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### Author

Costigan, Thomas James

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The Metaphysics of Organized Groups

With a Look Toward Corporate Moral Responsibility

A dissertation submitted in partial satisfaction of the

requirements for the degree Doctor of Philosophy

in Philosophy

by

Thomas James Costigan

Committee in charge:

Professor Daniel Z. Korman, Chair

Professor Teresa Robertson Ishii

Professor Patricio A. Fernandez

December 2023

The Dissertation of Thomas J. Costigan is approved.

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Teresa Robertson Ishii

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Patricio Fernandez

---

Daniel Korman, Committee Chair

December 2023

The Metaphysics of Organized Groups  
With a Look Toward Corporate Moral Responsibility

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by

Thomas James Costigan

## Thomas James Costigan

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### EDUCATION

PhD in Philosophy, University of California – Santa Barbara	December 2023
MA in Philosophy, University of Missouri – St. Louis	May 2015
BA in Philosophy (minor in Theology), St. Louis University	May 2012

### TEACHING EXPERIENCE

Bioethics	Sm 14, F 14, W 15 W22 W23
Introduction to Philosophy	Sm 22
Critical Thinking	F 20
Philosophy of Love	Sp 14, F 14, Sp 15

### TEACHING ASSISTANT EXPERIENCE

Advanced Ethics	F 22
Critical Thinking	Sp 18, W 19, W 20, W 21, Sp 22
Philosophy of Law	Sp 19, Sp 20
Intro to Ethics	F 17, F 18, Sm 19, F 21
Intro to Philosophy	W 18, Sm 18, F 19, S 21
Bioethics	Sp 14

### TALKS

American Philosophical Association: Corporate Moral Responsibility	April 2023
Northwest Philosophy Conference: Corporate Moral Responsibility	October 2022
Graduate Colloquium Series: A New Typology of Groups	March 2021
Grad Slam: Organized Groups and Citizens United	February 2021
Grad Slam: What is Knowledge?	April 2019
Secondary Education Philosophical Outreach Program	Aug 2014 – Jun 2015
Big Questions Series: Identity Across Possible Worlds	Fall 15

### PROFESSIONAL ASSOCIATIONS

Philosophy Graduate Student Association	April 2021 – Present
Graduate Student Association	September 2016 – Present
Secondary Education Philosophical Outreach Program	Aug 2014 – Jun 2015
American Philosophical Association	August 2013 – Present
UMSL Philosophers' Forum	August 2013 – June 2015

### SERVICE

President of the Philosophy Graduate Student Association	September 2021 – Sept. 23
--	---------------------------

Graduate Student Association Department Rep	September 2019 — Sept. 23
Professional Development and Writing Workshop Chair for PGSA	April 2021 – Sept. 2021
Philosophy Department Webmaster	April 2019 — September 2020
Philosophers' Forum Treasurer	August 2014 – June 2015
Secondary Education Philosophical Outreach Program	Aug 2014 – Jun 2015

## ABSTRACT

### The Metaphysics of Organized Groups With a Look Toward Corporate Moral Responsibility

By

Thomas James Costigan

Social groups shape societal dynamics and individual identities, and so it is important to have a clear understanding of the metaphysics of these groups. This dissertation offers insights into the metaphysics of social groups and corporate moral responsibility. The first chapter I propose and employ criteria to evaluate contemporary metaphysical views of groups, such as the set view, the robust set view, the stage view, the structuralist view, and constitution views. In the second chapter, I propose a new typology to distinguish organized groups from other types of groups. In the third chapter, I present a novel perspective, arguing that organized groups are abstract artifacts. This idea comes from examples where groups persist without members, leading to the conclusion that these groups are not constantly dependent on their material instantiations. The final chapter shifts focus to metaphysic views of corporate and how to understand corporate moral responsibility. Considering corporations through different metaphysical lenses can give us a clearer understanding of potential instances where a corporation could be morally responsible independent of its individual members. This dissertation offers significant insights into the metaphysical nature of social groups and their moral responsibility.

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## Evaluating Theories of Organized Groups

### **§1 Introduction**

Social groups permeate our social world by not only shaping societal patterns but also influencing individual identities and behaviors. From the smallest committees directing local community events to vast international organizations steering global affairs, social groups are all around us, impacting many facets of our daily lives. Their undeniable prominence demands an exploration of their nature to discover what these social groups are. A clearer understanding of these groups can help us make sense of societal patterns and also our own identities and behaviors.

This chapter is specifically about the metaphysics of organized groups. Simply, organized groups are groups of people with some organization or structure among the members. A bird-watching society, a baseball team, and the Supreme Court are all examples of organized groups. These groups have some organization or structure among the members. For instance, the bird-watching society members regularly meet on Wednesdays, the pitcher throws the ball to the catcher, and John Roberts is the Chief Justice of the Supreme Court. In  $\beta$ , I consider the metaphysics of other groups, such as racial groups, gender groups, socio-economic groups, castes, and generations, but this chapter is focused on organized groups—and specifically finding a satisfactory view of organized groups.

This chapter is organized as follows: In §2, I identify the characteristic features of organized groups and formalize them as criteria that a satisfactory view of organized groups must fulfill. In the subsequent sections, I use the criteria to evaluate views of groups. In §3, I consider a set view of

groups. In §4, I consider a robust set view of groups. In §5, I consider a stage view of groups. In §6, I consider a structuralist view of groups. Finally, in §7, I consider some constitution views of groups.

## **§2 Criteria for a View of Organized Groups**

To evaluate the views of organized groups in the existing literature, offering some distinguishing features that these groups have in common is an intuitive place to start. Initially, we should nail down what it is we are talking about in order to determine how well a view is capturing it. The list of features I propose here is not meant to be exhaustive; instead, these are the intuitive characteristic features that any adequate view of organized groups should be able to capture. Most views of groups agree with something like the following features: (1) organized groups are contingently related to their members;<sup>1</sup> (2) organized groups are created, but they might not have been and can be disbanded;<sup>2</sup> and (3) it is possible that coextensive organized groups are not identical.<sup>3</sup> In this section, I propose a controversial feature: (4) a group can persist without any members.<sup>4</sup> I unpack the first three in the next subsection, and then I defend (4) as a plausible addition to the distinguishing features of organized groups. I conclude this section by formulating these features as criteria that a satisfactory view of organized groups should be able to fulfill.

### **§2.1 The First Three Features**

First, the members of a group can change over time, or a group might have had different members. For example, the Supreme Court had different members in the past and will have different members in the future. Additionally, right now, it might have been the case that Merrick Garland was a member of the Supreme Court instead of Neil Gorsuch.<sup>5</sup> In the first instance, the group persists

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<sup>1</sup> cf. Uzquiano (2004), Effingham (2010), Ritchie (2013, 2015, 2020), Epstein (2015, 2019), Wilhelm (2020)

<sup>2</sup> *ibid.*

<sup>3</sup> cf. Uzquiano (2004), Ritchie (2013), Epstein (2015, 2019), Wilhelm (2020)

<sup>4</sup> Uzquiano (2004) and Epstein (2015, 2019) both find the existence of empty groups plausible, but neither argues for it.

<sup>5</sup> Merrick Garland was nominated to the Supreme Court in 2016 but was not confirmed by the Senate. Thus, he did not become a member of the Supreme Court. The vacancy was eventually filled by Neil Gorsuch.

through a change of its members, while in the second, the group might have had different members than it currently does. Examples like these demonstrate that (1) organized groups are contingently related to their members.<sup>6</sup>

Second, a group can be created or disbanded which might not have formed in the first place. In other words, a group exists neither eternally nor necessarily. For example, in the early days of Rome, the Roman Senate was created and came into existence. Although it is less clear when or how a group disbands, it is evident that the Roman senate does not still exist today, and it likely stopped existing by the seventh century. Moreover, in another possible world where Rome was not founded, the Roman Senate never came into existence. In these examples, the Roman Senate was created, came into existence, stopped existing, and might not have existed. Hence, (2) organized groups contingently exist.

Third, distinct groups can have (all and only) the same members simultaneously. In other words, it is possible that coextensive groups are non-identical. In contrast, when sets are coextensive, they are identical. Specifically, according to the Set Theory Axiom of Extensionality, two sets are identical iff they have all the same members.<sup>7</sup> For instance, the set of even numbers and the set of numbers evenly divisible by two are identical because they have the same members. In other words, these “two” sets are actually one and the same set because they have the same extension. By contrast, it is possible that two distinct organized groups have all the same members (the same extension). For example, consider a swim team and a water polo team that happen to have the same members. Despite being coextensive, these two teams are not identical. A swim team is a different kind of organized group than a water polo team. More than having different members at other times and possibilities, a swim team and a water polo team train for different sports and compete against

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<sup>6</sup> Some organized groups might also be necessarily related to at least some of their members, e.g. the band Simon and Garfunkel, but the members of most can change while remaining the same organized groups.

<sup>7</sup> cf. Bagaria (2020)

different opponents. They have different structures, organizations, goals, etc. Unlike sets, it is possible for distinct organized groups to have all the same members. Hence, (3) it is possible that coextensive organized groups are not identical.

## **§2.2 The Fourth Feature**

Finally, I propose a controversial feature—organized groups can persist without any members. The idea is that just because an organized group has no members, it does not follow that the group stops existing. This proposal might seem initially implausible, but we already treat other social entities as continuing to persist when there is no corresponding individual(s). To help pump some intuitions, consider an analogy with another social entity like the office of the President of the United States—the Presidency. Like groups, this position is contingently related to the people who hold the office, but more importantly, positions like the Presidency can persist without a person holding the office. It is unintuitive that the office of the President temporarily stopped existing between the Kennedy assassination and Lyndon B. Johnson’s inauguration. Instead, when no one is the President, the structure of the federal government stays the same. The Presidency still exists. The following person will fill the same position as their predecessor. The power, authority, responsibility, etc., of the President are temporarily put aside until the replacement is sworn in, at which point they assume one and the same role as before. The Presidency is set aside because it does not stop existing when no one is currently the President. Hence, some things, like the Presidency, continue to exist when no one holds the office.

Groups generally have many members; even as members join and leave, a group would rarely be caught with no members. Nonetheless, analogous to the Presidency, a group could continue to persist without any members. For example, suppose all nine Justices retired from the Supreme Court before new Justices could be appointed. In this case, as it was with the Presidency, the

structure of the federal government stays the same. The Supreme Court still exists. The next Justices will be members of the same group as their predecessors. The power, authority, and responsibility of the Court are temporarily set aside until the replacements are sworn in. Once sworn in, they are members of the same group as their predecessors. This analogy between offices and organized groups suggests that under these similar circumstances, they have similar existence and persistence conditions—namely, a group can persist without its members.

Despite this analogy, the idea of a group existing without members may still seem implausible. Someone might contend that when there are no players on the Astros, there is no one to play the game, and if there is no one to play baseball, then it seems that the team does not exist. This thought suggests that a group cannot exist without any members. Yet Major League Baseball (MLB) would likely recognize that there are still 30 teams, although one of the teams has no players. Later on, the commissioner and the owners might decide to sell the team to a new owner, or they might decide to contract the league, reducing the number of teams to 29, but until they do, MLB still has 30 teams. Even though there is no one to play for the team, it does not follow that the team stops existing.

Even still, a group existing without any members might appear implausible. Instead, it might seem more plausible that when there are no players, the team stops existing, but the club, the franchise, the organization, or the institution still exists. By that, I mean something like when the Astros has no players, MLB still has 30 franchises but only 29 teams. Yet clubs, franchises, organizations, and institutions could also be examples of organized groups that can persist without their members. For instance, suppose that—along with all the players—all of the employees, all the managers, and the owner stopped showing up (it is not essential, but it can be helpful to think as if they all died). At this point, MLB has 30 organized groups, although one has no members. Whatever

it is we are talking about, it continues to persist because it is something that can be bought and sold or contracted. Even if the level of description is moved to the franchise, what is characteristic of organized groups is that they can persist without members.

### **§2.2.1 Intermittent Existence**

Someone still resistant to the idea that a group can persist without its members might propose that organized groups do not persist without members but rather exist intermittently. For a group to exist intermittently means that the group can come into and go out of existence. Specifically, in this instance, when a group has no members, it stops existing, but one and the same group can come back into existence later. I agree that groups can exist intermittently, but merely existing intermittently does not really capture the nuance of organized groups.

To understand this nuanced difference between intermittent existence and empty existence, consider these two cases. First, suppose that—due to a budget crisis—a university might cut the funding and disband its basketball team, at which time the university does not have a basketball team. In other words, the team stops existing. After an influx of funding, the university began recruiting players, and one and the same basketball team came back into existence. In contrast, suppose all of the players happen to be graduating seniors. Once the players graduate, they are no longer students; hence, they are no longer members of the university or its basketball team. The coach plans to recruit new players who intend to enroll at the university and play for the team. Until they enroll in the fall, they are not members of the university or its basketball team. So, over the summer, the team has no members. Nonetheless, the coach is still the team's coach, the future players intend to join the team, and the athletic department still has the same number of teams; hence, the team can persist without any members. There is a clear difference between these two examples. The first team existed, then genuinely stopped existing; then the same team was

re-established. In other words, the team exists intermittently, while the second team persisted over the summer without any members. Organized groups can intermittently exist, but these groups can also persist without their members. In light of this, an adequate view of organized groups should capture this more nuanced and distinguishing feature that (4) organized groups can persist without members.

### **§2.3 The Criteria**

To reiterate, these features are not meant to be an exhaustive list of all of the features of organized groups; instead, they are the distinguishing features that a view of groups should capture. To evaluate how well one captures these features, a satisfactory view should fulfill the following criteria:

- 1) *Contingent Members*: Organized groups are contingently related to their members.
- 2) *Contingent Existence*: Organized groups contingently exist.
- 3) *Non-Identical Coextension*: It is possible that coextensive organized groups are not identical.
- 4) *Empty Existence*: Organized groups can persist without members.

These criteria are meant to capture characteristic features that organized groups share, and a satisfactory view of these groups should fulfill them. In the following sections, I will look at contemporary views of groups and how they fail to meet at least one of the criteria.<sup>8</sup>

### **§3 Set Identity View**

The first view of groups I will consider is the set identity view. This view is not endorsed by anyone but it is meant to be a simple example to help further contrast groups from sets. According to this view, a group is identical to the set of its members; a group just is the set of its members. This view can be captured by the following thesis:

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<sup>8</sup> Effingham (2010), Ritchie (2013), and Wilhelm (2020) contend that the location of a group is a distinguishing feature and should be used as a criterion. I address concern questions about location in §4.



**Set Identity Thesis:** group G is identical to the set S of people that are currently members.

For example,

The Supreme Court = {Roberts, Thomas, Breyer, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, Barrett}

This view might seem appealing because it purportedly explains the metaphysics of groups without postulating the existence of more ontological categories beyond sets.

However, according to the axiom of Extensionality, two sets are identical iff they have all the same members. Since distinct groups can have the same members, this view cannot fulfill *Non-Identical Coextension*. Moreover, since the identity of the set is determined by its members, sets are necessarily related to their members, and so this view cannot fulfill *Contingent Members*. Further, as mathematical entities, sets are abstract eternal entities, and so this view cannot fulfill *Contingent Existence*. Also, since sets are eternal mathematical entities that are necessarily related to their members, it does not make sense to talk about them existing without their members. Therefore, this view cannot fulfill *Empty Existence* either. In contrast, groups are contingently related to their members, they contingently exist, and they can persist without any members. Upon consideration, it is apparent that the set identity view is not a satisfactory view of organized groups.

## §4 Robust Set View

Attempting to preserve a view of groups as sets, Nikk Effingham (2010) developed a more robust view of groups as complex sets of ordered pairs. According to this view, a group is not just the set of its members; rather, a group is the set of its members relative to the time and world.<sup>9</sup> This view distinguishes membership in a group ( $\text{membership}_G$ ) and membership in a set ( $\text{membership}_S$ ).

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<sup>9</sup> This view could also be understood as a function from worlds to times, and then from times to individuals.

Effingham contends that the distinction should be taken as primitive, and they “should be analyzable (using familiar terms).”<sup>10</sup> I think he has something like the following in mind:

**Membership<sub>G</sub>** is the contingent relation between a group and its members<sub>G</sub>.  
**Membership<sub>S</sub>** is the necessary relation between a set and its members<sub>S</sub>.

In other words, a group’s members<sub>G</sub> can vary with respect to the time and world, but its members<sub>S</sub> cannot. With this distinction in mind, this view purports that group G is identical to the set whose members<sub>S</sub> are only the following ordered pairs: The first member<sub>S</sub> of each ordered pair is a possible world; the second member<sub>S</sub> is itself a set whose members<sub>S</sub> are only ordered pairs: The first member<sub>S</sub> of each of these ordered pairs is a moment of time, and the second member<sub>S</sub> of these ordered pairs is the set of members<sub>G</sub> of the group at that time, at that world, or the empty set when the group has no members<sub>G</sub>.

Using this notation, the Supreme Court can be described as:

$$\begin{aligned} \text{Supreme Court} = \{ & \langle w_1, \{ \langle 1770, \emptyset \rangle, \dots \langle 1789, \{ \text{Jay, et al.} \} \rangle, \dots \\ & \qquad \qquad \qquad \langle 2021, \{ \text{Roberts, Gorsuch, et al.} \} \rangle, \dots \rangle \}, \\ & \langle w_2, \{ \langle 1770, \emptyset \rangle, \dots \langle 1789, \{ \text{Jay, et al.} \} \rangle, \dots \\ & \qquad \qquad \qquad \langle 2021, \{ \text{Roberts, Garland, et al.} \} \rangle, \dots \rangle \}, \\ & \langle w_3, \dots \rangle \} \end{aligned}$$

According to this example, at this world,  $w_1$ , in 1770, the Supreme Court did not exist yet, so no one was a member<sub>G</sub>, and the empty set takes the member<sub>G</sub> spot in the ordered pair. Then, in 1798, John Jay et al. became the inaugural members<sub>G</sub>. At the same world, but at a later time in 2021, Roberts, Gorsuch, et al. are the members<sub>G</sub> of the Supreme Court. In another possible world, namely  $w_2$ , no one was a member<sub>G</sub> in 1770. Then, in 1789, Jay et al. became the first members<sub>G</sub> of the Supreme Court. However, at this other possible world, instead of Gorsuch, Garland was confirmed by the Senate and became a member<sub>G</sub> of the Supreme Court. So at  $w_2$  in 2021, Roberts, Garland, et al. are

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<sup>10</sup> Effingham (2010 p. 253)

the members<sub>G</sub>. These sets of ordered pairs go on to express all the ways the Court might have been different with respect to time and worlds.

