Group Intentions and Oppression

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Abstract
A reductive theory of collective intentionality would imply that the 'official' intentions of an oppressive political authority cannot be constructed from the intentions of individuals when they follow the authority's rules. This makes it difficult to explain the unraveling of official group plans through time in a seemingly consistent fashion, and the corresponding source of coercion. A non-reductive theory, on the other hand, cannot capture whether the actions of individuals in an oppressive society are free or coerced, so long as a manifest institutional structure and rules are in place. I put forward a hybrid account of group intentionality that is capable of articulating why oppressive political power is illegitimate, which comes down to the official and individual intentions in joint group actions diverging in such a way that individuals are not governed on the basis of dependent reasons.

Introduction

A common intuition holds that a society's authority over its members is illegitimate if the members' actions are regularly coerced. Thus, when an oppressive regime's citizens follow the regime's rules, their compliance does not confer legitimacy upon either the rules or the authorities issuing them because these acts are not free. Yet most existing theories of collective intentionality would have trouble articulating this intuition. Most accounts of group intention seem to be constructed for open liberal societies, in which individuals are able to express their preferences, choose among options, and act freely. These accounts do not capture the complexity of group intentionality in an oppressive political environment and cannot, with the tools they employ, adequately express the intuition concerning the illegitimacy of political authority in oppressive societies.

Some theories of group intention reduce it to the intentions of group members in joint group-constituting actions. According to a reductionist, at the heart of a group intention to do something and the corresponding intentional action are the commitments of the group's members to do that thing together. Most individuals in an oppressive society act not because they are motivated by the official

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goals but because they fear the consequences of not acting as required. In a demonstration of public support for an oppressive regime, for example, group members jointly act in following the route and marching in formation, but they do not jointly act to achieve the official goal of showing their support. Since they are not committed to the official goal, a reductive theory would imply that a group in an oppressive environment does not have an intention to bring about the corresponding outcome of its members' group action. At each given moment, there is no reductively defined group intention associated with the realization of this goal because the 'official' intention cannot be constructed from individual intentions. The realization of societal goals in oppressive societies is then a mere byproduct of individual actions. In this case, however, two related phenomena cannot be reductively explained: the unraveling of official group plans through time in a seemingly consistent fashion and the corresponding source of coercion. The proponents of reduction can claim that such plans are devised and realized at the level of the social institutions regardless of individual endorsement, but this would mean that reductionists have resorted to a non-reductive ontology in explaining the source of coercion.

Non-reductive accounts, on the other hand, maintain the existence, in an organized group action, of irreducibly collective intentions and would consider that the group has the requisite intention even if its individual members do not. Non-reductive accounts have little to offer to differentiate between legitimate and illegitimate authority because they cannot capture, so long as a manifest institutional structure and rules are in place, whether members' actions are free or coerced. These accounts have no means to register the possible gap between the official conception of the group members' commitments in the advancement of group goals and the members' own view of their commitments.

Given the weaknesses of reductive and non-reductive accounts in dealing with those group actions that realize what individuals do not intend to bring about, a theory of group intentionality should consider both the institutional expression of group intentions in joint actions and the reductively defined group intentions in these actions, the domains handled respectively by non-reductive and reductive views. The hybrid account of group intentionality I put forward expresses the intuition concerning the illegitimacy of oppressive political power in the following way. Coercion deprives group actions of the meaning that they on their face carry (such as endorsing the regime in a demonstration of support). While individual behaviors in coerced joint actions still count as promoting official goals

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or as following official rules, individuals' motivational reasons for performing the corresponding joint actions do not derive from their endorsement of the official goals or from their desire to maintain the official group rules, but from the fear of the consequences of non-compliance. In this case, while individual actions help to partially constitute there being official goals or rules, this happens not because of the individuals' commitment to these goals or rules. The group collective actions thus are not constructed through joint individual actions performed to achieve the goals officially set for these actions. As a result, the group authority's directives do not govern individuals on the basis of dependent reasons (they cannot be accepted by the subjects of the directives as theirs, because they do not originate in their free intentional actions or do not track their interests).[1] Therefore, given the notion of legitimate authority as based on dependent reasons, the authority of the group cannot be accepted by the participants of joint actions as legitimate.

Below, I first characterize the problem that oppressive societies pose for the notion of group intentionality in more detail. I consider why several lines of response non-reductionists and reductionists may follow in dealing with the problem are not viable. I then highlight some problematic features of the leading accounts of group intentionality that impede their capacity to articulate the intuition concerning the illegitimacy of an oppressive authority. I conclude by explaining how the hybrid account can express this intuition, which, according to this account, comes down to the official and individual intentions in joint group actions diverging in such a way that individuals are not governed on the basis of dependent reasons.

