit (2011) take a functionalist approach to agency. To be an agent, on their account, is to have representational states (such as beliefs), motivational states (such as preferences), and to have the capacity to act on the basis of these states. On the List and Pettit account of agency, humans are agents. I may believe that my laptop is about to run out of power, prefer that this does not occur, and act to make the actual state of the world conform to my preferred state of the world by plugging the laptop into a power source. Animals are also agents. A dog may 'believe' that its ball is under the couch, 'prefer' that its ball is in its bed, and act by retrieving the ball and placing it in the bed. Even some machines can count as agents on this functionalist account of agency. Consider the thermostat on the wall. It has the functional equivalent of a belief (it measures the actual temperature in the room), it has the functional equivalent of a preference (it can be programed with the temperature that the room ought to be), and it has the ability to ‘act’ by adjusting the air-conditioning to make the actual room temperature conform to the programed temperature.

The functionalist approach to agency also has some requirements of rationality. Among the most important are attitude-to-attitude standards of rationality that demand consistency in the attitudes held by the agent. Both beliefs and preferences are intentional attitudes held towards propositions, propositions are subject to rules of logical inference, and so the standards of rationality rule out holding attitudes towards propositions that are logically inconsistent. For example, we should deny that a thermostat functions as an agent if it registers the room temperature at both 14 degrees Celsius and 18 degrees Celsius; these inconsistent ‘beliefs’ make it impossible for the thermostat to act so as to make the actual room temperature 16 degrees Celsius (its ‘preference’).
Humans, animals, and some machines are agents on the functionalist account of agency. But can a group, such as a corporation, or university, or Government, count as an agent in its own right? On the functionalist account of agency, if the group can form its own representative states (beliefs), motivational states (preferences), and act on these then it is indeed an agent in its own right.

An obvious starting point for forming a group agent would be for the group-level beliefs and preferences to be determined by the beliefs and preferences of the majority of member agents. So the beliefs and preferences of a Government, for example, would simply be the beliefs and preferences of the majority of Cabinet Ministers. However, List and Pettit establish that as long as a group agent faces a set of propositions that have non-trivial logical connections, this majoritarian approach to forming group-level attitudes will lead to violations of the rationality requirements of agency: “The ‘discursive dilemma’ consists in the fact that majority voting on interconnected propositions may lead to inconsistent group judgments even when individual judgments are fully consistent.” (List and Pettit, 2011, p. 46)

Consider a case given by Pettit (2007) in which three members of a committee must decide whether to forgo a worker pay increase in order to fund an improved safety measure in a company. Suppose that there is unanimous agreement among the members of the company, including the three committee members, that if three conditions are met - there is a serious danger, the proposed measure will be effective, and forgoing the pay increase is a bearable loss on the workers – then it follows that the pay sacrifice should go ahead. Consider the votes of committee members A, B, and C in the table below:
Table 1.

<table>
<thead>
<tr>
<th></th>
<th>Is there a serious danger?</th>
<th>Will the proposed measure be effective?</th>
<th>Is forgoing the pay increase a bearable loss?</th>
<th>Should the company make the pay sacrifice to fund the safety measure?</th>
</tr>
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<tr>
<td>A</td>
<td>N</td>
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<td>B</td>
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<tr>
<td>C</td>
<td>Y</td>
<td>Y</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Majority</td>
<td>Y</td>
<td>Y</td>
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<td>Y/N</td>
</tr>
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Pettit (2007, p.197)

Note that we cannot generate the committee’s beliefs on the four different propositions by simply taking the majority of the member agent’s beliefs, since this will lead to inconsistency. The majority believes that there is a serious danger, that the proposed measure will be effective, and that forgoing the pay increase is a bearable loss on the workers. The logical implication of this set of beliefs is that the pay sacrifice should go ahead, but a majority does not believe that the pay sacrifice should go ahead.

A pessimistic interpretation of the discursive dilemma suggests that groups cannot be agents in their own right, since whenever we try to form group-level attitudes by aggregating individual-level attitudes there is a permanent threat of violating the rationality requirements on agency. But the more constructive interpretation of the
discursive dilemma is that there are possible solutions to the dilemma, and that some of these solutions actually strengthen the case for genuine group agency.

Two of the most promising solutions to the discursive dilemma are a ‘conclusion-based’ procedure and a ‘premise-based’ procedure. With a conclusion-based procedure, the members of the committee take a vote just on the final conclusion and ignore the judgments of individual members on the premises on the agenda. So in the example above, the group votes on whether the company should make the pay sacrifice to fund the safety measure, a majority believes that the company should *not* make the pay sacrifice to fund the safety measure, and this forms the group-level judgment. A conclusion-based procedure generates a consistent group-level judgment, albeit one that is ‘incomplete’ in the sense that the group takes no view on the set of premises that justify the conclusion.

With a premise-based procedure, the group level judgment on the premises is generated via majority rule voting, and the group-level judgment on the conclusion is then generated by logical implication from these three judgments. So in the example above, the group members take a vote on each of the premises (Is there a serious danger? Will the proposed measure be effective? Is forgoing the pay increase a bearable loss?). A majority of the group votes in favour of each of these premises, so the logical implication is that the group agent *does* believe that the pay sacrifice should go ahead to fund the safety measure.