Moreover, this notation can help distinguish the difference between member<sub>S</sub> and member<sub>G</sub>. Jay et al. were the members<sub>G</sub> of the Supreme Court in this world in 1789, but they are not members<sub>G</sub> now. Roberts, Gorsuch, et al. are the current members<sub>G</sub> of the Supreme Court. In contrast, the ordered pair:

‘⟨w<sub>1</sub>, {{1770, ∅}, ... ⟨1789, {Jay, et al.}⟩, ... ⟨2019, {Roberts, Gorsuch, et al. }, ... }⟩’

is one of the necessary members<sub>S</sub> of the complex set of ordered pairs identical to the Supreme Court.

By distinguishing between membership<sub>S</sub> and membership<sub>G</sub>, the robust set view can fulfill three of the four criteria mentioned above, or at least a modified version. I did not use this distinction when laying out the criteria, but they are all meant to capture something similar to membership<sub>G</sub>. To be charitable, we can modify the criteria with membership<sub>G</sub> in mind. First, *Contingent Members* can be modified to *Contingent Members<sub>G</sub>*: organized groups are contingently related to their members<sub>G</sub>. By definition of membership<sub>G</sub> as a contingent relation, it is clear how the robust set view satisfies *Contingent Members<sub>G</sub>*. However, *Non-Identical Coextension*, *Contingent Existence*, and *Empty Existence* need a little more explanation. I begin with *Non-Identical Coextension*.

Given the distinction between members<sub>G</sub> and members<sub>S</sub>, the robust set view can explain how distinct groups can have all the same members. On this view, a group is identical to the set of members<sub>S</sub> (ordered pairs), not the set of its members<sub>G</sub> (people). That means two groups that happen to have all the same members<sub>G</sub> (people) at a time and world are not necessarily identical because they might have had different members<sub>G</sub> (people), which means the groups are identical to different sets of members<sub>S</sub> (ordered pairs).<sup>11</sup> Recall the example from earlier: a swim team and a water polo

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<sup>11</sup> Necessarily coextensive non-identical groups would be problematic for this view, but if such groups exist, which have all the same members at all the same worlds at all the same times, then they are likely the same group.

team could happen to have all the same members<sub>G</sub> (people) at this time and world, but they might have had different members<sub>G</sub> (people), which means the swim team and the water polo team are identical to different members<sub>S</sub> (ordered pairs). Since they are identical to different members<sub>S</sub> (ordered pairs), the swim team and the water polo team are distinct robust sets, and thus they are distinct groups. Hence, on this reading of the criteria, the robust set view can fulfill a modified *Non-Identical Coextension*.

Effingham comments on how the robust set view might be able to fulfill *Contingent Existence* while addressing concerns about the location of a group (concerns I address later in §4). He contentiously appeals on the grounds of “philosophic expediency”<sup>12</sup> to the intuitions of Maddy (1990) and Lewis (1991), who found it plausible that some sets are located in the region of spacetime where its members<sub>S</sub> are located.<sup>13</sup> From these intuitions, Effingham analogously assumes that groups are located at these regions of spacetime where their members<sub>G</sub> are located.<sup>14</sup> Even if we grant this analogy for argument’s sake, Effingham must also appeal to an implicit connection between location and existence conditions—a group exists iff its members<sub>G</sub> have a location. Only after taking these assumptions for granted can the robust set view account for how a group contingently exists. According to Effingham, “groups come into, and go out of existence, with their first and last member<sub>G</sub>.”<sup>15</sup> In terms of fulfilling *Contingent Existence*, a group is created when its first member<sub>G</sub> is inaugurated and disbanded when its last member<sub>G</sub> leaves. Relying on Maddy’s and Lewis’ intuitions about the location of sets and an unargued connection between location and existence, the robust set view can account for how a group contingently exists. Hence, the robust set view fulfills *Contingent Existence*.

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<sup>12</sup> Effingham (2010 p. 258)

<sup>13</sup> Lewis (1991 p. 142-143) and Maddy (1997 p. 152) both walk back these claims.

<sup>14</sup> Effingham rigorously defines it as: “Set *s* is located at *r* at *t* iff *r* is the union of every region occupied (at *t*) by the members<sub>S</sub> of the second member<sub>S</sub> of the ordered pair (where that ordered pair is a member<sub>S</sub> of *s*) that has *t* as its first member<sub>S</sub>” (2010 p. 257)

<sup>15</sup> Effingham (2010 p. 257–258)

Although the implicit connection between location and existence conditions helped the robust set view fulfill *Contingent Existence*, it also makes it incompatible with *Empty Existence*. Effingham explicitly endorses that a group could “exist intermittently,”<sup>16</sup> claiming new members<sub>G</sub> could be inaugurated in the future, and the group could come back into existence. However, as I argued in §2.2.1, *Empty Existence* captures a more nuanced feature of organized groups—a group can persist without members. Since the ability to persist without members is a feature of organized groups, the robust set view is still compelled to attempt to capture it. However, it follows from the robust set view that when a group has no members<sub>G</sub>, the group has no location, so that group does not exist; hence, a group cannot persist without any members<sub>G</sub>. This means that the robust set view cannot fulfill *Empty Existence*, because in order to do so, one would have to reject the very method used to fulfill *Contingent Existence*. If a robust set proponent wants to fulfill *Empty Existence*, they must deny that groups go out of existence when they have no members<sub>G</sub>. At the same time, to fulfill *Contingent Existence*, they must appeal to the notion that a group comes into existence with its first members and goes out of existence with its last members<sub>G</sub>. Either way, the robust set view fails to fulfill at least one of the criteria of a view of groups.

The robust set view relies on the distinction between a membership<sub>G</sub> and a membership<sub>S</sub> to fulfill *Contingent Members<sub>G</sub>* and *Non-Identical Coextension*. Furthermore, this view might be able to fulfill *Contingent Existence*, but in order to do so, the robust set theorist has to make some contentious assumptions that preclude the view from fulfilling *Empty Existence*. Hence, this view is unable to fulfill all the criteria; therefore, the robust set view of groups is not a satisfactory view of groups. In the end, this view might give us a useful notation, especially for tracking group membership over time or possibilities, but it does not follow that a group is identical to that complex set of ordered pairs.

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<sup>16</sup> Effingham (2010 p. 258 ft. 8)

## §5 Stage View of Groups

Isaac Wilhelm (2020) proposed the stage view of groups, on which groups are fusions of group-stages, and these group-stages are pluralities of individuals indexed to a world and a moment. On this view, groups are similar to four-dimensional objects that extend through space and time, but they also extend through modal space, and so they are five-dimensional objects.<sup>17</sup> On this view, group  $G$  exists at time  $t$  and world  $w$  iff the fusion contains a group-stage,  $G_{t,w}$ , at that time and world. Furthermore,  $G_{t,w}$  is a group-stage iff, at  $t$  and  $w$ ,  $G_{t,w}$  is a plurality of individuals. For example, the Supreme Court is the fusion of the pluralities indexed to times and worlds. Specifically, the Supreme Court is the fusion of the pluralities of Jay, et. al.<sub>.1790, w1</sub>, Rutledge, et. al.<sub>.1795, w1</sub>, ..., and Roberts, et. al.<sub>.2021, w1</sub>.

The stage view, similar to the robust set view, also makes a distinction between types of membership. According to the stage view, there is a difference between membership in a group and membership in a plurality, called ‘g-membership’ and ‘p-membership’, respectively. To make this clearer, consider this definition of group membership:

**Group Member:** Let  $X$  be a group, let  $w$  be a world, let  $t$  be a time, and let  $e$  be an entity. Then  $e$  is a g-member of  $X$  at  $w$  and  $t$  just in case there is a group-stage  $X_{w,t}$  (at  $w$  and  $t$ ) such that  $X$  contains  $X_{w,t}$  and  $e$  is a p-member of  $X_{w,t}$ .<sup>18</sup>

In other words, person  $A$  is a g-member of a group at a time and world iff  $A$  is a p-member of the plurality that is the group-stage at that time and world. People are necessarily p-members of a plurality, but that plurality is only contingently a group-stage, and so the people are contingently g-members of the group. With this distinction between types of membership, it is easy to see how this view could attempt to fulfill some of the criteria.

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<sup>17</sup> cf. Sider (2001) on four-dimensional objects, and Wallace (2014) on five-dimensional objects.

<sup>18</sup> Wilhelm (2020 p. 5)

Again, the criteria were not formulated with this membership distinction in mind, but they can be modified to account for it. First, consider *Contingent g-Members*: organized groups are contingently related to their g-members. With this view's definition of group membership, groups are contingently related to their g-members, and the g-members are the people. Hence, this view satisfies *Contingent g-Members*. Second, according to this view, a group is identical to the fusion of group-stages. In other words, the group is not identical to the members; instead, the group is the fusion of the time slices of the pluralities. Even though two groups might have the same members at the same time, the groups are distinguished by the other parts of their time slices. This means that according to this view, it is possible that coextensive groups are not identical, which satisfies *Non-Identical Coextension*. With these modifications, it is easy to see how the stage view can fulfill *Contingent g-Members* and *Non-Identical Coextension*.

However, similar to the robust set view, the stage view cannot fulfill both *Contingent Existence* and *Empty Existence*. Consider Wilhelm's explanation of how a group, on the stage view, can come into and go out of existence.

“First of all, say that ‘group G exists at world w and time t’ just in case G contains a group-stage at w and t. Then say that ‘G comes into existence at w and t’ just in case (i) G exists at w and t, and (ii) for a range of times shortly before t, G does not exist at w and at those times. Similarly, say that ‘G goes out of existence at w and t’ just in case (i) G does not exist at w and t, and (ii) for a range of times shortly before t, G exists at w and at those times.”<sup>19</sup>

According to the stage view of groups, a group exists at a time and world iff there is a group-stage at that time and world. A group comes into existence at a time in a world iff there is a group-stage at that time and world, and there was no group-stage at that world before that time. Conversely, a group goes out of existence at a time and world iff there is no group-stage at that time and world, but there was a group-stage at that world before that time. In short, a group exists at a time and world, just in

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<sup>19</sup> Wilhelm (2020 p. 7)

case the fusion contains a group-stage at that time and world, and the group does not exist when the fusion does not contain a group-stage at that time and world. This explains how groups come into and go out of existence on this view. Hence, the stage view can fulfill *Contingent Existence*.

The explanation of the existence of groups relies on the existence of group-stages—again, group-stages are pluralities of individuals indexed to a time and world. According to Wilhelm:

**Stage Existence:** Let  $w$  be a world and let  $t$  be a time.  $X_{w,t}$  is a group-stage at  $w$  and  $t$  if and only if at  $w$  and  $t$ ,  $X_{w,t}$  is a plurality of individuals.<sup>20</sup>

This suggests that when there is no plurality of individuals, the group-stage does not exist, and when the group-stage does not exist, the group does not exist. This suggests that the stage view cannot fulfill *Empty Existence*.

For the stage view to account for groups that can persist without their members, the concept of an empty plurality must be introduced. Initially, the idea of an empty plurality may appear counterintuitive, since we typically associate pluralities with the presence of two or more entities. However, within plural logic, the notion of pluralities consisting of one or even none is a commonly accepted presupposition.<sup>21</sup> For argument's sake, let us assume the existence of empty pluralities, allowing the stage view to potentially accommodate *Empty Existence*.

Assuming there are empty pluralities, the stage view faces a similar dilemma to the robust set view from the previous subsection. The problem is that there would be no way to determine whether the group does or does not exist. Presumably, a proponent of this view would purport that groups do not exist when there is no plurality, and they do exist when the fusion contains an empty plurality. Yet there is no clear way to determine whether there is an empty plurality or no plurality, and so there is no clear way to determine whether the group exists or not. Ultimately, the stage view faces a dilemma: either it can fulfill *Empty Existence* at the expense of undermining the precision and rigor

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<sup>20</sup> Wilhelm (2020 p. 3)

<sup>21</sup> cf. Rayo (2002) for more on plural logic, and Linnebo (2013, p. 210) for more on pluralities of one and none.



of its existence conditions, or it can maintain its existence conditions without being able to fulfill *Empty Existence*.

By incorporating the notion of empty pluralities, the stage view may appear to address the concern of *Empty Existence*. However, this approach comes at the expense of the clarity of the existence conditions. Consequently, the stage view encounters a dilemma similar to the robust set view, choosing between fulfilling *Contingent Existence* or *Empty Existence*. Since the stage view cannot fulfill all the criteria, this is not a satisfactory account of groups.

## §6 Structuralist View of Groups

The structuralist view of groups comes from a Neo-Aristotelian framework—groups exist, as they might have for Aristotle, when they have both form and matter.<sup>22</sup> Katherine Ritchie (2013, 2015, 2020) defends a structuralist view, where groups are structured wholes.<sup>23</sup> According to this view, the form of a group is the structure, the matter is the members, and the group (qua structured whole) is the realization of the structure by the members. In this section, I lay out the structuralist view of groups, as proposed by Ritchie, and then I examine whether a structuralist view can fulfill the criteria.

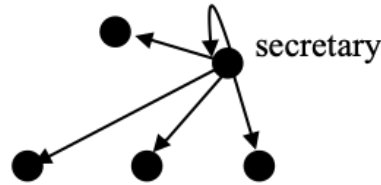
Ritchie borrows the terms ‘nodes’ and ‘edges’ from vertex graph theory to represent the structure of a group. Nodes are dots on the graph that represent the positions the members can fill. Edges are lines drawn between the dots that represent the relations between the members. To illustrate, suppose there is a committee. The nodes representing this committee would be labeled ‘chairperson’, ‘secretary’, etc. The node labeled ‘chairperson’ might only allow for one person to occupy it at a time, while in contrast, the node labeled ‘secretary’ might allow for two people to occupy it at the same time. The edges represent the relationships between these nodes. For example,

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<sup>22</sup> cf. Fine (1999), and Koslicki (2008) for more on the Neo-Aristotelian framework.

<sup>23</sup> cf. Fine (2020) for another structuralist approach to groups.

this committee could be structured such that the secretary takes attendance at the beginning of every meeting. An edge, or a line, is drawn between the node labeled ‘secretary’ and each other node to represent the takes-attendance relation. This relation could be drawn as:



This structural relation is realized by the members of the group at the beginning of the meeting, when the member(s) playing the role of the secretary calls the names of all the members of the group, including themselves.

With this terminology in mind, let us consider how the structuralist view could meet the first three criteria: *Contingent Members*, *Contingent Existence*, and *Non-Identical Coextension*. First, on this view, someone is a member of a group at a time and world if and only if they occupy a node and realize the appropriate relations at that time and world. Since someone else could have occupied a node and realized the appropriate relations, members are contingently related to these groups. So this view can fulfill *Contingent Members*. Second, according to this structuralist view, the members realize the structure when enough functional nodes are filled. Once those nodes are filled, the group comes into existence. Since the structure is only contingently realized, these groups contingently exist, and this view can fulfill *Contingent Existence*. Third, group A is identical to group B, on this view, if and only if (i) they have all and only the same members at all  $t$  and all  $w$  and (ii) all of their members occupy the same nodes in the same structure at all  $t$  and all  $w$ . From the structuralist view, groups are not identical merely because they have the same members; those members must additionally be related to each other and other groups in the same way. Since this view can explain

how two coextensive groups are not identical—precisely because of the structure—this view can also fulfill *Non-Identical Coextension*.

While this view satisfies at least the first three criteria well, the structuralist persistence conditions are at odds with *Empty Existence*. According to Ritchie, “The persistence of [group] G requires the continuity of the realization of [structure] S.”<sup>24</sup> Specifically, on this view, the persistence of organized groups requires a sufficient number of members to functionally realize the structure. While, on this view, a group could exist with one member occupying multiple nodes to realize the structure, these groups cannot persist without any members. Again, according to this view, the group is not the structure nor its members; the group, according to this view, is supposed to be the structured whole that results from the realization of the structure by the members. If a group is a structured whole, then the group does not exist when one of the two necessary components is missing. In light of this, structuralist views of groups are unable to fulfill *Empty Existence*.

A structuralist might offer a few responses. First, they might claim these are instances of intermittent existence—that the group goes out of existence when it has no members and then comes back into existence when it has members again. Yet, as I argued (§2.2.1), intermittent existence does not capture the more nuanced features of *Empty Existence*. Yes, organized groups might intermittently exist, but they can also exist without their members, and a satisfactory view of groups is still compelled to fulfill *Empty Existence*.

Another potential response might be that the Supreme Court persists without any members because the structure is realized by non-members. Yet, when groups have no members, the non-members do not realize the structure of the group since, on this view, they do not occupy the nodes in the structure. Rather, the non-members agree that the group persists, and they intend to fill the nodes of the group. For instance, let’s go back to the scenario where all the Justices retired before

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<sup>24</sup> Ritchie 2013, p 270

the new appointees could be sworn in. In this instance, neither the President nor the Senators realize the structure of the Supreme Court. They do not occupy any of the nodes, and they cannot act with the power and authority of the Supreme Court. This underscores that groups depend on the intentions of non-members to persist, but that does not mean that these non-members are members.

In the end, a structuralist view of organized groups is able to fulfill the first three criteria, but it is unable to fulfill *Empty Existence*. Since both the structure and the members are required for these groups to exist, according to a structuralist view, groups cannot exist without their members. Because this view cannot fulfill all the criteria, it is not an adequate view of groups.

## **§7 Constitution Views of Groups**

Some approach the metaphysics of groups by considering the relationship between groups and their members. Specifically, some argue that this relationship is analogous to the constitution relationship between the statue and the clay. According to the constitution solution to the classic puzzle about how a statue is related to the clay it is made up of, the statute is constituted by, but not identical to, the clay. The constitution solution posits that while the statue is formed from the clay and they both occupy the same space simultaneously, the two are not identical. As Judith Jarvis Thomson (1998) puts it, although a lump and a statue might share parts at a given time, the statue can change its parts and remain the same, whereas the lump cannot. This distinction illustrates that while the lump is necessarily related to its parts, the statue's relationship to its parts is contingent.

This general account of material constitution provides insights into how such views could account for some of the features of *Contingent Members* and *Contingent Existence*. Firstly, constitution views describe how members relate to the group. For example, the plurality of Roberts, Thomas, Breyer, Alito, Sotomayor, Kagan, Gorsuch, Kavanaugh, and Barrett existed before they became the Supreme Court Justices, and the plurality will persist after the Justices retire. In the same

way, the lump is contingently related to the statute; on this view, members are contingently related to the group. Secondly, groups and statues are similar in that both exist contingently. Just as clay might or might not constitute a statue, a collection of individuals might or might not constitute a group. The constitution approach thus offers a compelling explanation of the group-member relationship.