1. A not so hypothetical scenario and the problems it poses for both reductive and non-reductive accounts of group intention

Imagine a citizen of the Soviet Union in the mid-1970s. The individual is to represent, along with her colleagues, her institution at a public demonstration of support for the regime. She lacks enthusiasm for building communism, she disagrees with how the society is ruled by the functionaries of the state, but because she is afraid that there will be consequences for not going to the demonstration, the

[1] The idea of legitimate authority as being based on dependent reasons can be found in Joseph Raz, 'Authority, Law and Morality', *Ethics in the Public Domain* (Oxford: Clarendon Press, 1996), 210–237.

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individual participates in the demonstration as asked, 'voluntarily', and even carries a portrait of the leader she thinks to be unfit to rule.

The individual *intends* to *walk in the demonstration*, which is a joint performance by a number of individuals who, as a group, execute a plan of forming ranks, carrying placards and marching along a certain route. She and others even *jointly intend* to execute the plan of walking in the demonstration, for, each individual intends to act together with others because she knows that others intend to act in the same manner as she does, together as a group. An individual then intentionally performs an action which, combined with those of other actors, realizes a certain goal, namely, their walking in the demonstration. This performance also realizes an individual goal of staying out of trouble by going to the demonstration. Both goals are different from the official goal of demonstrating the people's support for the communist state. Rank and file participants understand that, regardless of their intentions, the joint action of walking together according to the plan of the organizers counts as realizing the official goal. The demonstration is one of the many group actions that engender the existence of political institutions in accordance with the promulgated plans for building communism. For the majority of individuals, nevertheless, it is not the understanding of the official meaning of group actions that motivates them to jointly perform the action of walking: most participants do not endorse the official goal of the demonstration and may consciously disapprove of it or may simply ignore it by abstaining from forming any normative attitude toward it.[2] They do not form intentions, individual or joint, to bring about the officially intended outcomes associated with their joint performance. A further complicating factor is that officials might act self-interestedly, in order to keep their jobs rather than because they want to realize institutional goals.[3] Who then

[2] I will not dwell upon individual coping mechanisms in this paper, but since the individuals help bring about what they did not wish the group to do, they often resort to ignoring their normative attitudes toward the aim or engage in self-deception concerning what they approve or disapprove of. On the concept of ignoring, see Elizabeth V. Spelman, 'Managing Ignorance', *Race and Epistemologies of Ignorance*, ed. Nancy Tuana and Shannon Sullivan (New York: SUNY Press, 2007), 119–131.

[3] John Searle's view of status functions as the basis of institutional reality would suggest that status functions (with the associated desire-independent reasons for action) existed for the party members only, while the rest were acting out of fear (based on desire-dependent reasons) and not because of the recognition of the validity of the status-functions. However, it could be the case that there were no desire-independent

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intends to realize the official group goals? Are group intentions associated with actions prompted by the state even possible in an oppressive environment?

For a non-reductive account, the answer is that the official intentions expressed in the orders with which individuals comply constitute the group intention. One important complication for such an account is to explain how, in the absence of individual experience of having a joint intention to realize the official goals of joint actions, the intentions placed at the group level relate to those of individuals. Moreover, a third-party approach to defining the joint intention regardless of individual intentions may be quite arbitrary: who is to say that the joint intention was to support the state and not to jointly handle brightly-colored posters? Peter French deals with this complication by stating that we need neither to attend to individual intentions nor to read anything into individuals' joint actions. Instead, we need to locate the relevant institutional structure and rules.[4] In the demonstration example, the society as a whole may have been the agent demonstrating support for the state, based on its institutional organization and the corresponding decision structure, although individuals did not intend the result and acted for reasons that weren't directly connected to the institutional goals. Because non-reductionists bracket how the rules are followed at the individual level, they would not be able to express the intuition

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reasons based on the validity of status-functions for the party members (or the majority of them) either. Then there was no reductively defined group agency and the corresponding institutional reality, and what constituted the existence of the state would remain a puzzle. Moreover, the explanation based on desire-dependent reasons Searle gives works for the case of occupiers using direct force, and not pretending the populace loves them. (*Making the Social World: The Structure of Human Civilization* (Oxford: Oxford University Press, 2010), 164.) Moreover, it works well with shorter-term regimes and with rather simple sets of orders, mostly prohibitions, like curfews. It does not work for a society lasting for more than half a century and based on massive propaganda and pretense. Engaging in elaborate rituals, even if only out of fear, still constitutes the validity of the rules at the societal level.

Searle does give a good description of what I would call the condition of legitimacy: 'In order to be rationally binding on an agent, desire-independent reasons for action contained in institutional facts must be, explicitly or implicitly, created as such by that agent' (Ibid., 131).

[4] Peter French, 'The corporation as a moral person', *American Philosophical Quarterly* **16**: 3 (1979), 207–215.

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most of us hold concerning the illegitimacy of the institutional structure they use to define the group.

