

Enabling and Facilitating Harm

Gregory Mellema

Department of Philosophy

Calvin University

Hiemenga Hall, 1845 Knollcrest Circle SE,

Grand Rapids, Michigan, USA

E-mail: mell@calvin.edu

Abstract:

Enabling and facilitating are two significant ways in which one can become complicit in harm, and in this essay I pursue an in-depth treatment of these notions, two notions that are particularly relevant in contemporary discourse to the alleged complicity of people, especially people of privilege. It is my hope that the analysis offered here can bring a measure of clarity to discussions which embody ascriptions of complicity in public discourse.

Keywords: Complicity, Enabling, Facilitating, Likelihood, Condoning

Invoking the rhetoric of complicity has become increasingly common in public discourse. It is not unusual to hear claims to the effect that people in wealthy nations are complicit in the ecological disasters brought about by climate change or that large segments of the population are complicit in systemic racism, the oppression of marginalized persons, or dramatic increases in the population of homeless persons or political refugees. Elsewhere I have offered an analysis of the concept of complicity, including definitions of enabling the harm produced by the wrongdoing of others and facilitating the harm produced by the wrongdoing of others¹. Enabling and facilitating are two significant ways in which one can become complicit in harm, and in this essay I pursue a more in-depth treatment of these notions, two notions that are particularly relevant in contemporary discourse to the alleged complicity of people, especially people of privilege. It is my hope that the analysis offered here can bring a measure of clarity to discussions which embody ascriptions of complicity in public discourse.

I. Enabling

Suppose that moral agent A intentionally acts in such a way as to cause or produce harmful outcome O. Then moral agent B can be said to enable the production of O just in case A's acts would not produce O were it not for B's action and B is aware that this action may contribute to O's occurrence (where "may" refers to a reasonable expectation on B's part that this action,

together with other present conditions needed to make the outcome possible, will bring about O). To say that B enables A to produce O is not to say that A could not produce O at all were it not for the action of B. What B does need not be a necessary condition of A's bringing about O. It is only a necessary condition of A's bringing about O by means of the acts A in fact performs.

The account of enabling I have previously offered addresses situations in which more than one person can enable a moral agent to produce an outcome. Here it becomes particularly evident that the notion of enabling is relevant to concerns of a contemporary nature. Suppose the mayor of a large city wishes to implement a new policy regarding zoning regulations. To implement the policy she needs the city council to vote in favor of it. The members of the council realize that the new policy will have unfavorable consequences for members of minority groups, but a simple majority votes in favor and the policy is implemented. Each member casting an affirmative vote can truthfully be said to enable the harmful outcome.

If more than a simple majority votes in favor of the new policy, then none of the affirmative voters satisfies the conditions necessary to qualify as enabling the harmful outcome because the policy would have been approved if any individual member of city council had voted differently. In such a situation each of the affirmative voters can be said to facilitate the harmful outcome because by casting an affirmative vote each member increases the probability that the new policy will be approved. The next section of this paper offers a formal definition of facilitating harm, and more will be said about this example at that point.

A distinction can be drawn between situations where a single person enables harm and where multiple persons enable the same harm. If I know that you wish to stab someone and I lend you my knife, then I enable the resulting harm to the victim by means of your actions. By contrast, each of the affirmative voters of city council enables the outcome.

One might be tempted to suppose that a person is more blameworthy, other things being equal, if the person is the sole enabler of harm than if he or she is one of several enablers of the same harm. Perhaps the intuition underlying this position is that each enabler's share of the resulting harm is less than if he or she had been the sole enabler, and hence each enabler's share of the blame is diminished. James Fishkin has addressed a similar intuition concerning the moral responsibility of those who cause harm singlehandedly versus those who cause harm as members of a group. The view that one's portion of responsibility is diluted by virtue of sharing it with others he calls the "diminishing view."²

The diminishing view is certainly open to challenge. If two boys throw rocks through a neighbor's window at exactly the same time, it does not seem plausible to judge that each boy is less responsible for the broken window by virtue of sharing responsibility with the other. It seems more plausible to judge that in this example there is no diminishing of responsibility simply in virtue of the fact that it is shared with another. (As far as restitution is concerned, it might make sense for each boy to pay half the cost of replacing the window, but that is an entirely different matter).