A premise-based procedure generates a consistent group-level judgment, with an interesting implication: the group’s judgment on the conclusion can be different from the judgment held by any members of the group. In the example above, the group agent *does* believe that the pay sacrifice should go ahead to fund the safety measure, even
though each individual A, B, and C believe the opposite. This suggests that the group agent is genuinely autonomous: to be an agent, on the functionalist account of List and Pettit, is to have representational states, motivational states, and to have the capacity to act on the basis of these states. The premise-based procedure for avoiding the discursive dilemma generates beliefs and preferences held by the group agent that can be distinct from the beliefs and preferences held by any individual members of the group. Hence the group fits the functionalist criteria for being considered an agent in its own right. 9

But it is one thing to be an agent; it is quite another to be a moral agent. List and Pettit (2012, p.154) are quite clear, for example that although a dog is an agent, it is not responsible in a moral sense for soiling the carpet. According to the view first advanced by Pettit (2007, p. 175), and developed further in List and Pettit (2011, p.155), there are three individually necessary and jointly sufficient conditions for holding an agent morally responsible:

“**Normative significance.** The agent faces a normatively significant choice, involving the possibility of doing something good or bad, right or wrong.

**Judgmental capacity.** The agent has the understanding and access to evidence required for making normative judgments about the options.

**Relevant control.** The agent has the control required for choosing between the options.”

Can a group agent meet each of these individually necessary and jointly sufficient conditions for moral responsibility? Consider the example of a committee deciding whether to forgo a worker pay increase in order to fund safety measures. Suppose that, in fact, forgoing the pay increase is *not* a bearable loss. Who should the spouse of a worker blame for the harm caused to her family by forgoing the pay increase? 10 To
whom should they attribute moral responsibility? None of the individual group members supports the group decision to forgo the pay increase. If the spouse of a worker were to try and attribute blame to any of A, B or C, they could deny responsibility by pointing out that they actually disagreed with the group decision.

By contrast the group agent itself seems to meet the three conditions for moral responsibility. The group agent faces a normatively significant choice involving the possibility of doing something right or wrong. The group had the evidence and understanding, via the member agents, necessary to make value judgments concerning the options available to them. And the decision procedure allowed the group to decide otherwise – the group could have decided instead to forgo the safety measures. As such, we ought to attribute moral responsibility to the group agent itself for the harm caused by the decision to forgo the pay increase.

The idea that group agents themselves are moral agents, and appropriate targets for the attribution of moral responsibility is controversial. Some authors have investigated ways of attributing moral responsibility to a member of the group.11 I take a different approach. I consider a different account of moral responsibility, advanced most prominently by P.F. Strawson, and establish in-principle reasons why the List and Pettit group agents are incapable of meeting this standard of moral responsibility.

3. Reactive attitudes and moral responsibility

According to P.F. Strawson (1962) we do not take a detached approach to our interactions with people. It matters to us how we are treated in our interactions with other agents, it matters to us whether the attitudes and actions of others exhibit good or
ill will, or indifference, whether they show us the appropriate regard. Our feelings and reactions depend on our beliefs about the intentions of other agents towards us. And these ‘reactive attitudes’ are an inseparable, constitutive part of holding other agents morally responsible.

There are three kinds of affective or emotional reactions to the interactions we have with people. First, there are the personal reactive attitudes, like betrayal and gratitude, which are responses to how we are treated. For example, suppose my friend promises to pay back some money I lent him. I might feel gratitude when he does repay the money, and would feel a sense of betrayal if he did not. Second, there are vicarious reactive attitudes, such as indignation and esteem, which are responses to how others are treated. For example, I might feel indignation at the mistreatment of asylum seekers attempting to reach Europe, and esteem for those who try to help the asylum seekers. Finally there are self-directed attitudes, such as a sense of guilt or pride, which are responses to how we treat other people. I ought to feel guilty if I see someone accidentally drop money on the street and decide to keep it for myself, whereas I might be entitled to feel pride if instead I chase the person down and return their money to them. All three types of reactive attitudes involve taking a ‘participant attitude’ towards persons.

There are two types of special considerations, which might modify our reactive attitudes, or remove them altogether. First, there may be mitigating circumstances in another’s intentions or actions. For example, my sense of betrayal towards my friend for failing to repay me the money he owes could be lessened or disappear altogether if it transpires that he still needs the money to feed his children. In cases such as this, we still treat our friend as a person, as a moral agent.
The second type of special consideration, which might eliminate our reactive attitudes altogether, is where we do not take a participant attitude towards the agent at all. Here we do not have personal, vicarious, or self-directed emotions in response to the actions or intentions of others; instead we take a wholly objective attitude. We take an objective attitude where the agent is psychologically abnormal (such as a psychopath), or morally undeveloped (such as a young child). It is not possible to engage in moral reasoning with such individuals; instead we attempt to predict, manage, and control our interactions with such agents.

The three types of reactive attitudes – personal, vicarious, and self-directed – are interconnected. To lack one or more of the three types of reactive attitude is to be psychologically abnormal. For example, someone who lacks vicarious reactive attitudes is a moral solipsist – they can feel betrayed by others or feel guilty about their own behavior, but they are incapable of responding to situations that do not directly involve them. Similarly, someone who lacks personal reactive attitudes is a moral saint – they can feel guilty about their own actions, and indignant at the treatment of others, but have no reaction to how they themselves are treated.

4. Reactive attitudes and alignment in moral understandings

The List and Pettit, and Strawson accounts of moral responsibility give two different verdicts as to whether group agents can be morally responsible; List and Pettit argue that group agents can be morally responsible, whereas I will argue in sections 5 and 6 that group agents cannot be morally responsible on the Strawsonian account.13

To motivate the view that Strawsonian reactive attitudes are important for moral
responsibility, it is helpful to see in greater detail the role they play. Christopher Bennett (2002), Jules Holyroyd (2010), and Miranda Fricker (2014) all advance the view that the core function of blame (and indignation) is to elicit an alignment in moral understanding between the person doing the blaming and the person who is blamed. These authors all follow the methodology of presenting examples (your colleague having an affair, your neighbour failing to walk your dog, your home being burgled) that seek to elicit introspection of our own practices of blaming. This introspection reveals that second-personal blame and third-personal indignation are paired with first-personal guilt. Guilt and blame (or indignation) view the same action in the same way – as an instance of wrongdoing – but they do so from the different perspectives of the wrongdoer and the victim (or witness) respectively.

