

The Metaphysics of Corporate Agency

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Abstract.

In Chapter 1, I defend “the first thesis”, which is that expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’ may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out.

In Chapter 2, I defend “the second thesis”, which is stronger than the first thesis, and which is that an *individual i* that is picked out by a *standard use* of the expression ‘the East India Company’ is such that expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’ may be used to truly say something about *i*.

In Chapter 3, I defend “the third thesis”, which is stronger than the second thesis, and which is that an individual *i* that is picked out by a standard use of the expression ‘the East India Company’ is such that expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’ may be used *in the senses in which they may be used to truly say something about a human person* to truly say something about *i*.

In Chapter 4, I try to assuage perplexity as to *how it is possible* that the third thesis is true, by telling a *likely story* as to how a situation in which no decision, wish, intention or belief is made or had by anything that is not a human person might evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs (in the senses in which a human person may make and have such things).

In a postscript, I sketch an explanation of why we are justified in thinking that the Company had a *diminished* range of mental capacities.

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Preamble – remarks on usage.

In my vernacular, it is possible that there is some man who reads this thesis, even though it is not the case that there is some adult male who does so. For, in my vernacular, if some adult female reads this thesis, then there is some man who does so. Similarly, it is possible that there is some man such that *he* reads this thesis, even though it is not the case that there is some adult male who does so. The lesson that I draw is that while ‘some adult male’ is both grammatically and semantically masculine, ‘some man’ and ‘he’ are grammatically masculine but semantically gender-neutral.¹ More carefully, each of them is gender-neutral, unless the context in which it occurs determines that it is semantically masculine or that it is semantically feminine. As one might put it: I can speak of some man without prejudice as to his gender.

There now follows a less routine apology.

In my vernacular, it is possible that there is something that I ate last night that has made me feel unwell, even though it is not the case that there is some thing, some object or individual, which I ate last night, and which has made me feel unwell. For, in my vernacular, if there are several things – prawns, perhaps – that I ate last night that have, in concert, made me feel unwell, then there is something that I ate last night that has made me feel unwell. Similarly, it is possible that there is something that I ate last night such that *it* has made me feel unwell, even though it is not the case that there is some thing, some object or individual, which I ate last night and which has made me feel unwell. The lesson that I draw is that while ‘some thing’ is both grammatically and semantically singular, ‘something’ and ‘it’ are grammatically singular

¹ See Velleman (1989 p. 4 n. 1) for a defence of the politics of this use of ‘he’.

but semantically number-neutral. More carefully, each of them is number-neutral, unless the context in which it occurs determines that it is semantically singular or that it is semantically plural. As one might put it: I can speak of something without prejudice as to its number.

Something similar applies to certain other idioms of quantification and identity. I can speak of *that which* has made me feel unwell, or *whatever it was* that has made me feel unwell, and wonder whether it was *the same as* or *identical with* that which has brought me out in a rash, without thereby making explicit the *number* of that which has made me feel unwell, (I might, however, choose to make it explicit that it is one thing, or to make it explicit that it is several things). And since my number-neutrality extends even to grammatically singular pronouns that are anaphoric on quantifying expressions, I extend it to variables too. In what follows, there will be occasions when it is convenient to speak of some *x*, some *y* etc. Whenever I do this, I do not assume, unless the context determines otherwise, that each such variable stands for a thing.

A final warning: sometimes I will use the expression ‘plurality’. By ‘a plurality’, or ‘a plurality of things’, I simply mean *some things*.

Introduction.

We often appear to assert or assent to sentences that predicate decisions, desires, intentions, beliefs and knowledge of social groups, organisations and institutions. For people say things like:

The office decided to throw her a party.

Shell wishes to maintain good relations with all the states of Central Asia.

The NFU intends to lobby national and local government for more visible policing of urban farms.

The Treasury believes that it is unlikely that the UK will adopt the Euro this session.

Monsanto knew as early as the 1950s that PCBs were a toxic danger.

Perhaps some fastidious folk never assert or assent to sentences of this kind. But sober people seem to, without embarrassment. Sentences like these are not the sole province of the stylist or the phrase-maker. And while a certain sort of historian, social scientist, lawyer or journalist will construct them more frequently, and with more assumed authority, than will a layman, sentences like these are not the sole province of the specialist. Most of us utter them sometimes, with a straight face, in response to familiar sorts of circumstances. Often, no-one challenges us.

But some philosophers think that it is *obvious* that no office, corporation, union or government department “really” or “literally” decides, wishes, intends, believes and knows things, as we human

persons “really”, “literally” decide, wish, intend, believe and know things. Hence, Quinton, in his “Social Objects”, asserts without argument that:

Groups are said to have beliefs, emotions and attitudes and to take decisions and make promises. But these ways of speaking are plainly metaphorical.²

And Ruben in his *Metaphysics of the Social World*, asserts without argument that:

If an entity (a nation or group, for example) is irreducibly social then no mental... property is true of it ...groups and nations do not have beliefs and desires.³

Neither Quinton nor Ruben is of an eliminativist bent. In particular, neither is eliminativist with regard to social phenomena. Each of them holds that social objects “really” exist. Hence Quinton writes:

...the relation of a social object to its human constituents [is] that of a... whole to its parts, both of which are equally real and objective.⁴

And Ruben writes:

I... take particular groups, nations, clubs, associations, and so on, to be entities.⁵

Indeed, Ruben, defends this proposition by appealing to the idea that...:

² Quinton (1975-6) p. 17.

³ Ruben (1985) p. 87. Ruben carefully argues that not all social *properties* are mental, or mental/material hybrids – e.g. (p. 118) that my paying someone for a stone is not my giving him something while expecting him to give me the stone in return for it, or some such – but he baldly asserts that the properties of social *entities* are not “mental”.

⁴ Quinton *op. cit.* p. 5.

⁵ Ruben *op. cit.* p. 46.

...our ordinary modes of thinking and speaking appear to carry ontological commitments... Apparent ontological commitments in what we say or think are to be taken seriously, either to be accepted or to be shown to be merely apparent.⁶

But there is no passage in Ruben's book that is an attempt to "show" that the "apparent ontological commitment" to corporate decisions, wishes, intentions and beliefs carried by "ordinary modes of speaking" like those mentioned above is "*merely* apparent". This is assumed. Ruben's careful realism about social objects, like Quinton's, is supplemented by a dogmatic irrealism about so many of the things (the beliefs, desires etc.) that competent speakers seem to predicate of them.⁷

I will argue that at least one social or corporate object made at least one decision, and had at least one wish, at least one intention and at least one belief, in the same senses of 'decision', 'wish', 'intention' and 'belief' as those in which a human person makes decisions, and has wishes, intentions and beliefs. The object in question was the English East India Company, a trading company established by Elizabeth I and her ministers in 1600. It is not only for reasons of expository convenience that I focus on a single example. It is also because I simply do not know whether I ought to endorse claims about, say, the London Symphony Orchestra, the Black Watch Regiment and the Swindon Moonrakers (a pub quiz team) that parallel the central claims that I will make herein about the East India Company. For I have no account of what a social group, organisation or institution *is*,⁸ or of how such phenomena are best

⁶ *ibid.* p. 10.

⁷ See Machen (1911) for a jurist with a similar combination of views.

⁸ Here is my best attempt: a social group, organisation or institution is a thing the nature of which is exhaustively constituted by the common enterprises or fellowship of human persons. But I fear that this characteristic is neither necessary nor sufficient.

taxonomised into kinds, or, for that matter, of what a trading company is, or of how such phenomena are best taxonomised into kinds. So I have no clear grasp of the extent to which analogues of the claims that I will make herein hold of every variety of social or corporate phenomenon, or of the extent to which they hold of certain varieties, and not of others.

But of course it would be surprising if the East India Company had a *sui generis* metaphysical status – whatever manner of thing it is, it is not God. So I expect that analogues of the claims that I will make herein hold of other social phenomena, and in particular of other corporations. But I decline to specify any of them. I have a paradigm case, that is all.

The remainder of this thesis will be structured in the following way. In each of my first three Chapters, I defend an argument for a *thesis*, which is then presupposed in subsequent Chapters. In this way, each of those three Chapters contributes to the defence the third of the three theses, which is my central claim. In the fourth Chapter, I try to render that central claim intelligible, (or, at least, less *unintelligible*).

There now follows a detailed account of the structure of the thesis.

In Chapter One, I defend an argument that I call ‘the first argument’, for a thesis that I call ‘the first thesis’. The first thesis is that there are, in English, expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something that the English expression ‘the English East India Company’ may be used to pick out.⁹

⁹ There are three occurrences of ‘English’ in that sentence: it is used twice and also features as a constituent of a mentioned expression. Henceforth, I omit such qualifying occurrences of ‘English’ in formulations of the first thesis and in related claims. The reader is invited to read my formulations as elliptical for ones that are thus qualified.

In Chapter Two, I defend an argument that I call ‘the second argument’, for a thesis that I call ‘the second thesis’, *viz.* that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about *i*.

In Chapter Three, I defend an argument that I call ‘the third argument’, for a thesis that I call ‘the third thesis’ *viz.* that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used in the same sense as that in which it may be used to truly say something about a human person to truly say something about *i*. I take it that this approximates to a “formal mode” version of the thought that the East India Company made at least one decision, and had at least one wish, intention and belief, in the same senses of ‘decision’, ‘wish’, ‘intention’ and ‘belief’ as those in which a human person makes decisions, and has wishes, intentions and beliefs – or, for brevity’s sake, the thought that the East India Company “really” and “literally” made a decision, and had a wish, an intention and a belief.

In Chapter Four, I try to assuage perplexity as to *how it is possible* that the third thesis is true, by telling a *likely story* as to how a situation in which no decision, wish, intention or belief is made or had by anything that is not a human person might evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs (in the senses in which a human person may make and have such things). The project of this final Chapter is, then, broadly speaking, reconciliatory or therapeutic. If it succeeds in easing the reader’s puzzlement as to *how it*

is possible that the third thesis is true, then that is a bonus, but if it does not, my arguments *that* the thesis is true should remain untouched.

Finally, in a postscript, I try to sketch some reasons why, *notwithstanding* the third thesis, we are justified in thinking that the East India Company had a rather *diminished* range of mental capacities.

Chapter One – the first argument.

My first argument is for the thesis that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out. I begin by noting that the historian Philip Lawson, in his history of East India Company, applies expressions of those varieties to occurrences of ‘the East India Company’. (Strictly speaking, he applies them, in the passages quoted below, to occurrences of ‘the Company’ and ‘it’ that are anaphoric on earlier occurrences of ‘the East India Company’. But as it is safe to assume that Lawson might just as well have applied them directly to ‘the East India Company’, I will proceed as if he did):

...the Company decided to abandon shipbuilding and ownership...¹⁰

...it wished to keep expenditures on administration to a minimum and to maximize profits from all trade surpluses, especially from Bengal.¹¹

...the Company intended to slip into the nooks and crannies in the eastern trade structures which the native traders and other Europeans had ignored...¹²

The Company believed that it could never again trust the ruling elite in Awadh...¹³

Consider the first of those four claims. Here it is in context:

¹⁰ Lawson (1993) p. 48.

¹¹ *ibid.* p. 115.

¹² *ibid.* p. 26.

¹³ *ibid.* p. 112.

After the 1657 charter grant, the Company decided to abandon shipbuilding and ownership, replacing its involvement in this industry with a policy of hiring 'East Indiamen' to do their business. This way of proceeding cut costs and incidentally gave rise to an insurance market and powerful shipping interest in the Company and the City. The eastern voyaging in the years 1660-88 proved very rewarding indeed as a result...¹⁴

Let (E) be the sentence, 'The East India Company decided to abandon shipbuilding', or, more carefully, that sentence *as it occurs* in Lawson's text. (Strictly speaking, of course, it occurs as a constituent of a larger sentence, but as (E) is plainly *entailed* by the larger sentence, I will proceed as if (E) were a self-contained sentence in Lawson's book).¹⁵

I reason as follows:

- (1) (E) is true.
- (2) (E) is true just in case '_decided to abandon shipbuilding', as used in (E), truly says something about whatever it is¹⁶ that is picked out by 'the East India Company', as used in (E).

Therefore:

- (3) '_decided to abandon shipbuilding', as used in (E), truly says something about whatever it is that is picked out by 'the East India Company', as used in (E).

¹⁴ *ibid.* p. 48.

¹⁵ That (E) is a constituent of a larger sentence will become important in Chapter Two.

¹⁶ I read 'whatever it is' as existentially committing, such that (2) does not entail that (E) is (vacuously) true if *nothing* is picked out by 'the East India Company', as used in (E).

The *prima facie* reason for (1) is that Lawson is an authority with regard to (E): he knows more about economic history than most of us, and is in as good a position as anyone to assess the truth-value of (E), and *he* says that *because* (E) is the case, an insurance market came into being – a historical explanation that presupposes that (E) is true. The *prima facie* reason for (2) is that (E) seems to be composed of a term and a predicate, and that such sentences are true just in case the predicate truly says something about whatever it is that is picked out by the term.

The argument from (1) and (2) to (3) is valid. If it is sound, then an expression of the form ‘_decided to φ ’ may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out. *If* the argument is sound, isomorphic arguments for similar conclusions regarding ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’ are also sound, in which case the first thesis is established: there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out.

To deny either (1) or (2), one would need to be able to justify some claim that undermined the *prima facie* case for that premise. Allow me to stipulate that any claim that appears to support some p is a *prima facie* reason for p , while any claim that says *of* some *prima facie* reason for some p that it supports p is a *prima facie* case for p . Now, there are two ways in which a justified claim can undermine a *prima facie* case for a premise. It can *annul* the case, by being both inconsistent with, and at least as antecedently justified as, the *prima facie* reason that the case cites;¹⁷ call such

¹⁷ The ‘antecedently’ in this clause is meant to provide for a notion of a measure of justification that does not take into account the inconsistency between the two claims.

undermining claims *annullers*. Alternatively, a justified claim can *defeat* the case for the premise, by being such that the conjunction of it and the *prima facie* reason that the case in question cites is *not* a reason for the premise; call such undermining claims *defeaters*. (If we stipulate that the two conjuncts of such a conjunction are consistent, then the distinction between annullers and defeaters is exclusive). Defeaters admit of a further classification into *rebutters* and *undercutters*: a rebutting defeater is a reason for the negation of the premise that it defeats, an undercutting defeater is not a rebutting defeater, but is a reason for the negation of the claim that the premise is supported by the *prima facie* reason that its *prima facie* case cites.¹⁸

The bulk of the rest of this Chapter is devoted to the issue of whether the case for (1), or the case for (2), can be annulled or defeated. Of course, I cannot here consider *every* claim that one might take to be an annuller or defeater of these cases. I can only discuss some likely candidates, which echo positions that have been taken by philosophers, jurists and social theorists who have been sceptical of claims like (3).

Premise (1)

I said that the *prima facie* reason for (1) is that (i) Lawson is in as good a position as anyone to assess the truth-value of (E), and (ii) *he* says something that presupposes that (E) is true. Of course, I cannot *exclude* the possibility that there is some annuller of this case: after all, it might turn out that Lawson is either a fantasist or a fraudster, who has passed himself off as a historian, in which case we would have at least as much antecedent justification for the negation of (i) as we have for (i). But I ignore this possibility, not because I am blind to it, but because it does not form the basis of a *generalizable* response to sentences like (E). We have seen that there are *many* sentences that appear to truly predicate a decision, desire, intention or belief of a social

¹⁸ This use of ‘defeater’, ‘rebut’ and ‘undercut’ is borrowed from Pollock (1986) pp. 38-9, although he thinks of reasons as being *beliefs* rather than *claims*.

or corporate body, including ones that feature, not in history books, but in our “folk” or ordinary discourse, like ‘Transco decided not to compensate me for the damage caused by the forced entry to my flat’. And while, for *any* such sentence, as uttered by a historian or by one of the “folk”, we may contemplate the possibility that it is uttered by someone of whom it is *not* true that they are in as good a position as anyone to assess its truth-value (this possibility is, after all, provided for by the *prima facie* nature of the case for the truth of the sentence), I simply refuse to believe that *every* such sentence is uttered by someone such that there is at least as much antecedent justification for the claim that they are *not* in as good a position as anyone to assess the truth-value of their utterance as there is for the claim that they *are* in as good a position as anyone to assess the truth-value of their utterance (because, say, there is a non-negligible amount of justification for the claim that they are not in as good a position as some *demon*). I cannot say that I have a fully worked out account of why I am entitled to refuse to believe this; still, my refusal stands. I am confident that *I* am in as good a position as anyone to assess the truth-value of *my* utterance of ‘Transco decided not to compensate me for the damage caused by the forced entry to my flat’.

I take as short a line with one who proposes a *rebutter* of the *prima facie* case for (1) as I do with one who proposes an *annuller*. For any justified rebutting claim would presumably be justified by considerations that Lawson either discounted or was ignorant of.¹⁹ But suppose that Lawson *were* guilty of some such oversight, and some historian or philosopher saw this, and used their knowledge to try to rebut the *prima facie* case for (1). This person, *contra* (i), would be in a better position than Lawson to assess the truth-value of (E). So a historian or philosopher is justified in *rebutting* the *prima facie* case for (1) only if there is justification for an *annuller* of it, and while I accept that, for all I know, the *prima facie* case for (1) may justifiably be annulled (as even Lawson nods), I do not accept that every *prima facie* case like it – by which I mean *every* case that cites, as a *prima facie* reason, a claim about a historian, or one of

¹⁹ Of course, it is possible that Lawson gave every relevant consideration its due, but nevertheless, deliberately or accidentally, wrote something that he did not believe. The potentially *undercutting* suggestion that this happened is dismissed on p. 19 of the text.

we “folk”, being in as good a position as anyone to assess the truth-value of a claim that seems to predicate a decision, wish, intention or belief of a social entity – can be annulled.

Someone might object that I here rule out the possibility that some *genius* of “first philosophy” might use his faculty of rational insight to apprehend some principles or standards that are *extra* to the principles and standards by which historians assess the truth-values of sentences like (E), and *extra* to the principles and standards by which we “folk” assess the truth-values of sentences in our ordinary discourses, and which entail that sentences like (E) are systematically untrue. Perhaps I am not entitled to rule out this possibility. I merely note that many of the more popular “first philosophical” principles on the market (e.g. that nothing exists of a kind that is not quantified over by our “best theories”,²⁰ or of a kind that is exemplified only if there is widespread causal overdetermination,²¹) appear to entail that sentences like (E) are systematically untrue only if they entail that sentences that seem to say things about mantelpieces and bookcases are systematically untrue, and I assume with Moore that at least some of *these* sentences are true.²²

So much for attempts to annul or rebut (1), and premises like it. It may nevertheless be suggested that (1) and premises like it may be *undercut*. Now, I will say little that is novel if I take seriously the potentially undercutting suggestion that, while at least one of us *is* in as good a position as anyone to assess the truth-value of some sentence like (E), (where the truth of that sentence is presupposed by something that he says), *none* of us is in a *particularly* good position to assess such sentences, because, say, none of us can exclude the hypothesis that he is dreaming. For similar reasons, little is to be gained by my taking seriously the potentially undercutting suggestion that historians

²⁰ See Quine (1953).

²¹ See Merricks (2001) ch. 3.

²² Moore (1925) p. 194-5.

and “folk”, to make mischief, or because of a compulsion to embroider, systematically assert sentences that they do not believe to be true.²³

But I think that I ought to try to take seriously a suggestion that is similar to that last one, namely that sentences like (E) are systematically not *put forward* as true, not *asserted*, by any historians or “folk” who are in as good a position as anyone to assess their truth-value. I take it that, if things go as they should, to *assert* a sentence is to utter it in order to *convey* a state of belief in the proposition that it expresses and to *authorise* one’s audience to form a like belief. The suggestion is that historians and “folk” do not utter sentences like (E) for those purposes, even if they nevertheless utter them *assertively*, and sincerely, and without conscious reservation.²⁴ Call this suggestion ‘the non-assertoric hypothesis’. It does not *rebut* the case for the truth of any sentence like (E); if justified, it is not a reason for the claim that the relevant sentences are untrue. But it does, if justified, support a denial of the proposition that the uttering of those sentences by speakers in as good a position as anyone to assess their truth-value, is a reason for the claim that those sentences are true. That *case* is potentially undercut by the hypothesis.

I say that I ought to give the non-assertoric hypothesis serious consideration for three reasons. First, the claim that there are sentences that we appear to assert, but which we do not in fact assert, has been made in recent years with regard to a number of philosophically controversial discourses, such as ethics and mathematics,²⁵ in order to try to undercut cases for these being truth-stating discourses, and we are looking for undercutters of a case for the truth-stating status of a philosophically controversial discourse. Secondly, it has also been

²³ See Nietzsche (2003) sec. 192. “...we are from the very heart and from the very first – accustomed to lying. Or, to express it more virtuously and hypocritically, in short more pleasantly: one is much more of an artist than one realizes.”

²⁴ Rosen and Dorr (2002) and Rosen and Burgess (2005) use ‘without conscious reservation’, and ‘without conscious silent reservations’ in discussions of related issues.

²⁵ Some recent papers on this theme are collected in Kalderon (2005).

claimed in recent years that competent speakers characteristically bear a non-assertoric relation to certain of their metaphorical utterances,²⁶ and we have seen that Quinton thinks that sentences like (E) are “plainly metaphorical”. Thirdly, those who have recently made claims of these two kinds draw an analogy between the non-assertoric relation that they posit, and the relation that writers of *fiction* bear to the sentences that they write in their professional capacity. In particular, they suppose that speakers, like authors, construct sentences in the relevant discourses in order to convey states, not of belief, but of some sort of *quasi-belief* akin to *make-believe* in the propositions that those sentences express and/or to authorise their audiences to acquire “pretended” beliefs of the same kind.²⁷ Now, jurists since Savigny and Gierke have spoken of the so-called “Fictionist Theory” of a corporation’s capacity to bear legal rights and duties i. e. of its “legal personality”.²⁸ This theory has been understood in different ways by different jurists. In particular, there is an issue as to whether the key claim is that corporate persons are *fictions*, or that they are *fictitious*; in the former case, they are artefacts fashioned by creative minds, in the latter case they are putative entities that exist according to some story.²⁹ Still, on one understanding of this theory, lawyers *feign* or *make-believe* or *pretend* that which they seem to assert.

Hence Duff:

²⁶ See for example Walton (1993) and Hills (1997).

²⁷ This way of putting things presupposes that the sentences in question express propositions, (which are then quasi-believed). If one did not wish to assume this, one might speak instead of speakers and authors conveying and authorising states of quasi-belief in the “second-order” proposition that the sentences that they construct express propositions that are worthy of being believed. I ignore this complication in the text.

²⁸ See Maitland (1987), Hallis (1930) Introduction, Pt. I ch. I, esp. p. 6-7 n. 3, and Duff (1938) ch ix for further references to Savigny’s and Gierke’s discussions of “Fictionism”.

²⁹ This distinction is clear in Pollock (1876) pp. 81-2: “Perhaps we may call the artificial person a fictitious substratum or substance conceived as supporting legal attributes, remembering always that we must think of legal fiction as derived from *fingere* not in the modern sense of mere *feigning* , but in the sense of *creating* or *fashioning* ”.

...to a Fictionist, a corporation is... incapable of knowing, intending, willing, acting; but the law *feigns* it to be capable, treats it as if it was capable, of doing all these things.³⁰

Hence Radin:

...the term “fiction”, as applied to a corporate person, was meant to carry over the notion of... a definite and quite unconcealed *make-believe*.³¹

And hence the ruling that a limited liability company is:

...a *pretended* association.³²

These ways of putting things suggest that there are construals of the “Fictionist” theory of legal personality, (a theory which provoked much debate in the early part of the twentieth century),³³ according to which it resembles contemporary “Fictionalist” approaches to ethics or mathematics in this respect: it appealed to something akin to the idea that apparently assertoric discourse (in this case, about the basis of certain rights and duties), occurs in order to convey states of *pretended* belief, and in order to authorise learned audiences to be in similar states.

So let us inquire into whether the potentially undercutting non-assertoric hypothesis is justified. Now, it will not do to argue that it is justified by (a) the putative fact that sentences like (E) are systematically

³⁰ Duff *op. cit.* p. 212 (my emphasis).

³¹ Radin (1932) p. 644 (my emphasis).

³² *Salomon v. Salomon & Co.* [1897] A.C. 22 p. 32 (my emphasis).

³³ See for example Maitland *op. cit.*, Pollock (1961), Machen *op. cit.*, Laski (1916), Vinogradoff (1924), Dewey (1926), Barker (1934), Wolff (1938), and Hart (1983). See Hallis *op. cit.*, Stein (1982-3) and Runciman (1997) for the history of this debate.

untrue, together with (b) the charitable thought that, other things being equal, it is best not to make fools of those whom we interpret, and (c) the observation that we *would* make fools of Lawson and others *were* we to interpret them as making systematically untrue assertions, given that they are in as good a position as anyone to know whether these assertions are untrue. For, as we have seen, there is no antecedent justification for a systematic *rebuttal* of cases for premises like (1), and so no independent reason to hold that sentences like (E) are systematically untrue. Granted, if the non-assertoric hypothesis is justified, then there is also no independent reason to think that sentences like (E) are true. And granted, *if* sentences of a particular variety are sincerely, assertively uttered by speakers who are in as good a position as anyone to assess their truth-value, then *if* there is no reason to think that those sentences are true, *then* we would make fools of those speakers were we to interpret them as asserting those sentences. But one cannot, on pain of circularity, argue that the non-assertoric hypothesis is, on charitable grounds, supported by the lack of a reason to think that sentences like (E) are true, when the claim that there is no such reason is itself supported only by the non-assertoric hypothesis. For until that hypothesis, or another potential undercutter, is independently justified, there *is* a reason to think that many sentences like (E) are true: a *prima facie* reason that may be cited by a *prima facie* case, like our case for (1).

How, then, might the non-assertoric hypothesis be justified? It can scarcely be denied that when historians and “folk” sincerely and assertively utter sentences like (E) without conscious reservation, they *appear* – to themselves and to others – to assert them. Still, it may be that, in many cases where a sentence like (E) appears to be asserted, the absence of some uncontroversial functional or phenomenological mark of assertion, or the presence of some uncontroversial functional or

phenomenological mark of non-assertoric utterance, can, in theory, be discerned, and cited in support of the claim that the speaker does not – despite appearances – assert the sentence he utters. Unless some such absence or presence *can* be adduced in such cases, the non-assertoric hypothesis awaits justification. For whatever the exact differences between the *proprieties* of assertoric and non-assertoric utterance, they will be empirically undetectable unless they are, at least in some cases, “tracked” by some differences between the functional or phenomenological *properties* of assertoric and non-assertoric utterances.

I cannot here consider *every* putative functional or phenomenological difference between assertoric and superficially similar non-assertoric utterances that may be advanced in support of the non-assertoric hypothesis. I will consider two putative differences that have recently been suggested by Stephen Yablo. I will argue that *if* they mark an uncontroversial difference between assertoric and (at least a certain kind of) non-assertoric utterance, *then* this difference cannot be cited in support of a non-assertoric hypothesis regarding sentences like (E).

The first putative difference is, strictly speaking, presented by Yablo as a difference between believing and “simulated believing”:

Someone is simulating belief that S if although things are in relevant respects *as if* they believed that S, when they reflect upon the matter they find they do not believe it; or are at least agnostic on the matter; or at least do not feel the propriety of their stance to depend on their belief that S if they have one. They do not believe that S *except possibly per accidens*.³⁴

³⁴ Yablo (2001) p. 90.