Considered in reductive terms, the day-to-day existence and continuity of an oppressive regime becomes a mystery: there is no reductively defined group agency associated with the regime's goals at any point in time. A reductionist would claim that at each moment in time the group is comprised reductively of whoever the group members are at that time (those individuals who are engaged in actions that are deemed group-constituting).[5] However, most, if not all, individuals engaged in these actions are not motivated to act by the desire to advance the goals that the actions realize. Their individual intentions simply do not add up to the joint intentions sufficient to constitute a group agent associated with the official goals and thus group members' relations relativized to the members' sets of beliefs and intentions do not add up to the regime's culture at each given moment in time. Therefore, we cannot even specify temporal parts of the entity that fulfills the official goals. If the intuition of the illegitimacy of power in an oppressive society is to be explained as the clash between individual intentions and group intentions, a reductionist cannot express it, because the whole, the group intention, is missing when viewed in reductive terms. For example, in the demonstration case, we could describe the action as 'walking in the demonstration together', but that is not representative of the official goals of the action as showing the support for the regime and has little connection to other group actions to which the demonstration is officially connected. This walking in the demonstration, devoid of its official goals, has little to do with that 'sitting through a meeting', with the meeting being an official indoctrination about the goals of going to the demonstration. The reductionist's problem with expressing the intuition concerning the illegitimacy of an oppressive authority thus would come from the denial that there ought to be an ontological status assigned to the group as a whole.

A reductionist may suggest that while 'walking in the demonstration' has little to do with the official goal of demonstrating support for the regime and is not a rich enough description to be included in the explanation of the continuity of this regime, we can find a satisfactory re-description of what is going on in the demonstration to account for its continuity. For example, Kirk Ludwig suggests[6]

[5] Kirk Ludwig, 'The Ontology of Collective Action', *From Individual to Collective Intentionality* ed. S. Chant, F. Hindriks and G. Preyer (Oxford: Oxford University Press, in press, expected publication 2013).

[6] Kirk Ludwig, personal communication.

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that we can still use 'demonstrate' by employing two different meanings of the term. One can demonstrate for or against something insincerely, not really caring for what the demonstration stands for. In this sense, a demonstration is an outward display of support for or against something. Let us call the joint action of uncaring participants 'fake-demonstrating'. One can also demonstrate in order to publicly show group feelings, and in this sense there cannot be a demonstration of support for something in the absence of the appropriate feelings held by the relevant group. Let us call the corresponding joint action 'truly-demonstrating'. In the example given in this paper, the group cannot intentionally truly-demonstrate, because they do not have feelings for the state. However, the reductionist reply goes, reductionists can show that the group is fake-demonstrating, with its members making intentionally an outward display of support for the state together, which successfully stands in, in the institutional setting in which it is performed, for the fulfillment of the official task of truly-demonstrating – this joint goal is closer to the official one than 'walking in the demonstration together'. This strategy doesn't work, however.

For the group to have a group intention to fake-demonstrate, and to engage in the corresponding intentional group action, group members have to be committed to fake-demonstrating together, as a group. Thus, a sufficient number of its members need to be able to make a reasonably good assumption concerning the intentions of others. In an oppressive society of the kind discussed above, the intentions of others concerning the demonstration are not transparent to group members: they do not know if others intend to jointly fake-demonstrate or jointly truly-demonstrate. While individuals may judge, in light of the fact that the regime successfully persists, that there may exist those who are motivated to participate in the regime's functioning because they endorse its goals, it is hard for them to gauge who those whole-hearted participants are or how many of them are really out there. Not knowing whether others genuinely support the state is due to the environment in which one prefers to hide one's intentions from others in the public and often in the private sphere. Thus, jointly fake-demonstrating is not the collective goal that moves individuals to act together and that they intend to achieve through their joint action of walking in the demonstration. With the intentions of other members being opaque, individuals cannot intend to fake-demonstrate together; hence they cannot jointly fake-demonstrate.[7]

[7] I would like to repeat that the group members are performing a joint action, just not the one that reductively explains how the regime exists. That

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In oppressive environments, group actions can be reductively redescribed but not in a meaningful way that explains the existence or continuity of the regime. An oppressive regime's continuous existence through time is clearly not of a reductive kind and depends on institutional rules that connect joint actions effectuating the rules. The reductively unintentional but continuous performance of the group actions that constitute the being of the regime points to the ontological significance of the institutional structure and the rules that turn group actions into a unified process. A reductive account has difficulty with articulating the intuition concerning the illegitimacy of oppressive authority because it does not capture all modes of functioning of group agents: societal institutions and rules can be constructed and maintained in a non-reductive mode.

