

## Philosophy in Review



# Kirk Ludwig, "From Plural to Institutional Agency: Collective Action II."

Seumas Miller

Volume 41, Number 1, February 2021

URI: <https://id.erudit.org/iderudit/1076215ar>

DOI: <https://doi.org/10.7202/1076215ar>

[See table of contents](#)

Publisher(s)

University of Victoria

ISSN

1206-5269 (print)

1920-8936 (digital)

[Explore this journal](#)

Cite this review

Miller, S. (2021). Review of [Kirk Ludwig, "From Plural to Institutional Agency: Collective Action II."]. *Philosophy in Review*, 41(1), 37–39.  
<https://doi.org/10.7202/1076215ar>

Copyright © Seumas Miller, 2020



This document is protected by copyright law. Use of the services of Érudit (including reproduction) is subject to its terms and conditions, which can be viewed online.

<https://apropos.erudit.org/en/users/policy-on-use/>

**érudit**

This article is disseminated and preserved by Érudit.

Érudit is a non-profit inter-university consortium of the Université de Montréal, Université Laval, and the Université du Québec à Montréal. Its mission is to promote and disseminate research.

<https://www.erudit.org/en/>

**Kirk Ludwig.** *From Plural to Institutional Agency: Collective Action II.* Oxford University Press 2017. 312 pp. \$82.00 USD (Hardcover ISBN 9780198789994).

Kirk Ludwig's *From Plural to Institutional Agency* is the second volume of an ambitious and impressively analytical two-volume work. This second volume builds on the work in the first volume, *From Individual to Plural Agency* (Oxford University Press 2016). In *From Individual to Plural Agency* Ludwig provides a Davidson-inspired analysis of individual action and deploys it to develop and defend an analysis of joint action, i.e., actions such as jointly singing the national anthem (expressed in sentences such as, 'We sang the national anthem'). Joint actions involve multiple agents each of whom performs a contributory action(s) in the service of a common end. In recent decades, the importance of the concept of joint action has been recognized by philosophers and there are various competing analyses of it. Notably, on Ludwig's account, joint action consists of a single event intentionally brought about by multiple agents and the key intention in play is a 'we-intention.' We-intentions are in turn analyzed in terms of interlocking individual intentions to achieve some outcome by means of a shared plan (26). Here there is no recourse to a group agent. So, Ludwig provides an individualist rather than a collectivist account of joint action. In *From Plural to Institutional Agency* Ludwig utilizes his analysis of joint action to develop his account of institutional actions and, in particular, the apparently singular actions of institutional entities, e.g., actions such as the US Supreme Court ruling in 1896 that segregation was constitutional. Roughly speaking, according to Ludwig such actions are to be analyzed in terms of the members of the relevant group intentionally bringing about an event, i.e., the members of the US Supreme Court ruling in 1896 that segregation was constitutional. Thus, Ludwig provides an individualist rather than a collectivist account of institutional action. Accordingly, Ludwig's overall project is to use his analysis of joint action and, ultimately therefore, his analysis of individual action to provide an analysis of institutional action.

Ludwig's individualist conception of institutional agency in terms of the actions of the members of an institution accords with common sense. The common sense view of an institution is of a social entity that consists in essence of an embodied structure of roles, i.e., a structure of roles occupied by the individual human agents who are the members of that institution. This view is thought by some to be undermined by the consideration that actions are ascribed to institutions per se, as opposed to their members, and by the fact that an institution could have had different members than the ones it actually had (e.g. someone other than Brett Kavanaugh might have been nominated by President Trump to sit on the Supreme Court and confirmed by the US Senate). Ludwig offers a highly plausible and somewhat novel response to these arguments: a response that, in effect, rescues the common-sense view. He proffers his time-indexed, reductive individualist conception according to which not only is the Supreme Court the group that consists of everyone who is at any time a member, but what the Supreme Court does at any time is what those justices at that time do (66). Importantly, Ludwig points out that the term, 'the Supreme Court of the US' functions as a definite description and not a name. As is the case with all definite descriptions, e.g., 'the President of the US,' the individuals selected for the Supreme Court of the US could have been different (68).

