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Published in:
The Routledge Handbook of Collective Intentionality

IMPORTANT NOTE: You are advised to consult the publisher's version (publisher's PDF) if you wish to cite from it. Please check the document version below.

Document Version
Publisher's PDF, also known as Version of record

Publication date:
2017

[Link to publication in University of Groningen/UMCG research database](#)

Citation for published version (APA):

Hindriks, F. (2017). Institutions and Collective Intentionality. In M. Jancovic, & K. Ludwig (Eds.), *The Routledge Handbook of Collective Intentionality* (pp. 353-362). (Routledge Handbooks in Philosophy). Routledge.

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Institutions and Collective Intentionality

Frank Hindriks

Institutions shape many of the things people do. Think of waiting in line in a store, giving way to a car coming from the right (or left, depending on where you are), ordering a meal in a restaurant, buying a house, getting married, chairing a meeting, and running a multi-billion corporation. There are two perspectives on what examples such as these have in common in both philosophy and the social sciences. According to the first, each is an instance of a particular kind of behavioral regularity or recurring activity. According to the second, each is an instance of a certain kind of rule-based behavior. These two perspectives are sometimes combined (Aoki 2011; Greif and Kingston 2011; Hindriks and Guala 2015). In this vein, Raimo Tuomela (2013) argues that institutions are norm-governed social practices. As social practices are recurring activities and as norms are rules, this definition—on which I will rely in this chapter—captures both perspectives.

Institutional actions are caused by intentional attitudes. Often those attitudes are taken to be individual beliefs and desires—or, in the language of rational choice theory, expectations and preferences. I might, for instance, have a preference to drive on the right hand side of the road given that everybody else drives on this side. My decision to drive on this side of the road, on this type of analysis, is based in part on what I take your beliefs and desires to be, as well as on mutual beliefs about such attitudes. Your attitudes feature as parameters in my decision process and vice versa. In light of each other's attitudes, we mutually adjust our behavior to each other. This form of interdependence is commonly referred to as “strategic interaction.”

Alternatively, institutional actions might involve a stronger form of interdependence in that they are based on collective attitudes instead. Collective intentional states involve a “we” as their subject instead of merely two or more I's. As a consequence, a collective attitude such as a belief or intention will be conceived of as “our” attitude, our belief or intention. Parties to a collective attitude take each other's agency more seriously than agents whose attitudes are regarded merely as parameters in strategic interaction. As I discuss in Section 1, different theories of collective intentionality spell this out in different terms.

The core thesis that I consider in this chapter is that institutional actions necessarily depend on collective attitudes. I refer to this as “the Necessity Thesis” (NT).

After introducing the notion of collective intentionality in Section 1, I discuss three arguments in favor of the Necessity Thesis in Sections 2–4. Section 2 zooms in on the normative dimension of institutions and evaluates the claim that institutional normativity can only be adequately explicated in terms of collective attitudes. Section 3 addresses the idea that institutions are social constructions, and assesses the claim that social construction is to be understood in terms of collective attitudes. Section 4 introduces the thesis that institutions solve problems of interaction—more specifically, coordination problems and collective action problems—and considers the claim that collective attitudes are required for successfully doing so. None of these claims survive careful scrutiny, or so I argue. It is much more plausible to maintain instead that collective attitudes contribute to institutions as a matter of contingent fact.

1. DOING SOMETHING TOGETHER: THE I-MODE AND THE WE-MODE

Theories of collective intentionality are first and foremost theories of doing something together. Prominent examples in the literature include going for a walk together, painting a house together, carrying a piano upstairs, and dancing the tango (note that only this last example concerns an institutional action as dancing the tango is a rule-governed recurring activity). Note that you and I might paint a house without doing it together. You might intend to paint it red, while I intend to paint it blue. When I learn of your plan, I might set out to frustrate your endeavor, as it conflicts with mine. Michael Bratman (1992, 1993, 2014) argues that in order for us to paint the house together we must have a common objective and conceive of it in terms of “we.” More specifically, each of us must have an intention of the form “I intend that we *J*” (where “*J*” is an action specified in cooperatively neutral terms). Furthermore, these intentions interlock among others in that mine depends causally on yours and yours on mine. In addition to this, the perhaps provisional and incomplete subplans we each have are intended by each of us to mesh, that is, to be capable of co-realization. This is part of what it means for us to work with each other rather than against or parallel to each other. Bratman says that a group of agents who have interlocking intentions to *J* that meet these conditions share an intention to *J* or have a shared intention to *J*.