Given the shortcomings of the non-reductive and reductive accounts, we need to look at the presence or absence of regular correspondence between reductively defined group intentions and official group intentions to determine the status of the group in question with respect to legitimacy. Joint actions of individuals may constitute a group agent whether the group's authority over the individuals is legitimate or not, but paying attention to the alignment of individual and non-reductive group intentions allows us to capture

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a joint action is performed prompts a typical response from those who want to defend reduction. For example, the response goes, political prisoners may labor at a mine in a joint action that can be described as 'working together to avoid punishment'. While 'avoiding punishment together' allows individuals to share a meaningful purpose, it still does not fall under an official description satisfactory for explaining the continuity of the official group agent, say 'supplying the state with the raw materials it needs to increase its military potential', since none of the prisoners endorses the goal. There is an interesting contrast with the demonstrators here: the joint intention to avoid punishment may not materialize from the corresponding individual intentions in the demonstrators' case. The intentions of fellow-prisoners to avoid punishment in performing forced labor are generally clear to others because their status is relatively unambiguous: they are deprived of freedom by the open use of force and not merely its threat, and there is no public pretense that they are willingly advancing the state's goals. As the prisoners, the demonstrators fear to reveal that their individual goal in participating is to avoid punishment, but the demonstrators face a greater uncertainty about the intentions of others. Thus it is much less likely that the demonstrators' joint intention can be that of avoiding punishment together.

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what lies at the heart of the intuition concerning the illegitimacy of oppressive authorities.

2. Combining the non-reductive and reductive perspectives – the need for a hybrid account

A reductive account of collective intentionality expresses well how a group's will would originate in the individual wills of its members. When the authority that sets up a task for a joint action by group members is legitimate, group actions can be derived from group members' intentions in action. These intentions can be those directly tied to the goals of the particular group action. Or, if some individuals disagree with the goals of the action, their participation would not be coerced provided their motivation in action can be traced to their un-coerced acceptance of the rule of law. The power of controlling the group action in question has been delegated to the authority based on a mechanism that individuals have endorsed. Moreover, individuals can contest authoritative decisions, recall officials issuing them or elect different officials and, ultimately, change the mechanism of the transfer of power to the authority.[8] Hence, the participants of joint actions that constitute the group can consider the norms and rules of the group as either originating in their own free intentional actions or as tracking their interests as group members. In oppressive environments, individual intentions in group constituting actions fail to correspond to the official meaning of the actions and no un-coerced delegation of power to the authority that preceded these actions has taken place (had it occurred, individuals would have bound themselves to follow the rules). Overall, the terms of membership and governance that citizens engender through their group actions but have no power to change are often in stark contrast with those they envision but cannot pursue and often even publicly express. In a democratic society, citizens can contest the status quo and try to realize their views of the proper and preferred group membership and governance in joint group actions. Since the terms of the initial membership in a society may be beyond one's control (one most often becomes a member through birthright citizenship), an important role belongs

[8] It should be noted that in some cases of permanent minorities, like an ethnic minority that desires to secede, the violation of the necessary condition may also occur, but in this case it is a valuable tool in finding how the bounds of membership affect legitimacy. I discuss this in the last section of the paper.

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to the evaluation of the conditions for individual participation in the construction of the group.

For example, those born in the territory of the republic of Checheno-Ingushetia of the former USSR, were considered, for all practical purposes, members of the artificial merger of two different nations, the Chechens and the Ingush, and the membership was socially constructed for them via the official institutions. Since the alleged members of the republic believed that the group boundaries were misidentified, we would be unable to construe official group intentions in joint actions that constituted the extended group as corresponding to the reductively defined group intentions of the majority of group members in these actions. To compare to Quebec's case, Quebecers have had the chance to have a referendum, they can freely express nationalist preferences and argue for a special status within Canada.

The necessary condition of legitimacy put in social-ontological terms is that individuals are regularly able to view group membership and the rules of governance in such a way that, when they act together with others in following group norms or rules, they can in principle derive their motivation to act from their endorsement of the goals of the corresponding group action (and/or from their acceptance of the rule of law).[9] Rank and file members in an oppressive setting are not motivated to act based on the official goals of the group actions; they also do not derive their motivation in action from their proper standing with respect to the rules of the system. Their joint intentions in group-constituting actions regularly fail to correspond to what is realized in these actions and what officially counts as the group intentions in these actions. This failure signifies their actions are not and is at the heart of the intuition concerning oppression. A social-ontological articulation of the fact that an oppressive authority is illegitimate amounts to a lack of regular agreement between reductively defined group intentions in group-constituting actions and the corresponding official set of group intentions. This

[9] Raimo Tuomela's view of sociality can be construed as having a similar emphasis on the relation of individual and group intentions in his notion of the we-intention. He argues that the group norms and their collective acceptance are conceptual conditions for a participant's we-intention and the reason for her to perform her part (and performing it). Thus, when individuals act in the we-mode, they make group reasons their reasons by constructing them in the mode of acceptance (*The Philosophy of Sociality: The Shared Point of View* (Oxford: Oxford University Press, 2007), 92). I consider his view in the next section.

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description utilizes the combined means of reductive and non-reductive accounts and belongs to a hybrid account of group intention.

I will now consider the shortcomings of some representative theories of group intentionality in approaching the intuition concerning the illegitimacy of oppressive authority and how the hybrid account could correct these shortcomings.