So, by Yablo's lights, someone's attitude *a* to a proposition *p* is an attitude of simulated belief that *p* if, while *a* is in many respects functionally and phenomenologically *similar* to a belief that *p*, its subject is disposed, on reflection, either to doubt that *p*, or at least to recognise that the obtaining of circumstances of the kind that typically justify bearing *a* to *p*, does not – in and of itself – justify believing that *p*. Yablo's examples of cases of simulated belief are of attitudes that we take towards propositions expressed by figurative, idiomatic or metaphorical utterances of sentences like 'I have butterflies in my stomach' or 'Pat Buchanan is full of it'.³⁵ I grant that it is not implausible to think of such attitudes as closely resembling but distinct from attitudes of belief in the propositions expressed by such sentences. It is also not implausible to hold that a *mark* of simulated belief in a proposition expressed by some such sentence, absent in those rare cases in which someone *really* believes the proposition expressed by some such sentence, is that the subject is disposed to, on reflection, either doubt the proposition, or recognise that the obtaining of circumstances of the kind that typically justify having their attitude to it, does not – by itself – justify believing it.

We can recast this putative difference between belief and (at least a certain kind of) simulated belief as one between assertoric and (at least a certain kind of) non-assertoric utterance, if we recall our assumption that, if things go as they should, assertoric utterances are made in order to convey a speaker's state of belief in the proposition expressed by the sentence uttered, and to authorise his audience to form a belief in the same proposition. By contrast, let us suppose, if things go as they should, non-assertoric utterances of sentences like 'I have butterflies in my stomach' and 'Pat Buchanan is full of it' are made in order to convey a state of simulated belief in the proposition expressed by the sentence uttered, and to authorise an audience to form a simulated belief in the same proposition. I hazard that this is a not implausible account of the difference between literal utterance, and at least a certain kind of figurative, idiomatic and metaphorical utterance. For at least some such utterances are plausibly

³⁵ He acknowledges a debt to Walton's *op. cit.* account of metaphor.

thought of as invitations to *pretend* or *make-believe* that what they say is true. We issue such invitations, not merely because of the pleasures of pretence and make-believe, but because by so doing, we may “get across” or imply (in the non-logical sense) a true thought, or an indeterminately bounded cluster of true thoughts, which is not so easily, or aptly, or elegantly expressed by any sentence that the speaker is in a position to formulate, put forward as true, and get an audience to listen to and understand. This account of figurative, idiomatic or metaphorical utterance is perhaps particularly plausible where the figure, idiom or metaphor in question is *fertile*, such that what its utterance “gets across” is not obviously paraphrasable by any literal utterance,³⁶ as is strikingly the case with Romeo’s ‘Juliet is the sun’.

But it seems to me to be *false* that speakers of sentences like (E) convey and authorise attitudes (to the propositions expressed by such sentences) that may be distinguished from attitudes of belief by the fact that they are characteristically accompanied by a disposition to, on reflection, *doubt* the propositions expressed, or at least recognise that the obtaining of circumstances of the kind that typically justify having these attitudes to these propositions, does not (in and of itself) justify believing that they are the case. This may not immediately strike one as obvious, because when we philosophers imagine a likely context in which Lawson *does* reflect on any attitudes, to the proposition expressed by (E), that he conveys and authorises by uttering (E), we are liable to imagine a context in which he is interrogated by a philosopher much like ourselves, who asks Lawson to reflect on whether a belief in the proposition expressed by (E) could withstand philosophical scrutiny. And in *this* rarefied context, it may well be that Lawson is disposed to doubt the proposition expressed by (E), and so be hesitant about classifying his speech-act as an assertion (philosophers can have this kind of effect on the laity). But a disposition to doubt a proposition that one apparently conveys and

³⁶ Davidson (1990a Essay 17) makes much of the unparaphrasability of metaphors.

authorises belief in, *in a context in which one is interrogated by a philosopher*, as opposed to a disposition to doubt that proposition *when left to one's own devices*, does not, I think, distinguish assertoric from non-assertoric utterance; at least, it is not an *uncontroversial* mark of that distinction. After all, it is a familiar fact that many undergraduate students are disposed, when they are interrogated by Descartes or by his expositors, to either doubt that they have hands, or see the need for some justification for this claim *over and above* the obtaining of circumstances of the kind that typically justify the sincere assertive utterance of sentences that appear to presuppose that they hands. One might take this as evidence for the claim that they do not really believe that they have hands; perhaps they only *make-believe* this. But a more conservative explanation is surely that they lack the competence, confidence or patience to set aside every tomfool hypothesis, or that they are, quite generally, disposed to (i) be sceptical, or (ii) be cautious when operating beyond what they perceive to be their area of competence, or (iii) defer to those whom they judge to be experts, or (iv) tell people what they want to hear in response to leading questions, which, in contexts in which they are interrogated by a philosopher who asks 'But do you *really* think that?', leads them to doubt the proposition expressed by, say, 'I have hands'. In similar contexts, mathematicians may be brought to doubt that there is a prime number between 6 and 8, and Lawson may be brought to doubt that the East India Company decided to abandon shipbuilding; but it will take a philosopher to cause the mathematician's doubt, by asking puzzling questions like 'By what means do we know that it exists?' and it will take a philosopher to cause Lawson to doubt the proposition that his utterance expresses, by asking puzzling questions like, 'Would you say that it can *think*?'. The doubt that Lawson may, in some such dialectical context, be caused to have is scarcely akin to any doubt that Romeo may be caused to have about the proposition

expressed by ‘Juliet is the sun’. If Romeo is apt to judge that he is not committed to the truth of his utterance, then this is not because of any philosophically puzzling questions that are apt to be raised by what he says – he would be thus apt, even if there were no philosopher in Verona.

So, Yablo’s first way of distinguishing between assertoric and superficially similar non-assertoric utterances appeals to an alleged disposition to be *hesitant* about what is uttered. If this disposition is conceived of as manifest only in the rarefied context of philosophical disputation, it fails to distinguish between the two modes of utterance. If, on the other hand, it is conceived of as manifest in many other contexts, then to grant that its presence is a mark of non-assertoric utterance is not to license an undercutting of the case for (1), and premises like it, as utterances of (E), and sentences like it, are not characteristically accompanied by any such disposition on the part of their speakers. Either way, the non-assertoric hypothesis remains unjustified.

The second way in which Yablo distinguishes between assertoric and non-assertoric utterances – or, at least, non-assertoric utterances of the particular *kind* that he is interested in – is this: when an utterance of some sentence *s* falls into the latter category, a wide range of questions that the truth of *s* would raise seem to the speaker and his sympathetic audience to be *inappropriate*; they miss the *point* of the utterance of *s*:

MBs [Creatures of metaphorical make-believe] invite ‘silly questions’ probing areas the make-believe does not address, e.g. we know how big the average star is, where is it located? You say you lost your nerve, has it been turned in? Do you plan to *drop*-forge the uncreated conscience of your race in the smithy of your soul?³⁷

³⁷ Yablo (2000) pp. 225.

So, for example, if I say ‘I have butterflies in my stomach’, the question ‘Exactly how many?’, which would be raised by the truth of that sentence, misses the *point* of the speech-act, and this is a clue to the fact that I do not put forward that sentence as true, but as *make-believe*, as a way of conveying the literal truth that I am experiencing a sensation of a particular kind, which is commonly associated with nervous excitement.

I need not deny that Yablo here succeeds in marking a difference between assertoric and (a certain kind of) non-assertoric utterance. For it is not the case that a wide range of questions that would be raised by the truth of (E) will seem inappropriate to Lawson or his reader. If we ask Lawson, ‘On what day did the Company decide?’, ‘For what reasons?’, ‘Did it go on to act on the basis of its decision?’, ‘For how long did it stick to this policy?’, ‘Did it ever revoke its decision?’, we ask *pertinent* questions. There is a clear contrast here with other sentences that appear to predicate psychological properties or acts of inanimate objects. Suppose I say (sincerely, assertively and without conscious reservation) ‘The weather cannot make up its mind today’. One who asked whether the weather faced an especially difficult decision today, or who wanted to know what considerations the weather judged to be germane to this decision, or what costs the weather might incur by making a decision that it later reconsidered, *clearly* misses the point of my utterance.

So *if* Yablo’s second way of distinguishing between assertoric utterances and certain superficially similar non-assertoric utterances succeeds, *then* the case for (1), and premises like it, is not undercut.

I have not examined all of the ways in which states of believing may be said to differ, functionally or phenomenologically, from other putative states that they *resemble*, functionally and phenomenologically. I fear that this would be a fool’s errand, as I can

never completely exclude the hypothesis that appearances deceive such that Lawson does not bear the relation to (E) that he appears to bear. But then, I cannot completely exclude the hypothesis that I do not bear the relation to ‘I have hands’ that I appear to bear, when I utter it sincerely and assertively. But I hope that I have said enough to indicate that the non-assertoric hypothesis should not, after all, be taken very seriously.

There may be undercutters of the *prima facie* case for (1) that I have not considered. I can only say that I doubt this, and that it seems to me that the strategy of trying to justify the non-assertoric hypothesis is the best one available to anyone seeking to undercut the case for (1). I have argued that this hypothesis is not justified. As I do not think that the case for (1) can be annulled or rebutted, I think we should endorse it: it is *true* that the East India Company decided to abandon shipbuilding.

Premise (2)

To repeat what has been said: premise (2) states that (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about whatever it is that is picked out by ‘the East India Company’, as used in (E). The *prima facie* case for (2) cites the following reason: (i) (E) *seems* to be exhaustively composed of a term (namely, ‘the East India Company’) and a predicate (namely, ‘_decided to abandon shipbuilding’), and (ii) any sentence *s* that is exhaustively composed of a term and a predicate is true just in case its predicate, as used in *s*, truly says something about whatever it is that is picked out by its term, as used in *s*. I take it that (i) is hard to deny, and (ii) is analytically true,³⁸ so I do not anticipate that the *prima facie* case for (2) can be annulled.

³⁸ Given the idealising assumption that we can insulate the *content* of a sentence from its *force*, and thereby speak of the *truth* of term-predicate questions, commands etc.

I should say something about what is meant by ‘term’ and ‘predicate’. I do not distinguish terms from predicates by saying that it is not the case for predicates, and is the case for terms, that every one of them applies – or, perhaps more carefully, “purports” to apply – to exactly one thing.³⁹ For I do not assume that every term applies, or even purports to apply, to exactly one thing, or, as one might put it, that every term is, or purports to be, a *singular* term. Notwithstanding the fact that ‘term’ and ‘singular term’ are widely used interchangeably, I (and certain others)⁴⁰ refuse to deny that some terms are, and purport to be, *plural* terms, where by ‘a plural term’ I mean a term that applies, not to just one thing, but rather to *some things*: likely examples of these include ‘the Gang of Four’, ‘the founders of the SDP’, ‘Roy Jenkins, David Owen, Bill Rodgers and Shirley Williams’, and ‘those politicians’. (I do not deny that some terms purport to apply to something without prejudice as to its number, but “easy-on-the-ear” examples of these are harder to come by).

It matters that I do not assume that there are no plural terms. For if there are none, then the *prima facie* case for (2) is also a case for...:

(2_{sing}) (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about *whatever thing* is picked out by ‘the East India Company’, as used in (E).

But, given my assumptions about the number-neutrality of the idioms of quantification and identity, as expressed in the preamble, premise (2), as it stands, is weaker than (2_{sing}); for it is equivalent to...:

³⁹ See in this connection Quine (1960) pp. 95-6. See also Dummett (1995) p. 93.

⁴⁰ See for example Black (1971), Stenius (1974), Simons (1982), (1987), Boolos (1984), (1985), van Inwagen (1990), Lewis (1991), Cameron (1999), Hossack (2000), Oliver and Smiley (2001), (2004), Yi (2002), Dorr (2002), Rayo (2002) and Ben-Yami (2004).

(2_{neut}) (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about *whatever thing(s)* are picked out by ‘the East India Company’, as used in (E).

As it happens, I think that the stronger claim (2_{sing}) is true. It is just that this does not follow from (i) and (ii), unless one assumes that there are no plural terms. The truth of (2_{sing}) follows from the *second* argument, which will be given in Chapter Two. Since that argument is redundant if there are no plural terms, I should say something about why I reject the assumption that there are no plural terms. But first I should say something about what is meant by ‘term’ and ‘predicate’, (something that does not presuppose that there are no plural terms).

I confess that I do not have a very satisfying account of termhood and predicatehood. I take it that a *term* is an expression that may be used to purport to pick out some thing or things, and which may *not* be used to purport to *say* some thing or things, *about* or *of* some thing or things. By contrast, a *predicate* is an expression that may be *applied* to other expressions in order to purport to say some thing, or some things, *about* or *of* whatever thing or things the latter expressions pick out. I will suppose that a predicate is like a term insofar as it may be used to purport to pick out some thing or things, namely the thing or things that it may be used to purport to say *of* some thing or things; indeed, a predicate may pick out a thing or things *even as it is used to say* it or them *of* a thing or things. But I insist that a predicate is *unlike* a term insofar as it may be used to purport to say some thing or things about or of some thing or things. Hence I deny “the Ramsey point”,⁴¹ namely that just as, say, ‘mortal’ may be used, in, say, ‘Socrates is mortal’, to say, *of* Socrates, *that* he is mortal, so ‘Socrates’ may be used, in that sentence,

⁴¹ Ramsey (1925).

to say, *of* being mortal, *that* Socrates is it. Given that ‘Socrates’ is a *term*, it may *not* be used to say anything about or of anything, (which is not to deny that we *can* say, *of* being mortal, *that* Socrates is it, only that one does this by asserting the English sentence ‘Socrates is mortal’). Granted, this raises a question as to how one justifies the assumption that ‘Socrates’ is a term. I confess that I have no satisfying answer to it. One might take as primitive a distinction at the level of *reference* between the particulars that terms purport to pick out and the properties and relations that, by contrast, predicates purport to pick out.⁴² Alternatively, one might take as primitive a distinction at the level of *sense* between the kind of identifying *fact* that one competent to use a term must grasp, and the kind of open-ended linguistic ability that one competent to use a predicate must possess.⁴³ Alternatively, one might take as primitive a distinction at the level of *syntax* between the proprieties of various *combinations* of terms and other expressions (such as, in English, ‘not’, and ‘identical with’) and of various *substitutions* of terms by other expressions (like, in English, ‘There is something such that it’) and the contrasting proprieties of various combinations of predicates with, and substitutions of predicates *by*, the same expressions.⁴⁴ Finally, one might employ a “hybrid” of one or more of the above strategies.⁴⁵ It is not my project to choose between these more or less promising strategies. I only note that none of them looks set to overrule the claim that (E) seems to be exhaustively composed of a term (namely, ‘the East India Company’) and a predicate (namely, ‘_decided to abandon shipbuilding’).

I now say why we should not assume there are no plural terms.

⁴² Armstrong (1978) (1989) (1997) takes this approach.

⁴³ Strawson (1987) ch. 6 takes this approach.

⁴⁴ Dummett (1981) ch. 4 takes this approach.

⁴⁵ Strawson (1974), Brandom (1994 ch. 6) and Hale (2001a, 2001b) seem to do this.

Matthew Parris recently wrote in the Times of his visit to Deer Cave, the world's biggest cave corridor, in Mulu national park in East Malaysia. Tourists visit Deer Cave at dusk to witness the flight of the huge numbers of bats that dwell in the cave. Parris describes seeing this:

About two million bats (I do not exaggerate: the cave's mouth could swallow St Paul's) emerge at dusk and fly across the purpling sky in a series of vast black ropes, rising, coiling and swirling through the air like long black celestial snakes, the sound of their wings like the rushing of a river. It is as if the gods themselves are writing in the sky.⁴⁶

Suppose that Parris, pointing to the bats, asserts the following...:

(P) Those bats are flying.

Suppose further that Parris *fully understands* (P), and believes it to be true. Suppose further that each of the bats in question is such that there is no *condition* of which it is true that Parris is in a position to recognise that it (the bat) peculiarly fulfils it (i.e. fulfils it such that nothing else does). Suppose further that the bats are such that there is no condition of which it is true that Parris is in a position to recognise that they (the bats) peculiarly fulfil it, (i.e. severally or jointly fulfil it, such that anything that is not the bats, and not among the bats, does not fulfil it), other than conditions like *are those bats*, which Parris knows the bats peculiarly fulfil only because he knows that he may use 'those bats', or some near synonym, to draw attention to them. This last supposition seems to be a fair one: certainly, *is a bat* is not a condition of the kind in question, as it is also fulfilled by things that are not the bats in question, and not among them. And it is safe to assume that *is a bat*

⁴⁶ *The Times* 22.06.06.

that has recently flown out of Deer Cave and is a bat that Parris can now see will fail to be fulfilled by some of the bats, for some of them will have flown from nearby caves, and, at any moment, some of them will be obscured from Parris's view. (It is also likely that the former condition is fulfilled by some bats that are not, and not among, the bats in question).

Now, I reason as follows:

- (A) If there are no plural terms, then (P) features no expression, which, as it occurs in (P), picks out some bats.
- (B) (P) features an expression, namely 'those bats', which, as it occurs in (P), picks out some bats.

Therefore:

- (C) It is not the case that there are no plural terms.

I take it that (A) is overwhelmingly plausible. If it is indeed the case that there are no plural terms, then it is hard to see how any expression, as it occurs in (P), might pick out some bats. Some expression does such a thing, given such an assumption, only if its occurrence is, "implicitly" if not explicitly, the occurrence of *many* singular terms, one (at least) for each bat. But no expression is such that, as it occurs in (P), it is many singular terms, one (at least) for each bat. If an argument is needed, it is this: any competent user of a singular term either "coins" it himself as a term for its referent, *or* is causally related to an act by which it was thus "coined", *or* knows that the referent peculiarly fulfils some condition that he is able to specify. *Ex hypothesi* each of the bats is such that there is no condition of which it is true that Parris is in a position to recognise

that it (the bat) peculiarly fulfils it, and it is most implausible that each of them is such that Parris either “coined” a term for it, or is causally related to one who did. If it is alleged that Parris “coined” singular terms for the bats simply by asserting (P), then I reply that a competent English speaker who coins some English singular terms st_1, \dots, st_n , in a single act, is in a position to know how many he has “coined”, or, at least, to more or less immediately formulate sentences that feature arbitrarily many of those n terms, by combining some of them with a suitable predicate, like, say, ‘_are some bats’. For it is safe to assume there is no number (other than perhaps zero) such that Parris knows that he has, by asserting (P), coined that number of singular terms, and very *few* numbers such that Parris, having asserted (P), can more or less immediately formulate sentences that feature such numbers of singular terms for the bats.⁴⁷

I take it that premise (B) is plausible too: on the face of it, ‘those bats’, as it occurs in (P), picks out some bats. But suppose that one denied it. Then it is hard to see how one might deny that (P) is *in some sense* “about” the very bats that (B)’s proponent wrongly thinks are picked out by ‘those bats’, as it occurs in (P). But it is just as hard to see how one might make good on such a promissory claim. At least, each of two likely ways of interpreting (P) such that it is, broadly speaking, “about” the very bats that (B)’s proponent wrongly thinks are picked out by ‘those bats’, as it occurs in (P), is such that it faces serious objections.

⁴⁷ More carefully: Parris may be able to more or less immediately formulate sentences that feature arbitrarily many singular terms that pick out bats by virtue of their positions in some sequence e.g. ‘the youngest of those bats’, ‘the second youngest of those bats’ etc. But given that there is no condition of which it is true that Parris is in a position to recognise that the bats peculiarly fulfil it, either severally or jointly, other than ones like *are those bats*, Parris’s capacity to “coin” any singular term of this variety depends upon a distinct capacity to draw attention to the *pool* from which each bat in the sequence is drawn, by using ‘those bats’, or some near synonym. And so the supposition that Parris uses (P) to “coin” many singular terms of this variety can scarcely be used to *explain* that which it presupposes, namely Parris’s capacity to use ‘those bats’, or some near synonym, to draw attention to the bats in question. If it is said that *this* capacity consists in an ability to “coin” singular terms that pick out bats by virtue of their positions in some sequence, then an unwelcome infinite regress looms.

According to the first of these two interpretations, (P) features a singular term which, as it occurs in (P), picks out a *composite* object to which the bats in question give rise – such as a set or mereological sum or “fusion” of bats, or some object called a “colony” or “cloud” of bats.⁴⁸ According to the second, (P) is a quantified claim: it states that some number of things exist, and then goes on to say that they are the bats in question, and that they – or perhaps that *any such things* – are flying.

It is tempting to take a short line with the first interpretation. Boolos has urged that...:

...[i]t is haywire to think that when you have some Cheerios, you are eating a *set* – what you are doing is: eating THE CHEERIOS. Maybe there are some reasons for thinking there is such a set... but it doesn't follow just from the fact that there are some Cheerios in the bowl that... there is also a set of them all.⁴⁹

Likewise, it may seem to be “haywire” to think that when you point at some bats, you point at a *set* (or sum or fusion etc.) and “haywire” to think that when bats fly, a *set* (or sum or fusion etc.) flies with them. But this short line is too short. For if it is conceded that there may be “reasons for thinking” that there are sets or sums or fusions etc. of Cheerios, and of bats, then, for all I know, it is a necessary truth that any Cheerios whatever, and any bats whatever, are such that they give rise to some such set or sum or fusion etc., in which case it *will* “follow just from the fact that there are some Cheerios in the bowl”, or bats in the sky, “that... there is also a set”, or sum or fusion etc., “of them all”.

⁴⁸ The *locus classicus* of this interpretative strategy can be found in Frege (1980) p. 140 (1979) p. 94-95, pp. 227-8. (I owe these references to Oliver and Smiley (2001) p. 293ff).

⁴⁹ Boolos (1984) pp. 448-9.

And if there *are* such sets or sums or fusions etc. it is not obvious that they cannot be eaten, and cannot be pointed at by Parris, and cannot fly.

A second objection to the first interpretation might proceed as follows:⁵⁰ (a) if (P) picks out a *composite* object to which the bats in question give rise, then it entails that there exists some such composite object, and, furthermore, there does not seem to be anything special about (P) that would prevent it from being the case that *any* sentence that is in some sense “about” a plurality likewise entails that there exists a composite object to which that plurality gives rise; (b) there is bound to be a true sentence *s* that is in some sense “about” all and only those individuals i_1, \dots, i_n that do not (with or without other individuals) give rise to themselves; (c) given the foregoing, *s* entails that there exists a composite object *c* to which i_1, \dots, i_n give rise; (d) by a variant of a familiar proof, it can be shown that there is no such object *c*, as it is one of i_1, \dots, i_n if and only if it is not one of them; therefore, (e) it is not the case that (P) entails that there exists a composite object to which the bats give rise.

I do not think that this second objection is at all decisive. For one thing, the relation of *giving rise to* is unlike the set-theoretic relation of *being comprehended by* in that the fact that a plurality gives rise to an object does not rule out the possibility that there exists another plurality that gives rise to it: for example, there are some cells that currently give rise to me, but there are also some sub-atomic particles that currently give rise to me. And so it does not follow from the proposition that there is a composite object *c* to which i_1, \dots, i_n give rise that i_1, \dots, i_n are the only things that give rise to *c*. And so it is not provable – as it is provable that a set that has all and only the non-self-membered sets as members is one of them if it is not one of them – that a composite object *c* to which $i_1,$

⁵⁰ Here I adapt arguments used by Oliver and Smiley (2001) and Rayo *op. cit.* p. 445.

..., i_n give rise is one of them if it is not one of them: if it is not one of i_1, \dots, i_n , then it does (with or without other individuals) give rise to itself, but it does not follow that it is one of i_1, \dots, i_n ; it may be one of some *other* plurality that gives rise to c . Furthermore, one might deny the premise that there is bound to be a true sentence s that is in some sense “about” all and only those individuals i_1, \dots, i_n that do not (with or without other individuals) give rise to themselves, on the grounds that there are *no* individuals i_1, \dots, i_n that do not (with or without other individuals) give rise to themselves: after all, by the axioms of classical mereology, any thing is an improper part of itself. Finally, it may be said that, just as our “naïve” understanding of set-formation and truth is not impugned by being generalisable *up to but not including any paradox-inducing cases*, so our “naïve” understanding of what it is for a sentence to be “about” a plurality is not impugned by being similarly restricted in its generality.

Here is the objection to the first interpretation that I wish to defend: it is possible that Parris, being temperamentally averse to inflationary ontologies, denies that there exists any composite object to which the bats give rise;⁵¹ suppose that he does in fact deny this; plainly, he is not rendered irrational by his *ex hypothesi* full understanding of (P) and belief that it is true, but he *is* thus rendered irrational, *if* (P) features a term for some such composite; and so (P) does not feature such a term.

That argument goes through if we assume that one is irrational if one fully understands and believes a sentence that picks out something of a kind k , whilst one denies that there is anything of kind k . That might seem to be a strong assumption, but I stand by it. In its defence, I can only list some cases: if I point and say ‘That is moving fast’, and thereby pick out an alien spaceship, then the fact that I deny that there are alien

⁵¹ Which need not be to deny that there is a set or sum or fusion or colony or cloud of bats, only that this is a composite object to which bats give rise, rather than some bats.

spaceships entails that either I do not fully understand, or do not believe, or do not rationally understand and believe my utterance (in this case, it would seem that the first of these three possibilities is the case); if numerals pick out mathematical objects, then one who denies that mathematical objects exist either does not fully understand, or does not believe, or does not rationally understand and believe the sentence '2 + 2 = 4'; if expressions like 'that table' sometimes pick out non-living composite objects, then one who denies that non-living composite objects exist either does not fully understand, or does not believe, or does not rationally understand and believe some uses of 'that table is expensive'.⁵²

I now turn to the second of the two interpretations of (P) mentioned earlier, *viz.* that (P) states that some number of things exist, says that they are the bats in question, and that they – or that *any such things* – are flying. Now, given that each of the bats is such that there is no *condition* of which it is true that Parris is in a position to recognise that it (the bat) peculiarly fulfils it, and that the bats are such that there is no condition of which it is true that Parris is in a position to recognise that they (the bats) peculiarly – severally or jointly – fulfil it, other than ones like *are those bats*, Parris's capacity to state that some number of things exist *such that they are the bats in question*, depends upon a distinct capacity to draw attention to the bats in question, by using 'those bats', or some near synonym. And so the supposition that Parris uses (P) to state that some number of things exist, *such that they are the bats in question* etc. can scarcely be used to explain that which it presupposes, namely Parris's capacity to use 'those bats', or some near synonym, to draw attention to the bats in question. If it is said that *this* capacity

⁵² It may follow that, by adopting certain grand philosophical theories, one frustrates one's capacity to fully understand, or believe, or rationally understand and believe, many utterances that are routinely made by the vulgar. (So much the worse for those grand theories, or so much the worse for the vulgar, depending on one's point of view).

consists in an ability to state that some number of things exist, *such that they are the bats in question*, then an unwelcome infinite regress looms.⁵³

We saw that if one denies (B), then it is hard to see how one might deny that (P) is *in some sense* “about” the very bats that (B)’s proponent wrongly thinks are picked out by ‘those bats’. But it is just as hard to see how one might deny (B) and make good on such a promissory claim. And so I conclude that one ought not to deny (B). (A) is overwhelmingly plausible, so I infer (C): it is not the case that there are no plural terms.

With that in mind, recall that (2) states that (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about whatever it is that is picked out by ‘the East India Company’, as used in (E), and that the case for (2) cites this reason: (i) (E) *seems* to be exhaustively composed of a term (namely, ‘the East India Company’) and a predicate (namely, ‘_decided to abandon shipbuilding’), and (ii) any sentence *s* that is exhaustively composed of a term and a predicate is true just in case its predicate, as used in *s*, truly says something about whatever it is that is picked out by its term, as used in *s*.