Bratman’s goal in developing a theory of collective intentionality is to identify a set of attitudes that can play the same functional role at the social level as individual intentions play at the individual level. The core idea is that they form a reliable and predictable guide for thought and action. Individual intentions, Bratman (1987) argues, are governed by norms of rationality including, for instance, consistency, means-end coherence, and stability. Intentions should be consistent with one another, an intention to do something comes with a demand to settle on appropriate means to satisfy it, and, even though an agent can reconsider an intention, rampant and arbitrary reconsideration invites a charge of irrationality. These norms also apply to shared intentions, or so Bratman argues. In this context, they typically give rise to shared action that is both reliable and predictable, and in this sense shared intentions play the same functional role as individual intentions. A central feature of Bratman’s analysis is that, as shared attitudes are interlocking individual attitudes, the commitments involved in shared intentions are individual commitments.

Margaret Gilbert's (1989, 1996, 2006) theory of collective intentionality differs particularly in this last respect. Gilbert argues that, in contrast to individual commitments, collective intentions come with joint commitments. Such joint commitments entail reasons for action that are typically sufficient for performing the relevant action. Gilbert holds that those involved in a joint commitment, for instance to go for a walk together, have a social obligation to act accordingly. As a consequence, none of the relevant individuals can unilaterally rescind from it. This means that, if one of us departs from what we intend—say you start walking faster and faster and make it difficult for me to keep up—the other can appropriately rebuke him or her. The upshot is that, as Gilbert conceives of them, collective intentions have a normative dimension. The obligations they entail are social rather than moral. A collective intention can have an immoral content, as when two people intend to kill an innocent person for no good reason. Gilbert argues that, even if the moral reasons not to do this are weightier, they do not annul the social reasons implicated by the collective intention. Gilbert says that when a group of agents have a joint commitment to, for example, take a walk together, they have a joint intention to do so.

These two theories are often seen as rivals. And they do indeed involve conflicting claims. In particular, whereas Gilbert maintains that social obligations are inherent to doing something together, Bratman denies this (see Section 3). At the same time, however, it seems possible to treat the core of these theories instead as complementary. This is in effect what Tuomela (2003, 2013) is on to when he argues that collective attitudes can be held in the I-mode or the we-mode. A key difference between attitudes held in the we-mode versus attitudes held in the I-mode is that only the former involve collective commitment that gives rise to *sui generis* social obligations (see Section 3 for more on the we-mode). I will refer to collective attitudes that involve collective commitment as “joint attitudes,” and to those that do not as “shared attitudes.” In light of this, I will treat Bratman's and Gilbert's theories as respective proposals for analyses of shared and joint intentions (see Tuomela 2003 and 2013 for alternatives). The functional and normative dimensions highlighted in the discussion of their views will play an important role in the arguments for and against conceiving of institutional action as social interaction.

Bratman (2014) maintains that his analysis of shared intentions captures a form of modest sociality. More demanding analyses of collective attitudes can be taken to capture stronger forms of sociality. In light of this, I use the term “social interaction” to refer to forms of interdependence that are stronger than those involved in strategic interaction. I will refer to the individual attitudes involved in strategic interaction as “common attitudes” (List 2014).¹ Whereas strategic interaction involves common attitudes, social interaction involves either shared or joint attitudes (or both). Recall the Necessity Thesis formulated in the introduction: institutional actions necessarily depend on collective attitudes. In terms of forms of interaction, a proper defense of the Necessity Thesis consists of an answer to why institutional action should be conceived of in terms of social interaction—shared or joint—rather than strategic interaction.