Fishkin, in arguing against the diminishing view, quotes Robert Nozick as saying, "Responsibility is not a bucket in which less remains when some is apportioned out."³ The diminishing view has been characterized as conceiving of moral responsibility along the lines of a pie analogy, where in each particular situation there is only so much responsibility to be divided up among the participants. The more persons sharing responsibility for harm that has taken place, the smaller the share of the pie of responsibility each incurs for the harm's occurrence.⁴

Applying the perspective of the diminishing view to the phenomenon of enabling harm, one derives the principle that when there are several enablers of the same harm, the moral blame incurred by each enabler is lessened by virtue of additional enablers. Thus, in the example of the city council, the blame incurred by each affirmative voter is lessened by virtue of the other voters casting affirmative votes.

Just as Fishkin appears correct in arguing against the diminishing view, applying the same notion to situations involving shared enabling yields dubious results. Consider a member of city council who casts an affirmative vote. If he had voted differently the measure would have been defeated, and hence the degree of blame he incurs appears to be considerable. Exactly the same is true of every other affirmative voter. It is hard to see why the degree of blame he incurs is lessened simply because others voted affirmatively. The situation might be different if he were threatened by others and cast his vote accordingly, but in the example under consideration this is not what takes place. The fact is that the vote of each affirmative voter is a necessary condition of the successful outcome of the mayor's desire to implement the new policy, and there is no apparent reason why one should conclude that a diminishing of blame results from the simple fact that others likewise served as enablers.

There is no clear sense in which each affirmative voter is assigned a share of the outcome, and hence there is no clear sense in the idea that each affirmative voter's share of the outcome is diluted by virtue of others having voted affirmatively. This is a point of importance inasmuch as those who enable harms that take place in contemporary society have a tendency to minimize the blame that attaches to them as individuals. Plainly, the supposed dilution of blame described here has less than obvious support, just as in the case of the diminishing view.

The definition of enabling requires that the enabler be aware that his or her actions may contribute to the harmful outcome in question, but it leaves room for a certain measure of ignorance regarding the circumstances. The members of city council realize that the new policy will have unfavorable consequences for members of minority groups, and this realization results from statements made by minority members of city council who intend to vote against adoption of the new policy. However, those who vote in favor of the new policy do not have a clear sense of how unfavorable the consequences or how widespread their effects will be. This is a point of importance because sometimes those who enable harmful outcomes plead ignorance of the scope of the harm they envisioned when performing the actions constituting enabling. Accordingly,

the affirmative voters in this example might convince themselves that there is nothing racist in their voting as they did.

Sometimes enabling takes the form of guaranteeing that someone else is not prevented from producing a harmful outcome. A man with a firearm is intent on committing an act of racial violence. A second man knows his intentions and attempts to steal his weapon. A third man, observing the actions of the second man, prevents him from stealing the weapon in order that the first man is able to commit an act of racial violence. Here it is evident that the third man enables the racial violence that takes place.

A decision not to take action can sometimes qualify as enabling a harmful outcome. In an urban neighborhood a police officer notices that someone has left a loaded handgun setting on the hood of a parked car. If the officer decides to leave the handgun, aware that someone might find it and commit an act of violence, then, if this is exactly what happens, we can plausibly judge that the officer has enabled the violence that takes place. The person who subsequently fires the handgun could not have done so if the officer had removed it from the hood of the parked car and turned it in to headquarters.

II. Facilitating

In this section I turn to the topic of facilitating harm. I will offer a definition of this notion and some examples of facilitating harm that will resonate with the contemporary concerns described earlier. The paper will conclude with a brief discussion of condoning harm produced by the wrongdoing of others.

Assume that a moral agent performs an action as a means of producing a particular harm. Another agent facilitates the harm by increasing the antecedent likelihood that the action is successfully performed by the first agent or that the harm in question is brought about by the performance of the action, and doing so in a manner that is morally blameworthy (where at least part of the blame is due to an awareness of what he or she is doing).

To take a simple example of increasing the likelihood that another's action is successfully performed, a manager in a large corporation learns that a male co-worker is making sexist comments about fellow employees and in doing so harming their morale and self-image. The manager could alert the human resources department, or he could encourage those being harmed by these comments to file complaints, but he decides to do neither. His decision therefore makes it more likely that further harm will take place, because he increases the likelihood that his co-worker is once again able to harm fellow employees by means of sexist comments. In other words, he facilitates the harm produced by the co-worker.