Now, one might justly observe that it does not follow from (E)’s *seeming* to be composed of a term and a predicate that it *is* thus composed. For it is practically a founding tenet of analytic philosophy that the apparent form of a sentence need not reflect its true or “logical” form. In the case of (E), while it may be undeniable that English grammar will parse it into a noun phrase and a verb phrase, this does not – it will be said – show that it is composed of a *term* and a *predicate*. And if (E) is not composed of a term, (namely ‘the East India Company’) and a predicate (namely ‘_decided to abandon shipbuilding’) then there

⁵³ Related remarks about ‘they’, ‘them’ and ‘these’ are in Higginbotham (1998) pp. 22-3.

may be no good reason to think that it is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about whatever is picked out by ‘the East India Company’ in (E), i.e. to hold (2).

But one sceptical of (2) needs to do more than merely observe that it is *possible* that (E) lacks the semantic structure that it appears to have. After all, the possibility that (2) is false, even though (i) and (ii) are true, is provided for by the *prima facie* nature of the case for (2). The fact that this possibility obtains does not give us a reason to deny (2), any more than the fact that sceptical scenarios are possible gave us a reason to deny (1). As I said, I doubt that there is any *annuller* of the case from (i) and (ii) to (2). So to confidently withhold our assent from (2), we need to be able to justify a claim that is such that the conjunction of it and (i) and (ii) is *not* a reason for (2); we need a *defeater* of the case for (2).

I cannot here consider every potential defeater of that *prima facie* case, but will look at what I take to be the two most plausible candidate defeaters. One aims to *rebut* the case for (2), the other is a potential *undercutter* of it. To introduce them, I will compare (E) with a sentence that is widely believed to be a paradigm case of a sentence that seems to be *but is not really* exhaustively composed of a term and a predicate, *viz.:*

(A) The average mother has 2.4 children.

This sentence has the apparent form of a term-predicate sentence; or at least, it may be parsed into a noun phrase and a verb phrase, and this grammatical feature is typical of term-predicate sentences. Granted, (A) will not seem to be composed of a term and a predicate to all English speakers at all times – you cannot fool all of the people all of the time – but I think that the appearance of its having that semantic structure is a resilient one: even those speakers who do not believe that it is a term-

predicate sentence are at least to some extent tempted to see it as one.⁵⁴

I will take it that (A) is true. More carefully, I take it that *some* sentence of the form ‘The average mother has n children’ is true, and I intend my remarks to apply *mutatis mutandis* to that sentence.

Now, consider:

- (2_A) (A) is true just in case ‘_has 2.4 children’, as used in (A), truly says something about *whatever it is* that is picked out by ‘the average mother’, as used in (A).

(2_A) is so-called as it is to (A) as (2) is to (E). (2_A) seems to be supported by a *prima facie* reason that resembles our *prima facie* reason for (2), namely (i_A) (A) seems to be exhaustively composed of a term and a predicate, and (ii_A) sentences that *are* exhaustively composed of a term and a predicate are true just in case the predicate, thus used, truly says something about whatever it is that is picked out by the term, thus used, (or, as we shall equivalently say, just in case the predicate, thus used, is *satisfied* by whatever it is that is picked out by the term, thus used).

A familiar line of thought about the case for (2_A) runs as follows:

- (i) Nothing is picked out by ‘the average mother’, as used in (A).
- (ii) On the assumption that (2_A) is true, *if* nothing is picked out by ‘the average mother’, as used in (A), *then* (A) is false.

⁵⁴ The temptation is stronger with sentences that in many ways resemble (A), but which use no synonym of ‘average’, like ‘The British wine drinker buys 2.4 bottles every week’.

- (iii) It is not the case that (A) is false.

Therefore:

- (iv) The assumption that (2_A) is true must be rejected.

If that is a sound argument, it *rebut*s the *prima facie* case for (2_A) , by adducing justified premises that are consistent with (i_A) and (ii_A) , but which, together with (i_A) and (ii_A) , are a reason for the negation of (2_A) .

This is a tempting line of thought, but it relies upon a contestable claim, namely that nothing is picked out by ‘the average mother’, as used in (A). For, notwithstanding the concerns that one might have about the suggestion that something is picked out, in (A), by ‘the average mother’ (e.g. where is she located? how can we meaningfully say of her that a real number numbers her children?) it may be, for all I know, that exactly one average mother is among the *abstracta* of any world in which there are mothers, just as directions are, for all I know, among the *abstracta* of any world in which there are lines.⁵⁵ If that’s right, then since (A) is true only if there are mothers, it is true only if there is an average mother; and as it *is* true, it follows that there is exactly one average mother, who is plainly a highly eligible candidate for the referent of ‘the average mother’, as used in (A). I cannot pretend that I am eager to endorse the proposition that exactly one average mother is among the *abstracta* of any world in which there are mothers, but I am not sure that I would know how to begin to refute it. And, consequently, I am not sure that I would know how to begin to refute the proposition that some such “Platonic” mother is the referent of ‘the average mother’, as used in (A).

⁵⁵ See Frege (1996) §64-68.

A more modest thought to have about the case for (2_A) is that it is defeated by the fact that another English sentence, which makes no mention of any average mother, would do just as well as (A) , namely:

$$(A^*) \quad (\text{The number of children}) \div (\text{The number of mothers}) = 2.4.$$

I expect that many would agree that (A^*) would do just as well as (A) , and that its doing just as well defeats the case for (2_A) ; *given* that (A^*) would do just as well as (A) , (A) 's apparent semantic structure and components are apt to strike one as insufficient reason for (2_A) . Now, this is not to say that the alleged fact that (A^*) would do just as well as (A) is a reason for the negation of (2_A) . That is doubtful, given our ignorance as to whether we share our world with Platonic average mothers. Hence, while the modest thought may not *rebut* the case for (2_A) , it may *undercut* it.

Of course, to make that line of thought watertight one would need to say a little more about (α) the nature of the relation predicated by 'would do just as well', and (β) *why* its obtaining between certain sentences, under certain conditions, is apt to strip the apparent semantic structure and components of at least one of those sentences of a capacity to justify certain claims of the form 's is true just in case...'.

I do not have very much to say. I propose that we read 'would do just as well' as elliptical for 'would do just as well with respect to its truth-value', and note that, thus interpreted, the claim ' (A^*) would do just as well as (A) ', undercuts the case for (2_A) only if it is read as implicitly making a strong modal claim. For the non-modal claim that (A^*) *does* do just as well as (A) with respect to its truth-value does not appear to threaten the case for (2_A) . The same may be said of the

counterfactual claim that *were* (A*) uttered in place of some actual utterance of (A), (A*) *would* do just as well as (A) actually does, with respect to its truth-value. For analogous claims are true of very many sentences regarding which it seems plain wrong to say that they undercut the case for (2_A). What is needed is something like the following thought: as things are, (A*) and (A) do equally well with respect to their truth-value and, moreover, they would do equally well with respect to their truth-value were things other than they are, no matter how they were. But that is too strong, because there are counterfactual circumstances in which (A*) and/or (A) have different meanings from the ones they actually have. So I reformulate as follows: as things are, (A*) and (A) do equally well with respect to their truth-value, and were circumstances other than they are, no matter how they were, (A*), used to express its actual meaning and (A), used to express its actual meaning, would do equally well with respect to their truth-value. That looks true. And, to my mind, it undercuts the case for (2_A). As (A*) has a different apparent semantic structure and components from (A), its doing just as well, in the relevant sense, strips (A)'s apparent semantic structure and components of their pertinence to (2_A).⁵⁶

The way that I have cashed 'would do just as well' does not presuppose the tendentious claim that (A) and (A*) express the same

⁵⁶ If anyone is suspicious of my glossing the undercutting thought, which I introduced as "modest", as implicitly making a strong modal claim – especially seeing as (2_A) employs no modal notions – this hardly matters. The undercutting thought can be rephrased as an *indicative* conditional, thus: if things are other than I now believe they are, then, no matter how they are, (A*) and (A) will do equally well, with respect to their truth-value (or at least, they will if they are used to express the meanings that I now believe them to have). That looks true. And, to my mind, it too undercuts the case for (2_A). Granted, the reformulated claim is, in its way, 'modal', in that it appeals to a *mode* of being true, namely being true while (not) being believed to be true. But it does not appeal to the "metaphysical" mode that is being true in various possible circumstances.

meaning. It does, however, presuppose that we have some grasp of the meanings that (A) and (A*) are actually used to express. Let me clarify that presupposition.⁵⁷ I do not wish to deny that there are counterfactual circumstances in which (A*) is used to express its actual meaning even though it is not used to say what it actually says, *of* that which it actually says it of. For suppose that (A*) actually says $_ \div _ = 2.4$, *of* 3 billion and 1.25 billion (in that order), these being the natural numbers that are actually picked out by ‘the number of children’ and ‘the number of mothers’, respectively, by virtue of the contingent fact that 3 billion is the actual number of children and 1.25 billion the actual number of mothers. Then, there are counterfactual circumstances in which (A*) says what it actually says, namely $_ \div _ = 2.4$, *of* two numbers that are distinct from those ones, but in which it expresses its actual meaning. At least, the coherence of some such notion of ‘meaning’ is assumed herein.

Hence, intuitively, were circumstances other than they are, no matter how they were, (A*), used to express its actual meaning and (A), used to express its actual meaning, would do equally well, with respect to their truth-value. But it may not be the case that, were circumstances other than they are, no matter how they were, (A*), used to say what it actually says, *of* that which it actually says it of, and (A), used to say what it actually says, *of* that which it actually says it of, would do equally well, with respect to their truth-value. For, no matter how things went, 3 billion divided by 1.25 billion would equal 2.4, but, for all I know, it is false that, no matter how things go, the average mother has 2.4 children.

I have now said a little more about (α) the nature of the relation predicated by ‘would do just as well’. I have not really said anything about (β) *why* its obtaining between certain sentences, under certain

⁵⁷ My debt to Kripke’s (2001) work on “rigid” and “nonrigid” designation should be clear.

conditions, is apt to strip the apparent semantic structure and components of at least one of those sentences of a capacity to justify certain claims of the form ‘s is true just in case...’. I have merely noted that its obtaining between (A*) and (A) strips the apparent semantic structure and components of (A) of such a capacity. But I do not need to say anything more about this to make the *general* claim that I wish to make: where the apparent semantic structure and components of a sentence s provide the basis for a *prima facie* case for a (non-trivial) sentence of the form ‘s is true just in case...’, this case is undercut by some other sentence s* having a different apparent semantic structure and components only if s* would do just as well as s, in the sense specified. This is not an ‘if and only if’. The issue of what *further* conditions, if any, *ensure* that such cases are undercut is one upon which I will not dwell. Perhaps sage remarks about “perspicuity” would need to be made.⁵⁸ My general assumption is, then, consistent with “the Alston point”⁵⁹ about reductionism, which has been nicely put by Wright:

...if we are prepared to say that an apparent singular term... need not really be so, so that the grammatical form of the sentences in which it occurs is potentially misleading, then why should it not be possible for the grammatical form of a sentence to be potentially misleading the other way round, so to speak? Why should it not be possible for a sentence containing no isolatable part which refers to a

⁵⁸ One might be sceptical of the very idea that sentences express meanings with varying levels of *perspicuity*, on the grounds that this wrongly implies that they *picture* or *model* or *represent* them in some way. Perhaps, on the contrary, a sentence “transparently” *discloses* or *makes manifest* or *puts one in touch with* its meaning. This is heady stuff, and it is not clear how to “cash” any of the recurring metaphors. See Dummett (1993 p. 105) “Grasping a sense is immediate...it is not *given* to us at all but simply grasped”.

⁵⁹ See Alston (1964).

particular object nevertheless to achieve, as a whole, a reference to that object – as is attested by the fact that it is equivalent to a sentence in which such a reference is *explicit*?⁶⁰

Now, to return to the premise under consideration.

- (2) (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about *whatever it is* that is picked out by ‘the East India Company’, as used in (E).

Someone might try to rebut the case for (2) in a manner analogous to that in which one might try to rebut the case for (2_A); i.e. by claiming that (E) is true even though nothing is picked out by ‘the East India Company’, as used in (E). But this putative rebuttal relies upon a claim that is *far more* contestable than the claim that (A) may be true even though nothing is picked out by ‘the average mother’, as used in (A). For, notwithstanding the concerns that one might have about the idea that something is picked out, in (E), by ‘the East India Company’ (e.g. where is it located? how can we meaningfully say of it that it decided to do something?) it is difficult to see how one might *refute* the suggestion that an East India Company is either among the *abstracta* or the *concreta* of any world in which there are human persons who are appropriately said to be directors, shareholders or employees of the East India Company. If the suggestion is correct, then, as there are human persons who are appropriately said to be directors, shareholders etc., and as (E) is true, then there is an East India Company, and it is plainly a highly eligible candidate for the referent of ‘the East India Company’, as used in (E).

⁶⁰ Wright (1983) p. 32.

But I must now take account of a possibility about which, hitherto, I have suppressed discussion. The previous paragraph assumes that the concerns that one might have about the suggestion that something is picked out, in (E), by ‘the East India Company’ (e.g. where is it located? how can we meaningfully say of it that it decided to do something?) would flow from one’s *metaphysic*. But concerns about that suggestion might flow from one’s preferred view about the *semantics* of natural languages; in particular, from one’s holding, with Russell, that expressions of the form ‘the so-and-so’ are not terms.⁶¹ (This view might, in turn, be motivated by metaphysical concerns, but it need not – and even if it is, they may not be concerns about the queerness of putative corporations). As is well known, Russell, after 1905, did not think that any sentence of the form ‘The *F* is *G*’ is true just in case ‘_is *G*’ is satisfied by whatever is picked out by ‘the *F*’, for he held that an expression of the form ‘the *F*’ picks nothing out, as it is not a term but an “incomplete symbol” i.e. something that may be *abstracted* from a sentence, but which is not properly thought of as a *component* of it, as we may only give a contextual account of its semantic role. And the contextual definition that Russell gave of any expression of the form ‘the *F*’ was that any sentence of the form ‘The *F* is *G*’ is true just in case ‘_is *G*’ is satisfied by whatever thing *uniquely satisfies* ‘_is *F*’ i.e. satisfies ‘_is *F*’ such that whatever satisfies ‘_is *F*’ is identical to that thing. A neo-Russellian variant⁶² can account for *plural* descriptions like ‘the Conservatives’, as well as *singular* ones: the thought is that these are not terms either, and that a sentence of the form ‘The *F*(s) is/are *G*’ is true just in case ‘is/are _*G*’ is satisfied by whatever thing(s) *maximally* satisfy ‘_is/are *F*’ i.e. satisfy ‘_is/are *F*’ such that any thing(s) that satisfy ‘_is/are *F*’ are either *identical to* or *among* it or them. Either view, if justified, rebuts (2). For

⁶¹ Russell (1990). In describing his view, I use expressions that he does not use therein.

⁶² Compare Sharvy (1980).

on either view, sentences featuring ‘the East India Company’ may be true in circumstances in which nothing is *picked out* by that expression.

But I concede this point only in order to ignore it for the remainder of this thesis, for I do not think anything germane to the dispute between Quinton and Ruben and myself turns on the resolution of the dispute between Russellians and anti-Russellians. The fight that I pick with Quinton and Ruben is over whether social groups, organisations and institutions like the East India Company “really do” make decisions, and have wishes, intentions and beliefs. I aim to precisify that ‘really do’ by arguing in the “formal mode” for variations on the thesis that expressions of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ and ‘_believed that p ’, may be used to truly say things about something that ‘the East India Company’ may be used to pick out. I *could*, if I chose, forestall Russellian demurrers by further precisifying my view, such that I argued for variations on the thesis that expressions of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ and ‘_believed that p ’, may be used to truly say things about something that is such that it *either* may be picked out by a use of ‘the East India Company’ *or* uniquely or maximally satisfies a use of ‘_is/are an East India Company’. But I would then write many more prohibitively indigestible sentences. So I invite readers to view my various claims about *whatever it is* that some particular use of ‘the East India Company’ picks out, as shorthand for claims about *whatever it is* that is *either* such that it is picked out by that use of ‘the East India Company’ *or* such that it uniquely or maximally satisfies a use of ‘_is/are an East India Company’ that may be extracted from that use.⁶³

⁶³ In Chapter Two I argue that there is an *individual* that ‘the East India Company’, standardly used, picks out. As an individual maximally satisfies a predicate only if it uniquely satisfies it, this can be read as shorthand for a claim that omits ‘maximally’; that is, as shorthand for the claim that there is an individual that is *either* such that it is picked out by a standard use of ‘the East India Company’, *or* such that it uniquely satisfies a use of ‘_is an East India Company’ that may be extracted from that use.

Might someone try to *undercut* the case for (2) in a manner analogous to that in which one might try to undercut the case for (2_A)? To do so they would have to produce a sentence with a different apparent semantic structure and/or components from those of (E), which would do just as well as (E). And for their undercutting of (2) to have a philosophical significance that is germane to our inquiry the sentence in question should not appear to predicate an expression of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ or ‘_believed that p ’ of any social group, organisation or institution. Call a sentence that meets these three requirements a *paraphrase* of (E). Can we find a paraphrase of (E)?

I cannot here consider every candidate paraphrase. But a thought that is easily had is that *if* it is true that the East India Company decided to abandon shipbuilding, then this is *because* certain directors, shareholders and employees of the East India Company had various intentions, desires and beliefs, came together in various ways, had various conversations, and entered into various understandings with each other and so on. And reflecting on this natural thought, one might judge that we should set out to formulate a paraphrase that attributes various intentions, desires, beliefs, decisions, acts etc. to certain directors, shareholders and employees of the East India Company, but which does not attribute anything of *that* kind to the Company itself.

Something akin to this paraphrastic project appears to have been recommended to the social theorist by Popper:

...the task of social theory is to construct and to analyse our sociological models carefully in descriptive or nominalist terms, that is to say, *in terms of individuals*, of their attitudes,

expectations, relations, etc. – a postulate which may be called ‘methodological individualism’.⁶⁴

Something like it is also recommended by our disputant Quinton, on the grounds that “the names for social objects cannot be ostensively defined, or, at any rate, are not in practice so defined, and cannot be explicitly defined in ostensive terms, [so] they must, if they are to be endowed with empirical meaning... be defined contextually”,⁶⁵ where some such contextual definition would provide us with “rules for replacing statements in which they [the names] occur with statements

⁶⁴ Popper (1966 p. 136). Two remarks on this passage: *first*, Popper’s interest is in those sentences like (E) that are uttered by *social scientists*. My interest is not thus restricted. *Secondly*, the passage appears in the context of a defence of a “unity of method” across natural and social sciences, and I think that Popper’s talk of *methodological* as opposed to “metaphysical” or “ontological” individualism needs to be seen in the context of his paradigm of scientific endeavour, to which – broadly speaking – even contemporary “collectivist” opponents of his individualism at least paid lip service, and according to which scientific hypotheses are “conjectures” which we should seek to falsify, as they may never be verified (see Popper (1959), (1963a)). For given this paradigm, any philosophical view about how any number of actual social scientific hypotheses may or may not be analysed will not suffice for a well-supported “metaphysical” or “ontological” individualism, as such social scientific hypotheses are never themselves well-supported, and social scientific truths that no-one has so much as entertained may be susceptible to a quite different mode of analysis. Hence, the “official” view of both the methodological “individualists” and “collectivists” of the 1940s and 1950s was that they fight shy of making “metaphysical” claims, and that their disagreement is over how one should *regulate* or *direct* or *encourage* research initiated by Popperian “conjectures” in the social sciences. (Thus a modesty about the claims of scientists ironically required them to be *immodest* about the proper place of philosophers of social science; see for example Watkins (1973) at pp. 166-68). However, the way in which the debate was *in fact* conducted was that *actual* examples of historical and social scientific explanation were presented, and accepted as being presumably “along the right lines” (for all the philosophers knew). Their susceptibility to individualistic analysis was then debated. It was *not* suggested that the wrong explanations were being offered. Rather, it appeared to be assumed that those who made their living by historical and social scientific explanation were adequately regulated, directed and encouraged, or at least that it was only the tendency of the more ambitious of them to give certain *meta*-theoretical explanations of what good social and historical explanation *was* that ought to be discouraged. So: the way I read the mid-twentieth century debate, its participants covertly assumed that our “best” historical and scientific explanations should at least tentatively be taken to be verified. What was *really* being debated was the rather more *Quinean* “metaphysical” question of the commitments of such “best” (CONTD.) explanations, which was widely taken to depend upon their susceptibility to analysis. Contributions to the methodological individualism debate are collected in O’Neill (1973).

⁶⁵ Quinton (1975-6) p. 10. It is not clear to me that a name *need* be defined (unless this means merely that it succeeds in referring) to be “endowed with empirical meaning”.

that refer only to unproblematic entities, the significance of whose names gives no trouble,”⁶⁶ and where these unproblematic entities are “individual people who are members of the social objects in question”.⁶⁷

It is very hard to see how we might formulate a paraphrase of (E) that does *not* feature the expression ‘the East India Company’ (or some near synonym). For, on the face of it, any such paraphrase will need to pick out certain directors, shareholders or employees of the East India Company with expressions that identify them by their *role* or *status* in the Company, and such expressions will feature ‘the East India Company’ (or some near synonym) as an apparent semantic component. Granted, we could, in principle, identify all of the human persons who participated in the Company’s decision by some other means: we could pick them all out by *name*. But these people *might not* have participated in the Company’s decision, and there are very many *other* possible people who *might* have done so. Since we are looking for a sentence that would do just as well as (E) with respect to its truth-value, were circumstances other than they are, *no matter how they were*, it must be neutral between very many possibilities as to which people – identified by name – contributed to the Company’s decision. And if we try to accommodate this awkward fact by constructing a sentence that *disjoins* the many sentences that describe a possible way in which people, or pluralities thereof, (identified by some means other than by their role or status), participated in the Company’s decision to abandon shipbuilding, we will very likely fail. Any such sentence is very, perhaps infinitely,⁶⁸ long, such that anyone who devoted their life to the paraphrastic strategy under consideration would never write it, given the nature of human mortality.

⁶⁶ *ibid.* p. 8.

⁶⁷ *ibid.* p. 9.

⁶⁸ I grant, for the sake of argument, that there are well-formed infinitely long sentences.

For similar reasons, it is also hard to see how we might formulate a paraphrase of (E) that does not feature the expression ‘_decided to abandon shipbuilding’ (or some near synonym). For there are countless ways in which people, (even people identified by means of their *role* or *status* in the East India Company), might have formed intentions and beliefs, held discussions, and entered into understandings with each other such that (E) is true. Granted, many of these possibilities regarding who did what, and who said what to whom, and so on, do not *actually* obtain, but if our paraphrase mentions any one that *does* obtain, it can hardly fail to mention the very many possibilities that do not obtain. And if we try to construct a sentence that *disjoins* all of the many and various ways in which people could have come together to make it the case that the East India Company decided to abandon shipbuilding, we will very likely fail (for the reasons adumbrated in the previous paragraph). On the other hand, pretty much the only *non-disjunctive* thing that can be truly said about each of the many ways in which people (even people identified by means of their *role* or *status* in the East India Company) might have got together, held discussions, and entered into understandings with each other such that (E) is true, is that, in each case, they somehow contributed to, or participated in, a decision to abandon shipbuilding.⁶⁹

In making these (no doubt familiar and generalisable) points about the paraphrastic project under consideration, I do not, of course, mean to deny that the actions, beliefs, desires and intentions of nameable people helped to *make it the case* that the East India Company decided to abandon shipbuilding after 1657, or even that one might be able to formulate a tractable sentence that tells us what those actions, beliefs, desires and intentions were. What is denied is that such a sentence

⁶⁹ Many points similar to those made in these two paragraphs are made by Urmson (1956 p. 151ff.). See also Hart’s (*op. cit.* esp. pp. 41-2) critique of attempts to paraphrase legal statements and Chisholm’s (1957 Appendix) critique of phenomenalist analyses.

would, in the relevant sense, do just as well as ‘The East India decided to abandon shipbuilding’, given the countless ways in which the Company might have thus decided. The most that we can expect of such a sentence is that it expresses a proposition that *suffices* for (E)’s truth.

We need, then, to consider candidates for paraphrases of (E) that feature both ‘the East India Company’ and ‘_decided to abandon shipbuilding’. Given that we expect our paraphrase to (a) appear to predicate intentions, desires, beliefs, decisions or acts etc. of human persons, identified by their role or status, while (b) not excluding possibilities that (E) does not appear to exclude, the more *indefinite* our paraphrase, the better. So we could do a lot worse than this sentence:

(E*₁) One or more of the directors, shareholders and employees of the East India Company decided to abandon shipbuilding.

(E*₁) meets two of the three conditions that we demand are met by a paraphrase of (E): it does not appear to predicate any expression of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ or ‘_believed that p ’ of any social group, organisation or institution, and it has a different apparent semantic structure from (E): for (E*₁) appears to feature an indefinite determiner, whereas (E) does not appear to feature anything of the sort. But the case for (2) is undercut only if the third condition is met;⁷⁰ that is, only if it is the case that (E*₁) would do just as well as (E).

⁷⁰ Although its meeting it is no guarantee of the undercutting the case for (2). Suppose that (E*₁) would do just as well as (E). *If* the “true” semantic structure and components of (E) mirror the apparent semantic structure and components of (E*₁), *if*, in particular, (E)’s use of ‘the East India Company’ mirrors (E*₁)’s use of it, and *if* (E*₁) may legitimately be decomposed into a term, ‘the East India Company’, and a complex predicate, ‘One or more of the directors, shareholders and employees of_ decided to abandon shipbuilding’, which is disclosed by removing ‘the East India Company’ from (E*₁) – such that (E*₁) is true just in case this predicate, as used in (E*₁), truly says

(E*₁) would not do just as well as (E). To see this, imagine that one or more of the directors, shareholders and employees of the East India Company *each* decided to abandon building their own (i.e. privately owned) ships, even though it was not the case that any directors, shareholders and employees of the Company contributed to, or participated in, any Company decision to abandon shipbuilding. If that were so, (E*₁) would clearly be true in circumstances in which (E) is false.

To deal with this problem, we might reformulate (E*₁):

(E*₂) One or more of the directors, shareholders and employees of the East India Company *jointly* decided to abandon shipbuilding.⁷¹

But (E*₂) would not do just as well as (E), as the latter is false in circumstances in which the former is true. To see this, imagine once again that one or more of the directors, shareholders and employees of the East India Company were engaged in shipbuilding projects that were independent of those of the Company; perhaps they built model ships as a hobby in their spare time. These human persons might have *jointly* decided to abandon these shipbuilding projects, *even though* it was not the case that the Company decided to abandon shipbuilding. If that were so, (E*₂) would be true in circumstances in which (E) is false.

To deal with this problem, we might reformulate (E*₂) thus:

something about whatever it is that is picked out by ‘the East India Company’, as used in (E*₁) – *then* it may follow that (E) is likewise true just in case a predicate that is disclosed by removing ‘the East India Company’ from it is used, in (E), to truly say something about whatever it is that is picked out by ‘the East India Company’, as used in (E). And *that* is tantamount to (2). But these are big ifs. For all we have said here, one who seeks to undercut (2), by paraphrasing (E) with (E*₁), need not wave them through.

⁷¹ I assume that, for any φ , whenever one thing φ s, this is a limiting case of *joint* φ -ing.

(E*₃) One or more of the directors, shareholders and employees of the East India Company jointly decided that the East India Company should abandon shipbuilding.

(E*₃) makes explicit reference to the subject of the action that has been decided upon, so it *excludes* the possibility that one or more of the directors, shareholders and employees decided that some thing or things *other* than the East India Company should abandon shipbuilding. One might worry that no agent or agents can decide what some other thing or things should do, but this worry is misplaced. If I am your boss, there is nothing incoherent about my deciding that you should go to Minsk next week; if I am a conductor, there is nothing incoherent about my deciding that my musicians should ignore a *ritenuto* that is marked in the score.