Membership of the moral community involves being subject to certain norms, and requires certain types of behavior towards fellow members of the moral community. Blame is an ordinary response when another agent (apparently) violates a norm or behaves inappropriately to other members of the community. Blame can be communicated directly to the purported wrongdoer, as when someone directly accuses another of behaving badly. But often blame is communicated indirectly via behaviours such as giving someone the cold shoulder, excluding them from activities, and giving them dirty looks. Being blamed involves a partial alienation from membership of the moral community (Bennett, 2002).

If the purported wrongdoer notices that they are on the receiving end of an expression of blame, they will search for an explanation for why they receive such treatment. If they identify an action they performed which violated a norm, or which involved mistreatment of another person they may form a belief or judgment that they have done
wrong. But the function of blame is only fulfilled once the wrongdoer experiences guilt or remorse for their behavior. Guilt is constitutive of recognition, understanding, and acceptance that you have done wrong. Guilt involves a sort of alienation or dissociation from yourself, or at least acknowledging that your actions do not reflect the sort of person you wish yourself to be (Bennett, 2002). Importantly, the illocutionary speech act of expressing blame is not successfully performed until there is uptake from the target of the speech act, in the form of guilt (Fricker, 2014).

One might still wonder what work the moral emotions do in the account outlined immediately above. It is claimed that guilt is constitutive of recognition, understanding, and acceptance that you have done wrong. But is guilt really necessary for achieving this understanding? Might the illocutionary function of a shared moral understanding be achieved if the purported wrongdoer merely comes to share this belief that they have done wrong?

Intuitions can reasonably differ as to what is an essential (and what is a merely incidental) function of emotions. Björnsson and Hess (2016), for example, argue that the functional roles of reactive attitudes are primarily epistemic and motivational in nature; reactive attitudes help us identify and focus on the morally significant features of a situation, and reactive attitudes provide a direct (as opposed to instrumental or merely strategic) motivation. And it seems that group agents are quite capable of functional equivalents of these epistemic and motivational capacities. I do not dispute their view that these functions are necessary for moral agency; but I do deny that they are sufficient. What is also a necessary condition for moral agency is the capacity to actually care about the other.

I suggest that when we evaluate the actions of others, and assess whether others meet
the criteria for moral agency, we do not merely accept a form of behaviourism. We do
not demand that others merely act as if they experience guilt for their actions. We have
access to the evidence from introspection that suggests that there is a difference
between a judgment of blameworthiness on the one hand, and blame or guilt on the
other hand. Blame and guilt have an additional component of valuing or caring for
others. In humans, this functional role is fulfilled by affective attitudes; to experience
an emotion, in general, is to have certain concerns, to grant certain things import, to
care about something.\textsuperscript{15}

Consider three different affective attitudes: fear, love, and guilt. First, fear. Suppose
someone sees a snake when out hiking.\textsuperscript{16} This person may act in ways consistent with
fear (becoming completely motionless), and this person may believe that the snake is
dangerous. But it does not follow that this person actually experiences fear; she may be
quite used to dealing with dangerous creatures, and not really bothered by snakes. We
need some way to distinguish cases in which someone merely believes that something
is dangerous, from cases in which someone is concerned enough to fear that thing.
Emotions seem to fulfill that function in humans.

Consider next love. Here, the object of the emotion is another person. Someone can
believe that another person is loveable, and worthy of love. Someone can act in ways
consistent with love towards another person. And yet it does not follow that this person
really cares enough about the other to experience the attitude of love. Again, an
emotional attitude seems to fulfill the function of distinguishing cases of genuine love.

Finally, consider guilt. Someone can believe that they have behaved badly towards
another person who is worthy of concern, and as a result can act with contrition. But it
does not follow that this someone experiences any guilt for their actions. This difference
between merely judging that you have done wrong, and experiencing guilt, seems essential to reconciliation and discharging the attitudes of blame. If we suspect that the other doesn’t experience guilt, we may reject any apology since the other does not really care enough about us to experience the relevant emotion.

Note that I am not suggesting that the phenomenological ‘feel’ of an emotion is essential to its functional role of caring. Thus a group agent’s lack of sentience is no barrier to it possessing a functional equivalent of caring.

An interesting example of an agent that is capable of rationality and propositional knowledge, but not moral understanding, is a psychopath. According to the analysis of Gary Watson (2001) and Jesse Prinz (2006) psychopaths are certainly capable of causing harm, of violating moral norms, and acting with malice. But, importantly, psychopaths are averse to accepting responsibility for their actions. Psychopaths are deficient in negative moral emotions, including guilt, and struggle with empathy. Both Watson and Prinz locate the psychopaths’ propensity to wrongdoing in their lack of affective attitudes. Psychopaths may understand that other people are valuable but they are incapable of actually valuing them (Watson, 2001). Psychopaths treat moral norms as merely conventional in nature. As Prinz states “I think that psychopaths behave badly because they cannot make genuine moral judgments… Psychopaths acknowledge that their criminal acts are ‘wrong’ but they do not understand the import of this word.” (2006, p.32) And because psychopaths are incapable of moral understanding, “Psychopaths are unreachable by the language of moral address” (Watson, 2011, p.310).17

5. A premise-based procedure for group agent reactive attitudes
Having considered the role that reactive attitudes play in aligning moral understandings, and showing regard for other persons, I can now present the arguments that List and Pettit-type group agents lack this capacity. Neither a premise-based nor conclusion-based aggregation procedure will generate appropriate group agent reactive attitudes. I address the premise-based procedure in this section, and the conclusion-based procedure in the next section.\(^{18}\)

A premise-based procedure for generating group agent reactive attitudes fails since the intentional objects of reactive attitudes are persons not propositions, and so we cannot use the tools of social choice theory, and deductive inference, to generate non-reductive group agent reactive attitudes, in the way in which we can for cognitive attitudes (beliefs) and conative attitudes (preferences).