From the general approach, it's clear how a constitution view can fulfill *Contingent Members* and *Contingent Existence*, but theories diverge in their approaches to attempt to fulfill *Non-Identical Coextensive* and *Empty Existence*. Some theorists maintain a traditional, extensional notion of material constitution, while others propose alternative notions to better capture the group-member relationship. In what follows, I will explore how some of these constitution views approach *Non-Identical Coextension* and *Empty Existence*.

Extensional views of groups tend to have difficulty fulfilling *Non-Identical Coextension* and *Empty Existence*. Katherine Hawley (2017) maintains an extensional account where a group is a single, concrete entity constituted by a fusion of its members. In response to non-identical coextensive groups, Hawley says, “[T]hose who are not already committed to nonextensional mereology should insist that coextensional groups are identical, rather than making a special exception for groups.”<sup>25</sup> Her response draws on an analogy with a person occupying multiple social roles. Boris Johnson simultaneously served as the Mayor of London and as a Member of Parliament in 2015. Hawley argues that in the same way, Johnson is one person occupying two roles; a coextensive social group is a single, concrete entity fulfilling different social roles. However, this response is unappealing since the two groups are intuitively not identical. Yes, they have the same members at that moment in time, but groups are distinct because they have different historical and modal properties from their constituent members, and furthermore, they are distinct from each other because of their historical and modal properties. The point is that even if they have the same

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<sup>25</sup> Hawley (2017 p.404)

members at this time and world, they do not have the same members at other times and in other worlds. If the group is a fusion of the members, as Hawley contends, then these groups are distinct because of the other members at other times and worlds.

Moreover, extensional views of constitution are at odds with *Empty Existence*. Supposing groups are constituted objects, when a group exists without members, either they can exist without being constituted or they are immaterial objects that are sometimes constituted by material objects. However, both of these are in tension with the extensional principle of constitution. On the one hand, material objects cannot exist without being constituted by some material. For groups, if they are supposed to be material objects, then they cannot exist without being constituted. This means that extensional views of constitution cannot fulfill *Empty Existence*. On the other hand, Baker (2000) contends that if immaterial objects are constituted by parts, they are only constituted by immaterial parts. For groups, if they can exist without being constituted by material parts, and so are immaterial objects, then if they are constituted by any part, those parts are immaterial. This means that if a constitution theorist wants to hold both that groups are constituted and that groups can exist without members, they have to do so at the expense of the main thesis: that the group is constituted by its members. The extensional principles of material constitution are problematic for a constitution view to fulfill both *Non-Identical Coextension* and *Empty Existence*.

In light of these tensions with the traditional notion of material constitution, some theorists—like Uzquiano, Hindriks, and Epstein—reject the extensional principle to more accurately capture the group-member relationship. For instance, since the member-group relations are not always transitive, unlike traditional constitution, Uzquiano (2004) argues that this is a *sui generis* relation, which he calls "group-constitution." Furthermore, Ruben (1983) argues that some organized groups are not always located where their members are located. In light of that, Hindriks (2013)

argues that coincidence is not the unifying factor for groups. Instead, Hindriks proposes replacing the spatial coincidence condition of constitution with an enactment condition. The idea is that the relevant unifying factor is not coincidence but the enactment of the group's actions by its members. Epstein (2015, 2019) leans on Friedrich Doepke's (1996) approach to suggest that constitution should be viewed as an explanatory relation between a group and its members. However, Epstein rejects Doepke's central condition that the constituting parts explain the existence and persistence of the constituted object. Epstein contends that whatever does account for the existence of some organized groups, the members can have little, if nothing, to do with it.<sup>26</sup> These alternative approaches more accurately capture the relation between a group and its members and fulfill all the criteria but at the expense of diluting the analogy with constitution. The motivation for appealing to constitution in the first place is that similarity, but these disanalogies suggest that the relationship between a group and its members is merely similar to constitution, but it is a distinct relation.

Ultimately, constitution views face a dilemma: they can either maintain traditional extensional principles and fail to capture the unique features of groups, which is an unsatisfactory view, or propose alternative notions that do capture these features but at the cost of undermining the analogy with constitution. Although the non-extensional views attempt to capture the features of organized groups, they do not offer a clear picture of what a group is. According to these views, groups have a *sui generis* relation with their members, where groups are not located where their members are and the group does not depend on members to exist. These differences indicated that groups have a unique relation with their members, which is similar to constitution but distinct. By capturing the features of groups, these views undermine the analogy with constitution, and it does not give us a clear picture of what organized groups are.

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<sup>26</sup> Epstein (2015, p. 148)

## §8 Conclusion

In this chapter, I defended the notion that organized groups possess the distinct feature of being able to exist without their members. Using this and some other distinguishing features of organized groups, I established criteria to evaluate contemporary views of organized groups: *Contingent Members*, *Contingent Existence*, *Non-Identical Coextension*, and *Empty Existence*.

Upon evaluation, the set identity view failed to meet any of these criteria, primarily because sets and groups are different kinds of entities with a different relation to their members. Using complex sets of ordered pairs and distinguishing between membership<sub>S</sub> and membership<sub>G</sub>, the robust set view is able to fulfill *Contingent Members* and *Non-Identical Coextension*. Similarly, using fusion of group stages and distinguishing between P-members and G-members, the stage view is able to fulfill *Contingent Members* and *Non-Identical Coextension*. However, both these views face a similar dilemma: Either they could fulfill the criteria for *Contingent Existence* or *Empty Existence*, but not both. To fulfill *Empty Existence*, they would undermine their method to fulfill *Contingent Existence*.

According to the structuralist view, groups are not merely the members or the structure, but the structured wholes that results from the members realizing the structure. Using the structure and the members occupying the nodes, this view can fulfill *Contingent Members*, *Contingent Existence*, and *Non-Identical Coextension*. However, since both the structure and the members are necessary for the group to persist, this view cannot fulfill *Empty Existence*.

Finally, constitution views can clearly fulfill some of the criteria but they disagree about how to fulfill *Non-Identical Coextensive* and *Empty Existence*. Some constitution views maintain extensional principles and fail to capture characteristic features of organized groups, while other



constitution views are able to more accurately capture the relationship between a group and its members at the expense of undermining the original analogy with material constitution.

In the end, these contemporary theories could not fulfill all the established criteria and fully explain the distinguishing features of organized groups. However, pushing these views on these points has led some to theorize that groups might be best understood as immaterial or abstract objects.<sup>27</sup> I will explore and defend this intriguing possibility—what I call the 'abstract artifact view'—in  $\gamma$ .

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<sup>27</sup> C.f. Hawley (2017, p. 406), Hindriks (2013, p. 429), (Epstein 2015, p.170)

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# Group Typology

## §1 Introduction

Analyses of the metaphysics of groups tend to separate groups into two prominent types.<sup>28</sup> On the one hand, they tend to use groups like the Supreme Court, an intramural basketball team, a committee, an orchestra, and so on as examples of one of the prominent types of groups. This prominent type has been called organized groups, structured groups, or associations. On the other hand, these analyses tend to use groups like women, Latinx, lower-middle class, Democrats, and so on as examples of the other prominent types of groups. This second prominent type of group has been called aggregates, taxonomic groups, or feature groups.

Following the clustering that emerges from these analyses of groups, Katherine Ritchie (2013, 2015, 2018, 2020a, 2020b) offers a more precise and robust description of these types of groups, differentiating them along four dimensions. However, there are various examples of groups that this typology cannot account for. In light of these shortcomings, I propose new dimensions to account for these groups and to clarify the distinctions between these two prominent types of groups.

In section 2, I begin by laying out the commonly held ground among theories of groups, then sketch how these analyses similarly divide groups into two prominent types. With an understanding of this division, I present Ritchie's structuralist typology of groups. In section 3, I propose examples of groups and membership conditions that undermine this typology. In response to these examples,

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<sup>28</sup> Sartre (1960), French (1984), McGary (1986), May (1987), Harre (1997), Greenwood (1997), Brewer (2003), List and Pettit (2011), Ritchie (2013), (2015), (2018), (2020a), (2020b)

in section 4, I propose a new characterization of the typology of groups. Finally, in section 5, I raise a possible objection to my proposed typology and offer a response.

## **§2 Common Ground, Common Division, and the Structuralist**

### **Typology**

#### **§2.1 Common Ground**

Generally, theories of groups share three points of common ground: there is a lower bound, a group's identity can persist through a change of membership, and there are non-identical coextensive groups. First, there is a lower bound for what counts as a group. In other words, there is at least one collection of people that is not a group. For instance, the gerrymandered collection of everyone currently in Hawaii and Tom Costigan (not in Hawaii) is almost certainly not a group. Theories define this lower bound in different ways, but there is consensus that there is a difference between groups (such as sports teams, socioeconomic groups, racial groups, gender groups, crowds, or mobs) and mere collections of people.<sup>29</sup>

The second point of common ground among theories of groups is that a group's identity persists through a change of members. In other words, one and the same group can persist as members leave and join. For example, the Supreme Court persists when a justice retires and a new justice is sworn in. Hence, groups are the kinds of entities that can persist as they gain or lose members.

The third point of common ground is that there can be non-identical coextensive groups. That is, some groups have all the same members that are not identical. For instance, two graduate students can have all the same dissertation committee members, but intuitively these coextensive committees are not identical. These are the three points of common ground among theories of groups. There is a

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<sup>29</sup> Another way of framing this point of common ground is that 'group' is not the collective noun for people, like 'flock' is for birds. In the context of these theories, 'group' means something different than more than one person.

lower bound, a group's identity can persist through a change of members, and there are non-identical coextensive groups.

## **§2.2 Common Clustering**

Many theories also agree that there is an intuitive divide between a few prominent types, but each theory distinguishes these prominent types of groups in their own way. They have proposed that groups can be divided into types such as: structured groups and taxonomic groups (Harre 1997); derivatively social groups and intrinsically social groups (Greenwood 1997); aggregates and associations (Brewer 2003); groups that have agency and those that do not (List and Pettit 2011); and organized social groups and feature groups (Ritchie 2013, 2015, 2018, 2020a, 2020b). Most of these theories appeal to this division as intuitive and without much argument, characterizing the differences through common examples, and their examples tend to track a similar difference between these types of groups. On the one hand, the Lakers, Congress, and the New York Philharmonic are commonly used as examples of what I will call type 1 groups. On the other hand, Asian Americans, men, and the lower-middle class are commonly used as examples of what I will call type 2 groups. Type 1 groups are examples of structured groups, intrinsically social groups, associations, groups with agency, and organized social groups. Type 2 groups are examples of taxonomic groups, derivatively social groups, aggregates, groups without agency, and feature groups. This general clustering of groups into these two prominent types suggests a typology. In line with this general typology extrapolated from these theories, Ritchie offers more precise and robust dimensions to distinguish between these types of groups—the structuralist typology.

## **§2.3 The Structuralist Typology**

Ritchie (2013) first proposed the structuralist view of organized social groups, type 1 groups. The structuralist view comes from a Neo-Aristotelian framework—groups exist, as they might have

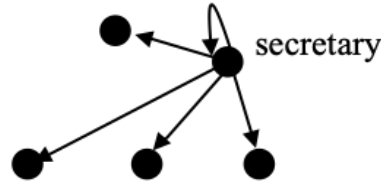
for Aristotle when they have both form and matter.<sup>30</sup> According to this view of groups, form is the structure, and matter is the members. Then Ritchie (2015) contrasts organized social groups with feature groups, type 2 groups, on four dimensions: structure, member intentions, volition conditions, and feature sharing. (Structure (2020a) and member intentions (2020b) were refined and clarified.) Ritchie (2018) further argued that feature groups, type 2 groups, are social kinds. In this section, I offer a complete description of Ritchie's structuralist typology of the two prominent types of groups.

Before diving into the dimensions of the structuralist typology, it is helpful to specify what 'structure' means on this view. To represent structure, Ritchie uses nodes and edges from Vertex Graph Theory. Nodes are points on the graph used to represent the positions in the structure. Edges are lines drawn between the points representing the relations between the positions. The nodes are defined by the edges and the restrictions on who or what can occupy that node. To demonstrate how nodes and edges could be used to represent the structure of a group, consider the structure of a committee. The graph of the structure could have nodes labeled 'chairperson', 'secretary', 'committee member', and maybe more. The node labeled 'chairperson' is restricted to only allow one person to occupy it at a time. In contrast, the node labeled 'secretary' might allow for two people to occupy it at the same time.<sup>31</sup> The edges represent the relationships between these nodes. These relationships could be arranged in many ways, such as hierarchical, reciprocal, transitive, symmetric, reflexive, etc. For instance, the workers report to the boss; if you scratch my back, I'll scratch your back; if x is the superior officer of z, and z is the superior officer of y, then x is the superior officer of y; if y is a coworker with x, then x is a coworker with y; if x is the secretary and x is a member of the roll call, then when x takes attendance, they call their own name. To illustrate these structures, consider the following diagrams:

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<sup>30</sup> cf. Fine (1999), and Koslicki (2008) for more on the Neo-Aristotelian framework

<sup>31</sup> How many members can occupy each node can vary by position and group.



With Ritchie’s understanding of structure, it is easy to see how the structuralist typology differentiates these types of groups. Again, type 1 is exemplified by groups like the Yankees, the Supreme Court, the Tabernacle Choir, etc., and type 2 is exemplified by groups like women, Cuban-Americans, the one percent, etc. From the structuralist view, these two types of groups can be differentiated along these four dimensions: (1) type 1 groups depend on an internal structure, type 2 groups depend on an external structure; (2) type 1 groups depend on the intentions of the members and (3) their membership conditions are volitional; type 2 groups neither depend on the intentions of the members nor are their membership conditions volitional, but (4) the membership conditions for type 2 groups rely on the members sharing features, and the membership conditions for type 1 groups do not.

First, from the structuralist view of groups, type 1 groups (courts, clubs, committees) are identical to the realization of the structure by the members. In other words, the group exists when the members occupy the nodes and are functionally related to the other members. The structure realized by the members is pivotal in defining the identity, membership, and persistence conditions of groups for this view. For instance, according to Ritchie, the persistence of a type 1 group “requires the continuity of the realization of [structure] S.”<sup>32</sup> This means that members functionally realizing the structure is required for a type 1 group to persist. Hence, type 1 groups depend on a structure among the members—internal structure—to persist.

In contrast, type 2 groups (gender, racial, socioeconomic) do not depend on an internal structure; instead, type 2 groups are nodes in a broader social structure. On this view, type 2 groups

<sup>32</sup> Ritchie (2013, p. 270). cf. Ritchie (2015, 2020a, 2020b)

are social kinds—kinds defined in terms of, or dependent on, social factors—and these social kinds are the nodes in a social structure.<sup>33</sup> Again, each node is defined in relation to other nodes and conditions of the occupant(s). Since type 2 groups are nodes in the social structure, these groups are defined, like all nodes, in terms of how they are related to other nodes in the structure and the membership conditions of the group. For example, consider how Sally Haslanger defines what it is to be a woman:

S is a woman iff S is systematically subordinated along some dimension (economic, political, legal, social, etc.) and S is ‘marked’ as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female’s biological role in reproduction. (2000, p. 39)

On the structuralist view, there is a social structure in which there is a node labeled ‘woman’ and it has a subordinate relation to other nodes in the social structure. Moreover, sharing or being perceived as sharing some bodily features is a condition of being a member of this type 2 group. Unlike type 1 groups, type 2 groups do not depend on an internal structure to exist or persist. Instead, on this view, type 2 groups depend on an external structure to exist and persist. In other words, if a node is not incorporated into a social structure, then that node is not a type 2 group. Hence, on this view, type 2 groups depend on an external social structure to exist and persist.

Second, according to this typology, type 1 and type 2 groups can be distinguished by the members’ intentions. Since type 1 groups depend on the members realizing the structure, type 1 groups depend on the intentions of the members to exist and persist. Most of the literature on group actions or group intentions tends to use small group actions as the paradigm example, like two people taking a walk.<sup>34</sup> Ritchie modifies these views on collective intentions to account for the intentions of larger groups. Specifically, she removes the requirement that the members must know others intend to realize their roles (Ritchie 2020b). She removes this requirement because some

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<sup>33</sup> cf. Mason (2016) and Ritchie (2018)

<sup>34</sup> cf. Bratman (1992, 1999, 2014), Gilbert (1989, 2006), and Searle (1990, 1995, 2010)



teams can realize a structure without all the members of the team interacting with one another. For instance, in a corporation, the inside sales team and the outside sales team might never interact, but collectively they realize the structure of the corporation's sales team. By relaxing that restriction, Ritchie allows the members to realize their role in the structure by dividing labor. On this view, for the members to collectively intend to realize the structure, each member has to intend to realize their role in the structure of the group. In contrast, type 2 groups depend on an external structure, which does not need to be collectively or intentionally realized by the members. Members of feature groups might not intend to realize the social structure, like a racist social structure, but that social structure persists regardless. Thus, the existence and persistence of type 2 groups does not depend on the members' intentions. Hence, according to this typology, type 1 and type 2 groups can be distinguished by the members' intentions.

Third, Ritchie proposes that the volition of membership conditions can distinguish these two prominent types of groups. Based on this typology, type 1 groups require the members to realize the structure intentionally, so membership is determined by an individual's volition to join or leave the group. Ritchie acknowledges that there might be obstacles to joining a type 1 group, like an application process, or incentives for staying with a group, like a contract. Yet, ultimately, on this view, joining or leaving a type 1 group depends on the volition of the individual members. In contrast, type 2 groups do not depend on the intentions of the members, according to this view, and so type 2 membership is not determined by an individual's volition to join or leave a group.<sup>35</sup> Type 2 members might not want to be members of a group—for example, an oppressed minority group. Still, from the structuralist view, type 2 membership does not operate under volition conditions. So, on this view, type 2 membership is not determined by the volition of the members.

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<sup>35</sup> Ritchie notes that some transgender individuals contend that they transitioned from one gender group to the other, while others say they were members of that gender all along. Ritchie acknowledges that some movement may be possible, but maintains that it is more difficult or limited compared to joining or leaving a type 1 group.