For an example in which facilitating harm takes place by way of increasing the likelihood that another's action produces harm, recall the example of the city council. In this example the mayor wishes to implement a new policy regarding zoning requirements, one that will have unfavorable consequences for members of certain minority groups. Suppose that more than a

simple majority of council members vote in favor of the new policy. Then no member can rightly be accused of enabling the harmful outcome, but each member who voted affirmatively can rightly be accused of facilitating the harmful outcome. The reason is that the likelihood that the mayor's declaration that the new policy ought to be affirmed successfully results in its being affirmed is increased by the affirmative vote of each member. In other words, by casting an affirmative vote each member increases the likelihood that the policy is approved and thus qualifies as a facilitator.

Sometimes a person can facilitate the harm produced by someone else through omitting to take action (the manager in the example of the co-worker making sexist comments makes the decision not to take action; he does not simply omit to take action). Imagine that two federal employees are assigned the task of ensuring that federal grants to small businesses are directed to adequate numbers of minority owned businesses. In addition, each employee is contractually obligated to make sure the other is executing his or her job properly.

One of the employees is very conscientious about ensuring that an adequate number of minority owned businesses receive federal grants, but she is resentful of being obligated to monitor the work performance of the other employee. Consequently she simply does not do so. She has not made an actual decision not to do so; rather, she simply does not take the initiative to monitor what the other employee is doing.

As it happens, the other employee is performing his job poorly. Sometimes he makes the effort to identify whether a particular small business is minority owned, and sometimes he does not feel like exerting much effort. As a result, some minority owned small businesses which deserve to receive a federal grant fail to do so. Arguably, some of these minority owned businesses are being deprived of federal grants that they deserve, and this is true whether or not their owners are aware of this deprivation. They are thereby in a sense being harmed by the slovenly and inadequate efforts of this employee.

The conscientious employee has neglected to monitor the work performance of her co-worker, and this neglect has increased the antecedent probability that in the future he will deprive some minority owned businesses of receiving federal grants. Thus, her neglect qualifies as facilitating such future harm. Of course, her neglect is also the violation of a contractual obligation with her employer, but that is a separate matter. In short, her neglect facilitates the harm produced by the other employee.

Facilitating harm is a stronger notion than that of condoning harm. When a person condones the harm produced by the wrongdoing of another, the person does not act in a way that increases the antecedent probability that the wrongdoer's actions are successfully performed or that they produce harm. The person observes the wrongdoer's actions and the harm they produce, realizes that the actions deserve blame, and finds no good reasons to cast blame upon the wrongdoer in any manner whatsoever. One can condone the harm produced by the other's wrongdoing through, at a minimum, tolerating it, but positive approbation might also motivate

the failure to cast blame. Nevertheless, the failure to cast blame in and of itself falls short of qualifying as facilitating.

Accusations of someone's condoning the wrongdoing of others have become common in public discourse. For example, in October, 2018 both Senate Minority Leader Charles Schumer and House Speaker Nancy Pelosi charged that President Trump condoned physical violence. The implication of these charges is that President Trump was blameworthy for condoning physical violence. Not all instances of condoning another's wrongdoing are blameworthy, however. In a public park a man is fishing next to a sign that prohibits fishing. I realize that he is guilty of wrongdoing, but I have no desire to accuse him of wrongdoing. In fact, I do not even form a judgment that he is guilty of wrongdoing, but insofar as I fail to form such a judgment no blame attaches to me.

Although the notion of facilitating harm is stronger than that of condoning harm, there is a small degree of overlap between the two notions. That is, it is possible to facilitate simultaneously the same harm that one condones. Suppose that the conscientious federal employee described earlier is aware that the other employee is sometimes failing to identify minority owned businesses that are deserving of federal grants, and she does nothing by way of expressing blame. Then she satisfies the conditions for facilitating the harm caused by the other employee. Thus, she simultaneously facilitates and condones the harm caused by her co-worker.

In contemporary society it has become fashionable to invoke the rhetoric of complicity to describe the actions and attitudes of people, especially people of privilege. It is not always clear how these actions and attitudes rise to the level of complicit behavior, and in this essay I hope to have shed some light upon circumstances in which complicity is in fact realized. In particular, I have focused on situations involving enabling harm and facilitating harm, two notions that are particularly relevant to the subject matter of contemporary discourse.

Endnotes:

1. Gregory Mellema, *Complicity and Moral Accountability*. Notre Dame, IN: University of Notre Dame Press, 2016.
2. James Fishkin, *The Limits of Obligation*. New Haven: Yale University Press, 1982, p.80.
3. Robert Nozick, *Anarchy, State, and Utopia*. Cambridge, MA: Harvard University Press, 1974, p. 130.
4. See Michael Zimmerman, "Sharing Responsibility." *American Philosophical Quarterly*, 22 (1985), p. 116.

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