2. INSTITUTIONS AS NORMS

Institutions are governed by social norms. In order for an institution to exist, relevant social norms have to be in force in the context at issue. The first argument for collective

intentionality as a necessary component of institutions (NT) is that in order for an institutional norm to be in force it must be the object of collective attitudes. The idea is that a norm must provide the relevant agents with reasons for acting accordingly in order for it to be in force in the context at issue. Gilbert (1989, 1996, 2008) presents a version of this argument in her work on joint intentions and conventions (see also Tuomela 2013). She maintains that 'an adequate account of convention . . . will explain the normativity of convention' (Gilbert 2008: 9). Social norms such as those involved in conventions, she argues, provide people with reasons for action due to the fact that they are the objects of a joint attitude. Joint attitudes come with joint commitments, and such commitments provide people with reasons to act accordingly.

According to Gilbert (2008: 12), a regularity in behavior is a convention when those who are party to it are jointly committed to the claim that it ought to be conformed to.² Gilbert formulates three conditions of adequacy for the analysis of conventions: the collectivity criterion, the appropriate-ought criterion, and the offense criterion. According to the collectivity criterion, those who are party to a convention form a social group. Her analysis meets this criterion given that she analyzes the notion of a social group in terms of joint commitment. According to the appropriate-ought criterion, 'the normativity of convention, at its core, is the normativity of joint commitment' (2008: 14). This means that 'each party owes every other this conformity to the commitment'. Gilbert holds that it is a matter of rationality that joint commitments entail reasons. According to the offense criterion, 'the account must explain how, for any convention, the non-conforming action of any party offends against the other parties, as such, who are for this reason in a position to rebuke him, their having the convention being a complete justification for the rebuke' (2008: 7). This criterion is closely related to the appropriate-ought criterion, as the fact that participants owe each other conformity to the convention entails that they are in a position to rationally criticize each other for failing to conform to it. These criteria are met because of the role that joint commitment plays in Gilbert's analysis.

It may well be that joint attitudes do indeed involve joint commitments that offer those who are party to them reasons for action. If that is indeed the case, then joint attitudes can account for the normativity of conventions in particular and of institutions more generally. This does not imply, however, that joint attitudes are necessary. There may be alternative ways of accounting for the fact that institutions involve norms that govern behavior. There are two alternatives that the argument fails to rule out. First, the normativity involved in institutions might be moral. Second, institutions might involve norms that do not provide people with reasons for action. If either of these alternatives works, a joint commitment account of institutions does not provide for an adequate argument in the favor of NT.³

A moral conception of the normativity of institutions will deny that collective attitudes as such can provide reasons. Instead, that normativity is based on moral norms. Note that attitudes can play a role in such an account. It leaves open that attitudes provide people with reasons when combined with moral norms. Consider a simplified version of Scanlon's (1990) principle of fidelity: If A provides B assurance that she will do *x*, in the absence of special justification, A must do *x* unless B consents to *x*'s not being done. It seems plausible that someone can provide someone else assurance by having certain attitudes and communicating them to the other person. This may in turn require an

institutional context that provides for a socially accepted and recognized way of doing this. The key point is that the principle of fidelity entails a moral obligation if certain empirical conditions are satisfied including in particular the instantiation of certain attitudes. This moral conception of institutional normativity differs from the joint commitment conception in that the ultimate basis for institutional obligations is a moral principle rather than a set of attitudes per se (see Hindriks 2013).

The assumption that these two conceptions have in common is that institutions are genuinely normative in the sense that institutions as such provide people with reasons for action. Whereas this view might appeal to philosophers, it is rare if non-existent among social scientists. Practices can be governed by social norms without those norms as such providing people with reasons. Presumably, a social practice is governed by a norm only if that norm features in the attitudes of at least some participants. However, when these are common or shared attitudes, they do not entail normative reasons. It is important to realize at this point that a norm can affect the reasons people have without that norm as such providing those reasons. For instance, people might tend to disapprove of norm-violating behavior and they might dislike to be disapproved of. Alternatively, there might be sanctions for norm-violating behavior, and people might be motivated to avoid incurring those sanctions. The upshot is that norms can be in force without being genuinely normative in either the rational or moral sense.