Instead, from the structuralist view, membership in type 2 groups relies on the members sharing some apparent (cluster of) feature(s). For instance, members of a racial group share features, like skin color, hair texture, body morphology, heritage, etc. From Haslanger’s definition of what it is to be a woman, the members are perceived to share a biological role in reproduction. Although these are physical features, Ritchie understands feature sharing in a broad sense, “being bound by common norms, self-identifying or self-labeling in a particular way, having shared ways of acting or cognizing, and so on all involve feature sharing” (2020a p.415). Furthermore, since not all of the members of a type 2 group share all the same features or experiences, Ritchie proposed that the members share a cluster, or disjunction, of features. In contrast, membership in a type 1 group does not rely on the members sharing features. For instance, a committee could have all and only members that happen to be straight white males. Yet their membership on that committee is determined by their intention to realize the structure of the group and not by virtue of sharing these properties. Thus, type 1 and type 2 groups can be distinguished by their membership conditions. According to the structuralist typology, Type 1 membership is volitional, while type 2 is determined by feature sharing.

This is an overview of Ritchie’s structuralist typology of groups. From the structuralist view of groups, the two prominent types of groups can be differentiated along four dimensions. Ritchie charts the typology as follows:<sup>36</sup>

	Type 1 Groups (e.g., teams, committees, courts, and clubs)	Type 2 Groups (e.g., racial groups, gender groups, ethnic groups, sexual orientation groups)
Must have structure	Internal	External
Members must have shared/ collective intentionality	Yes	No

<sup>36</sup> Ritchie (2015, p.314). Structure was modified to account for changes in Ritchie (2020a)

Member volition	Yes	No (or more limited/difficult)
Members share feature(s)	No	Yes

First, type 1 groups necessarily depend on an internal structure in the persistence, identity, and membership conditions. In contrast, type 2 groups necessarily depend on an external structure for their existence, persistence, and membership conditions. Second, the members of type 1 groups intentionally realize the structure, while type 2 groups do not depend on intentions to realize a structure. Third, since type 1 groups require the members to realize the structure of the group intentionally, the membership conditions are volitional. Again, since type 2 groups do not depend on the members' intentions, the membership conditions were not volitional. Instead, type 2 membership relies on the members sharing some feature(s). In contrast, type 1 membership relies on the members intending to realize a structure, and it does not rely on the members sharing some feature.

### **§3 Round Groups, Square Typology**

The structuralist typology, as described by Ritchie, seems to be a more precise dichotomy that earlier theories were grasping at, differentiating groups along the four dimensions: (1) their dependence on structure, (2) reliance on the intentions of the members to realize the structure of the group, (3) the volition of the membership conditions, and (4) the feature sharing membership conditions. However, in this section, I present examples of groups that undermine the structuralist typology.

Brian Epstein (2019) presents an interesting example of a group of slaves on a plantation. This example is interesting because there is likely some internal structure amongst the people to work the plantation, like a type 1 group, but the membership conditions are not a matter of volition. In addition to Epstein's example, the membership conditions for other type 1 groups are not always a matter of volition. For instance, the members of a jury, soldiers drafted by military conscription, or

athletes drafted and traded by sports teams are not operating under volitional membership conditions. The repercussions for opting out of these groups are less severe than the slaves on the plantation, but the jurors, soldiers, and athletes are coerced to be members of their respective groups. Furthermore, type 1 groups can have *ex officio* members. These are members of one group in virtue of their membership in another group. For example, the Chief Justice is the *ex officio* Chairman of the Board of Regents of the Smithsonian Institution. Further, suppose John Roberts' was unaware of this responsibility when he became the Chief Justice. Things like that slip through the cracks, and he could have easily been unaware of this responsibility. In this instance, it is strange to say that Roberts volitionally became a member of a group of which he might be unaware. Likewise, it is strange to say the membership conditions for the Smithsonian Board of Regents are volitional, while Roberts could have been unaware of his membership. In light of these examples, volition does not seem to be a distinguishing characteristic of type 1 membership.

Also, according to Ritchie's typology, people cannot change which type 2 groups they are members of (or to account for transgender cases, at least it is more difficult to change than type 1 membership).<sup>37</sup> However, membership in plenty of type 2 groups depends on the volition of the members. For instance, some men choose to be bachelors, while others choose to get married. Some married couples choose to become single again by filing for divorce. An individual could intentionally save enough money to move from one economic group to another. Conversely, some individuals may choose to give away so much of their income that it puts them in a lower economic group. The structuralist typology should account for transgender people, but on top of that are many type 2 groups with volitional membership conditions. These counterexamples to both type 1 and 2 groups suggest that volition conditions do not provide insight for differentiating between these types of groups.

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<sup>37</sup> Ritchie (2015, p.314)

Next, on the structuralist's typology, type 1 groups depend on the intentions for the group to exist, persist, and determine membership, and type 2 groups do not depend on the members' intentions. However, some type 1 groups do not depend on the members' intentions, and some type 2 groups do depend on the members' intentions. First, type 1 groups can be created by *fiat*. For example, the President can create The Presidential Council on Physical Fitness by decree. In this instance, a type 1 group can come into existence because of the intentions of a non-member. Still, once the group has members, those members must intend to realize the structure for the group to persist. Yet, as I argued in ( $\alpha$  &  $\gamma$ ), type 1 groups can persist without any members, and so the group can persist without the intentions of the members. Hence, some type 1 groups can come into existence and persist without the members, so these groups can exist and persist without any member's intention to realize the structure.

Contrary to the structuralist typology, type 2 groups can also depend on the members' intentions. More specifically, the members' intentions could be the only feature used to determine membership. For instance, consider the group Bernie Supporters. This is a type 2 group, which means it is a node in a social structure that is defined by its relations with other nodes (like a candidate, other voters, rallies, etc.) and conditions on membership. In this instance, the only condition on membership is an intention to support Bernie Sanders—it is the only feature they share. In another possible world where Sanders did not run for office and no one intended to support him, the group did not exist. In other words, there might be a node, but no one is a member of that node, and it is not related to anything else in the social structure. Hence, according to the structuralist typology, that type 2 group would not exist. Specifically, type 2 groups, like Bernie Supporters, depend on the members sharing an intention, and if they stop sharing that intention, that type 2 group stops existing. Some type 2 groups depend on the intentions of the members to exist, and since some

type 1 groups do not, the intentions of the members are not as insightful a difference between these two types of groups as the structuralist typology suggests.

Finally, from the structuralist view, type 1 membership is not determined by the people sharing feature(s). However, members of type 1 groups do share some features, and some of those shared features are used to determine membership. Consider the Justices on the Supreme Court. Redundantly, all the Justices share the feature of being a current Justice on the Supreme Court. But features like that are not used to determine membership. One stops being a Justice by death or retirement—not because they no longer have the feature of being a Justice. Nonetheless, being a Justice depends on reference to social factors. Specifically, they share the features of ‘having been nominated’, ‘having been confirmed’, ‘having been sworn in’, and ‘not being retired’. These are all features the Justices share, and it is only in virtue of sharing these features that these nine people are the members of the Supreme Court. Whatever the procedure is to become a member of that type 1 group, all of the members share the feature of having gone through that process. Hence, membership in some type 1 groups can depend on the members sharing features. Furthermore, if I am correct about the Bernie Supporters (intentions are a feature members share), and given that type 1 groups require the members to realize the structure of the group intentionally, it follows that all type 1 groups depend on the members sharing a feature—specifically, the members share the feature of intending to realize their role in the structure of the group. In other words, counter to the structuralist typology, the membership conditions of type 1 groups depend on the members sharing some features, like having been initiated and/or intentionally realizing the structure of the group.

These counterexamples pose problems for the dimensions that Ritchie attempts to use to distinguish types of groups. The volitional membership conditions do not uniformly apply to either type 1 or type 2 groups, as demonstrated by coerced memberships in type 1 groups like juries or the

military, and voluntary memberships in type 2 groups such as bachelors or economic classes. Further, the intentions of the members are insufficient for distinguishing these types of groups since some type 1 groups, like The Presidential Council on Physical Fitness, can exist and persist without any members or their intentions, while some type 2 groups, like Bernie Supporters, can dissolve if intentions change. Finally, membership in type 1 groups does depend on feature-sharing; specifically, all the members went through some procedure to become members. These counterexamples suggest that types of social groups cannot be distinguished along these dimensions.

## §4 Reframe the Typology

The counterexamples from the previous section suggest that the structuralist typology cannot clearly distinguish between these two prominent types of groups. Some argue this indicates that simple typologies, such as Ritchie's, are overly idealistic and, as such, not useful.<sup>38</sup> These typologies are considered idealistic because there are groups they cannot account for; however, I do not think these typologies are useless. Theorists commonly divide groups into these two prominent types, which suggests that there is an intuitive difference between these two types of groups, so I do not think we need to “throw the baby out with the bath water.” Instead, I propose a new way of thinking about these prominent types of groups, which suggests different dimensions to reframe the intuitive typology the earlier theorists were grasping at. According to this typology, type 1 groups are organized groups and type 2 groups are demographic groups:

**Organized groups** are abstract artifacts

**Demographic groups** are fusions of pluralities of people

In this section, I further describe organized and demographic groups as well as how they satisfy the common grounds (from §2.1). Following, I propose new dimensions to differentiate between these two types of groups.

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<sup>38</sup> Epstein (2019)

#### §4.1 Organized Groups and Demographic Groups

In (γ), I argue for the view that organized groups are abstract artifacts; following is the gist of that argument. First, like artifacts, organized groups are historically dependent on the intentional actions of the creators to come into existence. Second, like abstract objects, organized groups are not constantly dependent on their material to come into existence or persist. For example, plausibly the Supreme Court came into existence six months before the first justices were inaugurated, and hypothetically, it can persist if all the justices retired before new justices could replace them. Since organized groups can exist and persist without members, they are abstract entities. Hence, organized groups are historically dependent on the actions and intentions of people and they are not constantly dependent on their members to exist. In other words, organized groups are abstract artifacts.

In contrast, demographic groups are not the kinds of objects that are created, and they are generically constantly dependent on some member(s) or other to persist. Given that there is a generic constant dependence on some member(s) or other to persist, demographic groups are material objects. Furthermore, since these groups are able to persist through the change of membership, they cannot be the members at a moment in time. In the same way that the stage view (α §5) accounts for this, according to this view, demographic groups are a fusion of pluralities of people across different times and possibilities.<sup>39</sup> In light of this, a demographic group is a fusion of pluralities of people across times and possibilities.

To help unpack demographic groups, it can be helpful to consider an analogy with natural kinds. Some consider these groups to be social kinds, which are similar to natural kinds, but social kinds carve at society's joints instead of nature's joints.<sup>40</sup> With this analogy in mind, let's think about how these groups come into existence and whether they are constantly dependent on their members.

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<sup>39</sup> cf. Wilhelm (2020)

<sup>40</sup> cf. Mason (2016), Ritchie (2018)



First, when a new species is cataloged and named, scientists are not creating a new species; rather, they are picking out an already existing species. Analogously, when social scientists identify a new demographic group, they are not creating a new object. Rather, they are identifying an already existing fusion of pluralities of people. Second, when a natural kind has no members (i.e., the last of a species dies), the species is extinct—it goes out of existence. The idea of (or a description of) the species still exists, but the kind no longer exists when it has no members. For instance, we can still talk about the dodo bird, but there are no more dodos that exist. The species could be cloned and brought back into existence, but the species does not exist when it has no members. Analogously, when the last red-haired freckled person passes away, the group Gingers has gone out of existence.<sup>41</sup> Having red hair and freckles might be recessive, and the demographic group could come back into existence, but when it has no members, the demographic group does not exist. In contrast to organized groups, demographic groups are not the kind of objects that are created, and because they generically constantly depend on some member or other to exist, they are material objects.

The major challenge for a description of type 2 groups is to avoid under- or over-generating groups.<sup>42</sup> The idea is that a description of this type of group should accurately capture the groups that we intuitively agree exist and exclude those we intuitively agree do not exist. For example, demographic groups like women, African Americans, and the lower-middle class are groups that we intuitively agree exist. In contrast, recall the gerrymandered plurality of everyone in Hawaii and Tom Costigan (not in Hawaii); intuitively, this plurality is not contained in a fusion of a demographic group at this time and world. The challenge for type 2 groups is to give a principled way to separate the mere fusion of pluralities from the fusions of pluralities that are the demographic groups.

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<sup>41</sup> Gingers are people with red hair and freckles.

<sup>42</sup> Ritchie (2020a, p 403), cf. Effingham (2010), Epstein (2019). This is related to the lower bound for groups in general, but the upper and lower bounds are especially challenging for type 2 groups

In response to the under-/over-generation challenge, I propose that the fusions affirmed as a part of an explanation are the fusions that are demographic groups.

Fusion F is demographic group D iff (i) F is a fusion of pluralities of people, and only people, and (ii) grouping pluralities of people together in that way is affirmed as part of an explanation.

Since people are the only members of demographic groups, the first part of this definition restricts them to the fusions of pluralities of people. The second part of the definition restricts demographic groups to the fusions that are affirmed as part of an explanation. In this second part, notice that the explanation must affirm the group. This excludes groups like the gerrymandered plurality of everyone in Hawaii and Tom Costigan (not in Hawaii), which are a part of the explanation that not all fusions of pluralities of people are groups. Although the gerrymandered plurality is a part of the explanation, it is not a demographic group, since it is not affirmed by the explanation.

Using explanations and the groupings they appeal to as a way of distinguishing demographic groups from mere pluralities might seem problematic. Since explanations, their groupings, and their usefulness can vary from person to person and in many different contexts, there is disagreement about which groups really exist. For example, Wendy thinks that grouping people together by their astrological signs explains why she is not compatible with Cancers. Similarly, Craig thinks that grouping people by their Myers-Briggs personality types explains why he gets frustrated working with ISFJs. These explanations are not useful to someone who does not think astrology or personality types are insightful ways of grouping people together. Since these explanations and their groupings are relative to each person and/or their circumstance, there seems to be no consensus on which groups really exist. This lack of consensus seems to suggest that the description of demographic groups I propose would lead to an over-generation.

However, rejecting the existence of a demographic group because of a lack of agreement about the explanations or grouping would be an overcorrection. This would lead to a clear

under-generation for these groups, something akin to race and gender nihilism.<sup>43</sup> This would be an overcorrection, because even the most salient demographic groups, like race and gender, are relative to some explanation, at least on a cultural level. For instance, consider racial groups in Rwanda and the U.S. Thinking about people as Hutus and Tutsis might be useful in Rwanda but not in the U.S. Gender groups also vary from culture to culture. For instance, Kathoey is a distinct gender group as a part of Thai culture. If agreement about the grouping or the explanation is the only standard bearer for which groups are real, then biological sex groupings—because of their biological markers—might be the only instance of a demographic group (but grouping intersex individuals would still be problematic). Yet, since there does seem to be more than just that one group, it would be absurd to restrict demographic groups to the explanations or groupings that are unproblematically accepted.

Even though most groupings are relative to some explanation, the definition I am proposing might still seem to over-generate demographic groups in that it might struggle to distinguish these groups from mere pluralities. Yet there is a clear difference—the affirmation of the group as part of some explanation. The mere pluralities are scattered individuals who play no role in any explanation, while demographic groups are affirmed as part of an explanation. Over time, these explanations and the groupings are shared, tested, falsified, refined, and sometimes codified by law. As explanations and groupings go through this process, some explanations or groupings fall out of favor and are replaced with new ones. For instance, the grouping and description of ‘Hispanic’ has become arguably inaccurate. To more accurately represent the group of individuals that the studies and explanations are about, others have suggested new groupings such as ‘Latinx.’<sup>44</sup> As these

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<sup>43</sup> cf. Appiah (1995, 1996) and Zack (1993, 2002)

<sup>44</sup> Lopez, M. H., Krogstad, J. M., & Passel, J. S. (2020, September 22). Who is Hispanic? Pew Research Center. <https://www.pewresearch.org/fact-tank/2020/09/15/who-is-hispanic/>.

explanations and groupings are shared and refined, the demographic groups can become more salient.

With this understanding of demographic groups in mind, you can think about demographic groups existing on a spectrum. On one end of the spectrum are the demographic groups that are explanatorily useful for a small number of people in a very narrow context. For instance, the Myers-Briggs personality types or astrological signs might be useful for some people in some contexts, but outside these contexts, grouping people together in that way is not explanatorily useful. Since the usefulness of this explanation applies in a few contexts, this is an example of a demographic group on this end of the spectrum. On the other end of the spectrum are the more salient demographic groups. That is, many people use them in broader contexts. Racial and gender groups are examples of demographic groups on this end of the spectrum because many people regularly use racial and gender groups in broad contexts to explain social dynamics. For example, to explain how a law is racially biased, people subject to the law are first separated into racial groups. Next, data on how the law impacts individuals in each group are collected and compared. Then, the results of the analysis help explain how a law can disproportionately affect people of different racial groups. Analogously, explanations of gender bias begin by grouping people into gender groups. Many people appeal to explanations and groupings like these in a broad context; hence, racial and gender groups are examples of salient demographic groups on the other end of the spectrum.

#### **§4.2 Revisiting the Common Ground**

With this description of these types of groups in mind, consider how organized groups and demographic groups satisfy the three points of common ground that groups share (from §2.1). Again, the three points of common ground are: there is a lower bound on which groups exist, the identity of a group can persist as members change, and coextensive groups can be non-identical.

As abstract artifacts, organized groups can satisfy all three points of common ground. According to this view, organized groups are abstract artifacts, and as such the creation and organization of these groups distinguish them from mere collections of individuals. Further, organized groups are abstract artifacts, meaning they are distinct entities from the members, so their identity can persist as members join and leave the group. Some groups, like a band, might not persist if some of the critical members left, but characteristically organized groups can persist as members join and leave. Finally, coextensive organized groups can be distinct abstract artifacts. For instance, a swim team and a water polo team that happen to have all the same members are distinct teams because they are distinct abstract artifacts. Hence, organized groups satisfy all three points of common ground.

As fusions of pluralities of people, demographic groups can also satisfy all three points of common ground. First, demographic groups are fusions of pluralities of people, but not every fusion is a demographic group. Again, on its own, the gerrymandered fusion of the people in Hawaii and Tom Costigan (not in Hawaii) is not a demographic group because it is not affirmed as a part of an explanation. For a fusion to be a demographic group, it must also play a role in an explanation. Second, demographic groups are fusions of pluralities of people at different times and possibilities. This means demographic groups are identical to the fusion of the pluralities of people at different times and in different possible worlds picked out by the description as part of an explanation. This explains how the demographic groups can persist as the members change. Third, two coextensive demographic groups can be differentiated by the explanation of which they are a part. For instance, suppose all and only women are all and the only Black people. In this instance, a racial group is coextensive with a gender group, yet intuitively, these are still two distinct demographic groups. These coextensive groups can be distinguished by the other groups they are being compared to in the

background of the explanations. In this instance, racial explanations group people together by race (heritage/body morphology), but one of the racial groups happens to have only women; gender explanations group people together by their gender, but one of the genders happens to have only Black people. Hence, demographic groups also satisfy the three points of common ground that groups share.