3. Contemporary accounts of group intentionality on oppression

Let us now consider how some leading accounts of group agency and intentionality can address the complexity of individual attitudes to what counts as group-constituting sets of rules and group goals in oppressive societies. I will not engage in a comprehensive discussion of each theory but rather illustrate some typical ways in which a theory might fail to account for the complexity of the individual-group relations in these environments and thus fail to give a proper expression to the intuition of the illegitimacy of oppressive governments.

Raimo Tuomela, a self-professed reductionist who considers groups to exist 'metaphorically',[10] deems a social group to be present when the members of the group act recurrently as group members and, hence, tend to respect and promote the ethos of the group (its constitutive goals, values, beliefs, standards, norms, practices and traditions).[11] Individuals act in the we-mode if the ethos of the group gives them motivating reasons for action. They then are acting as members for the group, and for a group reason. An agent thinks and acts in the I-mode in the group context when she finds it rational to cooperate in promoting the ethos of the group and accordingly cooperates, but acts as a private person, motivated by private reasons.[12] A demonstrator in the example I gave would be acting in the I-mode in pursuit of the individual goal to stay out of trouble. Tuomela thinks that institutional reality is generated and

[10] Tuomela thinks that a group, ontologically, consists of its members functioning as group members with collective commitment to the group ethos (*The Philosophy of Sociality*, 124); groups are not agents over and above group members (Ibid., 4); groups are agents or persons only in a metaphorical sense (Ibid., 145).

[11] Tuomela, *The Philosophy of Sociality*, 182.

[12] Tuomela, 'Cooperation and the We-Perspective', *Rationality and Commitment,* ed. Fabienne Peter and Hans Bernard Schmid (Oxford: Oxford University Press, 2007), 227–257 at 244.

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largely constituted by the we-mode groups and acting as a group member in them; the I-mode activity takes place in institutional contexts but in a nonconstitutive sense. Hence, he presupposes that, for a group to exist, a relatively large number of the group's members should accept the group's ethos (and thus the group's goals in joint actions), to which they collectively commit themselves.[13] Because of this, Tuomela's approach is not set up to handle the intuition that oppression renders political power illegitimate, because there is no we-mode group in an oppressive environment and Tuomela's account would have to conclude that the institutional reality of an oppressive society is non-existent.

As we saw, rank and file members in oppressive environments may publicly appear to have endorsed group goals in joint actions while not approving of the group ethos and not intending to realize it. They act to complete the tasks given to them by the officials and they know, as a matter of fact, that their joint actions would express and realize, albeit against their preferences, the official culture's terms. They cooperate in the I-mode in performing officially required actions, motivated by their self-interest in safety and not by the group's ethos. The institutions of oppressive societies may then function without the we-mode, the population and even many officials being a large number of unwilling cooperators.

Given the absence of member cooperation in the we-mode associated with the maintenance of the group ethos, if we do not accept that the I-mode of cooperation constitutes a group, we would have to acknowledge that group agents may exist in a mode that is not reducible to the joint actions of their members. This would support a non-reductive account of group agency. We can also say that joint actions according to a set of institutional rules constitute a group agent, regardless of the mode of members' cooperation, but the availability of the we-mode cooperation for the participants signals that the necessary requirement of the authority's legitimacy can be met. The hybrid account I propose does both: it states that group agents can be constituted non-reductively and brought about through the actions of individual members regardless of whether a group's authority is legitimate, but a lack of regular

[13] Tuomela's account of group intention also demands that a collective's non-operative members tacitly accept the commitment of its operative members because all of them exist in the 'we-mode' that ascribes intentions to the group ('Joint Intention, We-mode and I-mode', *Shared Intentions and Collective Responsibility; Midwest Studies in Philosophy* ***XXX***, ed. Peter A. French and Howard K. Wettstein (Boston, MA & Oxford, UK: Blackwell Publishing, 2006), 35–58 at 47).

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correspondence between reductively defined group intentions in joint actions and the official intentions in these actions signifies the illegitimacy of the agent's authority.

Thus, the intuition concerning an oppressive power's illegitimacy can be rephrased using Tuomela's terms of the we-mode cooperation. If individuals cannot normally act in the we-mode in collective actions constitutive of the group ethos, if they cannot in principle be motivated by the group ethos, they cannot perceive the ethos as originating in their free intentional actions so as to provide the dependence required for the legitimacy of the directives guiding these collective actions. Therefore, if the we-mode cooperation is not available to group members, reductively defined group intentions, based on the individual intentions to cooperate in the I-mode, are likely to fail to correspond to the official intentions and render the group's authority illegitimate.