3. SOCIAL CONSTRUCTION

Institutions are social constructions. This means that they are man-made. Houses are man-made as well, but they are not social constructions in the intended sense. Institutions are social constructions in that they depend on the attitudes of a number of agents. The second argument for collective intentionality as a necessary component of institutions (NT) is that those attitudes must be collective attitudes. Full-blown social construction consists of two features: performativity and reflexivity. Performativity is a matter of intentional states making a difference to the way the world is. Pieces of paper are money, for instance, because people have certain attitudes towards those pieces of money. Reflexivity is a matter of collective attitudes being conceptually entailed by true claims about institutions. The very fact that a piece of paper is money entails that people have attitudes towards that piece of paper (or pieces of paper of that kind). Both performativity and reflexivity are captured by what I have elsewhere called “the Collective Acceptance Principle” (CAP), with “CA” for collective acceptance and “*p*” for an institution-expressing proposition such as “pieces of paper of this particular kind are money” (Hindriks 2012):⁴

$$[\text{CAP}] \text{CA}(p) \leftrightarrow p$$

The right-to-left implication represents performativity; the left-to-right implication represents reflexivity. Collective acceptance is a matter of collective belief or intention. If CAP is correct, social construction involves collective attitudes (and necessarily so, as CAP is meant to express a necessary truth). As social institutions are socially constructed, CAP entails NT.

Searle's (1995) claim that institutions are systems of constitutive rules suggests he subscribes to CAP. The structure of a constitutive rule is "X counts as Y in C". The Y-term refers to an institutional status—what Searle calls "a status function"—such as money. The X-term refers to an entity on which the status is imposed, such as a piece of paper. And the C-term specifies a context, for instance a country. An entity counts as another entity exactly if this is collectively accepted to be the case. Searle (2010: 68–9) explicitly addresses the two core features of social construction, performativity and reflexivity. All this suggests that he subscribes to CAP.

Searle's main argument as to why institutions depend on collective acceptance is that they involve status functions that can only be performed due to their being collectively accepted. He contrasts status functions to the functions of technical artifacts such as screwdrivers and hammers. The physical features of such artifacts (typically) enable the performance of certain actions such as driving screws or hammering nails. Status functions are different in that the physical features of the entities that have them are more or less arbitrarily related to those functions. Collective acceptance is required in order for those entities to perform them. It is not very clear what Searle takes a status function to be (see Hindriks 2013). It seems to mean nothing more than that having a status enables people to perform certain actions, or to use the relevant entity for designated purposes (which involve deontic powers). The Y-term of a constitutive rule designates the concept of the status function.

Even if social construction is best explicated in terms of performativity and reflexivity, Searle fails to establish that the relevant attitudes must be collective attitudes. It will not help to point out that statuses are normative. As discussed in Section 2, individual attitudes can support socially existing norms. The striking thing is that Searle (2010) has come to the same conclusion. He has come to adopt a rather permissive use of the term "collective acceptance" (as well as "collective recognition") that encompasses situations in which all attitudes are ordinary individual attitudes (to which he adds a requirement of mutual belief; 2010: 58). Collective attitudes are not needed, he argues, because institutions do not require cooperation (2010:58). I return to this claim in Section 4.

Tuomela (2002, 2007, 2013) develops a similar argument in more detail. He argues that the attitudes required for social construction are joint attitudes. Institutions may involve shared attitudes as well, but in contrast to joint attitudes they will not be constitutive of those institutions (Tuomela 2007: 195).⁵ Furthermore, entities will have institutional statuses only if people act on the basis of the relevant attitudes (2007: 186). None of this implies, however, that those actions have to be generated by collective attitudes, let alone by joint attitudes. Sometimes Tuomela (2007: 185) restricts his claim to full-blown institutions. Now it may well be that certain institutions depend on joint attitudes rather than common attitudes or even shared attitudes. It is not very clear, however, what it adds to call those "full-blown." Perhaps they best fit the folk concept of institutions, or perhaps they are a particularly rich or in some sense ideal form of institutions. Be that as it may, none of Tuomela's arguments establish NT.