### **§4.3 Reframing the Typology**

Beyond satisfying the common ground, organized groups and demographic groups are fundamentally different. The description of these types of groups I am proposing suggests three dimensions that could be used to distinguish them: (i) they have different existence conditions, (ii) they are different ontological kinds, and (iii) they have different membership conditions. In turn, I explain each of these dimensions and how they can be used to distinguish between these two prominent types of groups.

First, organized groups and demographic groups have different existence conditions. Organized groups are artifacts, and as such, they are historically dependent on the intentional actions of individuals to come into existence. In (γ), I proposed that there are two general ways organized groups can come into existence: by agreement or by stipulation. On the one hand, groups like a book club can come into existence because the initial members agreed to form the group. On the other hand, groups like the Presidential Committee on Physical Fitness can be created by stipulation. Either by agreement or stipulation, these groups historically depend on the actions and intentions of individuals to come into existence.

In contrast, demographic groups are not created; rather, they are picked out by description and affirmed as part of an explanation. To be clear, the description is created, but, on this view, demographic groups are the fusions, and as fusions they exist before they are picked out by any

description. Again, a fusion is a demographic group if and only if (i) it is a fusion of pluralities of people and only people, and (ii) grouping pluralities of people together in that way is affirmed as part of an explanation. For example, consider the fusion of college-educated women. Before the first person started grouping people by gender and education level, the fusion of college-educated women existed. However, that fusion was not a demographic group because grouping people in that way was not a part of any explanation yet. Once people (like pollsters, sociologists, or anthropologists) started grouping people by the combination of their gender and education level as a part of their explanations, the fusion of college-educated women became a demographic group. As the explanation and grouping spread, it became applicable in a broader context, and college-educated women became a more salient demographic group. Again, a description is created (or implicitly appealed to) to pick out a fusion, but it would be incorrect to say that the fusion was created. The fusion of pluralities of college-educated women existed before it was picked out by pollsters and social scientists. It is because grouping people together by their gender and education level has been insightful: they incorporated descriptions to pick out this fusion and affirmed as a part of their explanations. Unlike organized groups, demographic groups do not historically depend on the actions or intentions of people to come into existence. Instead, demographic groups generically constantly depend on some members to exist and persist.

Again, consider natural kinds: When the last member of a species dies, the species goes extinct—out of existence. The species might be able to be cloned and come back into existence, but when the species has no members, it does not exist. Analogously, demographic groups are fusions of pluralities of people, and when there are no people, the group does not exist. Also, consider a description to be part of an explanation that fails to pick out a plurality at that time or possibility. The description is part of an explanation, but the group does not exist because there is no plurality. For

instance, an explanation about the racial diversity in the department would involve a description of Black graduate students. However, since there are no Black graduate students in the department, there is no corresponding plurality at this time and possibility, and hence, the demographic group does not exist. Even though that way of grouping people is part of an explanation about the (lack of) racial diversity in the department, the demographic group does not exist unless the description does not pick out any individuals.

Thus, demographic groups and organized groups can be distinguished by their existence conditions. Organized groups historically depend on the actions and intentions of their creators to come into existence. Demographic groups are not historically dependent on the actions or intentions of individuals, and they are constantly generically dependent on some members or others to persist.

Second, organized groups and demographic groups are different ontological kinds. Organized groups are artifacts, but as I argued ( $\gamma$ ), unlike material artifacts (like a hammer), organized groups are not constantly dependent on their members to exist or persist. Hence, organized groups are immaterial (abstract) artifacts. For example, I contend that the Supreme Court was created when the states ratified the Constitution, even though the first Justices would not be sworn in for six more months. Moreover, I argue that it is plausible that the Supreme Court would persist if all the justices retired before new ones could be sworn in. Instances like these suggest that organized groups can come into existence and persist without any corresponding members. Thus, organized groups are abstract (immaterial) artifacts.

In contrast, demographic groups are not artifacts, and they are constantly dependent on some members or others to persist. The idea is that pluralities of people that are unified by a description are not the kind of objects that are created like artifacts. When a new group is picked out by a description, no new object comes into existence. Rather, an already existing object is identified as



playing a part in an explanation. Furthermore, since demographic groups constantly depend on their members to persist, these groups are material objects. In sum, demographic groups are naturally occurring material objects. Hence, demographic groups (natural material objects) are ontologically different from organized groups (abstract artifacts).

Third, these two types of groups are related to their members in different ways. Organized groups have conditions for joining a group, maintaining membership, and leaving a group. These membership conditions can vary from group to group, but generally, when organized groups are created, membership norms are established or implicitly appealed to. In other words, organized groups have procedural membership conditions. Some procedures are explicitly defined. For instance, the procedure for becoming a Supreme Court Justice is rigorously and explicitly defined—the person has gone through the process of being nominated, confirmed, and sworn in. Other procedures are as casual and informal as asking to join a group, like becoming a member of a book club. These procedures can even be implicit; you might not have to ask to join a reading group. Rather, the maintenance procedure for membership in this reading group could be reading the articles and showing up regularly. Similarly, the exit procedures could also be rigorous or casual, explicit or implicit. Someone is a member of an organized group once they have gone through the procedure to join, they continue to maintain their status, and they have not gone through the procedure of leaving the group. The point is that becoming a member of an organized group requires the members to go through some procedures.

In contrast, membership in a demographic group is in virtue of membership in a plurality that is picked out as part of an explanation. As part of an explanation, implicit or explicit descriptions are used to separate a population into different groups. Most explanations rely on an implicit description of categories such as race or gender to group the population. Others, like Haslanger, describe the

groupings explicitly as a part of their explanation. If grouping people together, implicitly or explicitly, is part of an explanation, then the fusion picked out is a demographic group.

To make the membership conditions for demographic groups clearer, consider Peter Singer's situation before he donated the majority of his income to charities. As a part of an explanation of the socio-economic class structure in America, Singer was a member of the middle class. That is, explanations of the socio-economic class structure in America involve grouping people together by their income, and Singer's income fell in the range of the upper middle class. Once he donated most of his income, the socio-economic group he was a member of no longer contains the plurality that includes Singer; instead, at that time and world, the demographic group contains a different plurality of people. The plurality of upper middle class people and Singer still exists, but that plurality is no longer contained in the fusion that is the upper middle class. Being a member of a demographic group means being a member of the plurality that is picked out by implicit or explicit descriptions as a part of an explanation.

The typology that I propose attempts to track the intuitions of earlier theorists while avoiding the problematic examples that the structuralist typology faces. On this typology, there are two types of groups. Both types meet the common grounds about groups, and so they are both groups, but they are different types of groups. According to the view I proposed, they can be differentiated by their existence conditions, their ontological category, and their membership conditions. Organized groups are artifacts that are not constantly dependent on their material to persist, and their membership conditions are procedural. In contrast, demographic groups are fusions of pluralities that are constantly dependent on their members to persist, and their membership conditions are descriptive. Without falling prey to the problematic examples in the previous section, this description of the two types of groups is in line with the intuitions of earlier theories.

## § 5 Objection and Reply

Kit Fine (2020) uses a family as an example of how the structure of type 1 groups can change over time. As the parents have more children, the family grows, but the underlying structure remains the same—the parent-child dynamic. He considers this to be a clear example of a type 1 group, but it is not clear what he means by ‘family’. I argue, however, that it is understood that families seem to be a unique type of group that falls outside of this typology. First, there are multiple senses of ‘family’, the genetic and the socio-legal, but neither seems to fit with type 1 groups. Second, families have unique membership conditions: they create their own members.

One sense of ‘family’ can be characterized by the genetic relations among family members. For example, a child inherits their genetics from their parents. This offers us a clear way to map the structural relations in the family, but tying families to genetics fails to capture the flexibility of type 1 membership. Unlike other type 1 groups, a person can never leave their genetic family. Moreover, genetic families would be the only type 1 group where membership can be grounded in some biological factors, even most type 2 groups do not have this level of precise grounding. So, the genetic family is not a good candidate example of a type 1 group.

Another sense of ‘family’ can be characterized by the socio-legal relations among family members. This is meant to include parents who adopt a child to whom they are not genetically related. The family is defined by the socio-legal responsibility between (an) adult(s) and (a) child(ren). These families can have all kinds of structures. The adult(s) could be heteronormative, or same-sex partners, or partners in a polyamorous open relationship, or unmarried family friends who took in a would-be orphan. Under the law, the adult(s) are responsible for the child(ren); they are their legal guardians. Once the child(ren) becomes an adult themselves, they lose this socio-legal relation to the people who adopted them, seemingly dissolving the family. Despite the lack of legal

relations, intuitively, these families often persist after the children have grown up and moved out. Although these families share some of the underlying socio-legal structure, a family in this sense is something more than the underlying structure. In contrast, type 1 groups no longer exist after they have been dissolved. If the President dissolved the Council on Physical Fitness, the group would stop existing, even if the members continue to meet at the same time and talk about similar topics. At that point, they are not members of a council; rather, they are colleagues talking about work. Disanalogously, even though the socio-legal relationship is dissolved, the family persists and still gets together for the holidays. Hence, the socio-legal sense of ‘family’ is more akin to, but still distinct from, type 1 groups.

Another sense of ‘family’ might be characterized by familial bonds among members. This is meant to capture something like the socio-legal relations without dissolving the bonds when the socio-legal obligation dissolves. However, familial bonds can be had between non-family members. For instance, the bond between close friends can be similar to, if not the same, as familial bonds—so much so that close friends are often thought of as family members. Since these bonds can be formed between non-family members, or at least something very similar, these bonds seem to be an unreliable way of distinguishing families. Moreover, familial bonds and family dynamics can vary from family to family, and hence, it is not clear that this sense of ‘family’ could have an underlying structure, as Fine supposes. Thus, there does not seem to be a sense of ‘family’ that could fall into either of the prominent types of groups.

Furthermore, even if there was a clear understanding of ‘family’, families still have unique membership conditions. Similar to type 1 groups, some family members go through some procedure, like marriage or adoption, to become members. Except for those members, family membership conditions are unique in that some members literally create other family members. Parents literally

bring the other member(s) into existence. In contrast, if a Supreme Court Justice gave birth while on the bench, the newborn does not become a new member of the Court. Although this does not match with type 1 membership conditions, family membership conditions are not wholly unique. For instance, being born on American soil makes that newborn an American citizen. However, these membership conditions and a full view of families are beyond the scope of this paper. If they are considered groups, then families seem to fall outside of this typology, and they are probably a unique type of group with unique membership conditions.

## **§6 Conclusion**

This chapter began with the common intuitions about groups and how groups are commonly divided into two prominent types. It laid out an overview of the structuralist typology as a framework, which differentiates between these types of groups on four dimensions: structure, member intentions, volition conditions, and feature sharing. However, the structuralist dimensions for differentiating between these types of groups are vulnerable to examples that do not fit with the typology. Type 1 membership is not often volitional, while type 2 membership often can be volitional. Type 1 groups can exist and persist without the intentions of the members, while some type 2 groups cannot exist and persist without their members. Finally, type 1 membership does rely on the members sharing a cluster of features.

In response to these counterexamples, I proposed a new characterization of the typology. I called the two prominent types of groups that the common division seems to be tracking organized groups and demographic groups. These two types of groups are fundamentally different ways of grouping people together. Organized groups historically depend on the actions and intentions of people to come into existence, and they are not constantly dependent on their members to persist, so organized groups are abstract (immaterial) artifacts. In contrast, demographic groups are fusions of

pluralities of people that are picked out by a description as part of an explanation, and these groups depend on the members to exist and persist. Therefore, demographic groups are fusions of pluralities of people. Finally, membership in an organized group is determined by the person going through some procedure, while membership in a demographic group is in virtue of membership in a plurality that is contained in a fusion that is picked out by a description and affirmed as a part of an explanation.

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# An Abstract Artifact View of Groups

## §1 Introduction

There are instances that make some question whether all groups are material objects or whether some groups are abstract objects<sup>45</sup>—specifically, instances where a group seems to exist without any members. For instance, suppose that all nine of the Justices retired before their replacements could be sworn in. In this instance, the Supreme Court has no members, yet the Supreme Court still seems to exist. In this chapter, I explore more examples of groups persisting without their members, and based on these examples I argue that groups are not constantly dependent on their members to persist. Specifically, these are groups that are formed, created, or founded—in other words, they are historically dependent on the actions of the founders to come into existence. Hence, in this chapter, I propose and defend the view that organized groups are abstract artifacts.

In §2, I outline Amie Thomasson’s (1999) dependence conditions. Using those dependence conditions, I contrast types of objects. Specifically, there are some objects—abstract artifacts—that are historically dependent on people’s intentional actions and are not constantly dependent on their material to persist. Drawing on examples of how these groups are created and their dependence on their members, in §3, I propose and defend the view that organized groups are abstract artifacts. Finally, in §5, I consider and respond to the objection that these groups cannot be abstract because they are located where their members are located.

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<sup>45</sup> cf. Hawley (2017 p. 406), Hindriks (2013, p. 429), (Epstein 2015 p. 170)

## §2 Objects and Dependence Conditions

This chapter focuses on answering the question: What kind of object is an organized group? To frame this discussion, I appeal to some intuitive distinctions between kinds of objects. Artifacts can be contrasted with natural objects, and material objects can be contrasted with immaterial (or what I will call abstract) objects. Further, to help frame the contrast between these types of objects, I appeal to Amie Thomasson's (1999) analysis of existential dependence. In this section, I unpack Thomasson's analysis of existential dependence, and then, using her analysis, I distinguish between the kinds of objects listed above.

### §2.1 Existential Dependence

Existential dependence is a family of metaphysical relations between two objects—for instance, *a* depends on *b* to exist. Amie Thomasson (1999) proposed an analysis of existential dependence. According to her view, the basic form of existential dependence can be understood as: *a* existentially depends on *b* iff necessarily, *a* exists, only if *b* exists. This is merely the most basic form of existential dependence, and it can be further specified in many different ways.

Traditionally, rigid dependence and generic dependence are two ways of thinking about existential dependence. In a rigid dependence relation, *a* depends on a specific *b* to exist. For instance, it might be the case that I rigidly depend on my brain to exist. In other words, necessarily, when I exist, my brain exists. In a generic dependence relation, *a* depends on something or other of a particular type to exist. For instance, electricity generically depends on electrons to exist. Electricity

does not depend on a specific electron, but it depends on some electron or other to exist. In addition to rigid and generic dependence, Thomasson also proposed constant and historic dependence.

Constant and historic dependence can capture some of the temporal aspects of the relation between *a* and *b*. That is, does one exist before the other, are they coincident, can one persist after?

First, constant dependence can be formalized as follows:

**Constant Dependence:** *a* constantly depends on *b* iff necessarily, whenever *a* exists, *b* exists. In other words, *a* exists only when *b* exists; whenever *b* does not exist, *a* does not exist. For example, a hammer constantly depends on some matter to exist. If the matter is dissolved in a vat of acid, the hammer stops existing. Thomasson contrasts constant dependence with historical dependence, which can be formalized as follows:

**Historical Dependence:** *a* historically depends on *b* iff necessarily, if *a* comes into existence at  $t_1$ , then *b* exists (at least) at  $t_1$ . Simply, *a* depends on *b* to come into existence. This means *b* exists (at least) at the moment *a* comes into existence. In contrast to constant dependence, in cases of historical dependence, *a* can persist without *b*. For example, a child historically depends on their parents to come into existence, but a child can persist without their parents. In a historical dependence relation, *a* only requires *b* to come into existence; in a constant dependence relation, *a* exists only when *b* exists.

Thomasson's constant and historical dependence can also be rigid or generic. First, there is rigid constant dependence and there is generic constant dependence. For example, some might claim that my mind constantly and rigidly depends on my brain. That is, my mind exists only when my

specific brain exists. In contrast, the existence of a species constantly and generically depends on some specimen or other of that species existing. For example, the dodo (the species) went out of existence when the last dodo (specimen) died. Additionally, historical dependence can also be rigid or generic. For example, everyone rigidly historically depends on their specific parents to come into existence. That is, a child depends on their specific parents to come into existence, but everyone can continue to exist without their parents. In contrast, some artifacts can have a generic historical dependence. Consider a hammer that is made in a factory where the jobs are interchangeable. The hammer depends on someone or other to come into existence, but not a specific worker. After that, the hammer can persist independently of that worker. Here is a chart to help explain how these dependence relations can be related.

	Constant	Historic
Rigid	Mind/Brain	Child/Parent
Generic	Species/Specimen	Hammer/Factory Worker

This is not an exhaustive list of the varieties of dependence conditions, but these are the relevant ones to help us answer the question: What kind of object is an organized group? Before getting to that, I use these dependence conditions to help distinguish the kinds of objects listed above.

## §2.2 Objects

Let's return to the kinds of objects mentioned above and now contrast them by some of their dependencies. Using historical dependence, artifactual objects (or artifacts) can be contrasted with natural objects. On the one hand, natural objects are not historically dependent on people. These are

naturally occurring objects out in the world: trees, mountains, oceans, cliffs, rocks, and so on. All of these objects exist independently of people. On the other hand, artifacts are historically dependent on people's intentional actions. These are objects that people deliberately create. For example, hammers, desks, computers, cars, and so on. As human creations, all of these objects depend on someone's intentional creative actions to come into existence. Historical dependence can be used to distinguish between these two kinds of objects: natural objects are not historically dependent on people, while artifacts are historically dependent on the intentional actions of people.

Although this distinction might seem clear enough, there are some vague cases between natural objects and artifacts. First, there are some objects that people create but not intentionally, e.g., sawdust or a path in a lawn. Both of these are generated from the actions of humans, but they are not always intentionally created. Second, with advancements in genetic engineering, people are starting to blur the line between natural and artificial. In spite of these vague cases, there is still a clear difference between natural objects and artifacts. Since the focus of this chapter is organized groups, objects that seem to be clearly on the artifact side of the spectrum, parsing these vague cases is beyond the scope of this chapter.