This point can be made clearer by employing the technical vocabulary of Helm (2001, 2008, 2014).\(^{19}\) The target of an emotion is the object to which the emotion is directed, the focus of an emotion is the background object that makes the target intelligible, and the formal object of an emotion is the interpretation or assessment of the target. Consider an example: the target of my emotion of fear might be an abandoned shopping trolley in a supermarket car park, and the focus could be my brand new car that the shopping trolley risks hitting. The formal object of my emotion of fear is danger – to feel fear towards the shopping trolley is to assess it as dangerous.

Helm notes that we can assess emotions in terms of their warrant, which consists of two conditions.\(^{20}\) First, the focus must actually have import to the subject. Second, “…the target must be, or intelligibly seem to be, appropriately related to the focus so as to have the kind of import defined by the formal object.” (Helm 2008, p.23) We might term the
first condition of warrant the evaluative judgment, and the second condition of warrant the grounding judgment. For my fear of the shopping trolley to be warranted I must have an evaluative judgment that my car is valuable and worth protecting, and I must have a grounding judgment that the shopping trolley poses a risk to my car.

As Lucy Allais (2008) notes, “…reactive attitudes are responses to actions, but the intentional object of the attitude is not just the action, but the person; reactive attitudes affectively regard a person in certain way in the light of how her actions manifest the quality of her will.” (p.54). If we apply Helm’s framework for emotions in general to reactive attitudes in particular, then the intentional object – the target – of the reactive attitude of resentment is not the actions of the wrongdoer but rather the wrongdoer themselves. The focus of the resentment is the victim. And the formal object of this resentment is the blameworthiness of the wrongdoer.

As with any emotion, we can assess the reactive attitude of resentment for its warrant. Again, the warrant for an emotion consists in two conditions, comprising an evaluative judgment and grounding judgment. First, a reactive attitude of resentment is only warranted if the agent experiencing the reactive attitude judges that the victim (the focus) is worthy of concern. Second, a reactive attitude of resentment is only warranted if the person experiencing the reactive attitude believes that the purported wrongdoer (the target) acted towards the victim (the focus) in such a way that is blameworthy.

Why align the intentional object of the emotion with the target of the emotion, rather than the propositional object(s) of the evaluative and/or grounding judgment of the emotion? In other words, why insist that a reactive attitude is directed towards a person themselves, rather than the fact that that person acted badly, or the fact that that other person did not treat others with sufficient regard?
I take it as constitutive of certain types of emotion that they have other persons as the intentional objects. For example, the intentional object of love is another person. It is not enough that you love the fact that the other person is pretty, or you love your desire to spend time with the other person. If your emotion is not about that particular person, then you don’t really love them. And this is true of the reactive attitudes. If you don’t feel resentment towards another person, then you don’t really experience resentment. If your guilt is not about you, then you don’t really experience guilt. If Ann were to say that she resents the fact that Bob acted badly towards her (c.f. her grounding judgment), or she resents the fact that Bob did not treat her as worthy of respect (c.f. her evaluative judgment), what she really means is that she resents Bob because Bob acted badly towards her, or did not treat her as worthy of respect.

We can see the importance of having persons as the intentional objects of reactive attitudes when we challenge our own emotional reactions, or the reactions of others. Suppose we are counseling Ann over her relationship with Bob. We might ask Ann if she really feels resentment towards Bob. Ann certainly exhibits a strong emotion, and Ann believes that Bob has not fulfilled his promise to her. But if the object of the strong emotion is not Bob (or any other person), then the emotion is misidentified as resentment. Perhaps what Ann is experiencing is instead embarrassment that she was so gullible to believe Bob in the first place.

As argued above, the goal of expressing the personal and vicarious reactive attitudes is to elicit the corresponding self-reactive attitude in the wrongdoer, and in so doing elicit an alignment in moral understanding. Resentment, indignation, and guilt view the same action in the same way – as an instance of wrongdoing – but they do so from the different perspectives of the victim, witness, and wrongdoer respectively. For there to
be a successful alignment in reactive attitudes between the victim, witness, and wrongdoer, the target, focus, formal object, and warrant must be the same for the corresponding personal, vicarious, and self-reactive attitudes.

The focus of the reactive attitude of guilt is the victim of wrongdoing. The target of a wrongdoer’s guilt is the wrongdoer themselves. And the formal object of the guilt is the blameworthiness of the wrongdoer. For there to be proper alignment between the victim, witness and wrongdoer, the guilt experienced by the wrongdoer must be warranted. First, the wrongdoer must have an evaluative judgment that grants import to the focus; the wrongdoer must judge that the victim is worthy of concern. Second, the wrongdoer must believe that they have acted in a blameworthy manner to their victim.

The key question, then, is whether group agents of the List and Pettit-type are capable of this guilt. There is evidence that the ventromedial prefrontal cortex (VMPC) is necessary for the normal generation of emotions in humans; patients with damage to their VMPC exhibit severe impairment of their capacity for exhibiting social emotions, including guilt. Group agents do not possess their own VMPC. Therefore, group agents cannot experience emotions in the same way as humans.