(E*₃), however, would not do just as well as (E), as the latter entails that there was a decision that had as its object a kind of *act*, *viz.* the shipbuilding abandoning kind, while the former entails that there was a decision that had as its object a *proposition*, *viz.* that the East India Company abandons shipbuilding, or that the East India Company should abandon shipbuilding.⁷² This is not a distinction without a difference, for it helps us to discern at least one way in which (E) can be false in counterfactual circumstances in which (E*₃) is true. Imagine that one or more of the directors, shareholders and employees of the East India Company prepared a hostile takeover of the Company in 1657. They had big plans for the Company; in particular, they decided that it should abandon the costly business of shipbuilding, as soon as they controlled it. But their coup failed and the Company was liquidated shortly afterwards, having *never* decided to abandon shipbuilding. If that story were true, (E*₃) would be true in circumstances in which (E) is false.

⁷² One might worry whether, if (E*₃) is true, 'should' features in a natural way of expressing the proposition *decided upon* by the directors, etc., or merely in a natural way of *reporting* that they decided upon some proposition, in which it does not feature.

To deal with this problem, we might reformulate (E*₃) thus:

(E*₄) One or more of the directors, shareholders and employees of the East India Company, acting in their official capacities as directors, shareholders or employees of the East India Company jointly decided to abandon shipbuilding.

But (E*₄) would not do just as well as (E). A twist on one of our earlier imagined scenarios shows that the latter can be false even when the former is true. Imagine that the Company's 1657 charter allowed directors of the Company to engage in shipbuilding projects that were independent of those of the Company, and that one or more of the directors of the Company did, privately, build ships for a while. Imagine too that these directors conceded at a meeting of the Board of Directors, specially convened to review this situation, that these independent projects were interfering with the work of the Company, and together agreed that they would cease exercising their right to privately build ships for as long as they remained directors of the Company. If that story were true, then one or more of the directors, shareholders and employees of the East India Company *acting as directors, shareholders or employees of that Company* would have jointly decided to abandon shipbuilding, but the East India Company would not have decided to abandon shipbuilding. (E*₄) would be true in circumstances in which (E) is false.⁷³

To deal with this problem, we might combine (E*₃) and (E*₄) thus:

⁷³ If we can make sense of the idea of objects being “arranged EastIndiaCompanywise”, (see van Inwagen *op. cit.* sec. 11 for the notion of objects being “arranged chairwise”), then I suspect that the same objection succeeds *mutatis mutandis* against a candidate paraphrase that replaces ‘acting in their official capacities as directors, shareholders or employees of the East India Company’ in (E*₄) with ‘arranged EastIndiaCompanywise’.

(E*₅) One or more of the directors, shareholders and employees of the East India Company, acting in their official capacities as directors, shareholders or employees of the East India Company jointly decided that the East India Company should abandon shipbuilding.

But (E*₅) would not do just as well as (E). A twist on our third scenario shows that the latter can be false when the former is true. Imagine that the Company's 1657 charter *encouraged* directors, shareholders and employees of the Company to prepare takeover bids. Then some directors, shareholders and employees who were preparing some such (failed) bid could *as directors, shareholders and employees of that Company*, have decided that the East India Company should abandon shipbuilding, even though the Company never decided to abandon shipbuilding. (E*₅) would be true even though (E) is false.

To try to deal with this problem, we might reformulate (E*₅) thus:

(E*₆) One or more of the directors, shareholders and employees of the East India Company, acting in their official capacities as directors, shareholders or employees of the East India Company jointly decided *on behalf of* the East India Company that it should abandon shipbuilding.

Plainly, the reformulation is otiose if to decide “on behalf of” the Company is to exercise official capacities within the Company to decide what it should do. If, however, the “on behalf” clause adds the condition that the directors, shareholders and employees were *on the Company's side* when they made their decision, i.e. that they made it *in its interest*, then (E*₆) would not do just as well as (E) – our last imagined scenario might have met that condition, such that (E*₆) were true and (E) false.

But I expect that one who is impressed by (E*₆)’s claim to paraphrase (E) thinks that the “on behalf” clause adds something like the following requirement: that the directors, shareholders and/or employees contrived, in Hobbes’s phrase, to “bearth the person”⁷⁴ of the Company when they jointly made their decision, i.e. that they somehow personified or personated the Company. One might worry that talk of personification or personation – like talk of transubstantiation or Incarnation – is of dubious coherence. But I will do my best to express a Hobbist reading of (E*₆), by reformulating (E*₆) to yield the following candidate paraphrase:

(E*₇) One or more of the directors, shareholders and employees of the East India Company, acting in their official capacities as directors, shareholders or employees of the East India Company jointly decided that the East India Company should abandon shipbuilding, *and thereby made it the case that the Company decided to abandon shipbuilding.*

This formulation is intended to be neutral between a number of apparent possibilities regarding the metaphysics of personification-cum-personation, including the following ones: that the *decision* made by the directors, shareholders and/or employees *caused* or *constituted* or *realised* or *was identical with* the one made by the Company (or bore none of these relations to it); that the directors, shareholders and/or employees themselves *created* or *constituted* or *realised* or *were identical with* the Company (or bore none of these relations with it); that the *fact* that the directors, shareholders and/or employees made their decision *caused* or *constituted* or *realised* or *was identical with* the fact that the Company made its decision (or bore none of these relations with it).

Suppose that we grant that (E*₇) would do just as well as (E). Suppose that we further grant that, *since* this is the case, and *since* (E*₇) has apparent semantic components

⁷⁴ Hobbes (1994) ch. 16.

that (E) lacks, the apparent semantic structure and components of (E) are not any kind of evidence as to how one might complete ‘(E) is true just in case...’, to derive an informative sentence. The case for (2) is, then, undercut. *But this hardly matters.*

Here’s why: if (2) is thus undercut, a different case can be made for a claim that is isomorphic with (2), and which, together with a claim that is isomorphic with premise (1), entails a conclusion that is isomorphic with (3), which may be adduced as a lemma in support of the first thesis.

Let me explain. (E*₇) entails, but is not logically entailed by, a sentence that features in its italicised clause, namely ‘The East India Company decided to abandon shipbuilding’. I call this sentence (E?), for while it is orthographically identical with (E), it may not be the same sentence as (E). After all, there is no formal guarantee that (E?), like (E), would do just as well as (E*₇) with respect to its truth-value, were things other than they are, no matter how they were: for while (E?) is entailed by (E*₇), it does not logically entail it. (E?) is, however, true, as it is entailed by (E*₇), which (given everything we are presently conceding) does just as well as the true (E) with respect to its truth-value as things actually are, (and, moreover, would do just as well as the true (E) with respect to its truth-value no matter how things were). So a claim (1?), which is isomorphic with (1), is true, namely the claim that (E?) is true.

Now, as (E?) appears to be composed of a term and a predicate, there is a *prima facie* case for the claim that (E?) is true just in case ‘_decided to abandon shipbuilding’, as used in (E?), truly says something about *whatever it is* that is picked out by ‘the East India Company’, as used in (E?). Call this claim (2?), as it is isomorphic with (2). Attempts to undercut this case for (2?) will mimic attempts to undercut the case for (2) – I refer the reader to the failed attempts that I have already discussed. (1?) and (2?) entail that ‘_decided to abandon shipbuilding’, as used in (E?), truly says something about *whatever it is* that is picked out by ‘the East India Company’, as used in (E?);

call this claim (3?). Finally, (3?), together with similar conclusions concerning ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’ establishes the first thesis, namely that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out. And the purpose of this Chapter was to establish that thesis.⁷⁵

Granted, it is conceivable that my assumption that (E*₇) entails (E?) would be undermined, were someone to discover a sentence that had a different apparent semantic structure and/or components from (E*₇), which did not appear to predicate an expression of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ or ‘_believed that p ’ of any social group, organisation or institution, and which would do just as well as (E*₇). For the *prima facie* case for (E*₇)’s having the semantic structure, and hence the entailments, that it appears to have, may in such circumstances be undercut. But if some such paraphrase exists, I cannot formulate it.

We have been searching for a paraphrase of (E). But every candidate that we have encountered either would *not* do just as well as (E), or, given that it would, entails a sentence that is orthographically identical with (E), and which will serve our purposes quite as well as (E).

⁷⁵ It must be acknowledged that this argument fails at its first step if carried over to a reformulation of (E*₇) – some (E*₈) – that uses a non-factive operator like ‘make-believed that’ or ‘pretended that’ in place of ‘made it the case that’. But I would be reluctant to grant that any such (E*₈) paraphrases (E). No doubt more might be said about this. But since (E) is *true*, it is at least not obvious that it would do just as well as a sentence that said that one or more directors, shareholders or employees bear a non-factive attitude to a proposition that is expressed by a sentence that is orthographically identical with (E). At this stage in the dialectic, one might hope that the burden is on the paraphraser.

Someone might say that my objections to the foregoing suggestions that (E) is paraphrased by some (E*_n) rely upon claims that presuppose (2), which is the very premise that is being debated. I am not sure that there *would* be anything illicit about my doing this. After all, as there is a *prima facie* case for (2), why may I not assume it, until it is undercut, say, by someone's justifying the claim that one of (E*₁), (E*₂), (E*₃), (E*₄), (E*₅), (E*₆) and (E*₇) would do just as well as (E)? But in fact, I have *not* presupposed (2) at any point. I have simply appealed to our intuitions about circumstances in which (E) is false and some (E*_n) is true.

Of course, there is no limit to the number of ways in which (E*₁), (E*₂), (E*₃), (E*₄), (E*₅), (E*₆) or (E*₇) might be further reformulated (thus, the Popperian thought that *some* such reformulation successfully paraphrases (E) is unfalsifiable!) Still, we may anticipate that alternative formulations are likely to fail, in familiar ways, to paraphrase (E), *unless* they entail a sentence that serves our purposes quite as well as (E).⁷⁶

Conclusion

I have argued for the first thesis that there are expressions of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something that the expression ‘the East India Company’ may be used to pick out. We have encountered two attempts to undermine the argument for that thesis, which echo legal fictionism and Popperian methodological individualism respectively, and we have rejected each of these.

⁷⁶ I have throughout this Chapter ignored the apparent possibility that one who was not a director, shareholder or employee of the Company, but, say, an unpaid consultant, might have contributed to its decision. If this is a real possibility, then irrespective of their sufficiency for (E)'s truth, all of our formulations are not necessary for (E)'s truth.

A conviction that may seem to motivate the versions of fictionism and individualism that we have rejected in the foregoing is the belief that there are no social groups, organisations or institutions “over and above” (as it is said) the human persons who make up these putative entities.

But one who has this conviction need not deny the first thesis, and so need not puzzle over non-assertoric hypotheses or paraphrastic strategies. For the first thesis is silent on the issue of *what* ‘the East India Company’ may be used to pick out. In particular, it is consistent with the claim that it may be used to pick out something that is nothing “over and above”, (or “but”), human persons. More precisely, the first thesis is consistent with the claim that ‘the East India Company’ may be used to pick out something that is identical with a human person and with the claim that it may be used to pick out something that is identical with many human persons. For, as I said in the preamble, ‘something’, in my vernacular, is number-neutral: that I ate something that made me ill does not exclude the possibility that I ate *some things*, several Cheerios, say, that jointly made me ill. Likewise, ‘identical’ is, in my vernacular, number-neutral: today I wear a ring that is identical with the one I wore yesterday, I also wear socks that are identical with the ones I wore yesterday.⁷⁷ So, for all that the first thesis says, there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about something *that is identical to one or more human persons*, and which the expression ‘the East India Company’ may be used to pick out.

Indeed, *that* is not ruled out by anything asserted anywhere herein. But I take it that one who is prone to insist that the East India Company is “nothing over and above”, or “nothing but” human persons may be interpreted as being committed to the claim that no *standard* use of ‘the East India Company’ picks out anything *other* than human

⁷⁷ Granted, ‘identical’, in the vernacular, is often used to mean what philosophers mean by ‘qualitatively identical’ or ‘indiscriminable’. That is not the use I am highlighting.

persons. That *this* proposition is false is entailed by our argument for the second thesis.

Chapter Two – the second argument.

To establish the first thesis by means of the first argument is not necessarily to part company with our disputant Quinton, for two reasons. *First*, while Quinton says, of claims like (E), that they are “plainly metaphorical”, he may not have meant to suggest that they are untrue, as ‘Juliet is the sun’ might be said to be untrue. Rather, he may have meant to convey that such claims are “plainly synecdochical”, in that they use expressions like ‘the East India Company’ in a non-standard manner to pick out one or more constituents – directors, shareholders or employees – of their purported standard referents.

Quinton comes close to saying exactly this:

Where groups are said to decide or promise... the reference is to a person or persons authorised to take decisions or enter into undertakings on behalf of the group.⁷⁸

Secondly, Quinton holds that “social objects are not distinct from the people involved in them, are nothing but their members, appropriately related.”⁷⁹ So it is at least open to him to hold that expressions like ‘the East India Company’, even *standardly* used, pick out “nothing but” directors, shareholders, employees and the like.

Were Quinton to explicitly endorse either view, he could accept the first thesis that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which may be used to truly say something about something that the expression ‘the East India

⁷⁸ Quinton (1975-6) p. 17.

⁷⁹ *ibid.* p. 10.

Company' may be used to pick out. For he may say that the expressions in question may each be used to say something about *one or more human persons* that the 'the East India Company' may be used to pick out.

We shall not dispute this. Nor shall we deny that many historical and social scientific claims synecdochically refer to human persons. Nor shall we deny that some social groups are "nothing but", or identical with, one or more human persons (perhaps the Swindon Moonrakers, the pub quiz team that I mentioned in the Introduction, is one such group). But in this Chapter, I will argue that (a) in (E), 'the East India Company' is standardly used to pick out something *other* than a human person, or plurality thereof, (b) this "something" is an individual, and not a plurality thereof, and, finally, that (c) 'the East India Company' is standardly used to pick out the *same* individual in these sentences in Lawson's text:

...[the East India Company] wished to keep expenditures on administration to a minimum and to maximize profits from all trade surpluses, especially from Bengal.⁸⁰

...the [East India] Company intended to slip into the nooks and crannies in the eastern trade structures which the native traders and other Europeans had ignored...⁸¹

The [East India] Company believed that it could never again trust the ruling elite in Awadh...⁸²

Lemmas (a), (b) and (c) suffice to establish *the second thesis* that there is an individual *i* that is picked out by a standard use of 'the East

⁸⁰ Lawson (1993) p. 115.

⁸¹ *ibid.* p. 26.

⁸² *ibid.* p. 112.

India Company', such that there are expressions of the form ' _decided to φ ', ' _wished to φ ', ' _intended to φ ' and ' _believed that p ', each of which is such that it may be used to truly say something about i .

Lemma (a) – in (E), 'the East India Company' is standardly used to pick out something other than a human person, or plurality thereof.

I begin by introducing a notion of synecdochical reference. Consider:

(C) The King would speak with Cornwall.

Lear says this, at a time at which he has not yet lost his reason, so it is charitable to suppose that he does not thereby express a thought that entails that he would speak with an inanimate geo-political region.

Granted, we cannot completely exclude the hypothesis that Lear's utterance of (C) *does* express some such thought, but that he puts (C) forward as an invitation to *make-believe* that what it says is true, for the purpose of "getting across" or implying (in the non-logical sense) that he would speak with the *Duke* of Cornwall. But he has no need to do this; he is not, like the speaker of 'Juliet is the sun', struggling to "get across" an indeterminately bounded cluster of thoughts that are not easily or elegantly expressed by any sentence that he is in a position to formulate, put forward as true, and get an audience to listen to and understand.

Suppose, then, that it is granted that (C) does not express a thought that entails that Lear would speak with a geo-political region. One explanation of this would be that (C) does not have the semantic structure that it appears to have, such that it is true just in case ' _would

speak with_’, as used in (C), is satisfied by whatever is picked out by ‘the King’ and ‘Cornwall’ (in that order), as used in (C). Perhaps we cannot exclude that hypothesis. But a more conservative explanation would be that ‘Cornwall’, as used in (C), is a *synecdoche*: the term, as used in (C), has a non-standard “deferred” reference to a human person – a Duke – who is a contextually salient *part* or *representative* of the geo-political region that is, purportedly, the standard referent of ‘Cornwall’.

The ‘purportedly’ in that last sentence allows for a possibility that some would not wish to rule out, namely that there are no such things as geo-political regions. For just as the claim that ‘God’ may non-standardly be used to refer to one’s favourite pop star or footballer is consistent with ‘God’ standardly being an empty term that merely purports to refer to a deity, so the proposition that ‘Cornwall’ may non-standardly be used to refer to a human person is consistent with ‘Cornwall’ standardly being an empty term that merely purports to refer to a geo-political region.⁸³

‘Cornwall’ is standardly used as a singular term, that is, as a term for exactly one thing. It is also *non*-standardly used as a singular term in (C). But a term that is standardly used as a singular term may non-standardly be used as a plural term, that is, as a term for several things. For consider the following sentence (as used by a football commentator):

(H) Holland drank freshly squeezed orange juice at half-time.

One might judge that (H) is like (C) in that, while it is put forward as true and has the combination of terms and predicates that it appears to have, it uses a term that, in the context of the sentence, does not pick out the geo-political region that it standardly purports to pick out. Yet

⁸³ Strictly speaking, of course, a Duke cannot be a *part* or *representative* of a merely putative region, *viz.* Cornwall, but he may be a *putative* part or representative thereof.

one might also judge that (H) *differs* from (C) in that its non-standard reference is to a *plurality* of human persons, who are contextually salient parts or representatives of the purported standard referent of ‘Holland’.

A suggestion that may be extracted from Quinton’s claim that “[w]here groups are said to decide... the reference is to a person or persons” is that (E) resembles (C) and (H) in these respects: it is put forward as true and has the combination of terms and predicates that it appears to have, but it uses a term to pick out some contextually salient human part(s) or representative(s) of something which is, purportedly, standardly picked out by the very same term. The suggestion, as I shall consider it, will remain indeterminate with regard to the number of this human element. The suggestion is that *either* (E) resembles (C) in that it uses a term to pick out a contextually salient human part or representative of something which is, purportedly, standardly picked out by the very same term *or* (E) resembles (H) in that it uses a term to pick out contextually salient human parts or representatives of something which is, purportedly, standardly picked out by the very same term. (It scarcely matters whether one draws attention to the number-neutrality of the suggestion by saying that (E), unlike (C) and (H), uses a number-neutral term, or by saying that it *either* uses a singular term *or* uses a plural term, and that one able to understand the sentence need not know which). I will call this suggestion ‘the non-standard hypothesis’.

The non-standard hypothesis bears analogy with a position in jurisprudence regarding the legal personality – the legal right and duty bearing status – of corporations, which Duff, in the text quoted in Chapter One, contrasts with Fictionism, and labels “The Symbolist, or Collectivist, or Bracket Theory”. The theory says that talk of corporations is “a labour-saving device to describe a particular kind of right”, namely a

right that is had by, or held against, one or more human beings, and which is had by them, or held against them, “in the corporation’s *name*”⁸⁴, such that:

...a right against a corporation can be described as a right that the secretary, or the treasurer, or the directors, or the shareholders, shall do something; and when a corporation is said to claim a right, it is always some representative who claims it...⁸⁵

Analogously, the non-standard hypothesis is that (E)’s use of ‘the East India Company’ is a “device to describe a particular kind of decision”, namely one that was made by one or more human persons, who, in making the decision, merit the bearing of the Company’s *name*.

At first sight, it might appear that the hypothesis is open to an objection similar to those that were made, in the previous Chapter, against claims that various sentences paraphrased (E), namely that (E), (as actually used), is intuitively *false* in counterfactual circumstances in which contextually salient human parts or representatives of the East India Company decide to abandon shipbuilding. For example, (E) is intuitively false in certain counterfactual circumstances in which, say, directors of the Company decide to abandon weekend hobbies of building model ships. Indeed, it would seem that no matter *which* human person or persons are said to be the actual synecdochical referent(s) of ‘the East India Company’, in (E), *they* might have decided to abandon shipbuilding in circumstances in which (E) is, intuitively, false; after all, *they* might have decided to abandon their weekend hobbies of building model ships.

⁸⁴ My emphasis.

⁸⁵ Duff (1938) pp. 218-9.

But it is not obvious how the objection is supposed to work, because it is not obvious that the defender of the non-standard hypothesis is under any pressure to say, absurdly, that (E) is true in any counterfactual circumstances in which some contextually salient human part(s) or representative(s) of the East India Company decided to abandon a weekend hobby of building model ships, or, for that matter, that he is under pressure to say, absurdly, that (E) is true in counterfactual circumstances in which the actual referent(s) of ‘the East India Company’, as used in (E), decided to abandon a weekend hobby of building model ships. And this is because it is not obvious that the defender of the non-standard hypothesis is under any pressure to say *anything* about (E)’s truth-value in any counterfactual circumstances. Certainly, as we have seen, one can try to undermine a paraphrastic strategy by imagining counterfactual circumstances in which a putative paraphrase of (E) has a different truth-value from (E), for this would be a way of showing that it is not the case that the putative paraphrase would do just as well as (E). But the non-standard hypothesis is not a hypothesis about how we might paraphrase (E), or a hypothesis about (E)’s truth-value in counterfactual circumstances. It is a hypothesis about the actual referent(s) of ‘the East India Company’, in (E); that is all.

The imagined objector may, however, throw back in our face the contention in Chapter One that it is analytically true that any sentence *s* that is exhaustively composed of a term and a predicate is true just in case its predicate, as used in *s*, truly says something about whatever it is that is picked out by its term, as used in *s*. The analyticity in question should not exclude the possibility that any expression might be used in a way that differs from that in which it is actually used. But it may seem to require that, as a matter of necessity (i.e. no matter how things went), any sentence *s* that is *actually* exhaustively composed of a term and a

predicate is such that whatever it is that it *actually* expresses is true just in case its predicate, as *actually* used in *s*, truly says something about or of whatever it is that is picked out by its term, as *actually* used in *s*.

If that's right, then the argument in Chapter One for premise (2)...

(2) (E) is true just in case ‘_decided to abandon shipbuilding’, as used in (E), truly says something about whatever it is that is picked out by ‘the East India Company’, as used in (E).

...supports the following modalized premise (2*):

(2*) Necessarily, what is actually said by (E) is true just in case ‘_decided to abandon shipbuilding’, as actually used in (E), truly says something about whatever it is that is picked out by ‘the East India Company’, as actually used in (E).⁸⁶

And now I hear our imagined objector say that, given (2*), a defender of the non-standard hypothesis must say, absurdly, that as ‘the East India Company’, in (E), actually picks out some human person(s) who satisfy ‘_decided to abandon shipbuilding’, as actually used in (E), (E) is true in any counterfactual circumstances in which said person(s) satisfy ‘_decided to abandon shipbuilding’ as actually used in (E), even if, in those circumstances, they only decide to abandon a weekend hobby.

However, I said in Chapter One that I presupposed the coherence of a notion of actual meaning according to which there are possible circumstances in which ‘(The number of children) ÷ (The number of mothers) = 2.4’ is used to express its actual meaning, and yet not used to

⁸⁶ (2) and (2*) accord with different conceptions of “truth-conditions” of sentences.

say what it actually says, of the particular numbers that it actually says it of. Similarly, it is open to the defender of the non-standard hypothesis to appeal to the coherence of a notion of actual use according to which there are possible circumstances in which ‘the East India Company’ and ‘_decided to abandon shipbuilding’ are used as they are actually used, even though the latter is not used to say what it actually says, of whatever it is that is actually picked out by ‘the East India Company’. (He might add that this notion of use *is* a notion of meaning).

It is not implausible that there is some such notion of the actual synecdochical use of ‘the East India Company’. For it might be thought to be more akin to an expression like ‘the forty-third president of the United States’, which (as actually used) picks out something via its contingently held role or office, than it is to a proper name, like ‘George Bush’, which (as actually used) does not appear to pick out its referent in this way.⁸⁷

So a defender of the non-standard hypothesis may be obliged to concede that, *given* (2*), and given that ‘the East India Company’, is actually used in (E) to pick out some human person(s) who satisfy ‘_decided to abandon shipbuilding’, as actually used in (E), it follows that (E) is true in every counterfactual circumstance in which ‘the East India Company’, as actually used in (E), picks out some human person(s) who satisfy ‘_decided to abandon shipbuilding’, as actually used in (E). But he may also deny that (E) is true in every counterfactual circumstance in which the actual *referent(s)* of ‘the East India Company’, even as it is actually used in (E), satisfy ‘_decided to abandon shipbuilding’, even as it is actually used in (E). Given (2*), in counterfactual circumstances in which (E) is false, ‘the East India Company’, as actually used in (E), picks out a human person or persons hp_1, \dots, hp_n , only if ‘_decided to abandon

⁸⁷ Again, (see ch. 1, n. 48) I am indebted to Kripke’s (2001) discussion of related issues.

shipbuilding', as actually used in (E), is *not* satisfied by hp_1, \dots, hp_n in those counterfactual circumstances. With this in mind, the defender of the non-standard hypothesis may grant that the human person or persons hp_1, \dots, hp_n who are *actually* picked out by 'the East India Company', in Lawson's use of (E), might have satisfied '_decided to abandon shipbuilding' in circumstances in which it is, intuitively, false that the East India Company decided likewise. All *that* shows, he will say, is that since (E) is false in those circumstances, (E) does not, in those circumstances, use 'the East India Company' to pick out hp_1, \dots, hp_n .

That the supposed objection is a *non sequitur* is perhaps more easily seen by considering its mirror image, namely that, no matter *which* human person or persons hp_1, \dots, hp_n are said to be the synecdochical referent(s) of 'the East India Company', as used in (E), they might *not* have decided to abandon shipbuilding, in circumstances in which it is, intuitively, *true* that the East India Company thus decided. The defender of the non-standard hypothesis will say that this shows only that *since*, in the counterfactual circumstances described, '_decided to abandon shipbuilding', as actually used in (E), is not satisfied by hp_1, \dots, hp_n , and (E) is true, then (E) does not, in those circumstances, use 'the East India Company' to pick out hp_1, \dots, hp_n . This is obvious enough, he will say. (E)'s truth in the circumstances requires that other human persons who do satisfy '_decided to abandon shipbuilding' are picked out by 'the East India Company' in those circumstances. But this does not preclude the term's being used as it is actually used; after all, there are counterfactual circumstances in which 'the forty-third president of the United States' is used as it is actually used to pick out Gore or Nader.

Someone may say that the foregoing paragraphs show at least this: that the defender of the non-standard hypothesis ought to be able to say

something informative about *that which distinguishes* circumstances in which one or more persons are picked out by ‘the East India Company’, as actually used in (E), from circumstances in which the very same person(s) are not picked out by that expression, thus used. For (it may be said) unless they can say something about this, they are not entitled to deploy a notion of “actual use”, according to which there are possible circumstances in which ‘the East India Company’ is used as it is actually used, but in which it does not pick out that which it actually picks out.