Thomasson's constant dependencies can be used to distinguish material objects and immaterial objects. On the one hand, a material object (a natural object or an artifact) constantly depends on some matter to exist. There are a lot of possible ways of explaining the relations between objects and their matter, but we can still generally characterize material objects' dependencies. In the classic puzzle of the statue and the clay, regardless of exactly how a statue is related to the clay, the

statue stops existing if it is dissolved in a vat of acid. An abstract object, on the other hand, does not constantly depend on material instantiations to exist. In other words, abstract objects can exist without being instantiated by any material manifestations. To be clear, abstract objects can be related to materials, but they are not identical to the materials—at least partly because they can exist without being instantiated by any material manifestations. For instance, suppose all of the token instances of the number two were erased, scratched out, deleted, or rounded up to three. In that instance, the number two (the abstract object) still exists. Although abstract objects can be instantiated by material manifestations, they are the kind of objects that can exist without being instantiated. So, abstract objects do not constantly depend on material to exist. Ultimately, material objects and abstract objects can be differentiated by their constant dependence conditions: material objects constantly depend on some material, while abstract objects do not—they can exist and persist without a material instance.

These kinds divide objects into four main categories: natural material objects, material artifacts, natural abstract objects, and abstract artifacts. Natural material objects are objects that are not historically dependent on people and constantly depend on some material to exist, e.g., rocks, trees, and mountains. In contrast, material artifacts are objects that are historically dependent on people, but also constantly depend on some material to persist, e.g., hammers, computers, and phones. Natural abstract objects are objects that are not historically dependent on people and not constantly dependent on some material to persist, e.g., numbers. Finally, abstract artifacts are objects

that are historically dependent on people and not constantly dependent on their material to persist, e.g., as Thomasson argues, fictional characters. Consider the following chart:

	Natural Object	Artifacts
Material	Rocks	Hammer
Abstract	Numbers	Fictional Characters

### §2.3 Abstract Artifacts

Although natural abstract objects and abstract artifacts do not depend on their material instances to persist, abstract artifacts generically depend on people and society. Natural abstract objects, like numbers, exist completely independently of their material instantiations but also independently of society or the material world altogether. In contrast, since abstract artifacts historically depend on people, and people are material, they depend on some material to come into existence (more in §3.2). Furthermore, as artifacts, these objects depend on the social context in which they are enmeshed. As Thomasson explains, literary works depend not only on some copy or memory of work but also on an audience capable of comprehending it. Or, as Baker (2007) explains, a statue depends on the context of the art world. If humanity were wiped out, the physical books and clay still exist, but without society, the literary works and the statue cease to exist. Although these artifacts depend on people and society, they are still abstract because they can persist without a material instance. For example, consider Beethoven's Ninth Symphony. Even if every written note and recording of this piece were destroyed and no live renditions were being played, it still exists as long as someone remembers how to perform it. As abstract artifacts, these objects constantly generically depend on some person's memory and on societal context, but they can also persist without being instantiated.

Initially, abstract artifacts might sound implausible; however, there are many objects that are historically dependent on people and not constantly dependent on some material to persist. Thomasson argues that fictional characters are abstract artifacts because of their dependence relations on both the author and the works of fiction they appear in. While she exhaustively explores various possible spatial locations for fictional characters and dismisses them, she ultimately concludes that fictional characters do not have a spatial location and are, therefore, abstract artifacts. Moreover, other artifacts also do not constantly depend on some material to persist. For instance, some claim that works of music, recipes, and words are abstract artifacts.<sup>46</sup> These are objects that are historically dependent on people, and they are not constantly dependent on material manifestations to exist or persist. Furthermore, some of the newest artifacts people are creating (e.g., software, websites, algorithms, blockchain, non-fungible tokens) also seem to fall into this category of object. A further exploration into abstract artifacts is beyond the scope of this chapter, but the point is that, plausibly, there are some abstract artifacts.

### **§3 Abstract Artifact View of Organized Groups**

In this section, I defend the view that organized groups are abstract artifacts. Organized groups can be characterized as groups of people with some structural organization among the members. Some examples of organized groups are teams, clubs, committees, and orchestras. In this section, I defend the view that these kinds of groups historically depend on people and are not constantly dependent on their members to persist. I consider some examples that suggest that some

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<sup>46</sup> cf. Salmon (1998), Thomasson (1998), Walters (2013), Friedell (2016), Evnine (2018), Korman (2019), Irmak (2018 and 2020) for more on abstract artifacts.



groups do not depend on their members to exist and persist. Then I consider how these groups can come into existence. Given that organized groups, as the name indicates, are the type of groups that are organized, created, formed, established, founded, etc., and are not constantly dependent on their members, I defend the view that organized groups are abstract artifacts. Finally, I consider how this view fulfills the criteria from  $\alpha$  §2.3.

### **§3.1 Organized Groups as Abstract**

Organized groups are generically dependent on some members or others for some properties, but they are not always dependent on the members for the groups to come into existence or persist. At first, it might seem counterintuitive that these groups are abstract objects, but I present some examples where it is plausible that organized groups can exist and persist without any members. For instance, a group created by fiat, a college basketball team with all graduating seniors, a water polo team that is disbanded by the athletic director, and the historical events that created the U.S. Supreme Court. In light of these examples, I argue that groups do not depend on the members to exist. Rather, I propose that organized groups generically depend on people's intentions. Specifically, some groups depend on non-members' intentions, and these instances leave open the possibility that the group can exist without any members.

First, organized groups created by fiat seem to be instances of organized groups coming into existence before they have any members. These are groups that are created because of someone else's authority, e.g., committees, task forces, or commissions. For example, the President has the power to create the Presidential Commission on Physical Fitness. Plausibly, the President can create

the commission before appointing anyone to be on the commission. That would mean that the President created the commission without any members. When the members meet, they are having the first meeting of the group that was created by the President. When organized groups are created by fiat, they are created through some non-members' intentions. This example suggests that some organized groups can come into existence without any members.

Second, not only can organized groups come into existence without any members, but some can also persist without any members. Consider a college basketball team where all of the players happen to be graduating seniors. Once the players graduate, they are no longer students; hence, they are no longer members of the university or its basketball team. The coach plans to recruit new players who intend to enroll at the university and play for the team, but until they enroll in the fall, they are not members of the university or its basketball team. Therefore, during the summer, the team has no members. Nonetheless, the coach is still employed as the coach of the team, the future players intend to join the team, and the athletic department still has the same number of teams. This example suggests that organized groups, like college basketball teams, can persist without any members.

To clarify, these examples suggest that organized groups do not depend on their members to persist. Nonetheless, at least some facts about organized groups depend on their members. This view is compatible with the idea that organized groups depend on the members for some attributes, e.g., the team's shooting percentage is determined by an average of the players' shooting percentages. Still, at least these organized groups depend on something other than the members to exist.

Specifically, in the previous example, the college basketball team persists because of non-members' intentions, like the athletic director or the head coach, and their intentions to replace the players and field a team the following season. That is, the team depends on non-members and their intentions to exist and persist, even though these individuals are prohibited from playing for the team. Hence, the college basketball team can exist and persist without any members on the team.

Not only can teams come into existence and persist because of a non-member's intentions, but in this third example, teams can also stop existing because of a non-member's intentions. Suppose the athletics funding was cut at the university, and the athletic director decided to dissolve the university's water polo team at the end of their season. However, the players wanted to play, so they coordinated fundraisers and formed a club affiliated with the university but not a team affiliated with the university's athletic department. They might even play exhibition games against all of the teams in the university's conference, as they would have if the athletic department had not dissolved the team. In this example, the new club team has all the same members and the same coach, and they play the same schedule they would have as if the team was not dissolved, but they are not the same team—the university's team no longer exists. One and the same team could come back into existence the next year, but it is clear that the team did not exist for a period of time, because the athletic director chose to dissolve the team. In the end, these groups existentially depend on non-members' intentions, specifically here, the athletic directors', to exist, persist, and be dissolved.

Finally, let's consider a real-world example: the U.S. Supreme Court. The powers, responsibilities, and the role of the Supreme Court as a federal judiciary and third branch of

government were first sketched out by the Constitutional Convention in 1787. The Constitution was later ratified by a sufficient number of states in 1788, and went into effect on March 4, 1789. At this point, the federal government, including the three branches—executive, legislative, and judicial—officially came into existence. At this point, it seems plausible to say that the Supreme Court came into existence before it actually had any members. It was not until October 5, 1789, when James Wilson (the first Justice) was sworn in, that the Supreme Court had its first members. Moreover, it was not until February 2, 1790, that the Court began its operations with its first session held in New York City. The point is that it is at least plausible that an organized group, like the Supreme Court, came into existence without any members.

These examples demonstrate that organized groups are not constantly dependent on their members to come into existence or persist. Since the members are the material most closely associated with groups, and organized groups are not constantly dependent on their members, this suggests that organized groups are not constantly dependent on any material instantiation. But before I conclude that organized groups are abstract objects, let's consider other material these groups might depend on.

In the case of the college basketball team, the team can exist and persist without a court, a ball, jerseys, or even a designated practice location. The team is also contingently related to these other material objects and can persist without them. For instance, suppose that during the summer when the team has no members, the athletic department demolishes the old gym, builds a new one, gets rid of all the old balls, buys new balls, and completely changes the design and colors of the jerseys. Intuitively, one and the same team can persist through all of these changes, and that is

because they do not depend on any of these material objects. The existence of the team depends on the actions and intentions of non-members like the coach and the athletic director.

In the case of the Supreme Court, its existence does not depend on the Justices, but it might depend on founding documents, like the Constitution. The dependence of historical documents like this are analogous to how Thomasson (1998) explains the dependence of works of fiction. According to her view, works of fiction depend on some copy or memory of it. Analogously, the Supreme Court depends not on any particular physical copy of the Constitution, but rather on the preservation and acknowledgment of its principles and structures, in some form. The Supreme Court does not depend on the physical presence of the original Constitution in the National Archives. Because the Court does not rely on any specific instantiation of the Constitution, the Court is generically dependent on there being some representation or memory of the constitutional principles to guide its operations. Furthermore, just as, for Thomasson, a literary work depends on a competent readership, the Supreme Court requires a competent judiciary and populace that comprehends and respects the Constitution as the supreme law of the land. The Supreme Court is generically and constantly dependent on the presence of constitutional principles and a society that recognizes and adheres to these principles.

These groups are not constantly dependent on the members, their material parts, or written manifestations of the structure. The existence and persistence of these groups depend on the actions and intentions of non-members. These non-members are material, but it does not follow that groups are material. Rather, these groups exist and persist because the non-members agree that something exists without being instantiated.

### §3.2 Organized Groups as Artifacts

In terms of organized groups as artifacts, they seem to meet the profile of a typical artifact—they are historically dependent on people’s intentional actions. Intuitively, organized groups do not exist before they are created, and it takes the intentional act of the creator(s) of the group for the group to come into existence. Without the intentional actions of some creator(s), these groups would never come into existence. In this subsection, I examine how organized groups are created.

In the previous subsection, the examples suggested that organized groups are abstract objects, but if groups are abstract, then how are they created? There are two approaches to this question from the literature on the metaphysics of repeatable artworks (e.g., music, literature, and film) that can give us some insight into how abstract artifacts are created: the Platonist approach and the creationist approach.<sup>47</sup> Dodd (2007) defends a Platonist view that musical works are abstract objects that exist independently of their concrete realizations, such as performances or recordings. He contends that they are discovered by composers, who have access to a realm of abstract objects through a kind of intuition or creative inspiration. Juvshik (2020) suggests that this approach to the creation of abstract objects might be similar to the way an agent might appropriate a pre-existing object, like a piece of driftwood or an abstract sound sequence, and transform it into an artifact, such as a wine rack or a piece of music, respectively. Analogously, there might be a Platonist approach that works for organized groups. For instance, imagine all of the ways that a group might be organized and suppose

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<sup>47</sup> cf. Tillman & Spencer (2012) for a defense of materialism.

all of those exist in some Platonic realm. Those abstract objects can become artifacts when they are appropriated by people. A Platonist approach is one possible explanation of how organized groups are created, but it is not the easiest thing to believe that this is what is actually happening when a group is created.

In contrast, the creationist approach holds that these works exist contingently and are created by the actions of their makers. According to creationists, musical works, for example, come into existence when a composer writes a score, and a novel is created when an author writes a manuscript. Creationism has become widespread in the philosophical literature and has been applied to various entities, including words, software, internet memes, and institutional kinds.<sup>48</sup> Irmak (2020) defends a non-causal account of creation based on a theory of ontological dependence. According to this view, ontological dependence can be a generative relation, meaning the instantiation of an ontological dependence relation can create something new that did not exist before. This is analogous to other generative relations, such as composition and set formation.

According to Irmak's approach, the creation of an abstract artifact involves bringing about the entities and events on which the abstract artifact's existence ontologically depends. This means that creating an abstract artifact is not a matter of directly manipulating or causally interacting with an abstract object itself but rather a matter of bringing into being the conditions on which the abstract artifact depends. For example, let's consider the creation of a musical composition. To create a musical composition, an individual must engage in a series of actions such as writing musical

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<sup>48</sup> cf. Thomasson (1998), Friedell (2016), Irmak (2018 and 2020), and Evnine (2018)

notes, selecting particular instruments, and deciding on the tempo and key of the piece. These actions bring about concrete objects and events (e.g., ink on paper, the sound of a piano), which are causally efficacious in creating the conditions necessary for the existence of the abstract artifact—in this case, the musical composition. The musical composition historically existentially depends on these concrete objects and events and on the specific relations between them. Similarly, the creation of a mathematical proof involves a series of actions, such as making logical deductions and manipulating symbols. These actions bring about concrete objects and events (e.g., ink on paper, patterns of symbols), which are causally efficacious in creating the conditions necessary for the existence of the abstract artifact—in this case, the mathematical proof. According to Irmak, creating an abstract artifact is not a matter of directly manipulating or causally interacting with an abstract object itself but rather a matter of bringing into being the conditions on which the abstract artifact depends through the intentional and causal actions of individuals.

With Irmak’s creationist approach in mind, let’s consider how organized groups are created. The details for how organized groups are created can vary between groups, but there seem to be at least two common ways that organized groups are created—by agreement or by stipulation. First, people can create a group by agreement when they get together and agree to form a group. For instance, Seán, Charles, Dan, Tom, Yuchen, and Teresa got together and agreed to form a book club. In this instance, the initial members are the ones whose actions created the book club with the purpose of reading and discussing philosophy books and articles on the Philosophy of Race. Moreover, although it depends on the initial members to come into existence, the book club is able to



persist as these members leave and new members join. Other organized groups can also be created by agreement, e.g., a pick-up basketball team, a secret society, or a band. In light of Irmak's approach, the creation of these groups depends on the actions and intentions of the initial members.

Next, organized groups can also be created by stipulation. A group is created by stipulation when a specific or authorized person(s) stipulates the structure and/or the purpose of a group and intends to fill the position of the group. From the previous subsection, groups created by fiat are examples of groups being created by stipulation. In these examples, the actions and intentions of non-members create the organized groups, and then the members join or are appointed to the group. Epstein provides another example that outlines the steps necessary to create an intramural team through IMLeagues.com.

(1) The manager goes to the relevant website and clicks to create a team within an existing league. (2) A form is sent from the computers at IMLeagues.com to the manager's computer. (3) The manager fills in the relevant fields on the form, and clicks to submit it. (4) The database at IMLeagues.com is populated with the relevant information. (5) An email is automatically sent to the relevant supervisor at the athletic department. (6) The supervisor then clicks, and so on, and fills in the forms to approve the team. (7) The database at IMLeagues.com is populated with the relevant information. Once these steps are performed, a roster is generated for players to join the team.<sup>49</sup>

In light of Irmak's approach, the actions of the manager and the supervisor bring about actions and events that are causally efficacious in creating the conditions necessary for the formation of a team. Notice that these actions form the team, and then the members can join. This suggests that the team was created by non-members and then came into existence before it had any members.

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<sup>49</sup> Epstein (2015 p.184)

Lastly, let's go back to the real-world example of the existence of the U.S. Supreme Court. Again, the powers, responsibilities, and the role of the Supreme Court as a federal judiciary and third branch of government were first sketched out by the Constitutional Convention in 1787. At this point, the structure of the Supreme Court was stipulated, but it was just an idea until the Constitution was ratified by a sufficient number of states in 1788. According to this view, at this point, the Supreme Court came into existence because the delegates and the voters brought about the actions and events necessary for the creation of the federal government, including the Supreme Court.

These examples demonstrate generally how organized groups are created. They might be created by appropriating a group structure, but a creationist approach, like Irmak's, seems to be a more intuitive explanation of how these groups come into existence. Either the initial members come together and agree to form a group, or some people with the power and authority create a group by stipulating the structure and agreeing to fill the positions. Either way, these groups are historically dependent on the actions and intentions of people to come into existence. Hence, organized groups are artifacts, but since (as I argued in the previous subsection) they are also not constantly dependent on their members, organized groups are abstract artifacts.

### **§3.3 Evaluating the Abstract Artifact View of Organized Groups**

Now, with the basics of this view on the table, let's consider how this view can fulfill the criteria for a satisfactory view of groups from  $\alpha$  §2.3. Again, the criteria are *Contingent Members*, *Contingent Existence*, *Non-Identical Coextension*, and *Empty Existence*, and the idea is that if a view can fulfill these criteria, then it can capture the distinguishing features of organized groups.

According to the abstract artifact view of organized groups, groups are objects that are historically dependent on the actions and intentions of people to come into existence and not constantly dependent on the members to persist. Since the people might not have created the group, they only contingently exist and so this view can fulfill *Contingent Existence*. As a contingently existing social object, groups are contingently related to their members. Even the organized groups that are created by agreement are contingently related to their members because these groups are able to persist as the initial members leave and new members join. Furthermore, it seems plausible that one and the same group could have been formed by some other people coming together and agreeing to form the same group. Hence, this view can fulfill *Contingent Members*. Next, on this view, it is possible for two groups to have all the same members and not be identical. These two groups are not identical because the two groups are distinct abstract artifacts. Consider again the water polo team and the swim team that have all the same members. According to this view, the water polo team and the swim team are not identical because they are different artifacts, created for different purposes and through different sets of steps. Presumably, the swim team came into existence because of the actions of the swim coach and individuals with the swim league, and the water polo team came into existence because of the actions of the water polo coach and individuals with the water polo league. So, the abstract artifact view can fulfill *Non-Identical Coextension*. Finally, according to this view, organized groups are not constantly dependent on their members to persist. This means that groups can persist without their members and this view can fulfill *Empty Existence*. Since this view can fulfill all the criteria, the abstract artifact view is a satisfactory view of organized groups.

## §4 Objection and Reply

Someone might object to the abstract artifact view, contending that organized groups are material objects because they seem to be located where their members are located. For instance, consider the following sentence:

(1) The Supreme Court is on the elevator.