Might it be possible to use a premise-based procedure for generating non-reductive (autonomous) group agent reactive attitudes? It is possible for a List and Pettit-type group agent to form non-reductive evaluative judgments and non-reductive grounding judgments via a premise-based procedure discussed in section 2, since these cognitive attitudes are propositional attitudes, and the premise-based procedure depends on the logical connections between propositions. A group agent may form the conclusion that a victim is a member of the moral community and worthy of concern (even though no member agent believes this). And a group agent may form the conclusion that the group
agent itself is blameworthy for its action (even though no member agent believes the group agent is blameworthy).

But the intentional objects of reactive attitudes are *persons* and not *propositions*. Persons, unlike propositions, do not have logical interconnections. The premise-based procedure depends on the logical connections between propositions. Therefore, it is not possible to form non-reductive group agent reactive attitudes via a premise-based decision procedure. Pro tanto, the group agent cannot experience the guilt that is constitutive of valuing and caring for their victim, and so cannot achieve an alignment in moral understanding with their victim.

Given that group agents are incapable of non-reductive reactive attitudes, what does this mean for treating group agents as moral agents, and attributing moral responsibility to them? If we take Strawson seriously, then the fact that group agents lack reactive attitudes means they are psychologically abnormal. Group agents are incapable of personal reactive attitudes like betrayal and gratitude, they are incapable of vicarious reactive attitudes such as indignation and esteem, and they are incapable of self-directed attitudes, such as a sense of guilt or pride. Strawson states quite clearly that we ought to take an objective attitude towards psychologically abnormal individuals. We ought to treat the group agent as akin to a psychopath, rather than as a member of our moral community. This means that we ought not to feel resentment or gratitude towards the group agent for its intentions or actions. Instead we should try to predict and manage our interactions with it.

But this line of reasoning is premature. Before concluding that List and Pettit-type group agents are excluded from membership of the moral community we ought to consider whether there are alternative ways in which a group agent might be able to
experience reactive attitudes such as guilt. In the next section I consider whether the reactive attitudes of member agents might fill the role of group agent guilt.

6. A conclusion-based procedure for group agent reactive attitudes

Some authors claim that it really is possible for a group agent to have emotions, via the emotions of member agents. Following List and Pettit, we might term this a conclusion-based procedure, since the affective attitudes of the group agent are formed by the aggregation of the affective attitudes of group members on a single issue.

According to Margaret Gilbert’s (2013) account, a population constitutes a ‘plural subject’ if and only if its members are jointly committed to doing something as a body, where ‘doing something’ can include forming various beliefs and preferences. This requires that each individual openly express their willingness to be jointly committed with others, and this is common knowledge. For a plural subject to feel guilt over an action is for all the members to be jointly committed to feeling guilt as a body over the action, “…they are to act so as to emulate, as far as is possible, a single subject of guilt feelings.” (p.253), and this entails stating that the action is wrong, acting to avoid repeating such as action, and ascribing guilt feelings to the group. Though phenomenological psychic feelings of guilt are not necessary for guilt (on Gilbert’s account) they may frequently accompany collective guilt. These ‘pangs’ are felt by individuals but attributed to the group, since the feelings are a response to the belief of the group and not individual beliefs.

Hans Bernhard Schmid’s (2009) phenomenological fusion account develops Helm’s (2001) technical analysis of emotions further and suggests that the subject is whom we
conceive of ourselves as being when we experience an emotion, whom we attribute the
emotion to. Schmid argues that genuinely shared emotions can occur when a shared
concern (or focus) leads individuals to ascribe the phenomenology of their affective
attitudes to the group; the shared concerns of the group mean that individuals view the
group agent as the subject of the emotion. Schmid borrows an example from Max
Scheler of a couple grieving the loss of a child. Here, it is claimed, is an example of
one token emotional event. It is not the case that father and mother experience grief in
isolation, but rather, because of their shared concern – the love for their child – they
grieve as one group agent. This group emotion is possible because individuals can
interpret their emotions as belonging to the group.26 If members of a group agent share
a common focus, namely a concern for the victim, then it is possible for the members
to feel guilt when the group does wrong. This emotion of guilt should not be confused
with personal guilt; the members may not feel guilty personally for anything that they
or the group has done. Rather, when the members of the group27 feel guilt they attribute
this to the group agent.

But there are four problems with this approach for generating the reactive attitudes of
the group agent. First, it is not obvious that the reactive attitudes, generated by member
agents and attributed to the group agent, are in fact the reactive attitudes of the group
agent. Note that there is no problem with using majority voting to aggregate the reactive
attitudes of member agents into the reactive attitude of the group agent; because
reactive attitudes do not have logical interconnections, there is no risk of majority
voting leading to violations of rationality requirements. And the concern here is not that
the attribution of the majority reactive attitude to the group agent is illegitimate; if the
individual agents are clearly members of the same group then it seems uncontroversial
to attribute the reactive attitude to that group agent rather than any other agent. Instead,
the concern here is one of ontological parsimony; it is not clear that there is a group reactive attitude in addition to what is simply the majority of member agent reactive attitudes.

Second, this approach for generating group reactive attitudes renders the group agent vulnerable to warrantless guilt. A core lesson of List and Pettit’s work on the discursive dilemma is that it is possible for member agents to have different cognitive attitudes to the group agent. So it is possible for member agents to believe that the group agent is blameworthy but for the group agent itself to believe it is not blameworthy. If a majority of member agents were to feel guilt for the group, based on their beliefs that the group agent is blameworthy, and we regard this as the group’s reactive attitude, then the group agent has warrantless guilt: the group agent feels guilty but believes it is not guilty. Similarly, it is possible for the group members to believe that the group agent is not blameworthy while the group agent itself believes it is guilty. In such a case it seems that the group agent is unable to generate an emotion of guilt even though it believes it ought to feel guilty.