Michael Bratman gives an instructive definition of shared intention based on the intentions of individual members. His view is that

We intend to J if and only if

1. (a) I intend that we J and (b) you intend that we J
2. I intend that we J in accordance with and because of 1a, 1b, and meshing subplans of 1a and 1b; you intend that we J in accordance with and because of 1a, 1b, and meshing subplans of 1a and 1b.
3. 1 and 2 are common knowledge between us.[14]

This definition of joint intention is indiscriminating enough to overlook the distinction between reluctant and willing cooperators and has to be qualified. For example, it could happen that one of the two joint actors, A and B, sailing together, is a reluctant cooperator – B depends on A for something and if B does not go sailing with A, A will withhold her support for B in an affair unrelated to the sailing. B may hate sailing and not be motivated to perform the joint action of sailing by the goal it achieves; 'joint intention', on Bratman's account, includes cases of merely going through the motions: the reluctant cooperator can still be said to intend to act jointly in sailing with A. (Tuomela's view sheds light on what is wrong with B's participation: B is cooperating in the I-mode and not in the we-mode). B's situation is similar to that of individuals in oppressive environments: they jointly act without jointly intending

[14] Michael E. Bratman 'Shared Intention', *Ethics* **104**: 1 (Oct. 1993), 97–113, at 106.

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to achieve the officially planned ends brought about by their joint action.[15] The ends I have in mind here are of an overarching and not subsidiary kind (in the demonstration example, individuals jointly achieve a subsidiary goal of walking in the demonstration but not the overarching goal of demonstrating their support for the state). In addition, the lack of openness in the public sphere prevents individuals in an oppressive environment from being sure about what the intentions of others may be. In such environments, (1) is false if J stands for 'achieve the officially planned ends brought about by the joint action'. J could stand for a subsidiary goal, but, as I discussed in the previous section, this wouldn't help to explain the continuity of the group's institutional reality.

To employ Bratman's account for identifying the conditions under which individuals do not regularly endorse group goals or are not motivated by them in joint acting (the cases when reductive individual and official intentions pull apart), we would need to be able to determine if, when J stands for 'an overarching official goal of the action', (1) is false. Hence, in order to differentiate between the willing and unwilling cooperation and thus be capable of articulating the intuition of illegitimacy, we would need to identify the group intention associated with the official culture in oppressive societies and would have to say something about the status of the official goal, which does not exist reductively.

Let us now turn to a non-reductive view that specifies that a group intention connected to the group goals exists regardless of the individual participants' intentions. French openly tackles the issue of individual intention with respect to group goals and holds that collectivities with an institutional organization and a decision procedure are capable of purposeful action over time and have identity over time independent of particular membership.[16] For example, corporations can be full moral persons with rights and responsibilities[17] so long

[15] Similar concerns apply to Margaret Gilbert's theory. Gilbert's strongest statement of what group agency involves is that members form a plural subject when they form a joint commitment to believe a certain proposition as a body. The formation of a joint commitment occurs when each member expresses their readiness to be so committed with others under conditions of common knowledge. But in an oppressive society members can behave as if forming a joint commitment to a societal goal while merely going through the motions of 'forming a commitment'. See: Margaret Gilbert, *On Social Facts* (Princeton, New Jersey: Princeton University Press, 1989).

[16] Peter French, *Collective and Corporate Responsibility* (New York: Columbia University Press, 1984), 13.

[17] French, 'The corporation as a moral person', 207.

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as they possess an internal decision structure: an organization or responsibility flow chart that delineates stations and levels within corporate power structure.[18] This structure *incorporates* intentions and acts of various biological persons by subordinating and synthesizing them into a corporate decision. Even if the personal reasons for voting that executives have are inconsistent with the established corporate policy, the corporation can be properly described as having done something.[19] A group action in an oppressive society can then be traced to a group intention even if the majority of individual citizens do not endorse the aim of the action. As I discussed earlier, this solution to the uncertainty concerning the missing group intention comes at the price of affording any relatively stable political entity that has explicitly stated levels of power and decision procedures a status regardless of its legitimacy. With his exclusive focus on the institutional organization and decision structure, French's account is indifferent to the normative attitudes individuals hold toward an authority and its goals so long as the individuals act in accordance with the official rules. Hence, his account cannot detect the ontological difference between those effective group agents that lack legitimacy (such as oppressive political regimes) and those effective group agents that are legitimate (such as liberal-democratic societies).

Stand-alone reductive and non-reductive approaches to group intention work fine for consistently liberal environments, in which reductively defined joint intentions of the majority in collective actions are likely to correspond to the official group intentions in these actions, because group power either directly derives from group members or is freely delegated by the members to those in authority. The possibility of the official and reductive individual intentions pulling apart is veiled in a democratic environment because the illegitimacy question hardly arises. However, a regular correspondence of the two sets of intentions is, ultimately, coincidental if we extend our consideration beyond liberal environments. An account of group intentionality with no capacity to explain the possible discrepancy between the two sets of intentions does not have the tools to express what an authority's illegitimacy amounts to.

Summing up, reductive views of group intention cannot express the illegitimacy intuition because they fail to account for the fact that oppressive groups exhibit effective group agency. Non-reductive views cannot express the illegitimacy intuition because they fail to deal with the intentions, in group-constituting actions, of individuals

[18] Ibid., 211.
[19] Ibid., 214.