The upshot is that neither Searle nor Tuomela provide valid arguments in favor of the constructive version of NT. One might think that collective attitudes make institutions more successful as social constructions. This could mean that they are more inclined to perform the relevant institutional actions. There might be more to it,

however. Perhaps an institution is (more) successful when it (better) serves its function. I explore this idea in the next section.

4. THE FUNCTION OF INSTITUTIONS

Institutions can be seen as norm-governed social practices that serve a function. The function is that of solving problems of interaction, more specifically of coordination problems and collective action problems. In coordination problems, there are several courses of action that serve the interests of the agents more or less equally well. For instance, each of us has an interest in driving on the same side of the road as the others do. In principle, it does not matter much which side this is. Collective action problems involve substantial conflicts of interests. When you and I go hunting, for instance, our combined efforts make a difference to our success, but each of us has an incentive to do less than the other. Solving problems of these two kinds is a matter of settling on a common course of action that is beneficial for all. According to the functionality argument for NT, collective attitudes are necessary for institutions to serve their function. Recall Searle's claim that institutions need not be supported by collective attitudes because they do not require cooperation (Section 3). The functionality argument turns this claim on its head. The key idea is that, as institutions are cooperative devices, they do require collective attitudes.⁶

Tuomela provides the most developed defense of this functionality argument. He argues that institutions serve to satisfy basic human needs in the face of scarcity (Tuomela 2007: 192, 195). They create collective order in the process, and provide individuals with guidance as to what to do. Institutions are "meant to" or "purport to" solve interaction problems of the two kinds mentioned (2002: 167–8, 171; 2007: 196).⁷ Hence, a social institution 'is *functionally successful* if it solves a collective action dilemma' (2002: 171). The function of money is 'usability of exchange and storage of value' (2013: 239). At the same time, Tuomela maintains that the function of an institution 'can be represented by the outcomes that they lead to because of collective action', adding that those outcomes usually are equilibria (2013:239). Tuomela takes this to require collective attitudes in the we-mode. He maintains: 'cooperative solutions cannot rationally be arrived at without a substantial amount of we-mode action towards shared collective goals' (2002: 182; cf. 159 and 175–6). He also claims that 'we-mode we-attitudes are required by institutional action' (2002: 175–6; see also 2007: 182–3 and 195).

Tuomela maintains that joint attitudes are 'functionally the best' (2013: 239). Furthermore, he argues that the degree to which an institution can perform its function depends on the extent to which the attitudes it involves are joint attitudes. More specifically, 'the better the group succeeds in acting as a group [i.e. on the basis of joint attitudes] the more functional it and its institutions will be in the long run'. (Tuomela 2002: 181) This is a contingent explanatory claim that can be reformulated as what I call "the Tendency Thesis": institutions tend to function better when they are supported by collective attitudes rather than individual attitudes especially when they are joint attitudes. How well an institution functions is a matter of how large its cooperative benefits are.

How exactly do, according to Tuomela, joint attitudes contribute to the functionality of institutions? When they face a situation that calls for a decision, people who have

adopted joint attitudes engage in group reasoning. Such reasoning enables people to settle on a particular course of action in a coordination problem. When faced with a conflict of interest, group reasoning leads to the (possibly implicit) formulation of a group utility function. Such a group utility function ranks highest what is collectively best. As it is formulated from a group perspective, it does not reflect any of the individual differences in interests there might be when the situation is conceived of in strategic terms. A group simply does not conceive of any situation involving only its members as a collective action problem (Tuomela 2013: 205–11). People are collectively committed to this preference ordering, and they have a group reason to perform the action that maximizes it. Tuomela assumes that this normative reason will typically have a substantial motivational force. In this way, joint attitudes are conducive to cooperation not only in the case of coordination problems but also in the case of collective action problems.