Third, it might be claimed that it is possible for member agents to feel guilt on behalf of the group agent, based solely on the evaluative and grounding judgments of the group agent itself, and irrespective of the evaluative and grounding judgments that the individuals themselves hold. So if the group agent judges that a victim is worthy of concern, and that the group agent has acted in a blameworthy manner, then the member agents will feel guilt for the group agent, even if the individuals personally think that the group agent has done nothing wrong. But this would seem to demand a form of warrantless guilt on behalf of the member agents; that the member agents feel guilty (on behalf of the group agent) even though they believe that the group agent has nothing
Fourth, the approach of generating group reactive attitudes by aggregating the member agents’ reactive attitudes on a single issue ignores an important connection between the warrant and the reactive attitude. Jerry Gaus (1990) argues for the view that grounding beliefs both cause and justify the accompanying emotion. So my fear of the shopping trolley is - in part - both caused by and justified by my belief that it poses a danger to my car (my fear is also caused and justified by my evaluative judgment that my car is important). Any emotions that lack this grounding are termed free-floating. I may not initially be aware of my grounding beliefs: I might take my emotion of fear to indicate that I subconsciously believe that the shopping trolley is dangerous, that this subconscious belief is a cause of the emotion of fear, and to try to make the subconscious belief conscious. But it is important that there is a connection between the belief and the emotion; were there to be no connection then it would merely be an accident that I experienced an appropriate emotion. 

In addition to the concern with avoiding free-floating emotions, there is a further reason why emotions are only warranted if there is a causal connection between the grounding judgment and the emotion. It is possible to experience multiple instances of the same emotion, with the same set of objects, and it is only possible to individuate the particular instances of the same emotion by their causal origin and justification. Suppose you are in an ongoing relationship with someone. There may be many different things that you have done in this relationship for which you ought to feel guilty. The target, focus, formal object, and the evaluative judgment component of warrant may be identical for many instances of your guilt. The target of your guilt is yourself, the focus is the other partner in the relationship, the formal object is blameworthiness, and the evaluative
The judgment component of the warrant is the import that you grant to your partner. But what is it that you feel guilty for? It is only if your feeling of guilt is appropriately related to your grounding judgment that you acted in a blameworthy manner in a specific circumstance, that you can achieve an alignment in moral understanding with the person you wronged; it is not enough to feel guilt, you have to feel guilt for a particular reason.

The approach of generating group reactive attitudes via the reactive attitudes of group members fails because there is not the appropriate connection between the grounding judgment of the group agent itself and its supposed reactive attitude. For there to be an alignment in moral understanding between the group agent and its victim, the group agent must feel guilt because the group agent believes it is blameworthy. It is not possible for the group agent to achieve this via the attitudes of member agents, and it is not clear how a group agent could generate a sense of guilt via its grounding judgment on its own (given how different its mental architecture is to that of humans).

7. The possibility of functional equivalents

I argued in section 4 that moral emotions have the function of valuing the moral norms and fellow members of the moral community. The purpose of expressing blame and indignation is to seek an alignment in moral understanding and valuing between the victim and wrongdoer. I argued in sections 5 and 6 that group agents of the List and Pettit type are incapable of their own non-reductive reactive attitudes. Given the importance of these reactive attitudes for moral responsibility, this provides a pro tanto argument that these group agents are not the type of agent that can be held morally
But we need to be careful not to beg the question against the moral agency of group agents by assuming that moral agency requires capacities that group agents are constitutionally incapable of. List and Pettit take a functionalist approach to agency more generally, and so we ought to consider whether group agents might have some capacity which could perform the functional role of valuing the moral norms and fellow members of the moral community (a function performed by emotions in humans). This possibility of an appropriate functional equivalent deserves a fuller treatment than I have space for here, but let me consider one proposal.

Frank Hindriks (2014) argues that moral emotions have a role in making human agents sensitive to matters of value. Group agents, because they lack moral emotions, may lack the appropriate ‘evaluative understanding’. Hindriks suggests that Michael Bratman’s (2004) proposal of ‘shared valuing’ might serve as a functional equivalent in group agents for the moral emotions they lack. Shared valuing occurs when groups of people commit to a set of policies concerning what factors to take into account during group deliberations, and what weightings to give these factors. If it is the case that policies concerning the selection and weighting of factors in deliberation amount to a valuing, rather than mere judgment of value, then it would follow that the joint commitment of group members to include and weight certain normative factors in group deliberation entails that the group agent does in fact value those factors, and does have moral understanding. But there are three reasons to think that Bratman’s account of shared valuing is insufficient as a functional equivalent for the capacity for moral understanding in group agents.

First, a policy of what to treat as a justifying reason may well differ from a judgment
that something is valuable, but it is not quite *valuing*. For example, suppose that someone judges that jazz music is valuable, and then forms a policy of giving weight to the importance of jazz music; whenever there is an opportunity to attend a jazz performance, or to talk about jazz music, this person takes it. Such a policy of giving weight to jazz music still does not mean that the person *understands* or *appreciates* or *values* jazz music – the whole experience may still leave them cold.\(^3\)

Second, and relatedly, Hindriks’ use of Bratman’s valuing policies would grant moral agency to the entities that Hindriks wants to exclude from the moral community. Psychopaths can infer what the moral norms are by observing the behavior of moral agents, and they can choose to follow these norms themselves (even though the norms have no intrinsic force for a psychopath). Presumably, psychopaths are also capable of inferring the weights that moral agents place on certain factors in moral reasoning, and can choose to apply these weights in their own decision making. It follows that psychopaths can form the same moral judgments as normal persons. So either psychopaths are moral agents, or applying certain weights to certain factors is not sufficient for the moral understanding necessary for moral agency.