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performing the actions. The hybrid account borrows from a non-reductive view of group intention an explanation of how a group can persist even when members do not endorse its terms of membership. Combining this explanation with a reductive perspective allows it to provide a nuanced spectrum of group-constituting attitudes and the corresponding group status. In the next section, I consider how the hybrid account would identify the presence of unwilling cooperation in joint group actions and thus would express what lies at the heart of the intuition that an oppressive authority lacks legitimacy.

4. The hybrid account's strategy

Some ways of behaving, like self-consciously obeying certain laws, count as following rules, and so help to partially constitute there being such rules. Thus, when individuals obey a law by following an institution-constituting rule, they maintain the rule. How individuals relate to the rules they maintain makes a difference for the rules' legitimacy. As we saw, in an oppressive environment, individual behaviors confirm what counts as rules or norms, but individuals are often motivated to obey not by their genuine endorsement of the state of affairs that the following of the rules would bring about but by their self-interested desire to stay on the good side of the authorities. Hence, behaving in accordance with the rules does not immediately imply one's endorsement of the rules. There are different senses in which an individual recognizes something as being a rule or a norm when she follows that rule or norm.

Considering 'recognition' as it applies to participants in group actions, 'I ought to do X in circumstances C' can be accompanied by a number of attitudes that would represent different parts of the total explanation of the assertion. 'I ought to do X in C' may indicate, for example, 'I will do X because those who are in charge expect me to although I think X is not right', or 'I will do X because those in charge may harm me otherwise', or 'I will do X because those in charge expect me to and I endorse X', and so on. Thus, individuals may be motivated to act in a number of different ways depending on the attitude they take to the norms or rules that are engendered through their actions. (1) They may disapprove of a norm or a rule but participate in the requisite group action out of fear. They may still think that the norm or rule is valid judged by the group ethos's lights, but act in what Tuomela would describe as 'the I-mode', in accordance with, but not motivated by the group ethos. We may say that the individuals cannot self-identify with the action. (2)

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They may disagree with the norm or rule in question but act because they endorse the system of norms or rules of which the one they are to follow is a part and because they want to discharge their duty of respecting the rule of law. Thus, they may be motivated by their overall sense of membership in and obligation toward the institutional system. (3) In addition to the endorsement of the system, they may also endorse the norm or rule in question. (4) The validity of a norm or a rule may be affirmed by an institutional system, but an individual member may endorse the norm or rule not due to its status in the institutional reality of her society but independently from it (she would still know what the norm or rule means in the system). A situation like this occurs when, for example, a moral rule is formally appropriated by an institutional system but is not followed within the system. In such a case, individuals may have moral reasons for following the rule, but their moral obligation would have little to do with the rule's place in the system.

If each individual is not committed to jointly acting in group-constituting actions but merely goes through the motions, there is no correspondence between the reductively defined and official group intentions in these actions. Since there can be a range of individual attitudes to a group's norms and rules, some of them being of the kind normally held by reluctant or coerced participants, the hybrid account articulates the ontological underpinning of the illegitimacy of oppressive political regimes as a lack of regular correspondence, in joint actions that constitute the group, between the reductively defined joint individual intentions in these actions and the official group intentions. If there is no regular match between the two sets of intentions, the authority of the group is not legitimate.

The following is a description of what needs to be considered, in ontological terms, to determine whether the conditions that support the intuition of illegitimacy obtain. The first step relies on a non-reductive approach, like French's, and identifies the institutional structure of the group and its rules as a guide to the group's constitutive norms and practices, with the corresponding goals and official group intentions.[20] The second step looks at

[20] Philip Pettit persuasively argues that groups are social integrates or institutional persons whose rules for group rationality and integrity cannot be straightforwardly correlated with majority rule. Thus, group agents have an ontological status independent of their individual members. The members act jointly to set up certain common goals and goal-setting procedures for later occasions (Philip Pettit, 'Joint Actions and Group Agents', *Philosophy of the Social Sciences* **36**: 1 (March 2006),

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reductively defined group intentions as based on individual motivations for performing their part in joint actions that maintain the group. This step is part of the approach regardless of whether these intentions can be definitively found out, for two reasons. First, the epistemic question of how they can be discovered is different from the ontological question of what they are. Second, if most individuals are not motivated in a group-constituting joint action either by their commitment to the rule of law or by the official goal of the group action, there will be no reductively defined group intention corresponding to the official one. There may be a reductive group intention to achieve a subsidiary goal that, ultimately, controls the joint action (like walking in the demonstration), but it still does not correspond to the official goal of the group action. Thus, knowing that individuals do *not* commit to acting based on the official goals eliminates the need to pinpoint either their individual or their subsidiary joint intention in action in order to conclude that there is no reductively defined group intention that corresponds to the official one. If, regularly, individuals are not motivated by the official aims of the actions, which, judged by the standards of the group's institutional structure, are nevertheless attained, there is no reductively formed joint intention to achieve these aims (for example, if we use Bratman's definition of group intention, step (1) does not obtain).