Perhaps this is a fair point, and the defender of the non-standard hypothesis might try to fulfil its requirement by appealing to the notions of personification and personation that we grappled with towards the end of the last Chapter, and he may thereby throw more or less light on the supposed linguistic phenomenon that he adduces. But it would be unreasonable to require him to informatively describe conditions that are necessary and sufficient for its being the case that a particular human person or persons is picked out by ‘the East India Company’, as actually used in (E). For on the supposition that an actual use of ‘God is a Brazilian’ non-standardly uses ‘God’ to pick out a footballer, there are bound to be counterfactual circumstances in which ‘God’, *thus used*, picks out some *other* human person, and yet it does not follow that anyone is in a position to informatively describe conditions that are necessary and sufficient for ‘God’, *thus used*, being such as to pick out a particular human person (it may be neither necessary nor sufficient that he is the speaker’s favourite footballer). When all is said and done, whether or not a use of ‘God’ succeeds in thus non-standardly picking out a particular human person in certain possible circumstances will turn on, among other things, the aptness or felicity of attempting so to use it. And poetry would be easier than it is if we knew how to informatively describe conditions that are necessary and sufficient for uses of words being apt or felicitous. As it is for ‘God’, so it may be for

‘the East India Company’; that is, whether or not ‘the East India Company’, as used in (E), succeeds in synecdochically picking out some human person(s), in certain possible circumstances, may turn on, among other things, the ineffable aptness or felicity of attempting so to use it.

The real problem for the non-standard hypothesis is raised by a matter that we chose to ignore throughout most of Chapter One, which is that (E) is used by Lawson as a constituent of a larger sentence, namely:

After the 1657 charter grant, the [East India] Company decided to abandon shipbuilding and ownership, replacing its involvement in this industry with a policy of hiring ‘East Indiamen’ to do their business.⁸⁸

Allow me to mention two matters of fact that Lawson does not here make explicit. First, lest there be any confusion, “East Indiamen” were ships: the Company’s new policy was one of hiring ships instead of building them.⁸⁹ Secondly, although it was occasionally overridden, the new policy remained in place until the Company’s dissolution two centuries later.⁹⁰ Bearing these two points in mind, I make an idealising assumption, which is that (E) is used by Lawson as a constituent of:

(E’) After 1657, the East India Company decided to abandon shipbuilding, replacing its involvement in this industry with a policy, *which it retained until 1857*, of hiring ships.

⁸⁸ Lawson *op. cit.* p. 48.

⁸⁹ The number disagreement between ‘its involvement’ and ‘their business’ suggests that the “business” that the ships were hired to do was theirs, not the Company’s. It may seem more natural to say that the ships were hired to do the Company’s business. I take it that Lawson means that the ships were, as it were, hired to do “their thing”.

⁹⁰ Hence Chaudhuri (1993 pp. 51-52) tells us: “After the new charter and the Joint-Stock of 1659, the practice of hiring ships from private syndicates had come to stay”.

Granted, Lawson did not quite write (E'). But it is true. Or at least, if, in Chapter One, we encountered good reasons for (E)'s being true, then these are good reasons for the truth of (E'). Perhaps we cannot exclude the possibility that (E') does not have the semantic structure and components that it appears to have, but I will assume that it does have these; at least, there is no space here to rehearse responses to paraphrastic strategies that parallel those made in Chapter One. Now, the problem for the defender of the non-standard hypothesis – given the way in which (E), as actually used, on the idealising assumption, is a constituent of (E') – is that he must say that (E') as well as (E) uses 'the East India Company' to pick out one or more contextually salient human parts or representatives of something which is, purportedly, standardly picked out by that term. But if (E') thus uses 'the East India Company', and if (E') has the semantic structure and components that it appears to have, then (E') says of the non-standard referent(s) of 'the East India Company' that they decided to abandon shipbuilding in 1657, replacing their involvement in that industry with a policy, which they retained until 1857, of hiring ships. But, thus interpreted, (E') is false: no human person(s) decided to abandon shipbuilding in 1657, replacing their involvement in that industry with a policy, *which they retained until 1857*, of hiring ships. For, given the nature of human mortality, no human person or persons retained a policy of hiring ships for two centuries. So, *since* (E') is true, it is incorrectly interpreted as using 'the East India Company' to non-standardly pick out some human person(s).

Let me clarify my claim that no human person or persons retained a policy of hiring ships for two centuries. I do not mean to rule out the possibility that, over a period of two centuries, various human persons had or retained policies of hiring ships, (alternatively put, that over a period of two centuries, various policies of hiring ships were had or

retained by human persons). But (E') speaks of *a* policy, and says of *it* that it was had or retained by the East India Company for two centuries.

Granted, grammatical singularity is not *always* a reliable guide to semantical singularity: *a* couple is *several* things, not one,⁹¹ and the same may be true of *a* clump, pack, set, flock, herd etc. But there is simply no reason to think that 'a policy' is like 'a couple' in this respect.

Someone might respond to my claim that no human person(s) had a policy of hiring ships for two centuries by insisting that a policy can be had by human persons at times at which some of them are not alive. But this is not, I hazard, a very promising thought. After all, no policy can be had by *me* at times at which I am not alive. Granted, a policy that is had by me can be *effective* at times at which I am not alive; if I presently have a policy that I and my male descendants pursue military careers, this may help to justify or bring about a course of action at times at which I am not alive. But I do not *have* or *retain* that policy at those future times. Likewise, we may grant that a policy can be had by a plurality of human persons at times at which they are alive, and be effective at later times at which some of them are not alive. But it does not follow, and is intuitively false, that the policy is *had* or *retained* by the plurality at the later times.

Still, someone might try to argue that a policy of hiring ships can be truly said to have been had or retained by a plurality of human persons throughout the period from 1657 to 1857, by virtue of the fact that, throughout that period, *some policy or other* – but at all times a policy of hiring ships – was had or retained by various elements of that plurality. More particularly, as it is unthinkable that a policy can be truly said to have been had or retained by *each* of a plurality of human persons, throughout the period from 1657 to 1857, (because a policy cannot be had or retained by a human person at

⁹¹ And my pants are *one* thing, not several, despite the grammatical plurality of 'pants'.

times at which he is not alive),⁹² someone might try to argue that a policy of hiring ships can be truly said to have been *jointly* had or retained by a plurality of human persons throughout the period from 1657 to 1857, by virtue of the fact that, throughout that period, *some policy or other* – at all times a policy of hiring ships – was had or retained by various elements of that plurality.

To defend such a claim, one would have to appeal to something like the following putative principle: for some (if not all) action-types φ , a policy of φ -ing can be jointly had or retained by a plurality of individuals, throughout a temporal interval i , *by virtue of the fact* that a policy of φ -ing is had by some among that plurality throughout an interval i_1 that is shorter than i , and which falls within i , and a policy of φ -ing had by others among that plurality throughout an interval i_2 that is shorter than i , and which falls within i , and a policy of φ -ing had by others among that...etc. etc., where those intervals $i_1, i_2...$ etc. jointly span the interval i .

This I deny. I do so because to have or retain a policy for a period of time is not merely to satisfy a predicate or exemplify a property for a period of time, but to bear a *state* for a period of time. Alternatively put: whenever something has or retains a policy for a period of time, there is a *state* of policy-having that it bears for that period of time. To try to motivate that way of classifying the having or retaining of a policy,

⁹² In fact, I doubt that *any* policy can be had or retained by *each* of a plurality, throughout *any* period of time. Rather, at *any* time at which a policy is had or retained by a plurality of individuals, it is *jointly* had or retained by them. For a policy cannot be had or retained by *each* of several individuals, at the same time, (which is not to deny that several individuals can each have a policy of the same kind, at the same time). That is, a policy is “had” as a car or house is “had”, i.e. it is *owned*. For, whilst a car or house can be owned by an individual, or jointly owned by a plurality, it cannot be owned by *each* of several individuals, at the same time; if something is owned by something, be it an individual or a plurality, then it is owned by nothing else, (which is not to deny that several individuals can each own a car or house of the same kind, at the same time). Granted, some things, like doctors and lawyers, can be “had” by each of several individuals, at the same time – for these things are typically “had”, not by being *owned*, but rather by being *at one’s disposal* – but a policy is unlike a doctor or lawyer in this respect. Or so it seems to me. But I do not need this claim for present purposes.

and the denial that rests upon it, I now make an excursion in which I make explicit some of my presuppositions about metaphysical categories. Not all of these presuppositions are supported by irrefutable arguments.⁹³

I begin by distinguishing states from *occurrences*. States and occurrences have, in Steward's phrase, different temporal 'shapes';⁹⁴ that is, they bear different kinds of relation to the flow of time. States are essentially *static*, by which I mean that no state can (i) be discontinuous or "gappy", (ii) undergo intrinsic changes during periods throughout which it is present,⁹⁵ or (iii) have temporal proper parts or "stages". This negative characterisation does not preclude there being states that do not exist in time; 3's primeness might be an example of one such state. But states that do exist in time *last* for as long as they are temporally located. By contrast, occurrences essentially *occur*; they *happen* or *take place*, and so are essentially in time. It does not follow that occurrences essentially occur during *intervals* of time. There are occurrences that happen at a moment or point in time, punctual occurrences, like race-winnings or summit-reachings.⁹⁶ I will reserve the expression 'event' for non-punctual occurrences. Events do not merely essentially occur, they essentially "unfold". The cash value of that metaphor is (at least) this: an event can occur in fits and starts, developing as it occurs; it can occur "bit by bit" too. Hence, an event, unlike a state, may be discontinuous,

⁹³ In what follows, I draw heavily on Steward (1997 ch. 4), Stout (1996 ch. 2 sec. B), (1997), Parsons (1990), Charles (1984 ch. 1), Mourelatos (1978), Davidson (1990b Essay 9), Kenny (1963 ch. viii), Vendler (1957) and Ryle (1990a). Many of these writers acknowledge various debts to each other, most of them acknowledge debts to Aristotle. Each of them would, no doubt, find something to disagree with in my discussion.

⁹⁴ Steward *op. cit.*

⁹⁵ It may be that a state changes intrinsically when it becomes, or ceases to be, present.

⁹⁶ Some writers call those of our *actions* that are punctual occurrences 'achievements'.

may undergo intrinsic changes during periods throughout which it is present and may have temporal proper parts or “stages”. Or so I assume.

States and occurrences (as I conceive them) are specific or particular and so contrast with properties, kinds and relations, which are (as I conceive them) generic or universal.⁹⁷ I conceive of states as being particular states *of* particulars, such that the existence and nature of a state depends metaphysically on that of one or more particulars. But states are not the *only* particulars that are thus dependent on other particulars. Exemplifications of properties, kinds and relations – variously called ‘situations’ or ‘*Tatsachen*’ or ‘facts’ or (confusingly) ‘states of affairs’ – also depend metaphysically on further particulars, namely the particulars that exemplify the relevant properties, kinds and relations. But exemplifications of universals are not states *of* particulars. Rather, they have an essentially propositional structure, and so are characteristically picked out either by that-clauses, or by “its being the case that-” clauses, as when we pick them out as relata of causal or justifying relations, (as in ‘The reason why John did not attend the rock concert was that...’, and ‘Its being the case that John did not attend the rock concert caused...’).⁹⁸ States, by contrast, are particulars that have an essentially *genitive* rather than a propositional structure; they are typically picked out by possessive noun phrases, like ‘John’s delicate sensibility’ or ‘Thora’s baldness’. John is a *constituent* of its being the case that he is delicate, but he is the *bearer* of his delicate sensibility.

Occurrences resemble states in that the existence and nature of at least some of them depends metaphysically on that of various particulars – particulars that perform, undergo or are otherwise “caught up” in the

⁹⁷ Here I believe I may part company with Steward *op. cit.*

⁹⁸ Assuming, that is, that it is proper to speak of them being “picked out” at all. See Russell (1972) p. 156: “Facts can be asserted or denied, but cannot be named.”

occurrence – even though there is no clear reason to believe that they are standardly structured as propositions are structured (for they are not picked out by expressions of the kind that typically pick out exemplifications of universals). But although occurrences may *befall* particulars, and may be authored or appropriated by them, such that we can talk sensibly about my seizure, my long jump, and my birthday party, we should be reluctant to say that occurrences are *of* particulars, in the (genitive) sense in which states are *of* particulars; occurrences may have agents and patients, protagonists and participants, but not bearers.

I now compare states and occurrences with *substances*. Substances are like states in that they may exist in time, and do not *happen*. And just as no state can have temporal parts or “stages”, no substance can.⁹⁹ But substances are like *events*, and *unlike* states in that they may undergo intrinsic changes during periods throughout which they are present. (Substances may differ from states in another respect too, for there is a long tradition of maintaining that substances, unlike states – and unlike occurrences and exemplifications – are, in some sense, metaphysically independent of other particulars. No doubt there is something right about that, but we need not venture any further into the issue here.)¹⁰⁰ Substances are like events in another respect too: substances are entities of which there are *many* or *few*, and yet a substance may be constituted by something of which there is *much* or *little*, which we might darkly call ‘stuff’ or ‘matter’ e.g. flesh, gold. Likewise, events are entities of which there are many or few, and yet an event may be constituted by something of which there is much or little, which we might darkly call ‘event-stuff’. This substance-event analogy is

⁹⁹ I am well aware of the fact that many philosophers purport to deny this claim. But most of them would concede that their use of ‘substance’ is revisionary of both the ordinary and the philosophical uses bequeathed to us by the ancients, medievals and moderns. As Mellor (1981 p. 105) notes, “...when Churchill published an account of his early life, that is what he called it: *My Early Life*. He did not call it ‘Early Me’.”

¹⁰⁰ But see Lowe (1998 ch. 6) and Hoffman and Rosenkrantz (1997 chs. 1 and 2).

easily obscured by the fact that we often use a single deverbative expression – or two homonymous expressions – to describe both an event and the event-stuff that constitutes it. In one sense of the expression, *picnicking* is the kind of thing of which there may be much or little, in another sense, *a picnicking* is the kind of thing of which there may be many or few. But a picnicking is distinct from the picnicking that constitutes it: one way to see this is to note the possibility of there being insufficient picnicking, in the “stuff” sense, to constitute a proper picnicking, in the “event” sense. Likewise, my crossing the road, or my climbing Everest, in the “stuff” sense, might be *interrupted* and so fail to constitute my crossing the road, or my climbing Everest, in the “event” sense, (even if it constitutes *another* event of, say, my getting half-way).

Now, a substance that is constituted by stuff or matter is *thereby* constituted by entities of which there *are* many or few, which are variously called “quantities” or “amounts” or “bits” of stuff or matter. Not everyone will endorse this claim. It will be objected that it makes no sense to speak of there being many or few quantities of, say, gold, as we cannot meaningfully ask *how* many quantities of gold there are in, say, the Bank of England. But I submit that it makes perfect sense to speak of “the” quantity of gold that, at present, constitutes my gold ring; there is *one* such quantity of gold (which is not to deny that there are many *pluralities* of quantities of gold, each of which *jointly* constitutes my ring). By parity of reasoning, it makes perfect sense to speak of “the” quantity of gold that, at present, constitutes *your* gold ring; there is *one* such quantity of gold. I conclude that it makes sense to speak of one, two...etc. quantities of gold. Now, the number of quantities of gold in the Bank of England may be indeterminate; if that’s so, then there is a way in which we may legitimately reject the question ‘How many quantities of gold are in

the Bank of England?’ But we do not reject the question because it makes no sense to speak of there being many or few quantities of gold.

We might speak in a similar vein of quantities or amounts or bits of event-stuff: I might say that a particular quantity or amount or bit of Everest climbing went on last summer, and that “it” (i.e. that particular quantity of climbing) constituted my climbing part of Everest that summer. It is not so clear that it makes sense to speak of there having been some number of quantities or amounts or bits of climbing that went on last Summer, but I hazard that this is not because the question ‘How many quantities of climbing went on last Summer?’ makes no sense, but rather because, like the question ‘How many quantities of gold are in the Bank of England?’ it is not obvious that it has a determinate answer. We should not infer that quantities of climbing are not, like those of gold, entities of a kind of which there may be one, two... etc., or many or few.¹⁰¹

Notice that quantities of event-stuff and quantities of substance-stuff bear different relations to the flow of time. I spoke of a quantity of climbing that “went on” last summer; but no quantity of gold can “go on” in this way. I reserve the expression ‘mass’ for a quantity of substance-stuff, and ‘process’ for a quantity of event-stuff. Masses are essentially quantities of a particular category of stuff, such that stuff of that category constitutes substances; processes are essentially quantities of a particular category of stuff, such that stuff of that category constitutes

¹⁰¹ Suppose that the quantity of Everest climbing that I did last Summer did not merely *actually* fail to constitute an event of Everest climbing, but that it is *impossible* for that quantity of Everest climbing to constitute an event of Everest climbing. One might then ask: by what right does it deserve to be classified according to its unfulfilled *telos*? My reply is as follows: my climbing Everest is so-called because it is a quantity of stuff of the same kind as stuff that constitutes (actual or possible) events of Everest climbing.

events.¹⁰² As such, masses are just *there*: they may be *present* throughout intervals of time, but do not *go on* throughout them, (it takes a philosopher to observe that they “persist” or “endure”); processes go on.

Substances and the masses that constitute them bear the same relation to the flow of time. They are capable of being *just there* throughout periods of time. It is less clear that events and the processes that constitute them bear the same relation to the flow of time. Suppose that a certain amount of climbing constitutes an event, namely a successful climbing of Everest, and that a certain amount of verse-speaking constitutes an event, namely a poetry recital. In either case, it is natural to say that the event *happened*, but perhaps less natural to say that it *went on*. By contrast, it is natural to say that a certain amount of climbing or verse-speaking *went on*, and less natural to say that it *happened*. I do not know how much weight one should put on this observation. For there are a number of things one might say of the climb, the recital *and* of the climbing and the speaking that constitute them, regarding their relation to time, such as that they *took place* (e.g. last Summer). And we may legitimately say, in the progressive aspect, of either an event or process, that it was *happening*, *occurring*, *taking place* or *going on* at any point in time during the period in which it was present (e.g. at noon on 26th July 2004). For someone might ask whether a recital was happening or going on at the point in time at which they were trying to telephone one of its participants; and someone else might come upon a part of a recital and subsequently ask what was happening or going on, to which ‘verse-speaking’ would be an appropriate answer. Furthermore,

¹⁰² I do not assume that *any* quantity of either kind is a mass or process. Perhaps not any amount of substance-stuff is a mass. Certainly, according to ordinary usage, not any amount of event-stuff is a process; the amount of climbing that I have (CONTD.) done in my life-time is, perhaps, not a process, and, certainly, the amount of climbing that is made up of the amount that I have done, and the amount that Jesus did, is not.

someone might ask ‘How long is this going to go on for?’ and mean either a quantity of verse-speaking or the recital that it constitutes.

Still, there is perhaps some support for the suggestion that processes, like substances do not “unfold” as events do. Martin¹⁰³ notes that there is a way in which events, unlike substances (he uses the expression ‘continuants’), cannot be re-encountered. For whenever one views an event on several isolated occasions, there is a composite intermittent viewing of that event of which these viewings are parts (e.g. there may be an event which is one’s intermittent viewing of a poetry recital); by contrast, one can view a substance on a number of occasions even though there is no composite intermittent viewing of it, such that one gets to *re-encounter* it (there is no event which is my intermittent viewing of my father). It may be that processes resemble substances in this respect: perhaps one can view a process of, say, verse-speaking on several isolated occasions even though there is no intermittent viewing of that process, of which those isolated viewings are parts (the process in question may nevertheless constitute an event – e.g. a recital – of which one enjoys an intermittent viewing). So processes are perhaps like substances, and unlike events, in that there is a way in which they can be *re-encountered*.¹⁰⁴ That may suggest that events and processes are related in subtly different ways to the flow of time. But I think it would be an overreaction to deny that processes, like events, can have temporal proper parts or “stages”. What may be true is that we decompose or articulate processes into shorter processes in a manner distinct from that in which we decompose or articulate events into events. We speak of the beginning of the climb, or the first half of the climb, or the first three weeks of the climb, and of the first act or movement of the performance,

¹⁰³ Martin (2001 p. 266 n. 13).

¹⁰⁴ I am indebted here to conversations with Martin (who may not endorse what I say). I am inclined to add that *states* as well as processes are like substances in this respect.

but we do not naturally speak of the beginning of the climbing, or the first half of the climbing, the first act of the acting, or the first movement of the music-making; we might, if pushed, speak of the climbing or music-making that *constituted* or *made up* the beginning of the climb, the first half of the climb, the first act of the performance etc.; we *do*, however, speak of the first three weeks of climbing, of the first twenty minutes of music-making etc. Processes, it would appear, are individuated in ways that *derive from* our ways of individuating the events that they constitute, *except* where they are individuated by their duration.¹⁰⁵ (It would also be an overreaction to the process-substance analogy, and process-event disanalogy, to say, with Rowland Stout, that a process is like a substance and unlike an event in that it is *wholly* present whenever it is present.¹⁰⁶ For if the whole quantity of climbing that went on last Summer also went on during any second during which it went on, then it is hard to see how one might deny that the very same quantity of climbing might have gone on, had I climbed only for a single second. But I could not have done *that* amount of climbing in *that* amount of time!)

So: processes are like *events* in that they “take place”, may be discontinuous, and may undergo intrinsic changes during any periods throughout which they are present. They are like *masses* in that they are essentially quantities of stuff that may constitute or partly constitute further particulars. And they are, we may tentatively assert, like *substances* in that there is a way in which they can be re-encountered.

¹⁰⁵ A process may be individuated by its duration even though it might have gone on for a longer or shorter period of time than that for which it actually went on. A rough analogy: a mass of matter is typically individuated either in ways that derive from our ways of individuating some substance that it constitutes, or by its weight, or by the volume of space that it occupies: this is consistent with the possibility that the very same mass of matter has a different weight or occupies a different volume of space.

¹⁰⁶ Stout *op. cit.* I may be “talking past” Stout here, however, for he does not say that he conceives of processes as being *quantities*, as I do.

Now, I make the following assumption: any true sentence that is barbarized or travestied by the substitution of its main verb phrase, by the same verb phrase, in the same basic tense, but in the progressive aspect, corresponds with either a *punctual occurrence* or a *state* that may be picked out by a nominalization of that verb phrase.¹⁰⁷ Furthermore, it is *not* the case that any such sentence corresponds with an *event* or a *process* that may be picked out by a nominalization of the verb phrase. A nice example is provided by ‘I look forward to hearing from you’, as used in a formal letter of application, which is travestied by an amendment that reads ‘I am looking forward to hearing from you’, because this conveys that the writer is caught up in an ongoing process or event of imaginative rehearsal of his receipt of the anticipated reply.¹⁰⁸ Of course, it may be that he *is* thus caught up. But, plainly, the truth of the sentence does not require this. Rather, it requires that he bears a *state* of looking forward, i.e. of *expectancy*. Hence, the possibility of a particular kind of travesty tells us something about the metaphysics of the correlates of certain kinds of true sentences. Admittedly, the expressions ‘barbarized’ and ‘travestied’ are somewhat vague – I use them because it would be contentious to appeal to failures of substitution *salva significatione*, and because it seems to me to be conceivable that, as a matter of fact, or even as a matter of necessity, a sentence admits of a substitution of the relevant kind *salva congruitate* and *veritate*, but, for all that, is barbarized by it. But the thought behind my assumption is, I think, intuitive enough. It is this: if a claim that something is, was, or will be ϕ -ing misrepresents what is said, when it is truly said that it ϕ s, ϕ -ed, or will ϕ , then this is because, whilst we can speak truly of its ϕ -ing, its ϕ -ing is not the sort of thing that *goes on*, but, rather, the sort of

¹⁰⁷ Perhaps ordinary usage requires that a state is not “too” extrinsic to its bearer(s). I am not sure whether this is so, and so ignore this complication in the text.

¹⁰⁸ A reflection provoked by a conversation with Julia Peters.

thing that, if it is in time, *lasts*, (i.e. a state), or the sort of thing that, if it takes place, does so at a moment in time, (i.e. a punctual occurrence).¹⁰⁹

Given the foregoing, it ought to be clear why I say that to have or retain a policy for a period of time is to bear a state for a period of time, i.e. that whenever something has or retains a policy for a period of time, there is a *state* of policy-having that it bears for that period of time. For while one might say that some thing or things are, were, or will be *acting on* a policy for a period of time, one should not say that they are, were or will be *having* a policy for a period of time. So, any such policy-having is not an event but a punctual occurrence or state. A policy-having that is present for a period of time is not a punctual occurrence; so it is a state.

To make this observation is to make no substantive claim about *what it is* to have a policy. In particular, I make no assumptions as to whether to have a policy for a period of time is (as may be thought)¹¹⁰ to bear a *mental state* for a period of time. All I have said so far is that to have a policy for a period of time is to bear a *state* for a period of time.

I must now explain why establishing the claim ‘*to retain a policy is to bear a state*’ supports a denial of the putative principle that a policy of φ -ing can be jointly had or retained by a plurality of individuals, throughout a temporal interval i , *by virtue of the fact* that a policy of φ -ing is had by some among that plurality throughout an interval i_1 that is shorter than i , and which falls within i , and a policy of φ -ing had by others among that plurality throughout an interval i_2 that is shorter than

¹⁰⁹ This paragraph leaves open whether “arch” idiomatic constructions like ‘I am hoping that you are going to ask me to the ball’ are barbarisms. Kenny *op. cit.* p. 175 (CONTD.) seems to think roughly this. For him, as hopes are states, such expressions are “not genuine continuous presents”. But I say that the possibility of travesty or barbarism of the relevant kind *suffices* for the existence a corresponding state or punctual occurrence and not that it is a *necessary* condition of there being some such particular.

¹¹⁰ See Bratman (1989). See also his (1987), (1999).

i , and which falls within i , and a policy of φ -ing had by others among that...etc. etc., where those intervals $i_1, i_2...$ etc. jointly span the interval i .

If the putative principle is true, then, as to retain a policy is to bear a state, a *state of policy-having* can be borne by a plurality for a period of time by virtue of the fact that it, or states of the same kind as it, are borne by distinct individuals, or pluralities thereof, among that plurality, for discrete periods of time, which jointly span the former period of time. And this should be denied, (which, I might stress, is not to deny that a *property, kind or relation* can be exemplified throughout an interval i by a plurality of objects $o_1, ... o_n$ by virtue of the fact that it is exemplified by one or more of $o_1, ... o_n$ throughout some interval i_1 that is shorter than i , but which falls within i , and by one or more others among $o_1, ... o_n$ throughout some distinct interval i_2 that is shorter than i , and... etc. etc.)

I deny that a *state of policy-having* (indeed any state) can be borne by a plurality for a period of time by virtue of the fact that it, or states of the same kind as it, are borne by distinct individuals, or pluralities thereof, among that plurality, for discrete periods of time, which jointly span the former period of time, for this reason: a state is a particular that is both dependent upon its bearers and *static*, and a particular that is dependent upon distinct bearers at distinct times in the manner suggested, is not, as I see it, in stasis. It is more properly classified as a dynamic particular, perhaps a process or event, or else the assumption that it is indeed one particular should be given up, perhaps in favour of the claim that it is a *series* of particulars, for example a series of states, or the claim that it is a *generic* entity, like a property, kind or relation.

More precisely, I reason as follows:

- (1) For any state s and bearers thereof b_1, \dots, b_n , the existence and nature of s depends metaphysically on that of b_1, \dots, b_n .
- (2) For any state s , bearers thereof b_1, \dots, b_n , and interval i throughout which s is present, if s has b_1, \dots, b_n as bearers throughout i *by virtue* of there being some state(s) s_1, \dots, s_n of the same kind as s , such that one of s_1, \dots, s_n has one or more of b_1, \dots, b_n as bearers throughout some interval i_1 that is shorter than i , and which falls within i , whilst one of s_1, \dots, s_n has one or more *others* among b_1, \dots, b_n as bearers throughout some distinct interval i_2 that is shorter than i , and which falls within i , and so on..., where those intervals i_1, i_2, \dots etc. jointly span the interval i , then the relation of s to b_1, \dots, b_n changes during i .
- (3) For any state s , bearers thereof b_1, \dots, b_n , and interval i throughout which s is present, if the existence and nature of s depends metaphysically on that of b_1, \dots, b_n , then if the relation of s to b_1, \dots, b_n changes during i , then s undergoes an intrinsic change during i .
- (4) For any state s and interval i throughout which s is present, s cannot undergo any intrinsic changes during i .