Third, the alignment in valuing policies (what to count as a reason, what weight to apply to certain factors) does not seem sufficient for the alignment in moral understandings that this paper argues is at the heart of practices of moral responsibility. A wrongdoer merely agreeing that they did wrong is not sufficient for an alignment in moral understandings. Likewise the wrongdoer acknowledging that they applied the wrong weights to certain factors in their prior decisions, and agreeing to apply the correct weights in future deliberation, does not seem sufficient for an alignment in moral understandings between the blamer and wrongdoer. What the guilt of the wrongdoer
supplies, which self-governing policies lack, is actually caring about the relevant normative factors, and actually caring about other people.

Finally, in considering possible functional equivalents of emotions for group agents, one might ask why group agents can’t simply hold intentional attitudes whose objects are not propositions. For example, it seems that group agents can think about something, be concerned with something, or be interested in something. These seem to be intentional attitudes, and can be had over objects, rather than over propositions. And if group agents can have intentional attitudes towards non-propositional objects, then this opens the way to group agents having an intentional attitude, functionally equivalent to caring, towards a person.32

Note that the analysis in this paper is limited to the type of group agent typified by the List and Pettit framework, where the group agent attitudes are formed by the aggregation of, and deductive inference from, the attitudes of individual group members. The key issue is whether a group agent can form autonomous intentional attitudes, that is, intentional attitudes that do not reduce to the intentional attitudes held by the individual agents that form the group agent.33

At least some intentional attitudes towards non-propositional objects can be analysed in terms of an attitude towards a proposition. For example, perception, prima facie, seems to be an intentional attitude with a non-propositional intentional object. But in place of an agent visually perceiving a shopping trolley, for example, we might say that an agent perceives that there is a shopping trolley in the car park (or perhaps the agent perceives that the object in its visual field is a shopping trolley). Where an intentional attitude towards an object can be accounted for in terms of an intentional attitude towards a proposition, it is possible for a group agent to have an equivalent of an
autonomous attitude towards that object (again, via the attitude aggregation and logical inference involved in the List and Pettit model of group agency).

But note that not all intentional attitudes towards objects can be accounted for in terms of attitudes towards propositions. In particular, paradigmatic affective attitudes including loving, hating, liking, and fearing cannot easily be accounted for in terms of propositional attitudes. Romantic love, for example, is constitutively about another person, and cannot be analysed in terms of a belief that the other person is lovable, or a desire to spend time with the other person. Because these intentional objects cannot be analysed in terms of propositions, we cannot use the List and Pettit approach for generating autonomous group attitudes towards these objects. Reactive attitudes, qua affective attitudes, fall into this second category of attitudes that cannot be analysed in terms of attitudes towards propositions.

8. Conclusion

The core argument in this paper is that reactive attitudes are necessary for moral agency, group agents of the List and Pettit-type are constitutionally incapable of these reactive attitudes, and so group agents are not moral agents. The argument is valid, and so challenges must address the truth of one or both of the premises.

The premise that reactive attitudes are necessary for moral agency is the more obvious target. I argued that moral emotions have a role in valuing the moral norms and other persons, but one could simply reject the view that this valuing is necessary for moral agency. One could also reject the view that the core function of blame is to elicit an alignment in moral understanding and valuing between the victim and wrongdoer; the
fact that a group agent cannot feel guilt does not prevent us from feeling resentment towards it. Moreover, one could accept both that valuing the moral norms and other persons is necessary for moral agency, and that resentment and indignation aim at eliciting a sense of guilt in the wrongdoer, but argue that group agents can have functional equivalents for the moral emotions they lack. I consider and reject one proposal for a functional equivalent proposed by Hindriks (2014), but other functional equivalents may be possible.

An alternative challenge to the premise that reactive attitudes are necessary for moral agency is to argue that moral emotions may be essential for natural duties, but not for (some) conventional obligations which might apply to group agents. Though List and Pettit do not make this argument directly themselves, they do clarify that “…we are focusing on the responsibilities and rights [group agents] ought to be given under established conventions: under social norms and laws.” (2012, p.305)³⁵ Note, however, that moral emotions do play a role in many social norms, including those social norms that have the potential to apply to group agents. For example, it is a social norm that you should pay your fair share of taxes, and not take too aggressive measures to avoid tax; those agents that violate this norm – whether they are persons or corporate agents – are likely to be met with indignation.³⁶


³ Ibid.

The List and Pettit functionalist account of agency is of course more complex than this brief summary. In particular, they draw a distinction between *rationality* and *reasoning*. Agents – including robots, animals, and humans – can be rational by design. But some agents – humans, and some group agents – can think or reason to promote their rationality further. These more complex agents can have meta-propositional attitudes; they can ask themselves about the connections between propositions, in particular, their logical consistency. This more complex agential capacity seems essential for moral agency.

An analogous exercise can be performed for the group’s preferences. Suppose that the committee has to decide what criteria they prefer for selecting the safety measure (a guard against electrocution). The committee is presented with four possible selection criteria: takes up little space, visually unobtrusive, easy to clean, and the conjunction of these. If the profile of votes is the same as in the table above, then the same problem of inconsistency arises again.

Note that the problem of generating group attitudes from member attitudes is much broader than a concern with majority rule. See List and Pettit (2002, p. 49, 50.)