While an account of the actions of an institutional entity in terms of its actions, notably joint actions, of the members of that entity is both familiar and plausible, we do now require an account of the membership in question, and Ludwig provides one in terms of occupancy of status roles. Following Searle (*The Construction of Social Reality*, Penguin 1995), he specifies these roles in terms of collectively accepted membership rules (including rules specifying the rights and duties of

members). Examples of status role types for individuals are: judge, police officer, secretary (138). Examples of membership rules for members of a chess club, for instance, are: members must pay an annual fee of \$X, and must play chess at least once per month (162). According to Ludwig, the rules in question are essentially intentional in the sense that intentionally following them constitutes the activity they govern, e.g., intentionally following the rules of chess constitutes playing chess (262). Ludwig's notion of collective acceptance is cashed in terms of his above-mentioned individualist notion of (conditional) we-intentions. At this point, we have arrived at an individualist conception of institutional agency and action. So far, so good. However, I now want to discuss two objections to Ludwig.

The first objection applies to any account of joint action, including Ludwig's we-intention-based account, in which each or most of the agents intend the contributory actions of the other agents. Ludwig considers some of the objections in the literature (27-8), but not this one. Consider an example of a joint action in which agents perform their contributory actions at different times. Suppose multiple agents, A1, A2, etc. are members of an *around the world* relay squad comprised of thousands of walkers each of whom walks a kilometre and then hands a baton to the next walker; moreover, the relay takes years to complete. Assume further that many participants do not decide to participate, indeed have not even heard of the relay, until the relay is actually under way across their particular country. Assume the relay has been going for a number of years. Accordingly, many of the present participants have no intention with respect to the *past* actions of many past participants. For at the time that these past actions were performed the present participants did not even know that there was a relay being run. Such examples tell against Ludwig's argument and in favour of one in which each agent intentionally ran his or her segment of the relay, believed that the others have or will run their segments, with the intentionality that the whole relay be run.

The second objection concerns the source of the rights and duties constitutive of institutional roles, i.e., status roles. While joint actions per se and their constitutive intentions, ends and/or we-intentions do not necessarily involve rights, duties and other deontic properties, it is self-evident that institutional actions do. However, according to Ludwig, 'insofar as so and so is a police officer, he has the right to do certain things and the obligation to do certain others. These rights and obligations he possesses are entirely socially constructed, and his having them means merely that it is constitutive of the collective intentional activity in which such role occupiers participate that he interact with others in certain ways' (143). On an alternative conception, the institutional rights and duties constitutive of institutional roles derive in part from the (mutually believed) collective *goods* realized by the institution in question. Thus, the institutional rights and duties of police officers derive in part from the felt need for law and order. On Ludwig's collective acceptance account, institutional rights and duties appear somewhat mysteriously from intentions and, ultimately, individual intentions.

As it happens Ludwig does seem to invoke the notion of an explicit or implicit agreement ('tacit agreement' (135)) and, therefore, promise or quasi-promise, as in part constitutive of collective acceptance (because either constitutive of we-intentions or of conventions). This reliance on the notion of an agreement would ultimately ground institutional deontic properties on moral considerations after all: the moral obligations generated by agreements. The problem that would now arise is circularity. After all, moral obligation-generating agreements, promises and the like are themselves institutional phenomena.

Ludwig also explicitly states (144) that whatever *moral* rights and duties a role occupant, such as a police officer, has, arise from their acceptance of the position and their representing to others that they can be relied upon. This move evidently seeks to explain the generation of the moral duties and obligations in question while simultaneously and, I suggest, implausibly, decoupling them

from institutional rights and duties. At any rate it is unclear why acceptance in the sense of mere occupancy generates moral obligations, e.g., occupancy of a position in the mafia does not seem to. But, perhaps Ludwig again has in mind acceptance in the sense of agreeing or promising. As for representing to others that one will do thus and so, again this looks like an implicit promise to do so. If so, circularity looms (again).

In conclusion, whether or not one believes that Ludwig has largely succeeded in bringing the important individualist project he sets himself in *From Plural to Institutional Agency* to fruition, there is no question that he has made a major contribution to the social ontology literature.

**Seumas Miller**, Charles Sturt University, TU Delft and the University of Oxford