Sentences like (1) suggest that organized groups are located where their members are located. If this is the case, then organized groups cannot be abstract artifacts. However, in this section, I cast doubt on the idea that organized groups are located where their members are located and propose that sentences like (1) are instances of deferred reference.

David Ruben (1985) considers the locations of organizations like the Red Cross. He considered two possible locations for the organization: the headquarters and where the members are located. According to Ruben, the headquarters has a location, but it is not clear that the organization is also located there. Given that the building existed before the organizations started occupying it, and that both the organization could persist through the loss of the building and the building could persist after the organization moved out, the organization is not identical to the building and so it is not necessarily located there. Moreover, Ruben contends that if social entities have a location, then distinct social entities would occupy the same space at the same time. Since they are distinct social objects, Ruben is skeptical that they have a location. Yet some might maintain that organizations are located where their headquarters are, and ultimately, Ruben is agnostic about locating organizations with their headquarters. Next, Ruben considers whether the organization is located where its members are. He says,

Imagine a tour of a country with no national Red Cross (Albania perhaps) by a group of individuals who stand in any relationship to the Red Cross one might like to single out—Red Cross workers, or officials, or executives, or whatever. Let their tour of the country be in an official Red Cross capacity. Locating those

individuals in that country for however long a period does not necessarily bring it about that the Red Cross can also be located in Albania. That is, the spatial location of the Red Cross, assuming it has one, may not even include the spatial locations of designated individuals who bear some special relationship to it. They can be where it is not. (Ibid p. 54)

Ruben uses this example to argue against a mereological view of social groups. Since wholes are located where their parts are, and organizations are not located where their members are, organizations do not have a part-whole relationship with their members. In the end, Ruben is agnostic about whether organizations have a spatial location, but if they do, he argues that it is not where the members are located.

Ruben's analysis can be applied to organized groups more broadly. Let's consider the location of the Supreme Court. The Supreme Court Building is located in Washington, D.C., but it is not clear that the Supreme Court is located there. The Court has persisted as it has moved from New York to Philadelphia to D.C., where it went from the old Senate Chamber to the old Supreme Court Chamber in the Capitol Building to the current Supreme Court Building. Moreover, given that the Supreme Court persisted through the destruction of its chambers during the War of 1812, it is not identical to these material parts and so it is not necessarily located there. Since the court can persist without these parts, it casts serious doubt on whether the Supreme Court is located there. Setting that aside, the other alternative is that the Supreme Court might be located where its members are located. However, a similar counterexample to Ruben's could be constructed. Suppose, for instance, that during a legislative break, all of the justices decided to go on vacation, and independently, they all happened to vacation in different parts of Europe. In this instance, all of the Justices are clearly in Europe, but it is not clear that the Supreme Court is located in Europe. In light of this, if the Supreme Court does have a location, it is not always where the Justices are. Similarly, it is not clear that other organized groups have a spatial location. If organized groups do have a location, they are not where their members are located.

Still, there are sentences like (1), which seem to attribute a location to the group. In response, I propose that these are instances of deferred reference. Deferred reference is when a term or expression is used to refer to a related object that is not directly denoted by the term or expression. The classic example is the waiter referring to the customer by their order. In this sentence,

(2) The ham sandwich skipped out on the bill.

‘the ham sandwich’ does not refer to the meat, cheese, and bread on the plate. Rather, it refers to the customer who ordered it and left without paying. Since a sandwich is not the kind of thing that can skip out on a bill, the sentence is literally false but manages to convey something about a related object.

Supposing sentences like (1) are instances of deferred reference, this means they are literally false, specifically because the subject is not the object denoted by the term, but it conveys something about that related object. Again, recall:

(1) The Supreme Court is on the elevator.

According to the view under consideration, (1) is literally false, and it is because the Supreme Court is not the kind of thing that can be on the elevator—it is an abstract object; it does not have a location. Still, (1) conveys that the Justices, closely related objects, are on the elevator.

Korman (2019) offers a diagnostic test to determine whether these are genuine cases of deferred reference. The test is whether it is felicitous, with a single subject term, to attribute one thing to the deferred referent and another to the non-deferred referent. To see how this test works, consider these two sentences:

(3) Kripke lives in New York and is on the top shelf.

(4) Thai Tanic used to be in Beaverton and has five windows.

Korman claims (3) is infelicitous, while (4) is fine. Since ‘on the top shelf’ is an attribute of the deferred referent (a copy of his book), and ‘lives in New York’ is an attribute of the non-deferred referent (Saul), ‘Kripke’ is infelicitously used to refer to two subjects. Now consider (4). If this is an instance of deferred reference, then (4) is infelicitous because the single subject term, ‘Thai Tanic,’ is used to refer to one thing (the building) and another (the restaurant). Yet, Korman contends (4) is fine; it is felicitous. ‘Thai Tanic’ in (4) refers to one and the same thing that used to be in Beaverton and has five windows. So, the diagnostic test tells us that (4) is not a case of deferred reference.

Now, let’s apply this test to (1), a sentence where organized groups seem to have a location. We need to add another attribute to run this test, so now consider:

(5) The Supreme Court is on the elevator and is the third branch of the federal government. In (5), ‘The Supreme Court’ is infelicitously used to refer to two subjects since ‘on the elevator’ is an attribute of the deferred referent (the Justices), and ‘the third branch of the federal government’ is an attribute of the non-deferred referent (the abstract artifact). This tells us that sentences like (1), which seem to attribute a location to a group, are plausibly instances of deferred reference.

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# A Metaphysical Assessment of Corporate Moral Responsibility

## §1 Introduction

Some philosophers contend that there are genuine instances of corporate moral responsibility (CMR).<sup>50</sup> These are instances when the corporate entity is morally responsible while individuals are not. Some proponents of CMR appeal to common practices of attributing moral responsibility to corporations, suggesting that this supports the idea that corporations can be morally responsible. However, when we seem to attribute moral responsibility to a corporation, it is ambiguous whether we mean the corporate entity itself is to blame or individuals associated with the corporation are to blame. For example, when people say, “Pharmaceutical corporations, like Purdue Pharma, are responsible for exacerbating the opioid crisis through aggressive marketing tactics,” do they mean the corporation as an entity or certain decision-makers within it? Sometimes, we seem to direct blame solely towards the corporate entity, while at other times, we may look beyond the corporate facade, and the blame is directed toward the individuals who made the decisions that led to the wrongdoing. In light of this ambiguity, the common practice of blaming corporations is not a reliable indicator of whether corporations should be considered morally responsible. Rather, this suggests that to truly understand CMR, we need to delve into the nature of corporations themselves.

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<sup>50</sup> cf. Hess (2014); List and Pettit (2011); Pettit (2007); Copp (2006); Silver (2006); Tollefson (2006) and (2003); French (1998) and (1984); May (1987); Cooper (1968)

The debate about CMR has traditionally approached this by analyzing whether a corporation is a moral agent. Generally, a moral agent is an agent that has the capacity for rationality, intentions, moral judgments, and moral emotions. The main obstacle for proponents of CMR is that corporations do not have minds, and so corporations are not able to form the mental states necessary to be considered moral agents. CMR proponents have two main alternatives: either they can argue that there are corporate behaviors that are analogous to the necessary components of moral responsibility, or they can argue that some of the traditional components are not necessary for moral responsibility. In response, opponents of CMR contend that the proposed connections between corporate actions and moral responsibility are weak and that a version of moral responsibility without the familiar components would be so different that it would be unrecognizable to us. These issues are complex and depend on ongoing debates in fields like philosophy of mind, action, emotions, and moral psychology.

Instead of following the traditional debate about the mental capacities of a corporation, this chapter explores the plausibility of genuine instances of corporate moral responsibility from different metaphysical views of corporations. Before I get to that, let's consider some purported instances of CMR to motivate the position. In §2, I unpack supposed instances of corporate moral responsibility. Then in §3, I consider how metaphysical views of groups could be extended to corporations to give a deeper assessment of who or what is morally responsible. In §4, I revisit a supposed instance of CMR.

## **§2 Corporate Moral Responsibility**

Let's begin by distinguishing corporate responsibility from shared responsibility. Both of these are kinds of group responsibility for actions that the members could not have done individually, but the key difference is in how responsibility is distributed. Corporate responsibility is

not distributed to any of the individuals, while shared responsibility is distributed (evenly or unevenly) to the individuals based on their awareness and contribution to the group's actions. Shared responsibility is when more than one individual bears responsibility for an action. For instance, suppose four people flip over a car. In such a case, the responsibility is distributed among the individuals, and they collectively share the responsibility for the damages to the car. In contrast, genuine instances of corporate moral responsibility are when the corporation is morally responsible, and this moral responsibility is not distributed to an individual or a group of individuals associated with the corporation. To motivate the idea that there might be genuine instances of CMR, in this section, I present three plausible examples of CMR.<sup>51</sup>

**Corporate Commitments:** When a corporation makes decisions, the board members vote based on the corporate agent's existing commitments. For example, a company with commitments to profit and producing industrial chemicals may decide to develop a new steel additive, even if it conflicts with its commitment to environmental responsibility. The board members may reason from the corporation's point of view and vote in the interest of the corporation, not their own, and the company's actions seem to express its commitments, not those of its members.

**Distributed Decision-Making:** Corporations often make decisions through a process of distributed decision-making, where individual members make choices that collectively establish commitments for the corporate agent. This process can often be opaque, and the individual members may not be aware of the commitments they are establishing. For instance, consider the following:

**Blameless Employees**

Corporation C is attempting to  $\Phi$ .  $E_1$  asks for proposals on how C can  $\Phi$ .  $E_2$  collects the proposals, picks the best one, and then sends it to four department heads for their input.  $E_3$  reviews the proposal and modifies it to improve worker safety.  $E_4$  reviews the proposal and modifies it to reduce the environmental impact when extracting raw materials.  $E_5$  reviews the proposal and modifies it to improve efficiency.  $E_6$  reviews

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<sup>51</sup> Adapted from Hess (2014)

the proposal and modifies it to reduce costs. The proposals with all the modifications are merged together, and the corporations  $\Phi$ 's.

Each of the piecemeal modifications was done independently; each person modified the proposal within their area of expertise, and they did not consult one another. Now it might happen that all of the people chose to modify the proposal at the expense of possibly polluting a nearby river, but the chances were low—so low that if each of the modifications had been made alone, then it would have been reasonably unlikely that C would pollute the river. In other words, each of their modifications was rational and morally acceptable in isolation. However, all of the modifications together lead to C polluting the river. The idea is that none of the people seem morally responsible; rather, it is the corporation that is morally responsible.

**Culture Shift:** Corporate decision-making can be even more broadly distributed, leading to a cultural shift in the corporation's values over time. In this scenario, members of the corporation gradually stop attending to the environmental aspects of their jobs, either knowingly or unknowingly. As this behavior becomes more widespread and accepted, the corporation's commitment to environmental stewardship erodes or is replaced with a commitment to not practicing it. This shift occurs without any explicit decision-making and is often unnoticed by individual members. However, it becomes a part of the corporate agent's perspective, and future decision-making and actions will reflect this new commitment.

### §3 Metaphysical Views

There are two reasons that metaphysical views of groups are insightful regarding the metaphysics and responsibility of corporations. Firstly, some proponents use the framework of group actions and intentions to evaluate instances of corporate actions.<sup>52</sup> This involves applying shared

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<sup>52</sup> cf. Shapiro (2014), Hess (2014)

intention theories, like Bratman and Gilbert's, to corporations.<sup>53</sup> According to shared intention theory, a group's actions involve a common goal, a shared plan, and a commitment to joint action. Corporations can be seen as similar to these groups, with collective intentions, goals, and plans guiding their actions—the coordinated efforts of multiple individuals within the organization working towards achieving the company's goals. Thus, group actions can be seen as a useful framework for understanding corporate actions, and this leads to the suggestion that group metaphysics can also be a helpful framework for corporations.

Secondly, some corporations do not appear significantly different from other kinds of organized groups. For instance, smaller service-based companies, such as a tax firm, are not much different from organized groups. Like organized groups, these companies are individuals working together to provide some services, but the main difference is that companies are registered with the state. Still, these smaller companies seem to be a kind of organized group, and by thinking about them as such, it becomes plausible to see that corporations are also a kind of organized group. The key distinction lies in the presence of non-person parts associated with corporations, like the headquarters, storefronts, factories, inventory, logo, bank account, and more. Keeping this simpler notion of a company in mind, metaphysical views of groups can offer clarity and context for understanding the metaphysics of a corporation.

In the next four subsections, I survey four metaphysical views of groups and how they can be generalized to a metaphysical view of corporations. Then, based on these metaphysical views of corporations, I assess whether the moral responsibility of the group can be distributed to the individuals.

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<sup>53</sup> cf. Gilbert (1989, 2000, 2006, 2013) and Bratman (1992, 1993, 2013)

### §3.1 Incompatible Views

Let's start with some views of groups that are not going to be compatible with genuine instances of CMR. First, let's consider the view that a group is identical to its members.<sup>54</sup> For example, the Supreme Court is identical to the current Justices. Generalizing this view to corporations, the small service company is identical to its employees, and the large corporation is identical to the employees, headquarters, storefronts, factories, inventory, logo, bank account, and more. On this view, if the service company is morally responsible, by Leibniz's Law, the employees are morally responsible. Also, if the corporation is morally responsible, then the people, offices, inventory, and other parts are also morally responsible. Setting aside the complications of the moral responsibility of the non-person parts (for more, see §4.4), since the people are some of the parts that are morally responsible, this view of corporations is incompatible with CMR.

Next, let's consider Wilhelm's (2020) stage view of groups ( $\alpha$  §5). According to this view, a group is identical to a fusion of the pluralities of the members indexed to times and worlds. Generalizing this view to corporations, the service company is identical to the fusion of the members indexed to times and worlds, and the corporation is identical to the fusion of the pluralities of the employees, headquarters, storefronts, and so on. On this view, if the service company is morally responsible, then the fusion of pluralities of employees is morally responsible. This might mean that the whole fusion is morally responsible, or maybe just the pluralities of the fusion that caused the wrong are morally responsible. Either way, when the company is morally responsible, some people are morally responsible. In terms of the corporation, again setting aside the complications of the moral responsibility of the non-person parts, since the people are some of the parts that are morally responsible, this view of corporations is also incompatible with CMR.

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<sup>54</sup> cf. Horden and Lopez De Sa (2020), Korman (2015)

Finally, let's consider Effingham's (2010) robust set view of groups ( $\alpha$  §4). On this view, a group is identical to the set of sets of members of the group indexed to times and worlds.

Generalizing this view to corporations, the service company is identical to the set of the sets of employees indexed to times and worlds, and the corporation is identical to the set of the sets of employees, headquarters, storefronts, and so on. As mathematical objects, sets are abstract entities that are not conscious, cannot form intentions, and have no agency. Although the corporation is an independent entity from the people, it is not the kind of entity that can be morally responsible.

### **§3.2 Structuralist View**

Next, let's consider Katherine Ritchie's (2013, 2015, 2020) structuralist view of groups, according to which organized groups are structured wholes. This view comes from a Neo-Aristotelian framework—groups exist when they have both form and matter.<sup>55</sup> According to this view, the form of a group is the structure, the matter is the members, and the group is the realization of the structure by the members. To be clear, the group is not identical to the structure or the members; rather, the group is a structured whole that exists and persists when the structure is realized by the members.

To illustrate her view, Ritchie uses nodes and edges from vertex graph theory to represent the structure of a group. Nodes are dots on the graph that represent the positions the members can fill, and they are defined in terms of functional relations, tasks, powers, norms, and responsibilities. Edges are lines drawn between the dots that represent the relations between the nodes. To illustrate, consider a basketball team. The nodes representing the team would be labeled 'point guard,' 'center,' etc. These nodes are defined in terms of the functional relations, tasks, norms, and responsibilities of the positions, e.g., the point guard brings the ball up the court, and the center plays down in the post.

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<sup>55</sup> cf. Fine (1999) and (2020), and Koslicki (2008) for more on the Neo-Aristotelian framework.

The edges represent the relationships between these nodes of the basketball team, e.g., the pass ball to relation or the set screen for relation.

Ritchie briefly sketches how her structuralist view of groups could be extended to corporations. While all of the node occupiers in an organized group are “people or social creatures,”<sup>56</sup> Ritchie suggests that similar social structures could have non-person occupiers. For instance, in addition to the nodes for the players, coaches, and other team employees, the structure of a professional sports team has nodes for a stadium, sports equipment, a bank account, and more. Extrapolating this to corporations more generally, corporations are similar to groups in that they are the realization of the structure by the node occupiers, but their structure includes nodes that can only be occupied by non-persons, e.g., storefronts, inventory, factories, and more.

With a structuralist view of corporations in mind, let’s consider whether the corporation, qua structured whole, can be morally responsible, while the members who realize the structure are not. While Ritchie does not directly address the moral agency of the group or corporation, her view can give us insights into whether the individuals share that moral responsibility. According to a structuralist view, the node in corporations can be defined by the responsibilities of the node occupier. Although not every node in a corporation is defined by moral responsibility, in a corporate structure, certain nodes are partly defined by some moral responsibility. Notably, the board of directors, the senior management (CEO, CFO, COO), and the human resources department are roles in the corporate structure that are partly defined by some moral responsibility. The board of directors holds the responsibility for guiding the company’s strategic direction and overseeing its operations. As the highest-ranking executive, the CEO bears significant moral responsibility for the company’s overall conduct. The other senior management members are morally responsible for their respective departments’ actions and for ensuring ethical practices adherence. The human resources department

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<sup>56</sup> Ritchie (2020 p.10)



plays a critical role in promoting ethical behavior, enforcing policies, handling employee grievances, and fostering a fair and respectful work environment. Thinking about a corporation through a structuralist lens, we can see how the moral responsibility would be distributed to the people in the position that bears the moral responsibility.

Furthermore, according to Ritchie, the membership conditions for organized groups, like corporations, are generally volitional.<sup>57</sup> This means that individuals have a greater degree of choice in joining or leaving these groups. While factors like tryouts and contracts may somewhat limit this freedom, individuals still essentially have the option to participate or not. Since these individuals willingly occupy a node in a structure that is defined by some moral responsibility, this further suggests that some individuals also bear some moral responsibility.

Alternatively, one might contend that on a structuralist account of corporations, it is the structure that is morally responsible. With this in mind, let's consider the moral responsibility of the structure. In terms of structures, there are two main approaches—creationist and Platonist. On the creationist approach, a structure is brought into existence by someone or a group of people. They create the structure by defining the nodes and edges in terms of functional relations, tasks, powers, norms, and responsibilities. In contrast, the Platonist approach suggests that structures exist in an independent metaphysical realm. These preexisting structures are discovered or selected by the founders and then realized by the members.