A ‘distributed premise-based procedure’, is also a way of avoiding the permanent threat of inconsistent group attitudes, and a procedure that also generates autonomous group attitudes. With this procedure, different member agents are assigned to make decisions on different premises, and the group attitude on the conclusion is generated via logical implication. The distributed premise-based procedure is a plausible way in which a large corporation may make its decisions, with different departments being given authority to make specific types of decisions.

Pettit’s own example (2007, p. 198).

See Hindriks’ (2009), and Braham and van Hees (2014).

I take it that the reactive attitudes or moral emotions of betrayal, resentment and blame are roughly equivalent.

The accounts of moral responsibility provided by List and Pettit, and by Strawson seem quite disparate; Strawson makes no mention of any necessary or sufficient conditions for moral responsibility, and List and Pettit make only one mention of Strawson’s account:
“…we assume that blaming involves adopting or identifying with the stance of a creditor: someone to whom at least an apology is owed. Adopting such a stance typically means indulging in resentment, identifying with the stance means indulging in indignation (Strawson 2003). Adopting the stance towards oneself, as in blaming oneself, means indulging in a sense of guilt.” (List and Pettit 2011, p. 154)

14 Once a wrongdoer experiences guilt in response to their wrongdoing, having been made aware of their wrongdoing by the expressions of blame or indignation by other members of their moral community, they may communicate their guilt to the other members. Again, this communication can occur directly via verbal or written expressions of guilt such as apologies, or the communication can occur indirectly via efforts to make amends such as reparations. If those who originally felt blame or indignation towards the wrongdoer notice, via the communicative or other actions of the wrongdoer, that the wrongdoer now recognises, understands and acknowledges that they committed a wrong, then the feelings of blame and indignation should subside. Normal relations, and membership of the moral community can then be restored. The change in behavior of the wrongdoer is the perlocutionary point of the speech act of expressing blame (Fricker).

15 For more on the role of emotions in valuing and caring, in particular in relation to blame, see Wallace (2011, p. 368), and Scheffler (2011, p.29).

16 Grzankowski (2012).

17 List and Pettit (2011, p.130) themselves note the possible analogy between a group agent and a psychopath.

18 The claim that group agents are incapable of their own, non-reductive affective attitudes is not novel, and has been made in one form or another by Hindriks (2014, p.1574), Tollefsen (2003, p. 231; 2008, p.9), Haney (2004, p.398), Silver (2005, p. 286), Velasquez (1983, p. 124), and Wolff (1985, p. 279), among others. Gaus (2012) makes some very brief remarks concerning the lack of Strawsonian reactive attitudes in List and Pettit-type group agents. Some of these authors point to the fact that group agents are not made of the right sort of ‘stuff’ to have reactive attitudes: a group agent might be characterised as a set of relationships between individual members, or an organisational structure, or a flow chart; these are not the sorts of things that feel. Others suggest that consciousness is necessary for experiencing emotions and group agents are not sufficiently integrated or unified to have consciousness (In this regard,
see List (forthcoming)). None of these authors point to the fundamental reason List and Pettit-type group agents lack affective attitudes that I argue for in this paper.

19 See also Schmid (2009).


21 See De Sousa (1987), Gaus (1990), and Wallace (2008) who all discuss the notion of grounding; a belief that justifies the reactive attitude.

22 I thank an anonymous reviewer for pressing this point.

23 See Koenigs et al. (2007).

24 Gilbert’s account allows for official representatives of the plural subject (e.g. the President of a nation) to determine the emotional state of the group agent by jointly committing the member agents to feel emotions such as guilt.

25 Mikko Salmela (2012) notes that Gilbert’s joint commitment account seems to provide a ‘feeling rule’ for group emotions, rather than group emotions per se. One cannot summon emotions at will, even in the presence of reasons for experiencing emotions. And if most members of a plural subject are unable to actually summon the relevant emotion, in spite of a joint commitment to have the emotion, then it is implausible to claim that the group does in fact experience an emotion such as guilt.

26 See also Tollefsen (2008) who proposes a similar approach to Gilbert (2013) and Schmid (2009).

27 Or perhaps a majority of the member agents.

28 We need not go so far as to suggest that the emotion must be caused by a grounding belief for that emotion to be justified. It seems possible for an emotion to cause the justifying belief. For example, I might discover that my emotional capacity of fear is an extremely reliable indicator of danger: whenever I feel fear I discover a target that is dangerous, and form the appropriate belief that the target is dangerous with respect to some object I value. Similarly, I might discover that I have a highly attuned moral sense: in the past whenever I felt a sense of guilt towards someone, it turned out that I behaved in a blameworthy manner, so whenever I feel a sense of guilt towards someone now I form the grounding belief that I behaved in a blameworthy manner towards them. Helm (2001) makes a similar point about the non-vicious circularity between the evaluative judgment and emotion: I might feel fear towards the shopping trolley because I judge my car to be valuable; I might discover that I judge my car to be valuable because I feel fear towards the shopping trolley. But it remains important that there is a causal relationship between the emotion and its grounding belief.
See List and Pettit (2012, p.296).

Hindriks’ target is the second ‘Judgmental Capacity’ condition of List and Pettit’s three conditions for moral responsibility.

In this regard, see Wallace (2011).

I thank an anonymous reviewer for posing this challenge.

As discussed earlier in the paper, this is important since if we can attribute the intentional attitudes of the group agent to individual member agents, then we can also attribute the moral responsibility of the group agent to those same individuals.

Here I follow the analysis of Grzankowski (2012).

List and Pettit (2012) note that group emotions are best analysed in a functionalist manner, and that different accounts of the function of emotions are possible. They also note that it is at best an open question whether group agents have hedonic states (which would include a capacity for reactive attitudes).

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