Therefore:

- (5) For any state s , bearers thereof b_1, \dots, b_n and interval i throughout which s is present, it is not the case that s has b_1, \dots, b_n as bearers throughout i *by virtue* of there being some state(s) s_1, \dots, s_n of the same kind as s , such that one of s_1, \dots, s_n has one or more of b_1, \dots, b_n as bearers throughout some interval i_1 that is shorter than i , and which falls within i , whilst one of s_1, \dots, s_n has one or more *others* among b_1, \dots, b_n as

bearers throughout some distinct interval i_2 that is shorter than i , and which falls within i , and so on..., where those intervals $i_1, i_2...$ etc. jointly span the interval i .¹¹¹

Two points of clarification may be made about (5). First, it applies to a limiting case in which s_1, \dots, s_n is *one* state that is identical with s itself. Hence I deny that any state can have a plurality of bearers by virtue of the fact that *it* has distinct bearers, or pluralities thereof, during intervals that jointly span the interval throughout which it is present.

Secondly, my understanding of the relation of “otherness” or distinctness that obtains between one or more of a plurality and one or more “others” among it is captured by this definition: any individual thing is – I stipulate – one of itself; for any individual things or pluralities thereof x and y , x is distinct from, or other than y just in case it is *not* the case that every individual thing z is one of x if and only if z is one of y . A corollary is that a mutually distinct x and y may “overlap” in the sense that some z is one of x and also one of y . Given this, my conclusion (5) rules out the apparent possibility that a state s has a plurality of bearers by virtue of there being states of the same kind that have “overlapping” pluralities as bearers throughout intervals during which s is present.

Premises (1) and (4) follow from our fundamental assumptions about the nature of states. Premises (2) and (3) are, no doubt, vulnerable

¹¹¹ I take it that to be present in the flow of time throughout an interval is to bear a state throughout that interval, as we should not say that some thing or things are, were, or will be “being present” in the flow of time. It follows, given the argument in the text, that no plurality can be jointly present in the flow of time throughout an interval i by virtue of some of them being present in the flow of time throughout an interval i_1 that is shorter than i , and which falls within i , and others of them being present in the flow of time throughout an interval i_2 that is shorter than i , and which falls within i , and others etc., where those intervals $i_1, i_2...$ etc. jointly span i . That seems right: no plurality that is “scattered across” an interval is present throughout it: e.g. the past and present members of the Hallé orchestra have not been present throughout the last 150 years.

to a whole host of objections. (2) *looks* right. But I can think of little to say in support of it, except to argue by analogy: a *substance* of which a plurality of objects are parts by virtue of distinct sub-pluralities of those parts coming and then ceasing to be parts of substances of the same kind *is* such that its relation to those parts changes during the period throughout which it is present; (imagine repairing a table made of tables, or a crown made of crowns). Likewise, an *event* or *process* in which a plurality of participants are caught up by virtue of distinct sub-pluralities of those participants coming and then ceasing to be caught up in events or processes of the same kind, *is* such that its relation to those participants changes during the period throughout which it is present; (imagine participating in a race that is made up of races).

I can also think of little to say in support of (3), except to argue by analogy: if a *shadow* depends metaphysically on the thing(s) that cast it, then a change in the relation between a shadow and the thing(s) that cast it suffices for a change that is intrinsic to the shadow. If a *composite substance* depends metaphysically on its parts, then a change in the relation between a composite substance and its parts suffices for a change that is intrinsic to the composite substance. If an *action* depends metaphysically on its agent(s), then a change in the relation between an action and its agent(s) suffices for a change or development that is intrinsic to the action. If a *property* depends metaphysically on the causal role that it “realises”, then a change in the relation between a property and its causal role (perhaps *per impossible*) suffices for a change that is intrinsic to the property. If a *concept* depends metaphysically on the conditions of its possession, then a change in the relation between a concept and its conditions of possession (perhaps *per impossible*) suffices for a change that is intrinsic to the concept. If a *proposition* depends metaphysically on the inferential role that it “realises”, then a change in

the relation between a proposition and its inferential role (perhaps *per impossible*) suffices for a change that is intrinsic to the proposition.

I resort to analogy one more time to try to directly motivate (5). Suppose that, despite appearances, there are no human persons, and that anything that we are inclined to think of as such is “nothing but” a series of overlapping pluralities of atoms, or cells, or some such. If that is how it is, then sentences of the form, ‘*a* has been bald throughout *i*’, if true, feature a predicate and a plural term such that the predicate is jointly satisfied by the referents of the term by virtue of the fact that some of its referents jointly satisfy ‘_are bald’ at some times, while others of it jointly satisfy ‘_are bald’ at other times, where those times jointly span some interval *i*. But to say *that* is to commit oneself to the negation of the proposition that to be bald throughout a period of time is to bear a *state* throughout that period of time. It is to re-imagine persistent baldness as a mere property, or series of states, or process or event in which different but overlapping pluralities of individuals are “caught up” at different times. Or so it seems to me. And as it is for the metaphysics of being bald, so it is for the metaphysics of having a policy.¹¹²

I do not pretend that these analogical arguments are watertight. In the end, I aspire to articulate two mutually reinforcing convictions that (i) to have or retain a policy for a period of time is to bear a state for a period of time, and that (ii) (E’) does not use ‘the East India Company’ to pick out a plurality of human persons. Where doubt is cast on either of these it may infect the other. And I invite the uncorrupted reader to

¹¹² It is tempting to make this point rhetorically by saying, ‘If you disagree with Hume’s denial that there is a human *self* “over and above” human atoms of various sorts (in Hume’s case, human “ideas” or “perceptions”), then you should accept that there are *corporate* “selves” that are “over and above” human ones’. Hume himself (2000 sec. 1.4.6. para. 19) draws a comparison between selves on the one hand and corporate and geo-political objects on the other. It has proved influential: see Nietzsche (2003 sec. 19), Wisdom (1934 p. 77), Ayer (1987 p. 85), and Parfit (1989 pp. 211ff and Appendix D).

compare *his* convictions that (i*) to be *bald* for a period of time is to bear a state for a period of time, and that (ii*) the sentence ‘Thora has been bald for twenty years’ does not use ‘Thora’ to pick out a plurality of cells.

Let us take stock. Recall (E’):

(E’) After 1657, the East India Company decided to abandon shipbuilding, replacing its involvement in this industry with a policy, *which it retained until 1857*, of hiring ships.

Given the argument for (5) that we have just presented, the facts of human mortality, and the fact that to have or retain a policy is to bear a state, whatever has the policy mentioned in (E’) is not one or more human persons. Nor, I assume, is that policy had by one or more human persons *among other things*, say by one or more human persons, some rules or procedures, and a building in Leadenhall Street. For given that it is not the case that a plurality of human persons can have a policy at times at which some of them are not alive, it is hard to see how a plurality of human persons *among other things* may have a policy at times at which some of them are not alive; after all, (5) rules out the apparent possibility that a state has a plurality of bearers even by virtue of its having distinct, *overlapping* pluralities as bearers at distinct times.

If that’s right, then it is hard to see *what* could have the policy that is mentioned in (E’) if not something *standardly* picked out by ‘the East India Company’. I conclude, then, that the policy mentioned in (E’) is had, *not* by one or more human persons but, *on the contrary*, by something that is standardly picked out by ‘the East India Company’.

Before I proceed any further, I want to admit that I have suppressed a complication that I ought briefly to discuss. I said in the foregoing that any true sentence that is barbarized or travestied by the substitution of its main verb phrase, by the same verb phrase, in the same basic tense, but in the progressive aspect, corresponds with either a *punctual occurrence* or a *state* that may be picked out by a nominalization of that verb phrase. Actually, that was a convenient simplification and not quite right. What I should have said is that any such sentence corresponds with *one or more* punctual occurrences or states that may be picked out by a nominalization of the verb phrase in question. For consider a case in which the true sentence features a subject phrase that picks out a *plurality*, such as ‘Lennon and McCartney look forward to hearing from you’. Assume that the sentence is true. For all I know, its verb phrase corresponds with a single state of looking forward that is jointly borne by the plurality of people to which it refers. But, on a natural reading, it corresponds with a *plurality* of states of looking forward, distributed among the people in question, such that each state is borne by just one of them, and each of them bears just one of them. I suppressed this complication because it matters little for present purposes. For (E) is not like ‘Lennon and McCartney look forward to hearing from you’ in the relevant respect. For – as was noted earlier – it speaks of *a* policy, and says of *it* that it was had or retained, by the East India Company, for two centuries, and – as was also noted earlier – it is unthinkable that *a* policy can be truly said to have been had or retained by *each* of a plurality of human persons, throughout the period from 1657 to 1857, because a policy cannot be had or retained by a human person at times at which he is not alive; rather, if it is retained by a plurality of human persons throughout the period in question, it is *jointly* retained by them. It is safe to assume that for every joint having or retaining of a policy, there is but one state of that policy’s being jointly

had or retained. So I will not contemplate the thought that (E') corresponds with a *plurality* of states of policy-retention, distributed among the referents of 'The East India Company', such that each state is borne by just one of them, and each of them bears just one of them.¹¹³

To return to where we were: I conclude that the policy mentioned in (E') is had, *not* by one or more human persons but, *on the contrary*, by something that is standardly picked out by 'the East India Company'.

Now, that does not quite establish the lemma that we are arguing for, which is that, *in (E)*, 'the East India Company' is standardly used to pick out something other than a human person, or plurality thereof.

We will establish this, our lemma (a), in three stages. The *first* of these is the observation, presupposed in the foregoing, that given the way in which – on our idealising assumption – (E), as actually used, is embedded in (E'), 'the East India Company' in (E) is used to pick out *whatever it is* that 'the East India Company' in (E') is used to pick out.

The *second* stage is that in which we note that the 'it' in (E')'s italicised clause picks out whatever has the policy mentioned in (E'). I do not know how to argue for this claim; I find it *obviously* true. If that's right, then, given the foregoing, the 'it' in (E')'s

¹¹³ In Chapter Four I discuss Margaret Gilbert's notion of a *joint commitment*, which is a commitment that is jointly had, or "espoused", as she likes to say. The interpretation that I defend there entails that, for Gilbert, a true attribution of a joint commitment to a plurality of agents *does* correspond with a plurality of states of commitment-espousal, distributed among the plurality of agents, such that each state is borne by just one of them, and each of them bears just one of them. This does not make a fool out of me for saying what I say in the paragraph to which this is a note. In Chapter Four I seek to make the best sense that I can out of Gilbert's avowedly *technical* use of 'joint commitment' and its cognates. Lawson's use of 'policy' is, by contrast, straightforward. (Similar remarks apply to Gilbert's notion of a *plural subject*, which, on my reading, is not *a* but *several* subjects – for, again, her use of 'plural subject' is avowedly technical).

italicised clause picks out something that is standardly picked out by ‘the East India Company’.

The *third* stage is that in which we maintain that the ‘it’ in (E)’s italicised clause has the same referent(s) as ‘the East India Company’ in (E’). Again, that looks true. Still, it might be objected that there are sentences in which a pronoun *p* is anaphoric on a term *t*, where *p* is used to pick out something that may be picked out by *t*, and in which *t* is used to pick out something that is *related to* but *other* than that thing. Consider (as said to her colleagues by a waitress in a New York diner):

(O) The omelette left in a hurry; it was too spicy.¹¹⁴

And (as said whilst indicating a copy of *War and Peace*):

(B) This book weighs 6kg; Tolstoy spent years writing it.¹¹⁵

In (O), the term picks out a *customer* whose *order* is picked out by the pronoun. In (B), it would appear, the term picks out a *volume*, which is a copy of the *work* that is picked out by the pronoun. In both (O) and (B) a pronoun is anaphoric on a term, such that the former picks out something that is standardly picked out by the latter. But in (O), the term *non-standardly* picks out something related to, but other than, that which is picked out by the corresponding pronoun, whereas in (B) the term *standardly* picks out something related to, but other than, that which is picked out by the pronoun. Either might be thought to bear an analogy with (E’): perhaps ‘the East India Company’, in (E’), picks out,

¹¹⁴ See Fauconnier (1985 ch. 1) for sentences like this one.

¹¹⁵ See Dummett (1981 pp. 74-75, 233-234, 569-573) for more about ‘book’.

non-standardly or standardly, something that is related to but other than the referent(s) of the pronoun in its italicised clause. Because, for all that we have established thus far, ‘the East India Company’ is non-standardly used, in (E’), to pick out some contextually salient human part(s) or representative(s) of something which is, purportedly, standardly picked out by that very term, or *standardly* used, (for (B) reminds us that a term may not have more than one standard use), in (E’), to pick out “nothing but” human persons; it is just that the pronoun in (E’)s italicised clause picks out something that is related to but *other than* its term’s referent(s).

However, on the assumption that (O) and (B) each employ an anaphoric pronoun, they can be reformulated so as to dispense with the pronoun in favour of a relative clause or a conjunctive predicate, thus:

(O’’) The omelette, which was too spicy, left in a hurry.

(O’’) The omelette left in a hurry and was too spicy.

(B’’) This book, which Tolstoy spent years writing, weighs 6kg.

(B’’) This book weighs 6kg and took Tolstoy years to write.

It seems to me that (O’’), (O’’’), (B’’) and (B’’) should each be read as exploiting distinct uses of a singly occurring expression i.e. that they are, as grammarians say, *syllaptic* or *zeugmatic*. (O’’) and (O’’) each use a single occurrence of ‘the omelette’ in two ways, to pick out a meal and to pick out a man; (B’’) and (B’’) each use a single occurrence of ‘this book’ in two ways, to pick out a volume and to pick out a work. (One might, I suppose, prefer to say that (O’’) and (O’’) each use ‘the omelette’

in *one* way, a third way, to pick out a meal *and* a man, and the same *mutatis mutandis* regarding (B'') and (B'''); there seems to be little to choose between my preferred way of putting things and this alternative way).

Sentences like this are typically incongruous, as Ryle noted:

'She came home in a flood of tears and a sedan-chair' is a well known joke based on the absurdity of conjoining terms of different types.... [And] a man would be thought to be making a poor joke who said that three things are now rising, namely the tide, hopes and the average age of death.¹¹⁶

Oliver and Smiley have, more recently, made the same observation:

...we smile at 'went straight home in a flood of tears and a sedan chair', and laugh at 'she made no reply, up her mind and a dash for the door'... [The] phenomenon known as syllepsis or, commonly, zeugma, where a single occurrence of a phrase with different meanings is made to do double duty, [produces] a predictably incongruous or humorous effect.¹¹⁷

Now, perhaps some or all of (O'), (O''), (B') and (B'') are atypically *congruous* zeugmas. For all that, they resemble incongruous zeugmas to this extent: a hearer must "work" to understand them aright. For to understand any zeugmatic sentence aright, one must *hear* two distinct uses of a singly occurring expression, and this requires one to "work". I do not want to say much more about the nature of the "work" involved. I make a phenomenological assertion, and like many of its kind, it is liable

¹¹⁶ Ryle *op. cit.* pp 23-24.

¹¹⁷ Oliver and Smiley (2001 p. 294). They may overplay their hand with "smile" and "laugh". I agree with Kingsley Amis (1997 p. 257) that zeugmas were "never very funny".

to provoke requests for further elucidation, which can only satisfactorily be responded to by saying something like, 'If you got to ask, you ain't never gonna get to know'.¹¹⁸ Perhaps zeugmas generally take a moment or two to "get". Perhaps there is generally a certain amount of *resistance* to "getting" them. But there are, no doubt, exceptions to these generalisations. I say only this: a hearer must "work" to hear two distinct uses of 'the omelette' and 'this book' in (O'), (O''), (B') and (B''), and – as far as I can see – something similar is true of all zeugmatic sentences.

Moreover – again, as far as I can see – the story that I have told about (O) and (B) is true of any sentence that is relevantly like them. That is, it is true of any sentence in which a pronoun *p* is anaphoric on a term *t*, where *p* is used to pick out some *x* that may be picked out by *t*, and in which *t* is used to pick out something that is *related to* but *other* than *z*, that one can reformulate it, by introducing a relative clause or a conjunctive predicate, to derive a sentence that one must "work" to "get".

Recall that we are considering the hypothesis that (E') resembles (O) or (B) in that it uses its term ('the East India Company') to non-standardly or standardly pick out something that is related to but other than the referent(s) of the pronoun in its italicised clause, which is something standardly picked out by that term. On the assumption that (E') employs an anaphoric pronoun, it, like (O) and (B) can be reformulated in a manner that dispenses with the pronoun, thus:

(E'') The East India Company, which retained a policy of hiring ships until 1857, decided to abandon shipbuilding in 1657.

(E''') The East India Company decided to abandon shipbuilding in 1657 and retained a policy of hiring ships until 1857.

¹¹⁸ Block (1980 p. 278), quoting Louis Armstrong.

But, given the foregoing, (E'') and (E''') ought to be, if not exactly incongruous, such that a hearer must “work” to understand them aright. But each of them can be understood without any “work” whatsoever. The phenomenology of our understanding of (E'') and (E''') does not support the claim that they are zeugmatic.¹¹⁹ And so, as each of (E'') and (E''') reformulates (E'), I see no reason to doubt that the ‘it’ in (E')s italicised clause has the same referent(s) as ‘the East India Company’ in (E').

None of this is to deny that there may be a vague boundary between congruous zeugmas and non-zeugmatic sentences. For consider:

(J'') That jacket, which is our best-selling garment, fits you well.

¹¹⁹ I might add that the only zeugmas that I can concoct that use a singly occurring term to purport to pick out something that it standardly picks out, and some contextually salient *human part(s) or representative(s) thereof*, are *plainly* incongruous. Hence:

(C'') Cornwall, which shares a border with Devon, is wanted by the King.

(C''') Cornwall is wanted by the King and shares a border with Devon.

(H'') Holland, which shares borders with Germany and Belgium, drank freshly squeezed orange juice at half-time.

(H''') Holland drank freshly squeezed orange juice at half-time and shares borders with Germany and Belgium.

This leads me to surmise that *were* (E'') and (E''') thus zeugmatic, we would know about it – they would be *plainly* zeugmatic, like (C''), (C'''), (H'') and (H'''). So I take the fact that they are not plainly zeugmatic to be defeasible evidence for their not being zeugmatic.

(J'') That jacket fits you well and is our best-selling garment.¹²⁰

Perhaps each of (J') and (J'') uses a single occurrence of 'that jacket' in two ways, to pick out a jacket-*token* (in order to say of it that it fits its wearer well) and to pick out a jacket-*type* (in order to say of it that it is a best-seller). Or, perhaps each of (J') and (J'') purports to correspond with a state of affairs in which a jacket-*token* really is a best-selling garment; it is just that it is a best-seller by virtue of the fact that the jacket-*type* of which it is a token is a best-seller; the jacket-*token* "inherits" or "borrows" the property of being a best-seller from its type. Alternatively, perhaps each of (J') and (J'') purports to correspond with a state of affairs in which a jacket-*type* really does fit someone well; it is just that it does so by virtue of the fact that a contextually salient token of that type fits him well; it "inherits" or "borrows" the property of fitting him well from this token.¹²¹ It is difficult to know how to adjudicate between these claims because, among other things, it is just not clear whether a hearer must "work" to "get" (J') and (J''); the phenomenological data, such as it is, underdetermines the correct account of these sentences (or so I reckon), and it is not clear what other considerations are pertinent.¹²² By contrast, it is *quite* clear that a hearer does not have to "work" to understand (E') and (E'') aright. And so I see no reason to suppose that future investigations will reveal that they are, after all, congruous zeugmas, rather than non-zeugmatic sentences.

¹²⁰ See Cruse (1986 p. 63) for a sentence like these.

¹²¹ Compare Baker (1999 p. 152), who thinks that a small chunk of gold *really can* be worth \$10,000 by virtue of the fact that a statue that it constitutes is worth \$10,000, and Nunberg (1995), who thinks that a person *really can* be "parked out back" by virtue of the fact that his car is "parked out back". Nunberg, like Baker, thinks that a predicate may be true of a thing by virtue of the fact that a homographic predicate is true of some related thing, but unlike Baker, he does not call this sort of phenomenon the "borrowing" of a property. More modestly, he calls it "predicate transfer".

¹²² I suppose someone might say something similar about (B') and (B''). But it would be hard to maintain that each of (O') and (O'') purports to describe a state of affairs in which an omelette *really did* leave in a hurry, or in which a man *really was* too spicy.

So I conclude that the ‘it’ in (E)’s italicised clause has the same referent(s) as ‘the East India Company’ in (E’), and that these are all and only the same thing or things as that which has the policy mentioned in (E’), and which is *not* one or more human persons, or even one or more human persons *among other things*, but which is, on the contrary, something that is standardly picked out by ‘the East India Company’. As said thing or things is also the referent(s) of ‘the East India Company’, in (E), it follows that ‘the East India Company’, in (E), is standardly used to pick out something *other* than a human person, or plurality thereof, (where this is read as ruling out the apparent possibility that it is thus used to pick out a human person or plurality thereof *among other things*).

In establishing our lemma (a), I do not rule out something that was suggested at the beginning of this Chapter, namely that ‘the East India Company’ in (E) picks out “nothing but” directors, shareholders and employees. For it may be contended that the directors, shareholders and employees of the East India Company are non-identical with human persons. This thought is considered and rejected in the next section.

Lemma (b) – in (E), ‘the East India Company’ is standardly used to pick out something that is an individual thing, and not a plurality thereof.

There are two possibilities: either ‘the East India Company’ is standardly used in (E) to pick out an individual thing, or that expression is standardly used in (E) to pick out a plurality of individual things.

These two possibilities are mutually exclusive, for contrary to the *Quicumque Vult*,¹²³ nothing is both one and many individual things. Some

¹²³ In *The Book of Common Prayer*: “...there is one Person of the Father, another of the Son: and another of the Holy Ghost... And yet they are not Three Gods: but one God.”

might allege that I here presuppose a hopelessly naïve metaphysics of number. One camp of philosophers may wish to accuse me of being blind to the fact that nothing is some number of individual things *simpliciter*, since everything is some number of individual things *relative to* or “qua” its exemplifying some concept or property.¹²⁴ A second camp may wish to accuse me of being blind to the fact that number is not properly predicated of individual things or pluralities thereof, but of concepts or properties.¹²⁵ Either camp may contend that *whatever it is* that is picked out by ‘the East India Company’ in (E) will exemplify distinct concepts *_F* and *_G* once and many times, respectively, such that it may justly be thought of both as one *and* as many individual things.

I understand the second camp better than I do the first. But to either camp I say this: *if*, as they contend, *whatever it is* that is picked out by ‘the East India Company’ in (E) exemplifies distinct concepts or properties *_F* and *_G* once and many times respectively, *then* that “whatever it is” is many individual things and not one individual thing. For while many individual things can, between them, exemplify a concept just once (e.g. *_are a coxless pair*, *_are a married couple*), and also exemplify some other concept many times between them (e.g. *_is a human person*) it is *not* the case that one individual thing can exemplify a concept many times.¹²⁶ Of course, it is possible that one individual thing has many *parts* that, between them, exemplify a concept many times, but one ought not to confuse this possibility with the impossible state of affairs in which that *individual* exemplifies a concept many times – I am not a bone, nor any number of bones, and so do not exemplify *_is*

¹²⁴ Sprigge (1970 p. 118), Armstrong (1978 Vol. II pp. 71-74). See also Cameron (1999).

¹²⁵ Frege (1996 §46): “...a statement of number is an assertion about a concept”.

¹²⁶ Except, of course, by *changing*: I can exemplify *_sits* many times simply by sitting, then standing, and then sitting again. The contrast in the text would be more carefully drawn thus: it is possible that there is a moment in time at which many individual things, between them, exemplify a concept just once, but it is not possible that there is a moment in time at which one individual thing exemplifies a concept many times.

a bone any number of times, but I have parts that, between them, exemplify *_is a bone* over 200 times.¹²⁷

Some notable philosophers seem to believe that many groups and institutions are *pluralities* of individual things. For Margaret Gilbert coins ‘plural subject’,¹²⁸ Keith Graham ‘collective agent’¹²⁹ Philip Pettit ‘collective subject’,¹³⁰ and Peter Simons ‘collective continuant’ and ‘plural continuant’¹³¹ to identify a putative *kind* that is exemplified by certain paradigm cases of social groups. And these writers converge upon similar paradigms *viz.* committees, trades unions, orchestras and corporations.

But I may be accused of over-interpretation. Each of the coinages quoted above *may* be read as identifying a kind that is standardly exemplified, on an “occasion” of exemplification, by an individual thing, with its pluralizing adjective conveying that each such individual is somehow made up of a plurality.¹³² But if my interpretation is thus incorrect, then I fail to see what the implied contrast is between *singular* or *individual* subjects, agents and continuants and *plural* or *collective* subjects, agents and continuants. For I take it that *I* am a paradigm case of an individual subject, agent or continuant if anything is, but also that *I* am somehow made up of a plurality of individual things *viz.* cells etc.

¹²⁷ If concepts or properties are ways of “organising” or “sorting” objects, the contrast that I draw here is anticipated by Davidson (1990a Essay 13 p. 192): “We cannot attach a clear meaning to the notion of organizing a single object... Someone who sets out to organize a closet arranges the things in it. If you are told not to organize the shoes and shirts, but the closet itself, you would be bewildered. How would you organize the Pacific Ocean? Straighten its shores perhaps, or relocate its islands, or destroy its fish... The notion of organization applies only to pluralities.” For more on this, see my (2006).

¹²⁸ Gilbert uses this expression in many places in her (1989), (1996), (2000) and (2006b).

¹²⁹ Graham (2002) pp. 82-3.

¹³⁰ Pettit (2001 ch. 5) p. 123.

¹³¹ Simons (1987) p. 168, 176.

¹³² Sometimes Gilbert writes as if this was what she had in mind. See my Chapter Four.

It may be replied that the relevant contrast is that a plural or collective *subject* or *agent* is an individual thing that is somehow made up of a plurality of individual *subjects* or *agents*, while an individual subject or agent is an individual thing that is not thus made up. But we cannot extend this interpretive strategy to Simons's coinage.

For Simons says:

...there are plural and mass continuants.... A committee, orchestra, or species is a group which comes into existence, continues to exist, then ceases to exist.¹³³

And if a committee or an orchestra really is a paradigm case of a plural or collective continuant, where to say *that* means that it is an individual thing that is made up of a plurality of individual continuants, then these latter continuants presumably include human persons among their number, and they are, on the face of it, also individual things that are made up of pluralities of individual continuants. Yet each such human person is a paradigm case of a *singular* or *individual* continuant.

Besides, Simons appears to put terms for orchestras into the same category as expressions like 'that exaltation of larks', which, he says, "serve the function of referring collectively to a number of objects".¹³⁴

Let it be granted, then, that I am right to read *Simons*, if not Gilbert, Graham or Pettit, as holding that committees, orchestras etc. are pluralities. On the face of it, that is a surprising claim. For 'the East India Company' in (E) is scarcely unique in standardly picking out something that had a policy for at least a century; expressions for certain

¹³³ Simons *op. cit.* p. 176.

¹³⁴ *ibid.* pp. 145-6.

distinguished committees and orchestras are in a like position. Given this, we have the resources for arguments that are isomorphic with our argument for (a), each of which will establish that in such-and-such a sentence, a name of a particular orchestra or committee is standardly used to pick out something that is other than a human person, or plurality thereof, and which is not a human person or plurality thereof, among other things. And that is hard to reconcile with Simons's claim that a committee or orchestra is a plurality. For *if* a committee or orchestra is a plurality, it is hard to see what it is a plurality *of*, if not human persons, or, at least, human persons among other things.