The final step of the hybrid account draws the conclusion concerning the legitimacy or illegitimacy of authority based on the assessment of whether individuals are regularly motivated by the group ethos in joint actions. If the reductive group intentions regularly do not match the official ones (as it happens in the case of jointly intending to walk in the demonstration but not jointly intending to fake-demonstrate or to truly-demonstrate), the group is not constituted legitimately around the goals that are claimed to be at the core of the group's projects. There may always be some degree of discrepancy between what the group intention is in non-reductive and reductive terms, but the two need to agree to a significant extent not to raise red flags concerning the group's legitimacy.

The hybrid account articulates the intuition of illegitimacy as the lack of agreement, in group-constituting actions, between the reductively defined group intentions and the official group intentions

18–39, at 34). They act jointly to set up a body of judgments for rationally guiding action in support of those goals, and a procedure for making such judgments in the future. They act jointly to delegate tasks to individuals in pursuit of the group goals (Ibid., 33).

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associated with these actions. This intuition cannot be theoretically expressed by the reductive or non-reductive views alone, with the former struggling to express how the group agent exists and the latter not catching the discrepancy between group and individual intentions.

One may point out that since we may not be able to tell what individual attitudes to group goals are in an oppressive society, precisely because the group in question may have a closed public environment, a possible disconnect between the theoretical and practical value of the hybrid account is still a problem. To this, the response is that first, the hybrid account is not a practical guide but an account of collective intentionality that fills the void in the social-ontological description of institutional reality and articulates the illegitimacy intuition. Second, the lack of certainty is already a good outcome in practical terms: the hybrid account, by expressing the illegitimacy intuition, introduces the need for caution in the evaluation of the status of an oppressive group. If there are reasons for thinking that a reductive group intention is not the same as the official one, we would be better off not treating the group in question as a de facto legitimate entity.[21]

The practical value of the hybrid account lies in its ability to describe the difference, in cases in which the alleged members of a group agent dislike the terms of membership and rules and haven't joined voluntarily, between group agents wielding power over their members legitimately and those doing it illegitimately. Even though the terms of initial membership are beyond control of most citizens of democratic societies (they have, most likely, entered by being born in the territory of the state), they have the ability to directly or indirectly participate in the constitution of rules that govern them and they have the right of exit. This would normally

[21] The account of illegitimacy the hybrid account puts forward has various practical implications. One of them is the capacity to assess whether a group fails to qualify for a moral group right. A group right concerns a group's entitlement to a collective good, which we can define as any good that serves the interests of individuals as members of a group – e.g. language or culture. In oppressive environments, officially promoted collective goods may not represent the true interests of group members. A strategy my account would employ for the determination of whether a group's claim to a right has merit is to investigate whether, in joint actions aimed at the enjoyment of the collective good to which the group claims a right, reductive group intentions align with the institutional expression of group intentions. If they do not, the group doesn't qualify for a moral group right to the collective good the enjoyment of which the joint actions are supposed to realize.

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allow for the degree of correspondence between the official and reductive group intentions that would rule out the set of circumstances validating the illegitimacy intuition.

To put it differently, a liberal-democratic group agent cannot maintain a set of norms or rules if the majority of its citizens regularly disagree with them. It could be that there exists an unhappy permanent minority, but the group agent can still be constituted legitimately, based on the intentions of the majority of membership. Moreover, the hybrid account of group intentionality helps us to assess the situation of the minority. If the members of the minority agree to the general terms of membership, we might be able to construe their joint intentions as contributing to the constitution of the group agent based on their desire to maintain the rule of law and thus judge that they could be governed on the basis of dependent reasons (this being conditioned on their ability to influence the terms of inclusion through a mechanism of change). If the minority categorically disagrees with the terms of inclusion, we may be looking at a permanent minority whose status needs to be settled in order for it to be governed legitimately within the state.

Summing up, the difficulty the leading theories of collective intentionality face in articulating, utilizing their chosen conceptual means, the intuition we normally have concerning the illegitimacy of an oppressive political authority, is addressed by the hybrid account. I started this paper with the discussion of oppressive environments in order to show that a social ontologist ought to pay attention to which the complexity of individual-group relations in joint actions to produce a thorough account of group agency and I explained how the intuition of illegitimacy of an oppressive regime can be expressed based on the assessment of group intentionality that combines elements of reductive and non-reductive accounts of group intention. I did not provide a systematic view of group agency and intention offered by the hybrid account, only its formulation adequate to express the illegitimacy intuition concerning a group's authority, which comes down to a lack of regular correspondence between reductively viewed group intentions in group-constituting actions and non-reductive group intentions in these actions. Unless group members can in principle be motivated to act by the official goals these actions are performed to achieve (or at least be motivated indirectly by their overall commitment to the rule of law), the political authority they are governed by is not legitimate.

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