The functionality argument for NT faces the challenge that there are numerous rival explanations that account for the cooperative dimension of institutions that depend exclusively on individual attitudes. David Lewis's (1969) game-theoretic analysis of conventions is perhaps the most famous one. The only attitudes that he invokes are individual beliefs and desires (expectations and preferences). The agents involved in an interaction problem conceptualize it in strategic terms and do not think in terms of "we" as agents engaged in social interaction do. Rather than relying on group reasoning, the relevant individuals can use a salient feature or a correlation device, perhaps some meaningful feature in the immediate environment, in order to coordinate their behavior. Conventions are solutions to coordination problems. Also for collective action problems, however, numerous solutions are available that do not invoke collective attitudes, irrespective of whether they are joint or shared. I mentioned two at the end of Section 2: the approval-seeking motive and sanctions. Tuomela does not have a convincing argument that these alternatives are conceptually inadequate. The explanatory Tendency Thesis fares better in this respect. Tuomela (2013) discusses empirical evidence for why joint attitudes are more conducive to cooperation than other attitudes. It may well be, then, that joint attitudes enable institutions to serve their function better than other attitudes.

5. CONCLUSION

The Necessity Thesis, according to which collective attitudes are necessary for institutions, has turned out to be implausible in that none of the three arguments offered in favor of it are particularly convincing. The normative, constructive, and functional dimensions of institutions can each be accounted for in other ways. At the same time, however, collective attitudes account for these dimensions in potentially powerful ways. Institutions can involve norms that are merely socially believed to exist and do not have any genuine normative force. It might be, however, that when people are collectively committed to a norm, the relevant institution has normative power of its own, independently of morality. Furthermore, institutions constructed out of collective attitudes might be particularly solid. Collective attitudes serve well to explain the symbolic significance involved in institutions. Finally, institutions supported by collective attitudes, particularly those in the we-mode, might be especially successful in generating cooperative benefits. In other words, collective attitudes enable institutions to fulfill their function.

RELATED TOPICS

Collective Action and Agency (Ch. 1), Non-Reductive Views of Shared Intention (Ch. 2), Reductive Views of Shared Intention (Ch. 3), Proxy Agency in Collective Action (Ch. 5), Collective Belief and Acceptance (Ch. 7), Corporate Agency: The Lesson of the Discursive Dilemma (Ch. 19), Status Functions (Ch. 23), Institutional Responsibility (Ch. 26).

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NOTES

1. An attitude is a common attitude if within a population everybody has the attitude, and this is a matter of common awareness, which requires that everybody believes that every other member has the attitude and that this is a matter of mutual belief (List 2014).
2. Tuomela defends a rather similar view of group norms more generally when he argues that 'the very notion of a group norm is a we-mode notion' (2007: 205).
3. Gilbert takes herself to analyze a central everyday sense of the term "convention." She acknowledges that there is another sense of "convention" that is captured by Lewis's (1969) analysis of the term, although she doubts that this is a prevalent folk concept (Gilbert 2008: 16). Lewisian conventions, however, are not intrinsically normative. In light of this, Gilbert's acknowledgement that there can be other senses of the

term leaves open that she holds that the normativity of conventions—of those conventions that do involve norms—has to be explicated in terms of joint commitment.

4. This is a simplified version of Tuomela's (2002) Collective Acceptance Thesis.
5. According to Tuomela (2013: 34–46), joint attitudes not only involve collective commitment, they also require a collective for which the relevant attitude is satisfied only if it is satisfied for all members. Furthermore, they constitute group reasons.
6. Recall from Section 1 Bratman's argument that shared attitudes are needed for reliable and predictable shared action, that this is their functional role. The claim considered in this section is that joint attitudes are needed for reliably and predictably reaping cooperative benefits in institutional settings.
7. Tuomela also claims that institutions '*tend to* offer cooperative solutions to collective action dilemmas' (2007: 183, emphasis added).