Simons is, no doubt, aware of this, but his remarks on groups in *Parts* are so sketchy and scattered that it is difficult to attribute a determinate view to him. Still, he sometimes writes as if a social group is not a plurality *of* human persons, but rather a plurality that is somehow *made up of* a plurality of human persons. In the case of the orchestra:

...an orchestra is *not* simply a number of musicians... An orchestra is *made up of* musicians who regularly come together to play together...¹³⁵

The point carries over to social groups made up of non-humans:

...‘the wolves’ is a simple plural term referring to just these animals, whereas ‘the pack’ refers to a group... The wolves are the *matter* of the pack.¹³⁶

Quite generally, for Simons:

¹³⁵ *ibid.* p. 146 (my emphases).

¹³⁶ *ibid.* p. 234 (my emphasis).

The extensional classes *making up* groups at any time may be looked on as the *matter* of the groups.¹³⁷

Now, the claim that a social group is a plurality that is made up of persons (or, say, animals) *may* be reconciled with arguments that are isomorphic with our argument for (a). For it is quite widely held¹³⁸ that some if not all individual things are distinct from whatever makes them up, from which it follows – although the implication is not often drawn – that a plurality *p* of such individuals is distinct from some plurality that makes it up (which is not to deny that *p* is identical with the individuals that it is “of”). Let us call those who draw this distinction ‘dualists’. If they are right, then perhaps *some* pluralities – certain social groups – are *made up of* human persons, but are *other* than them, for all that.

Simons is a paid-up dualist,¹³⁹ and so committed to the view that some pluralities are distinct from pluralities of which they are somehow made. I am not here concerned to *prove* that he also thinks that there are some pluralities – namely certain social groups – that are distinct from pluralities of human persons of which they are somehow made (or, for that matter, pluralities of wolves of which they are somehow made). Still, given his commitment to dualism, and charity’s call that we reconcile his belief that a committee or an orchestra is a plurality of individuals, with arguments that are isomorphic with our argument for (a), I think that this is a not implausible reading of the passages quoted in the foregoing.

In any case, the important point is that, whatever *Simons* thinks, the view that a social group is a plurality that is made up of human

¹³⁷ *ibid.* p. 168 (my emphases). Note that Simons uses ‘class’ in an idiosyncratic manner such that it applies to any individual thing or plurality thereof. Hence *ibid.* p. 144: ‘[c]lasses are the ontological counterparts of referential terms, singular and plural.’

¹³⁸ See Wiggins (1968), Pollock (1974 pp. 157-74), Doepke (1982), Salmon (1982 pp. 224-29), Fine (1982), Lowe (1983), Thomson (1983), Johnston (1992) and Baker (1997).

¹³⁹ See chapter 6 of his *op. cit.*

persons deserves our consideration. For unless we think that ‘the East India Company’ is standardly used in (E) to pick out a plurality that is made up of human persons, there is – as far as I can see – no very appealing way of explaining how it is even possible that ‘the East India Company’ is standardly used in (E) to pick out a plurality, *given* (a), and *given* that an English trading company arises out of the common enterprises of human persons. If it is not possible, we may infer that ‘the East India Company’ is standardly used in (E) to pick out an individual.

Still, the thought that I attribute to Simons raises a question: *if* whatever is picked out by ‘the East India Company’, in (E), is a plurality of individuals that is made up of a plurality of human persons, *what manner of individual things are these?* They must be of a kind regarding which it makes sense to say of things of that kind that they make decisions, have policies etc., and they must be capable of being present in the flow of time for longer than human persons; only if these two conditions are met will we be able to truly say of them that they retained a policy of hiring ships for two centuries.

If there are such things, I can only suppose that they are *roles* or *offices*. We said earlier that ‘the East India Company’ may be thought to be akin to an expression like ‘the president’. What was meant was that one might reasonably think that the expression picks out its referent(s) via some role(s) or office(s) that they hold, perhaps temporarily and contingently. The present suggestion is different. It is that ‘the East India Company’ is akin to ‘the president’, or rather ‘the presidents’, in another respect *viz.* that it may be read as *picking out some role(s) or office(s)*.

It is not implausible that we do sometimes use expressions like ‘the president’ to pick out a role or office. Fauconnier gives us this example:

(P) The president changes every seven years.¹⁴⁰

On the most likely reading of (P), ‘the president’ does not pick out some human person. Of course, that does not establish that it picks out a *non*-human person like a role or office. After all, someone might argue that ‘the president’ is not a term in (P), and that it makes an implicitly predicative contribution to that sentence. But it takes some thought to say what that contribution might be. Certainly, it does not seem that the following predicative use of ‘the president’ would do just as well as (P):

(P*₁) Everything is such that if it is president then it changes every seven years.

Perhaps the following sentence would do just as well as (P):

(P*₂) Everything is such that if it is president then it is president for a period of seven years, and before and after this period it is not president and something else is (excepting only the first and the last things to be president, if they exist).

Still, it may be replied that there is pressure to read ‘the president’ in (P) as a term for a role or office, since (P) embeds in sentences in which expressions that do seem to be thus used are anaphoric upon it. Hence:

(P’) The president changes every seven years, and only natural born citizens are eligible for that office.

¹⁴⁰ Fauconnier *op. cit* p. 39.

However that may be, let us grant for argument's sake that there is some such use of 'the president'.¹⁴¹ Then, for analogous reasons, there will be analogous uses of *plural* terms like 'the directors of the board'. Perhaps, then, there is an analogous use of 'the directors, shareholders and employees of the East India Company'. If so, then – who knows? – it may be that 'the East India Company' can be used to pick out the same plurality of roles as that expression. Perhaps it may *standardly* be thus used. After all, Quinton is surely not alone in having the intuition that "social objects are... nothing but their members."¹⁴² And what *are* the members of the East India Company if not its directors, shareholders and employees? Perhaps, then, the mistake in the present context is to *identify* these directors, shareholders and employees with human persons. For if what Simons holds is right, it may be that they bear a different relation to human persons than that of *identity*, namely that of being made up of them. Granted, it sounds somewhat strange to say that the directors, shareholders and employees of the East India Company are made up of human persons, but it may be urged that this is a corollary of two thoughts that do not sound especially strange, namely (i) the Company is "nothing but" – i.e. identical with – a plurality of directors, shareholders and employees, and (ii) it is made up of human persons.

So, on the view under consideration, 'the East India Company', in (E), is standardly used to pick out a plurality of roles or offices that are, in turn, made up of human persons, and which are present in the flow of time for longer than human persons. How can something that is made up of human persons be present in the flow of time for longer than them? Simple: by being made up of different human persons at different times.

¹⁴¹ For another example see Proust (1992) p. 94: "The Kitchen Maid was an abstract personality, a permanent institution to which an invariable set of functions assured a sort of fixity and continuity and identity throughout the succession of transitory human shapes in which it was embodied; for we never had the same girl two years running."

¹⁴² Quinton *op. cit.* p. 10.

There is no special pleading here. Dualists typically point out that the *made up of* relation is implicitly temporally relative, such that one and the same thing can be made up of different things at different times.¹⁴³

A likely advantage of adopting the view under consideration is that it entitles one to give a short response to worries about counterfactual circumstances in which those who make up roles or offices in the East India Company decide to abandon weekend hobbies of building model ships, namely that, as this is not Company business, the *roles* or *offices* that are thus made up make no such decision in such circumstances.¹⁴⁴

But the view under consideration faces a problem, which is prompted by the observation that, during the period between 1657 and 1857, the number of human persons that allegedly made up the directors, shareholders and employees of the East India Company is bound to have increased and/or decreased. By contrast, on the view under consideration, the number of roles or offices picked out by ‘the East India Company’, in (E), will have remained constant throughout the same period, on pain of it being false that those roles or offices retained a policy of hiring ships throughout that period. For we have excluded the apparent possibility that said policy was had by a plurality by virtue of its being had by distinct *but overlapping* pluralities at distinct times. Now, the problem, as I see it, is not that there is anything incoherent about the suggestion that there are times between 1657 and 1857 at

¹⁴³ Hence, in a passage already quoted, Simons speaks of whatever makes up groups “at any time” *op. cit.* p. 168. (He also writes (p. 146): “...groups may continue to exist even though over time they undergo a complete change of membership. They can thus ‘outlive’ their members”; the interpretive suggestion in the text is that the “membership” relation mentioned here should be explained in terms of the relation *_made up of_*).

¹⁴⁴ The response would need to be elaborated to deal with the sort of scenarios sketched in Chapter One, in which those who make up roles and offices decide *in their official capacities* in favour of abandoning shipbuilding, even though the Company does not thus decide. (Presumably, one would need to distinguish between the making of a decision *qua* holder of a role or office and the making of a decision *by* that role or office).

which there is something other than a 1:1 ratio between the number of roles or offices picked out by ‘the East India Company’, in (E), and the number of human persons that, at these times, make up those roles or offices. On the supposition that our notion of making up a role or office tracks the common-sense notion of *filling* or *performing* a role, or that of *holding* an office, it is possible for a plurality of human persons to jointly make up a role for a time, and for some roles to be jointly made up by a human person for a time. The problem is that there need be no very intuitive notion of roles performed and offices held within the Company according to which the number of those roles or offices remained constant between 1657 and 1857. Compare Simons’s example of an orchestra: an orchestra may have more or fewer percussion, string, wind, brass and keyboard players than it used to have, but it is also the case that there may be times at which it does not even have, say, a keyboard *section*. Take an orchestra of which this is true. Only by wielding a gerrymandered notion of an orchestral “role” can one maintain that the number of roles in the orchestra remains constant throughout its existence. The same holds *mutatis mutandis* for the East India Company.

One might respond by insisting that a role or office can be present in the flow of time at times at which it is not made up of anything. But by so doing, one acquires a controversial commitment of a kind that dualists do not typically endorse. Certainly, the textbook cases of the statue and the bronze,¹⁴⁵ the flag and the cloth,¹⁴⁶ the tree and the cellulose molecules¹⁴⁷ and the ring and the gold¹⁴⁸ do not lend any support to such a view. On the contrary, reflection suggests that it is of the nature of statues, flags, trees and rings that, at any time at which

¹⁴⁵ Aristotle (1992) Bk. I Chs. 7-9, Bk. II Chs. 1-3. Aristotle’s example is often borrowed by modern dualists, but it is controversial whether *he* is a dualist, in the relevant sense.

¹⁴⁶ Baker (1999).

¹⁴⁷ Wiggins *op. cit.*

¹⁴⁸ Hornsby (1997) Essay 3 pp. 50-52.

they are present, they owe many of their characteristic features to whatever makes them up at that time, such that we can scarcely imagine a time at which statues, flags, trees and rings are present even though nothing makes them up. It is unclear how one would begin to make a case for the proposition that roles or offices are different in this respect.

One does well, then, to resist the suggestion that ‘the East India Company’ is standardly used in (E) to pick out a plurality, and to endorse the alternative: it is thus used in (E) to pick out an individual. One need not give up on the idea that it is thus used in (E) to pick out something made up of human persons, or, for that matter, on the idea that, like ‘the president’ in (P), it is thus used in (E) to pick out some role(s) or office(s). Although I do not here endorse either idea, they seem innocuous. But a commitment to them ought to take the following form: ‘the East India Company’ is standardly used in (E) to pick out an *individual* role or office that is, at any time at which it is present, jointly made up of human persons. (This may be a promising model for a theory of corporations).¹⁴⁹

Lemma (c) – in the other sentences in Lawson, ‘the East India Company’ is standardly used to pick out the same individual thing as it picks out in (E).

We have argued that (a) in (E), ‘the East India Company’ is standardly used to pick out something *other* than a human person, or

¹⁴⁹ It might be developed thus: the individual role that is a corporation is made up, in a temporally relative manner, of human persons, but may *also* be decomposed, in a temporally relative manner, into a plurality of roles or offices that are occupied, in a temporally relative manner, by these human persons; these roles, like the corporation itself, essentially serve certain purposes, such that they are destroyed or disabled if they cease to do so. By contrast, the human persons do not *essentially* serve purposes. (Hence the notorious analogy between the members of corporate entities and the organs of organisms may mislead. Compare Popper (1963b Vol. 1 ch. 10 p. 174) on the “open” state: “The cells or tissues of an organism... may perhaps compete for food; but there is no inherent tendency on the part of the legs to become the brain, or of other members of the body to become the belly. Since there is nothing in the organism to correspond to one of the most important features of the open society, competition for status among its members, the so-called organic theory of the state is based on a false analogy”).

plurality thereof, (b) this “something” is an individual, and not a plurality thereof. We will now argue that (c) ‘the East India Company’ is standardly used to pick out the *same* individual in these sentences:

...[the East India Company] wished to keep expenditures on administration to a minimum and to maximize profits from all trade surpluses, especially from Bengal.¹⁵⁰

...the [East India] Company intended to slip into the nooks and crannies in the eastern trade structures which the native traders and other Europeans had ignored...¹⁵¹

The [East India] Company believed that it could never again trust the ruling elite in Awadh...¹⁵²

Take the first of these sentences. It appears to entail that ‘the East India Company’ picks out some bearer(s) of one or more states of wishing. For it is barbarized by replacing ‘wished’ with ‘was wishing’,¹⁵³ and while wishes may be fleeting, they are not punctual occurrences. On the assumption that the sentence is not falsified if it turns out that that there were deaths among the directors, shareholders or employees most closely involved in the Company’s wish to keep expenditures on administration to a minimum, during the period throughout which it thus wished, the wish-state or -states in question were not borne by any human person or plurality thereof. For familiar reasons, I infer from this that the sentence uses ‘the East India Company’ in a standard manner to pick out something that is other than any human person or plurality

¹⁵⁰ Lawson *op. cit.* p. 115.

¹⁵¹ *ibid.* p. 26.

¹⁵² *ibid.* p. 112.

¹⁵³ There may be uses of ‘wished’ that are not barbarized by a shift into the progressive aspect (e.g. ‘She wished she could go to the ball’); this does not seem to be one of them.

thereof. Furthermore, on the assumption that there is no intuitive notion of roles performed and offices held within the Company according to which the number of those roles or offices remained constant throughout the period during which the Company retained its wish, the sentence uses ‘the East India Company’ in a standard manner to pick out an *individual* thing that is other than any human person or plurality thereof.

Now if we make a savage cut to Lawson’s book, we may extract:

(E!) After 1657, the [East India] Company decided to abandon shipbuilding, replacing its involvement in this industry with a policy of hiring ‘East Indiamen’...After 1765... [the East India Company] wished to keep expenditures on administration to a minimum and to maximize profits from all trade surpluses, especially from Bengal.

Each occurrence of ‘the East India Company’ in (E!) is standardly used to pick out an individual that is other than any human person or plurality thereof. What are the chances of their picking out *distinct* individuals? Plainly, they are slim. We have seen that the first of the two occurrences picks out an individual that remained present in the flow of time until after 1765, so there is no reason to doubt that it picks out something that could satisfy ‘_wished to keep expenditures on administration to a minimum etc.’. Furthermore, one can recast (E!) so as to dispense with the second occurrence of ‘the East India Company’, in favour of a relative clause or a conjunctive predicate, without any discernible loss of truth, or change in the sort of circumstances that would verify what is said, to yield a sentence that one need not “work” to “get”. And that would be hard to account for, were it the case that the two occurrences picked out distinct non-human individuals. (I suppose it might be said that, when (E!) is thus recast, a *single* occurrence of ‘the

East India Company' picks out *two* non-human individuals, and that the rest of the sentence says, of those non-human individuals, that between them they decided to abandon shipbuilding etc., and wished to keep expenditures on administration to a minimum etc., by virtue of the fact that one did the former thing whilst the other did the latter thing – as one might truly say of two children that they built a bonfire and made a guy, by virtue of the fact that one built the bonfire whilst the other made the guy. But I cannot think of *any* motivation to say such a thing.¹⁵⁴)

The same points apply *mutatis mutandis* to ‘...the [East India] Company intended to slip into the nooks and crannies in the eastern trade structures which the native traders and other Europeans had ignored...’¹⁵⁵ and ‘The [East India] Company believed that it could never again trust the ruling elite in Awadh...’. So I infer lemma (c). And from lemmas (a), (b) and (c) I derive the *second thesis*, which is that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about *i*.

Conclusion

I have argued for the second thesis that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’,

¹⁵⁴ It is tempting to adduce principles of charity and of ontological and “ideological” economy in support of this claim. But I cannot find formulations of them that uncontroversially support it, and which are *more* deserving of our acceptance than it.

¹⁵⁵ Although the remark in the text about the referent of ‘the East India Company’ in (E) remaining present in the flow of time until at least 1765 is less pertinent to this sentence, as the intention in question antedates the decision to abandon shipbuilding.

‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used to truly say something about i .

We have rejected (i) the non-standard hypothesis that ‘the East India Company’ is non-standardly used in (E) to pick out some human part(s) or representative(s) of its purported standard referent, and (ii) the “dualist” view that ‘the East India Company’, standardly used, picks out a plurality of roles or offices that are made up of human persons. The former view has its echo in the Symbolist, or Collectivist or Bracket view of legal personality, as described by Duff in 1938, while the latter view has its echo in the more recent work of Simons (at least, as I interpret it).

A conviction that may seem to motivate either rejected view is the thought that, any *individual* East India Company that is “over and above” the human persons that putatively sustain it would not be the sort of thing that “really” or “literally” decides, wishes, intends, believes and so on; rather, one or more directors, shareholders or employees (conceived of either as the holders of offices, or as offices held) do this “in its name”.

But one who has this conviction need not deny the second thesis, and so need not puzzle over non-standard or dualist hypotheses. For the second thesis is silent on the issue of the *sense in which* expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’ are satisfied by an individual East India Company. For all that this thesis says, the Company may satisfy some secondary or non-literal sense of these expressions. This will be ruled out in Chapter Three, where I defend the third thesis, *viz.* that there is an individual i that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used in the same sense as that in which it may be used to truly say something about a human person to truly say something about i .

Chapter Three – the third argument.

To establish the second thesis by means of the second argument is not necessarily to part company with our disputant Quinton. For while he says, of claims like (E), that they are “plainly metaphorical”, he may not have meant to suggest that they are untrue, as ‘Juliet is the sun’ might be said to be untrue, or that they are synecdochical, as ‘The King would speak with Cornwall’ might be said to be synecdochical. Rather, he may have meant to convey that, like sentences that truly apply ‘_has a foot’ to ‘Everest’, or ‘_has a mouth’ to ‘the Thames’, they use expressions to truly say things of inanimate objects, where the things that are thus said *bear comparison* with things that can be truly said of animate objects by expressions of the same form. For it is not implausible to think that ‘Everest has a foot’ and ‘The Thames has a mouth’ are “plainly metaphorical” in that the things that are truly said of Everest, by ‘_has a foot’, and of the Thames, by ‘_has a mouth’, are non-identical with, but bear analogy with, things that can be truly said of a human person or animal, by the same expressions.¹⁵⁶ Likewise, it is open to one who accepts the second argument for the second thesis to hold that Lawson’s book uses sentences that are “plainly metaphorical” in that an individual *i* that is picked out by a standard use of ‘the East India Company’ is such that some things that are truly said of *i*, by ‘_decided to abandon shipbuilding’, ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling

¹⁵⁶ Or by homographic expressions. I will ignore the complication that it may be hard to discriminate between a multiplicity of expressions and an expression with multiple senses.

elite in Awadh' are non-identical with, but bear analogy with, things that can be truly said of a human person,¹⁵⁷ by the same expressions.

Expressions that may be used to say distinct but analogous things of things may be thought of as having several semantically related senses or meanings, and are called 'polysemous' by linguists.¹⁵⁸ As they have several senses, such expressions may be called 'ambiguous' or 'equivocal'. But not every ambiguous expression is polysemous. An expression that may be used to say distinct things of things, where the things said are *not* analogous, such that it has several semantically *unrelated* meanings, is not thereby polysemous but is ambiguous. Hence, as there is no analogy between being an establishment for the custody of money and being a river edge, '_is a bank' is plausibly said to be ambiguous but not polysemous with respect to two of the things that it may be used to truly say of things. Non-polysemous ambiguity need not make available uses that we would call *metaphorical*: no-one would say that 'This is a bank', in either of its familiar uses, was metaphorical.

Non-polysemous ambiguity does not suffice for metaphor, since it need not exploit any *analogy* or *likeness*. But polysemy, which does exploit an analogy or likeness, is also such that it need not make available uses that we would call metaphorical. It is not implausible that '_cried' may be used to truly say of something that it *wept*, and used to truly say of something that it *shouted*, where the things that are thus said are non-identical but analogous. But it does not follow that sentences of the form '*a* cried' are ever metaphorical. The expressions '_has a foot' and '_has a mouth' are unlike '_cried' in that they each have

¹⁵⁷ That is, the four things that are truly said, of *i*, by the mentioned expressions bear analogy with four other things, such that it is possible that each of the latter things is truly said of a human person. Perhaps it is *not* possible that there is a human person of which *each* of them is truly said, because of the way in which they are indexed to times.

¹⁵⁸ See e.g. Lyons (1977) Vol. 2 Sec. 13.4.

asymmetrically semantically related senses; they each have a “secondary” or “derived” sense that may be thought of as a metaphorical “extension” or “transfer” of one of their “primary” or “core” senses, and it is only in some such “secondary” or “derived” sense that they may be truly applied to ‘Everest’ and ‘The Thames’ respectively.¹⁵⁹ Likewise, for all that has been said thus far, any expression of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ or ‘_believed that p ’ is such that, *if* it may be used to truly say something about any individual that is picked out by any standard use of ‘the East India Company’, *then* it is thus used in an extended or transferred sense, which is secondary to, or derivative of, a sense in which it may be used to truly say something of a human person.

Something like this claim is a corollary of a view that Hart adopts in “Definition and Theory in Jurisprudence”. By the end of that paper, he is in a position akin to our present dialectical position. He has argued against two out of three of what he calls a “familiar triad” of theories of corporate personality, according to which the name of a corporate body is either “the name of a fictitious person”, or “a collective name or abbreviation”,¹⁶⁰ just as I have argued that our attitude to (E) does not bear any useful comparison with that adopted by the writers and readers of *fiction*, and that (E) neither features a plural (i.e. a *collective*) term for directors, shareholders and/or employees, nor has a paraphrase that discloses that its apparent semantic structure *abbreviates* its real one. Hart is reluctant to accept the third theory in the triad, namely “realism”, according to which the name of a corporate body is “of a real person existing with a real will and life”;¹⁶¹ instead, he posits a “shift of meaning”, *away* from “ordinary” senses of “ordinary words or phrases”,

¹⁵⁹ It is unclear to me quite *why* we think that the senses pertaining to mountains and rivers are derivative of the ones pertaining to humans or animals; still, we do think this.

¹⁶⁰ Hart (1983) pp. 23-4.

¹⁶¹ *ibid.* pp. 24.

which exploits an “analogy” between things which it is legitimate to say of a company, and things which it is legitimate to say of a “living person”:

...ordinary words or phrases when conjoined with the names of corporations take on a special legal use... if we talk of ‘fiction’ we suggest that we are using words in their ordinary sense and are merely pretending that something exists to which they apply. In novels – real fiction – we *do* preserve the ordinary meanings of words and pretend that there are persons of whom they are true in their ordinary sense. This is just what we do *not* do when we talk of corporations in law... the word ‘will’ shifts its meaning when we use it of a company: the sense in which a company has a will is not that it wants to do legal or illegal actions but that certain expressions used to describe the voluntary actions of individuals may be used of it under conditions prescribed by legal rules... Analogy with a living person and shift of meaning are therefore of the essence of the mode of legal statement which refers to corporate bodies. But... [a]nalogy is not identity...¹⁶²

‘Will’ excepted, Hart does not here specify the “ordinary words or phrases” that undergo a “shift of meaning” when “conjoined with the names of corporations”.¹⁶³ But at the beginning of the section from which the quotation is taken, Hart cites cases in which *knowledge* and *intention* are attributed to corporations,¹⁶⁴ stating that there is in English law “authority for imputing to a company the actions *and mental states* of those who are substantially carrying on its work”.¹⁶⁵ And he suggests

¹⁶² *ibid.* pp. 45-6.

¹⁶³ One might doubt the implication that ‘will’ is an ordinary word. I ignore this issue.

¹⁶⁴ Hart *op. cit.* p. 44 n. 24.

¹⁶⁵ *ibid.* p. 44 (my emphasis). Hart thinks that this is so despite the fact that he thinks that there is no like authority for imputing to a *human person* the mental states of those who are substantially carrying on its work. (He seems to allow that there is authority – presumably deriving from the *respondeat superior* principle in tort law – for imputing to a human person the *actions* of those who are substantially carrying on its work.)

that he has no “logical” objection to the claim that this may include any action or state that may be adduced in order to prove criminal liability.¹⁶⁶

So both Quinton and Hart may accept our argument for the second thesis, and in particular that ‘_decided to abandon shipbuilding’, ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’ may each be used to truly say something about an individual *i* that is picked out by a standard use of ‘the East India Company’. But they may insist that each of these may be thus used only in some extended or transferred sense that is secondary to, or derivative of, one in which it may be used to truly say something about a human person.

This is ruled out by our argument for the third thesis, the thesis that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used *in the same sense as that in which it may be used to truly say something about a human person* to truly say something about *i*. Our argument for this thesis is as follows:

- (1) There is an individual *i* that is picked out by a standard use of the expression ‘the East India Company, such that the expressions ‘_decided to abandon shipbuilding’, ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’ are used by Lawson, at pages

¹⁶⁶ *ibid.* pp. 43-44.

48, 115, 26 and 112 of his *The East India Company: a history* respectively, to truly say something about *i*.

- (2) The expressions mentioned in (1) are univocal: each may be used only in the same sense as that in which it may be used to truly say something about a human person.

Premise (1) follows from our argument for the second thesis. It is premise (2) that requires a novel argument. It is this: *if* (2) is untrue, at least one of ‘_decided to abandon shipbuilding’, ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’ has a sense that is other than that in which that expression may be used to truly say something about a human person. But there is no evidence for any such senses in any English dictionary. They teach that to *decide* is to settle an issue by making a judgement or a resolution in favour of something, that to *wish* is to have a desire, hope or inclination in favour of something, that to *intend* is to have something as an aim, plan, policy or purpose, and that to *believe* is to accept, deem or put one’s credence in something. More carefully, these are the only senses of ‘decide’, ‘wish’, ‘intend’ and ‘believe’ to be found in any dictionary at hand that are at all likely to be the ones exploited by ‘_decided to abandon shipbuilding’ and so on, and, on the face of it, they are the only ones in which ‘decided’, ‘wished’, ‘intended’ and ‘believed’ may be used, with the complement phrases in question, to truly say things about a human person.¹⁶⁷ Now, that may not *prove* that (2) is the case, because, for all I know, philosophers have the authority or the talent to discriminate between senses that are not discriminated by any dictionary. But it shifts the burden of proof to one

¹⁶⁷ It is just possible that Lawson does not exploit an ambiguity in the expressions ‘decide’, ‘wish’, ‘intend’ or ‘believe’, but an ambiguity in a complement phrase, (e.g. ‘to abandon shipbuilding’), or that he exploits a structural, rather than a lexical ambiguity. I doubt that anyone would suggest this, and so do not discuss these bare possibilities.

who denies (2), such that if there are no grounds for denying (2), we should accept (2). For one who denies (2) presupposes that there is a lexical ambiguity that is not to be found in the dictionary, and the burden is always with one who holds that there is a lexical ambiguity that is not in the dictionary, and never with one who denies this. I am guided here by Grice's regulative principle "*Senses are not to be multiplied beyond necessity*",¹⁶⁸ and by Kripke:

...[i]t is very much the lazy man's approach to posit ambiguities when in trouble... the ease of the move should counsel a policy of caution. *Do not posit an ambiguity unless you are really forced to*, unless there are compelling theoretical or intuitive grounds to suppose that an ambiguity really is present.¹⁶⁹

My case for (2) will be supported, then, by an extensive but fruitless search for "theoretical or intuitive grounds" for the proposition that at least one of the expressions mentioned has a sense that is other than that in which it may be used to truly say something about a human person. This will follow. We will find no such grounds. Given where the burden lies, we ought, then, to accept (2), and, as (1) has already been established, the third thesis too. (Still, I cannot here vanquish the faith of one who holds that a more extensive search would have been fruitful).