In either approach, it is challenging to attribute moral responsibility to the structure while individuals are blameless. On the creationist approach, the structure is like an artifact; it is something that is created by people. I explore the ethics of artifacts further in §4.4, but for now, suffice it to say that the responsibility can lie with those who create the structure or those who sustain it. The people who create a corporate structure are responsible for defining functional relations between the nodes

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<sup>57</sup> Ritchie (2015 p. 314)

and the tasks, powers, norms, and responsibilities of the nodes. Thus, they are responsible for the framework within which corporate decisions and actions are made. After the initial creation, those who maintain the structure, adapting and refining it as needed, also share in the responsibility. They shape and perpetuate the structure within which corporate actions are taken. In contrast, on the Platonist approach, even if the structure is inherently immoral, structures are inert in this metaphysical realm and nothing happens until some people choose to realize them. These agents, by selecting a specific structure, essentially pick a framework within which the group will operate and assume responsibility for realizing that structure. Whether the structure preexists or is actively created by individuals, the realization of the structure requires deliberate choices made by moral agents. Whether the people are responsible for creating the structure or choosing it from the metaphysical realm, individuals bear some of the moral responsibility for the structure of the corporation.

Ultimately, given that the very existence of the corporation (on a structuralist view) depends on the individual voluntarily realizing the structure—even if the corporation, qua structured whole, is a moral agent—these individuals still bear some moral responsibility for voluntarily bringing the corporation into existence. If the existence of the corporation causes some wrong, then individuals who continue to realize said corporation bear some responsibility for causing that wrong. If those people had chosen not to realize the corporation, then the corporation would stop existing. Since the existence of the corporation depends on the members continuously voluntarily realizing the structure, a structure that individuals create or choose to perpetuate, the individuals bear some moral responsibility for continuing to realize that corporation.

So, according to a structuralist view of corporations, genuine instances of CMR seem implausible for several reasons. First, according to a structuralist view, certain nodes within the

corporate structure are directly associated with moral responsibility—such as the board of directors and senior management. When individuals voluntarily assume these roles, they inherit the moral responsibilities that come with them. Second, while the structure provides the framework for action, it is inert in itself, requiring realization by moral agents. On both the Creationist and Platonist approaches to structures, it's difficult to conceive how the structure itself could bear moral responsibility while individuals are blameless. Finally, since, on a structuralist view, the very existence of the corporation depends on individuals realizing the structure, then these individuals are responsible for bringing the corporation into existence—and they seem to share some of the moral responsibility of the corporation's actions. This suggests that the moral responsibility lies with the moral agents who choose to realize and maintain this structure, making it difficult to attribute moral responsibility to the corporation, qua structured whole, while the individuals are blameless. Therefore, on a structuralist account, it appears that the moral responsibility for a corporation's actions would largely be distributed among its individual members, particularly those who occupy roles that are explicitly laden with ethical obligations.

### **§3.3 Constitution View**

Constitution views of groups are inspired by one of the solutions to the puzzle of the statue and the clay.<sup>58</sup> The idea is that the statue is constituted by the lump of clay, but it is not identical to the lump of clay because they have different historical and modal properties. Specifically, the clay existed before the statue came into existence, and the clay could survive being smashed while the statue could not. Nonetheless, the statue is closely related to the clay. For instance, the statue and the clay are in the same place at the same time; whenever the statue is on display in the museum, the lump of clay is also on display in the museum. The puzzle is: how can there be two distinct objects

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<sup>58</sup> cf. Thomson (1998); Wiggins (1968)

in the same place at the same time? The constitution view purports to resolve the puzzle by claiming the statue is constituted by the clay, but the statue is not identical to the clay.

Some contend that groups are analogously constituted but not identical to their members.<sup>59</sup> According to this view, groups are distinct from their members because they do not share all of the same properties. For instance, the plurality of members can exist before the group came into existence and would continue to persist if the group were disbanded. Nonetheless, groups are closely related to their members. Some contend that groups are like statues in that they are located where their members are located.<sup>60</sup> They maintain that groups, like the Supreme Court, for example, are located wherever the Justices are located. In contrast, Hindriks (2013) contended that not all groups are always located where their members are located, but proposed replacing the colocation condition with an enactment condition. The idea is that groups are constituted by these people partly because they enact the actions of the group. Either way, these similarities suggest a close but non-identical relation between a group and its members.

A constitution view of groups can be extended to corporations. On this view, smaller service companies are constituted by—but not identical to—the employees, and larger corporations are constituted by—but not identical to—the employees, offices, inventory, etc. This is because corporations have different properties from their constituents. For instance, the employees and the buildings can exist before the corporation and can persist if the corporation is dissolved. While corporations are not identical to their constituents, they are closely related to their constituents, and some of the corporation's properties can be explained in terms of the constituents' properties, such as the location or the enactment of the corporation's actions. However, the question remains: is moral responsibility a property they share, or at least in some instances, is it a property that only

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<sup>59</sup> cf. Harris (2020); Epstein (2017) and (2015); Hindriks (2013); Uzquiano (2004)

<sup>60</sup> cf. Horden and Lopez De Sa (2020); Hawley (2017); Effingham (2010). c.f. Ruben (1983) and (1985) for the view that corporations are not located.

corporations possess and not individuals? Constitution theorists do not directly address this question, but we can get a sense of a response by looking at how they explain group action and intention.

According to Brian Epstein (2015, 2019), the actions and intentions of a group depend on how the actions and intentions of that kind of group are grounded. The actions and intentions of some kinds of groups are exhaustively grounded by the actions and intentions of the individuals, but Epstein contends that the actions and intentions of other kinds of groups are grounded by external factors. Since the actions and intentions of the latter kinds of groups are not exhaustively grounded by the members, this might be an instance of CMR, and we should look at them more closely.

Epstein considers an instance of Microsoft shareholders voting on a certain matter. The corporate action that follows from the vote is not exhaustively grounded by facts about the shareholders. For instance, a majority of shareholders holding a minority of shares could vote against a certain action, yet the corporation might still undertake that action if a minority, who collectively hold a majority of shares, vote in its favor. The same could be said for the group's intentions before the vote. The full grounds of this group's actions and intentions include facts about share ownership and voting power, which are grounded by historical contracts and agreements that are not grounded by individuals' actions. According to Epstein's views, in instances like these, the group's actions and intentions cannot be entirely grounded by facts about the members alone. Instead, the way the group is structured and/or the specific roles and powers assigned to certain members, but are not grounded by facts about the members, are necessary to fully ground some groups' actions and intentions. Certain members' actions may carry more weight in explaining the group's decisions, and this is grounded by the setup of the voting power or other relevant factors that are not grounded by any facts about the members.

Since the actions and intentions of the group cannot exhaustively be grounded by the members, this might seem like the moral responsibility is also not exhaustively grounded by the members and there might be genuine instances of CMR. However, these external factors do not negate the role of individual members in the group's actions; rather, they highlight that additional external factors and the group's structure contribute to the grounding of the distribution of decision-making power and responsibility. Similar to how group actions and intentions cannot be fully grounded by individual actions, group responsibility is not grounded in the responsibility of all its members. Instead, the distribution of responsibility is grounded by the way the group is organized and the specific roles and powers assigned to its members. Assuming these individuals know that their actions and intentions carry this weight in the group's actions, they bear more moral responsibility than other members of the group. The point is that even in these instances, where the actions are not exhaustively grounded by the actions of the members, some of the members bear the moral responsibility for the corporation's actions.

So, according to constitution views of corporations, it seems unlikely that there are genuine instances of CMR. While these views acknowledge that corporations possess properties distinct from their members, they do not entirely detach corporations from the actions and intentions of the individuals constituting them. Though the actions of corporations may not always be fully grounded by member actions alone, this doesn't absolve individuals of their moral responsibilities. Instead, it suggests a more fine-grained distribution of responsibility based on internal structures and roles. Epstein's analysis underscores this point, indicating that external factors—like the corporate structure or historical contracts—inform the decision-making process without necessarily undermining individual responsibility. As illustrated by the shareholder example, even if an entity's

actions aren't completely grounded by the actions of its members, the moral weight of those actions can still be assigned to specific individuals based on their influence and authority within the group.

### **§3.4 Abstract Artifact View**

Finally, let's consider an abstract artifact view of organized groups. This view comes from the metaphysical similarities to fictional characters, works of music, words, recipes, etc.<sup>61</sup> The idea is that these objects are intentionally created by people, hence artifacts, but they are not identical to any particular material manifestations, hence abstract. To extend this idea to organized groups, they are intentionally created by people, but they are not identical to their members. Again, groups are not identical to their members because the plurality of members existed before the group existed, and the plurality persists after the group has disbanded. Analogously, corporations are also created by people and are not identical to their material manifestations, which suggests an abstract artifact view could be extended to corporations.

Assuming corporations are some kind of artifacts, there are two topics from the ethics of technology that are pertinent to considering whether an abstract artifact, like a corporation, can be morally responsible. First, the debate about whether technological artifacts are value-neutral can help frame whether corporations as artifacts can be morally responsible. The second related topic from the ethics of technology is the responsibility of the engineers for the technology they help create, which can shed some insight on the responsibility of the individuals associated with the corporation. In turn, I briefly outline these topics in the ethics of technology and consider how they inform the moral responsibility of the corporation, thinking of it as an abstract artifact.

First, there is a debate about whether technological artifacts are morally neutral and what that means for the moral agency of the artifact. Some argue that technology is value-neutral, meaning it is simply a neutral tool or instrument that can be used for both positive and negative purposes. This

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<sup>61</sup> cf. Friedell (2020); Korman (2019); Salmon (1998); Thomasson (1998)

perspective finds support in the idea that technology is merely a physical structure devoid of inherent values.<sup>62</sup> However, most philosophers of technology disagree with this notion. They point out that technological development is driven by specific goals and purposes, and technological artifacts are designed with particular functions. As a result, these artifacts may be well-suited for some purposes but less effective or challenging to use for others. This connection between the design and functionality of the artifacts suggests that artifacts can be value-laden.

Still, the idea that technology is value-laden can be construed in various ways. Some connect a technology's value-ladenness with moral agency, claiming that technologies can act autonomously and in a morally responsible manner. Those who advocate for the moral agency of technology often redefine the concept of agency or its relationship to human will and freedom to support their argument.<sup>63</sup> However, this approach tends to blur the important distinctions between human beings and technological artifacts. Moreover, some critics argue that claiming moral agency for technology has become a shorthand way of asserting that technology is morally significant without fully exploring other ways in which technology may be value-laden. Alternatively, others propose understandings of technology as value-laden without ascribing agency.<sup>64</sup> For instance, Christian Illies and Anthonie Meijers argue in favor of a view that artifacts play an active role in morality without introducing radically new moral agency concepts. The idea is that technology can enable or restrict certain human actions and the achievement of specific human goals. In this sense, technology's impact on human actions and outcomes makes it value-laden, even if moral agency is not ascribed to technological artifacts.

Analogously, corporations are conceived and designed with precise intentions and objectives, and so they can also be seen as value-laden artifacts. For example, some corporations might be

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<sup>62</sup> cf. Pitt (2000)

<sup>63</sup> cf. Latour (1993) Floridi & Sanders (2004), Verbeek (2011)

<sup>64</sup> cf. Johnson (2006), Radder (2009), Illies & Meijers (2009), Peterson & Spahn (2011), Miller (2020), Klenk (2021)



created to promote good or reduce suffering, while others are designed to return a profit to the shareholders. Like technological artifacts, the idea that corporations are value-laden entities might also be taken to mean that they are moral agents. However, this approach faces the same challenges for proponents of CMR that were set aside in §1. They have to either identify corporate analogs for the phenomenological components that are traditionally understood as necessary for moral agency or argue that these components are not necessary for moral agency. Critics would respond by arguing that these corporate counterparts to human experiences are inadequate or that a version of moral responsibility, stripped of these familiar phenomenological components, would be so different as to be unrecognizable.

Alternatively, we can follow Illies and Meijers in that corporations are value-laden artifacts without attributing moral agency to them. The idea is that corporations are value-laden artifacts because they enable or restrict certain human actions and the achievement of specific human goals. Still, on this view, human agents are morally responsible for their actions. According to Illies and Meijers, “[T]he responsibility is not partly ‘taken over’ by artefacts. That would be an inflationary understanding of accountability (or even responsibility) which would render most of our traditional ethical concepts useless and would disconnect accountability from praise and blame or any adequate reactive attitudes.” Even though technologies and corporations are morally-laden artifacts in the sense that they change the available options open to the individual, the individuals are still morally responsible for how they act with the options open to them.

The second related topic from the ethics of technology is about the responsibility of the engineers for the technology they help create. Determining individual responsibility for new technology is challenging for multiple reasons.<sup>65</sup> First, the conditions typically used for individual responsibility, such as freedom to act, knowledge, and causality, are often not fully met by individual

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<sup>65</sup> cf. Nissenbaum (1996), Johnson & Powers (2005), Swierstra & Jelsma (2006)

engineers. Second, hierarchical or market constraints may compel engineers to act in certain ways, and predicting negative consequences may be extremely difficult or even impossible. Third, the long chain of events from technology's research and development to its use involves many people, making causality attribution challenging. Analogously, many corporate employees fail to meet the typical conditions of individual responsibility, such as freedom to act, knowledge, and causality. Furthermore, hierarchical structures and market constraints may compel employees to act in certain ways, and predicting negative consequences may be extremely difficult or even impossible.

Although most of the employees are not morally responsible for the corporation's actions, this does not mean that no one is morally responsible. Corporations are created with certain positions, like those of the board of directors or senior management, that are inherently vested with the authority and expectation to guide the company's direction. Corporations are created in such a way that these individuals are expected to possess both the knowledge and capacity to direct the corporation's actions, and by taking these positions, the individuals also seem to take on responsibility for the corporation's actions. The point is that, although not all of the people associated with the corporation are morally responsible, it does not mean that no one is morally responsible. Corporations are created with certain positions that bear the moral responsibility for the corporation's actions.

In conclusion, through the lens of the abstract artifact view of corporations, the possibility of genuine instances of CMR appears remote. Proponents advocating for CMR, particularly when comparing corporations to abstract artifacts, face several formidable challenges. First, even assuming corporations are value-laden artifacts since they affect the options open to the individuals, individuals remain morally accountable for their decisions from those available options. Second, even if corporations are value-laden artifacts, CMR proponents still have the daunting task of

showing that this means that corporations have moral agency. Lastly, since there are individuals in positions within the corporations who are supposed to bear the responsibility, it seems unlikely that there could be instances where the corporation is responsible, while the individuals are blameless. Instead, the abstract artifact view elucidates certain individuals' moral responsibility and suggests that genuine instances of CMR are improbable.

## **§4 Corporate Moral Responsibility Revisited**

This chapter does not resolve the debate over CMR. Nonetheless, the metaphysical views of corporations can give us insight into assessing instances of corporate moral responsibility. These metaphysical views provide us with a framework for thinking about what a corporation is and what is supposed to be morally responsible. Yet none of the views clearly endorse the idea that corporations can be morally responsible while all individuals associated with the corporations are blameless. These views suggest that some people associated with corporations also bear some moral responsibility. In light of this, let's revisit the plausible instances of CMR from §2 and consider how each metaphysical view might explain the moral responsibility in each instance.

From a structuralist perspective, the corporation is the realization of the structure by the node occupiers. With this view of a corporation in mind, recall the instance of corporate commitments. The individuals who choose to occupy nodes might have limited choices because of the choices of previous node occupiers, but that does not mean that none of the individuals are morally responsible. For example, the previous node occupiers might be morally responsible for the current corporate commitments. Furthermore, these corporate commitments help to define the duties and responsibilities of nodes, and then the individual takes on that responsibility when they voluntarily choose to realize the node in the structure of the corporation. Next, in instances of distributed decision-making, on a structuralist view, even if every member of the corporation acts blamelessly

within their designated role, it does not mean that no one is morally responsible. Without more details, it is tough to say exactly who is to blame, but plausibly, the department heads share some of the blame for not coordinating, or the current management might be responsible for the lack of oversight. It might be a structural failure, but still, the individuals who design the structure—or the ones who perpetuate it—may also bear some moral responsibility. Finally, on a structuralist view, certain nodes are defined by the responsibility for setting the culture and the mission of the corporations, and as such, those who occupy those nodes bear the responsibility for maintaining the corporate culture. According to the structuralist view, in these instances, plausibly some individuals are responsible because of the node they occupy.

The constitution view offers insight into the relationship between a corporation and its employees. Epstein highlights that not all facts about a corporation's actions and intentions can be grounded by facts about the people. Specifically, external factors, like historical contracts and voting power, are also necessary to fully ground the actions and intentions of a corporation. Since a corporation's actions and intentions are not fully grounded by the individuals, this might seem to support instances of CMR. However, the fact that external factors contribute to grounding the actions and intentions of the corporation does not negate the responsibility of individuals. Rather, the external factors can help distribute the moral responsibility to the individuals in proportion to how much their actions impact the actions of the corporations. Since individuals' actions and intentions contribute to the grounding of the actions of the corporation, on a constitution view, some of these individuals also seem to bear the moral responsibility.

Finally, according to the abstract artifact view, corporations are abstract artifacts, and as artifacts, the ethics of technological artifacts offer insights into the corporation's and the employee's moral responsibility. From the ethics of technology literature, since some artifacts can change the

available options open to the individual, they are morally-laden objects. Nonetheless, according to this view, individuals are still morally responsible for how they act with the options open to them. Analogously, corporations seem to be morally-laden objects because they change the available options open to the individual. Sometimes, things like a corporate commitment might constrain the available options for the employee, but individuals are still morally responsible for their actions. In cases where decision-making is distributed, on this view, the responsibility seems to lay with the managers for lack of oversight or the founders of the company for creating an artifact without the proper checks and balances. Finally, the culture of any corporation is going to naturally shift over time, and just like any artifact, for it to function well over time, it is the responsibility of the owners and the managers to maintain the artifact. From the abstract artifact view of corporations, they can be morally-laden artifacts, but individuals are still morally responsible for their actions associated with the corporations.

The complexities of corporate commitments, and distributed decision-making processes, or the nuances of cultural shifts, make it plausible that there are genuine instances of CMR. Yet the metaphysical frameworks suggest that there are some individuals or groups of individuals who also bear some moral responsibility for the corporation's actions. When examining these cases of CMR through these metaphysical lenses, the responsibility always seems to be distributed to some of the current or former employees, or the founders of the corporation. Either way, the moral responsibility seems to always be distributed to individuals associated with a corporation.

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