What would count as *intuitive* grounds for the ambiguity of an expression? An intuition that it is ambiguous, I suppose. But there is no such "neat" intuition that 'decide', 'wish', 'intend' and 'believe' are ambiguous. More carefully, there is no very prevalent intuition that any of the longer expressions mentioned has a sense that is other than that in which it may be used to truly say something about a human person.

¹⁶⁸ Grice (1989) p. 47.

¹⁶⁹ Kripke (1990) p. 259 (my emphasis).

An alternative candidate for intuitive grounds for the ambiguity of an expression is the thought that there are *differences* between circumstances that would be described by its applications. Perhaps, for any ‘*F*’, if one may intuit that there are differences between circumstances that would verify or make true or correspond with different applications of ‘*F*’, then ‘*F*’ is ambiguous, with senses that differ in ways that mirror the differences between the circumstances.

But for many ‘*F*’s of which the antecedent of that conditional is true, there is an inclination to say that the difference in question is grounds for generality, rather than ambiguity, i.e. that each of these ‘*F*’s is non-specific rather than equivocal with respect to the differences cited. Hence, different uses of ‘*is bald*’ correspond with situations in which tall people have hairless heads, and ones in which short people have hairless heads, but anyone who says that this is intuitive grounds for saying that ‘*is bald*’ is ambiguous between *is hairless-headed and tall* and *is hairless-headed and not tall* must face the reply that it is far more likely to be grounds for saying that it is unspecified with respect to height.

Now, one who is sceptical of this distinction between ambiguity and generality might say, ‘Surely ‘*is bald*’, and your paradigm case of ambiguity, ‘*is a bank*’, are on a par; in the former case the context may supply the information that what is spoken of is tall, (e.g. as in ‘That tall man is bald), and in the latter case it may supply the information that what is spoken of is a river edge (e.g. as in ‘That river edge is a bank’); alternatively, the context may fail to determine whether what is spoken of is tall or short, an establishment for custody of money or a river edge.’

But there is a distinction to be drawn here. Granted, ‘_is bald’ may be used to say something about a man in a context that indicates that it may also be truly said of him that he is tall or not tall, but whenever ‘_is bald’ is used to say something of a man, it is not used to say of him that he is tall and not used to say of him that he is not tall. It leaves both things *unsaid* of him. By contrast, while ‘_is a bank’ may similarly be used to say something about something in a context that indicates that it may also be truly said of that thing that it is an establishment for the custody of money, or that it is a river edge, it is *not* the case that whenever ‘_is a bank’ is used to say something of something, it is not used to say of it that it is an establishment for the custody of money, and not used to say of it that it is a river edge; that is, it is *not* the case that it always leaves both things unsaid. That way of putting things leaves open the following possibilities: (i) that on some or even all occasions upon which ‘_is a bank’ is used to say something of something, it says of it *both* that it is an establishment for the custody of money *and* that it is a river edge, (ii) that on some or even all occasions upon which ‘_is a bank’ is used to say something of something, it says one but not the other thing of it, and (iii) that sometimes, it is used to say neither thing of something. What should be denied is that it is always the case that each of the two things is left unsaid by ‘_is a bank’, as it is always the case that each of *_is tall* and *_is not tall* is left unsaid by ‘_is bald.’

The expression ‘_is bald’ is far from unique. Many expressions have applications that correspond with situations that differ in very many respects, such that it would be absurd to maintain that each difference reflects a different *sense* of the relevant expression, rather than something that it does not specify. So a difference between situations that would verify or make true or correspond with applications of an expression ‘_F’ is not grounds for a corresponding difference in sense.

But a far more plausible thought is that a difference in the *sort* of situations that would verify or make true or correspond with applications of an expression ‘*F*’ is intuitive grounds for a corresponding difference in sense: if two such situations are not substantially *of a kind with* each other, then this corresponds with a difference between senses in which ‘*F*’ may be applied; (perhaps, also, if any two such situations *are* substantially of a kind with each other, ‘*F*’ is unambiguous).¹⁷⁰ That sounds roughly right; at least, it chimes with our intuitive judgements about clear cases. Hence, HSBC’s being a bank and the outer edge of the Cam’s being a bank are intuitively *not* substantially of a kind with each other; (by contrast, any situation in which a short man is bald is intuitively substantially of a kind with any in which a tall man is bald).

Let it be granted, then, that a sortal difference between situations that verify applications of some ‘*F*’ is grounds for a corresponding ambiguity. But any claim that there is some such sortal difference deserves to be called ‘intuitive grounds’ for an ambiguity posit only if it issues from an intuition around which one could build a consensus.

No doubt one could build a consensus around the proposition that there is a sortal difference between HSBC’s being a bank and the outer edge of the Cam’s being a bank. But it is doubtful that one could build a consensus around the claim that there is a sortal difference between any of the situations that would verify applications of any of the expressions that I have extracted from Lawson. For while it may be easy to persuade folk to agree to say of *dissimilar* situations, like HSBC’s being a bank and the outer edge of the Cam’s being a bank, that they are not of a kind with

¹⁷⁰ Whatever ‘substantially’ means here, it is meant to rule out of consideration the “formal” or “abstract” or “categorical” manner in which *any* two situations are “of a kind”.

each other, it will be hard to get them to say the same of ones that are *similar* to each other – for one man’s *mere likeness* is another’s *kinship*.

Let me explain. Consider *A* and *B*. *A* claims that ‘_expires’ is ambiguous between *_became invalid* and *_died*, on the putatively intuitive grounds that any situation in which something expires by becoming invalid is not of a kind with any in which something expires by dying. *B* claims to have the opposite intuition, namely that any two such situations are of a kind with each other. Now, were two such situations quite *unlike* each other, as HSBC’s being a bank is quite unlike an edge of the Cam’s being a bank, *A* could justly pour scorn on *B*’s putative intuition. But *A* really ought to concede that any two such situations are at least *like* each other. After all, one acquainted only with applications of ‘_expired’ that are verified by deaths is in a position to understand why a novel application of ‘_expired’ might be verified by, say, a licence’s ceasing to be valid, and one acquainted only with applications that are verified by licences ceasing to be valid is in a position to understand why a novel application might be verified by a death. And these abilities would be hard to account for were a ceasing to be valid quite unlike a death – were it not that, in each case, something has somehow *run its course*. (Granted, one who had no awareness of the existence or nature of driving licences, or living things, might initially struggle to understand why a novel application is verified by a licence’s ceasing to be valid, or by a death, but this is adequately explained by their lack of knowledge of things of a particular kind – it would be absurd to postulate that they are unusually sensitive to an alleged lack of similarity between the two kinds of situations.) And, as *A* ought to concede this, it will be hard for him to build a consensus around his claim of sortal difference; he will be

vulnerable to the objection that he mistakes a *kinship* between situations for a mere *likeness* between situations that are of distinct kinds.¹⁷¹

A may justly remark that the sort of things that expire by becoming invalid are not of a kind with the sort of things that expire by dying. For example, a driving licence is not of a kind with a human person. But this is unlikely to help his cause, unless A can build a consensus around the proposition that some things' being of a kind is a necessary condition of their participating in situations that are of a kind. And it is doubtful that anyone could build a consensus around such a strict criterion of sortal identity for situations. (If the criterion is sound, then, on the assumption that a coffin is not of a kind with a corpse, no situation in which a coffin is on a desk, or 50kg, or on fire, is of a kind with any situation in which a corpse is on a desk, or 50kg, or on fire).

Now, imagine a disputant A* who claims that at least one of the expressions under consideration has a sense that is other than that in which it may be used to truly say something about a human person. He cites the putative intuitive grounds that it is verified by sortally distinct situations – perhaps he claims that the sentences quoted from pages 48, 115, 26 and 112 of Lawson's text are verified by situations that are not of a kind with any in which a human person decides to abandon shipbuilding, or (as the case may be) wishes to keep expenditures on administration to a minimum, and so on and so forth. A* is in a similar position to A. For A* really ought to concede – as Hart no doubt would¹⁷² – that any two situations in which something decided, or wished, or

¹⁷¹ Compare Hume (1980) Pt. XII, in which Philo argues that the atheist can no more build a consensus around the claim that “the principle which first arranged and still maintains order in this universe” is analogous to, but not of a kind with, human intelligence, than the theist can build a consensus around his claim that the Divine mind is of a kind with – although of course in many ways *unlike* – human intelligence.

¹⁷² Hart *loc. cit.*: “*Analogy* with a living person and shift of meaning are therefore of the essence of the mode of legal statement which refers to corporate bodies” (my emphasis).

intended, or believed something are at least *like* one another. After all, one acquainted with only a handful of true applications of expressions of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ and ‘_believed that p ’ is in a position to understand why a novel true application is verified by the situation that in fact verifies it. In particular, one acquainted only with applications that are verified by situations in which a human person decided, wished, intended or believed something is in a position to understand why novel applications are verified by situations in which a trading company decided, wished, intended or believed the same thing, and, if we suppose that there could be someone who is acquainted only with applications that are verified by situations in which a trading company decided, wished, intended or believed something (an unreflective, anti-social reader of economic histories, perhaps), such a person is in a position to understand why novel applications are verified by situations in which a human person decided, wished, intended or believed the same thing. And these abilities would be hard to account for were a Company decision, wish, intention or belief quite unlike a human one – were it not that, in each case, something is resolved upon, inclined towards, aimed at or accepted by an individual, be it non-human or human. (Granted, one who had no awareness of the existence or nature of trading companies, or human persons, might initially struggle to understand why a novel application is verified by, say, a Company decision to abandon shipbuilding, or by a human person’s decision to do likewise, but this is adequately explained by their lack of knowledge of things of a particular kind – it would be absurd to postulate that they are unusually sensitive to an alleged lack of similarity between the different kinds of situations). As A^* ought to concede this, it will be hard for him to build a consensus around his claim of sortal difference; he will be

vulnerable to the objection that he mistakes a *kinship* between situations for a mere *likeness* between situations that are of distinct kinds.¹⁷³

A* may justly remark that a trading company is not of a kind with a human person. But this is unlikely to help his cause, unless he can build a consensus around the proposition that some things' being of a kind is a necessary condition of their participating in situations that are of a kind. We have seen that it is doubtful that this can be accomplished.

To recap: *if* (2) is untrue, at least one of the expressions under consideration may be used in a sense that is other than that in which it may be used to truly say something about a human person. The state of the dictionary is such that the burden of proof lies with one who presupposes that there is any such sense, and not one who denies this. We have looked at candidates for intuitive grounds for the proposition that there is some such sense. We have seen that there is no “neat” intuition in favour of it, and that no intuition of mere difference between verifying situations is grounds for it. I have argued that it would be hard to build a consensus around the claim that there is a *sortal* difference between situations that verify applications of any one of the expressions. And I have observed that a claim of sortal difference between verifying situations deserves to be called ‘intuitive grounds’ for a corresponding ambiguity only if it is one around which one could build a consensus. As I cannot think of any other candidates for “intuitive grounds” for the

¹⁷³ Because A* ought to concede a similarity between verifying situations, it would be surprising if he did not think that it was evidence for Lawson's exploiting a *polysemy*; i.e. for his using an expression to say, of something, something that is non-identical to, but *bears analogy* with, something that can be truly said of a human person. If his claim is one of polysemy, and if he tries to fall back on a “neat” intuition for it, he faces a difficulty that parallels that outlined in the text. For, just as situations that are like but not of a kind with each other are not easily discriminable from ones that are of a kind with each other, so polysemy is not easily discriminable from an identity of sense.

claim that there are ambiguities of the variety outlined, I shall now ask whether anything can be adduced as “theoretical grounds” for this claim.

A number of ambiguity tests have been proposed by linguists and philosophers. I will look at five of these, the five that are probably the most commonly cited today. Inevitably, there will be disagreement as to the proper formulation and status of these tests. It may be that they fall short of describing conditions that are either necessary or sufficient for an expression’s being apt to say distinct things of things. But I submit that the fact that each describes a condition that is *not* met by the expressions that I have extracted from Lawson is, if not theoretical grounds for the claim that each may be used only in the sense in which it may be used to truly say something about a human person, at least an *absence* of such grounds for the negation of that claim. As our search for intuitive and theoretical grounds will have been extensive, and given where the burden lies, we will be warranted in accepting our premise (2).

*The etymology test*¹⁷⁴

Does the expression have more than one origin?

‘Meal’ is descended from two Old English words, ‘mael’, which corresponds with the present meaning *a time for eating*, and ‘melu’, which corresponds with *ground grain*. But the expressions that we are considering are not like this: ‘decide’ has no origin that circumvents the Latin ‘decidere’. And the same is true of ‘wish’ and ‘wsycan’ (Old English), ‘intend’ and ‘intendere’ (Latin), and ‘believe’ and ‘belyfan’ (Old English).

*The syntactic transformation test*¹⁷⁵

¹⁷⁴ See for example Palmer (1997) pp. 102-3.

Does the expression occur in two sentences, with the same syntactic structure, which do not undergo the same syntactic transformations *salva veritate*?

The expression ‘_ate some fish’ is either ambiguous between a plural reading *_ate several fish*, a singular reading *_ate just one fish*, and a mass reading *_ate some meat of piscine origin*, or unspecified with respect to countability and cardinality. But it may be thought that a reason to think that the former is the case is that ‘_ate some fish’ passes the syntactic transformation test. For ‘John Doe ate some fish’, as it occurs in the context ‘John Doe ate some fish. They were deep-fried’ may be reformulated *salva veritate* as ‘There were some fish that were eaten by John Doe’. By contrast, ‘Richard Roe ate some fish’, as it occurs in the context ‘Richard Roe ate some fish. I believe that it was one of the ones that John Doe had caught earlier that day’ may not be reformulated *salva veritate* as ‘There were some fish that were eaten by Richard Roe.’

But as far as I can see, any sentences that feature the expressions under consideration undergo the same syntactic transformations *salva veritate*, if they have the same syntactic structure, e.g. any of the form, ‘*a* decided to abandon shipbuilding’ may be reformulated *salva veritate* as:

- *a*’s decision was to abandon shipbuilding.
- *a* made a decision to abandon shipbuilding.
- A decision to abandon shipbuilding was made by *a*.
- A decision that *a* made was to abandon shipbuilding.

¹⁷⁵ See for example Zwicky and Sadock (1975) pp. 14 ff. (Although there they seem to speak of transformation *salva significatione*. I prefer to speak of transformation *salva veritate*, as judgements of semantic equivalence between sentences may presuppose that which is being tested for *viz.* whether an expression may be used to say distinct things of things – I make a similar point about judgements of semantic equivalence between *expressions*, in my discussion of the semantic relations test later in the text).

- A decision made by *a* was to abandon shipbuilding.

In particular, each of these transformations may be made *salva veritate*, if ‘the East India Company’ is substituted for ‘*a*’, and also if a term for a human person is substituted for ‘*a*’. And similar points apply *mutatis mutandis* to the other three expressions under consideration.

*The semantic relations test*¹⁷⁶

Does the expression have an occurrence that has a synonym (or antonym) which is *not* a synonym (or antonym) for another syntactically identical occurrence?

‘Establishment for the custody of money’ is a synonym for ‘bank’ as it occurs in ‘HSBC is a bank’, as used to state a truth, and *not* a synonym for ‘bank’ as it occurs in ‘The outer edge of the Cam is a bank’, as used to state a truth. Strictly speaking, relations of synonymy and antonymy only obtain between words that belong to the same language. But the test, as stated, may be thought of as a special case of a general test that recommends a search for distinct translations, as well as synonyms and antonyms, of distinct occurrences of the same expression. Hence, the evidence furnished by the different relations that ‘establishment for the custody of money’ bears to distinct occurrences of ‘bank’ is augmented by the different relations that the French ‘banque’ bears to ‘bank’, in ‘HSBC is a bank’, (*viz.* one of translating it) and in ‘The outer edge of the Cam is a bank’, (*viz.* one of mistranslating it).¹⁷⁷

The test is not easily applied to borderline cases of ambiguity. For whether or not an expression is synonymous or antonymous with an

¹⁷⁶ See for example Cruse (1986) pp. 54-57.

¹⁷⁷ Again, assuming that we are speaking of those two sentences *as used to state truths*. (I omit the corresponding qualifications in the remainder of the discussion of this test).

occurrence of another may turn on what is *said* of something by the latter, and in a borderline case of ambiguity, whether something is *said* of something, or left *unsaid* of it, may be precisely that which is in doubt.

Consider ‘_expired’. When it is used to truly say something about a man, is it *said* of that man that he *died*, or merely that he has somehow run his course? And when ‘_expired’ is used to truly say something about a driving licence, is it *said* of that licence that it became invalid, or merely that it has somehow run its course, in the same general sense in which a man may somehow run his course? It is easy to see why we may need to know the answers to these questions in order to know whether there is a synonym for ‘_expired’ as it occurs in ‘Thora expired’ that is not a synonym for ‘_expired’ as it occurs in ‘Thora’s driving licence expired’, or in order to know whether there is a synonym for the latter occurrence of ‘_expired’ that is not a synonym for the former one. And if we do not have any knowledge of *this* sort, then, even if the semantic relations test is accurate, it may be that we cannot apply it to the case of ‘_expired’.

Of course, we *do* know that ‘_expired’ is generally used to truly say something about something in a context that indicates that it may also be truly said of that thing that it died, or that it became invalid. But that is consistent with ‘_expired’ never being used to *say of* anything that it died, or that it became invalid. After all, it is plausible that ‘_expired’ is, for the most part, used to say something about something in contexts in which it is known, of the latter thing, that it is of a sort such that anything that is of that sort died, or became invalid, (as the case may be), if the expression ‘_expired’ may be used to truly say something about it.

But now, a theorist who tries to use the semantic relations test to show that at least one of the expressions that are the focus of our

discussion has a sense that is other than that in which it may be used to truly say something about a human person faces a problem that is *more* intractable than that faced by a theorist who tries to use the same test to show that ‘_expired’ has a sense that is other than that in which it may be used to truly say something about a human person. The problem facing the latter theorist is that we are *undecided* as to whether we should say, of ‘_died’, that it is a synonym for ‘_expired’ as it occurs in, say, ‘Thora expired’ and not a synonym for ‘_expired’ as it occurs in, say, ‘Thora’s driving licence expired’, and likewise *undecided* as to whether we should say, of ‘_became invalid’, that it is a synonym for ‘_expired’ as it occurs in ‘Thora’s driving licence expired’ and *not* a synonym for ‘_expired’ as it occurs in ‘Thora died’. But it is doubtful that there even *are* any expressions, regarding which we are similarly undecided as to whether we should say of them that they are synonyms, antonyms or translations of some but not other occurrences of the expressions under consideration. In particular, it is doubtful that there are any regarding which we are undecided as to whether we should say of them that they are thus differentially semantically related to the expressions under consideration as they occur in Lawson, and as they may be used to truly say things about a human person. At least, expressions that feature ‘resolved’, ‘determined’, ‘desired’, ‘hoped’, ‘aimed’, ‘planned’, ‘deemed’, ‘accepted’ and so on are synonyms, or near synonyms, for occurrences of those expressions as they occur in Lawson, and for the same expressions as they may be used to truly say things about a human person.

As far as I can see, the only expressions that *might* be thought to be candidates for being differently semantically related to distinct occurrences of ‘_decided to abandon shipbuilding’, in the manner required, are ones like ‘_decided to abandon shipbuilding in a way in which only a trading company can’, or ‘_decided to abandon shipbuilding

in a way in which no human person can'. Someone might say of some such expression that it bears a relation of synonymy to Lawson's use of '_decided to abandon shipbuilding' that it does not bear to any occurrence of the same expression as used to truly say something about a human person. Well, I need not deny that something *can* decide to abandon shipbuilding in a way in which only a trading company can, or in a way in which no human person can.¹⁷⁸ Neither need I deny that '_decided to abandon shipbuilding' is used by Lawson to truly say something about something in a context that indicates that it may also be truly said of that thing that it decided to abandon shipbuilding in a way in which only a trading company can, or in a way in which no human person can. But, if we grant for argument's sake that this *is* indicated by Lawson, the more conservative explanation, given Grice's and Kripke's injunctions, is that '_decided to abandon shipbuilding' may be used to say something about something in contexts in which it is known, of that thing, that it is the sort of thing that can decide things in a way in which nothing that is not of that sort can, or in a way in which anything that is of another specified sort (e.g. *_human person*) cannot.

After all, the hypothesis that '_read *Paradise Lost* in a way in which no blind man can' is synonymous with some but not other occurrences of '_read *Paradise Lost*' – such that 'read *Paradise Lost*' is ambiguous – is obviously *not* preferable, as an explanation of the fact that '_read *Paradise Lost*' may be used to truly say something about a man in a context that indicates that it may also be truly said of that man that he read *Paradise Lost* in a way in which no blind man can read things, to the hypothesis that '_read *Paradise Lost*' may be used to say something about a man in contexts in which it is known, of that man, that he is the sort of man who can read things in a way in which no blind man can. It

¹⁷⁸ Of course, if I allow that the East India Company decided to abandon shipbuilding in a *sense* in which no human person can, I concede victory to my imagined opponent.

does not seem likely that we will be convinced that ‘_decided to abandon shipbuilding’ differs from ‘_read *Paradise Lost*’ in the relevant respects.

As similar points will apply *mutatis mutandis* to the other expressions quoted from pages 115, 26 and 112 of Lawson’s text,¹⁷⁹ I conclude that the semantic relations test cannot be appealed to as “theoretical grounds” for the ambiguity posit that we are considering.

*The zeugma test*¹⁸⁰

Does the expression have two syntactically identical occurrences in a sentence to which one can apply a deletion or a proformation rule, so as to elide one of the two occurrences of the expression, to yield a sentence that one must “work” to understand aright?

The reader will recall our discussion in Chapter Two of:

(E’) After 1657, the East India Company decided to abandon shipbuilding, replacing its involvement in this industry with a policy, *which it retained until 1857*, of hiring ships.

There, we confronted a hypothesis about *reference*: namely that (E’) uses ‘the East India Company’ to pick out something other than the referent(s) of the pronoun in its italicised clause. We argued that if (E’) is reformulated in a manner that dispenses with the pronoun, thus...:

¹⁷⁹ Caveat: we might wish to deny that anything bears a *state* in any “way”, and *a fortiori* that anything wishes, intends or believes in any way, and *a fortiori* that it does so in any way in which only a trading company can, or in a way in which no human person can.

¹⁸⁰ See for example Lyons *op. cit.* Vol. 2 pp. 405 ff.

(E'') The East India Company, which retained a policy of hiring ships until 1857, decided to abandon shipbuilding in 1657.

...or thus...:

(E''') The East India Company decided to abandon shipbuilding in 1657 and retained a policy of hiring ships until 1857.

...then, if the hypothesis is correct, (E'') and (E''') are zeugmatic, and so ought to be, if not exactly incongruous, at least such that a hearer must “work” to them aright, i. e. to hear the two uses to which a single occurrence of ‘the East India Company’ is put. And we saw that (E'') and (E''') can be understood without any “work” whatsoever.

Now we confront a hypothesis about *predication*, namely that at least one of the four expressions under discussion may be used in a sense that is other than that in which it may be used to truly say something about a human person. We can test it in a similar way – by seeing whether or not we can use co-ordination or anaphor to formulate a sentence in which one of those expressions occurs once, but which is such that the phenomenology of our understanding of that sentence suggests that it zeugmatically exploits several senses of the expression.

Consider ‘_read *Paradise Lost*’. Any sentence of the form...

- *a read Paradise Lost and b read Paradise Lost.*

...is such that when one applies deletion or proformation rules to it so as to elide the second occurrence of ‘_read *Paradise Lost*’, it yields a sentence that one need not “work” to understand aright. Hence:

- *a* and *b* each read *Paradise Lost*.
- *a* read *Paradise Lost* and so did *b*.
- *a* read *Paradise Lost* and *b* did too.

In particular, this is so if we substitute terms for ‘*a*’ and ‘*b*’ that pick out people of whom it is known, in the context, that the former reads things in a way in which the latter does not, for example by touch.

Indeed, any sentence of the form...

- *a* read *Paradise Lost* by touch and *b* read *Paradise Lost* by sight.

...in which information about *how a* and *b* read the poem is built into the sentential context by expressions that differentially modify two occurrences of ‘_read *Paradise Lost*’, is *also* such that when one applies the same rules so as to elide the second occurrence of ‘_read *Paradise Lost*’, it yields a sentence that one need not “work” to understand aright:

- *a* and *b* each read *Paradise Lost*, *a* by touch and *b* by sight.
- *a* read *Paradise Lost*, by touch, and so, by sight, did *b*.
- By touch, *a* read *Paradise Lost*, and *b* did too, by sight.

Furthermore, any sentence of the form

- *a*, a congenitally blind man, read *Paradise Lost* and *b*, a sighted man, read *Paradise Lost*.

...in which the information that one but not the other of *a* and *b* is the sort of thing that can read things in a way in which nothing that is

not of that sort can, or in a way in which nothing that is of the *other's* sort can, is built into the sentential context by expressions that differentially modify 'a' and 'b', is *also* such that when one applies the rules to it so as to elide the second occurrence of '*_read Paradise Lost*', it yields a sentence that one need not "work" to understand aright:

- *a*, a congenitally blind man and *b*, a sighted man, each read *Paradise Lost*.
- *a*, a congenitally blind man, read *Paradise Lost*, and so did a sighted man, *b*.
- *a*, a congenitally blind man, read *Paradise Lost*, and *b*, a sighted man, did too.

Now, it is less clear to me whether any sentence of this form...:

- *a* changed his position and *b* changed his position.

...is such that when one applies deletion and proformation rules, so as to elide the second occurrence of '*_changed his position*', it yields a sentence that one need not "work" to understand aright.

But it does seem to be the case that any sentence of the form...

- *a* changed his position by revising his view of the EU, and *b* changed his position by shifting his weight onto his left side.

...in which information about *how a* and *b* changed their positions is built into the sentential context in a manner akin to that outlined above, is such that, when one applies to it the rules mentioned in the manner outlined, it yields a sentence that one must "work" to "get":

- *a* and *b* each changed his position, *a* by revising his view of the EU, and *b* by shifting his weight onto his left side.
- *a* changed his position, by revising his view of the EU, and so, by shifting his weight onto his left side, did *b*.
- By revising his view of the EU, *a* changed his position, and *b* did too, by shifting his weight onto his left side.

Any sentence of any of these forms clearly requires “work”.¹⁸¹

Now, as far as I can tell, ‘_decided to abandon shipbuilding’ is akin to ‘_read *Paradise Lost*’, rather than ‘_changed his position’. That is, any sentence of the form ‘*a* decided to abandon shipbuilding and *b* decided to abandon shipbuilding’ is such that when one applies to it the rules mentioned above so as to elide an occurrence of ‘_decided to abandon shipbuilding’, one derives a sentence that one need not “work” to “get”:

- *a* and *b* each decided to abandon shipbuilding.
- *a* decided to abandon shipbuilding and so did *b*.
- *a* decided to abandon shipbuilding; *b* did too.

In particular, this is so if we substitute terms for ‘*a*’ and ‘*b*’ that pick out things of which it is known, in the context, that they decide things in different ways – perhaps because one but not the other is the sort of thing that decides things in a way in which nothing that is not of that sort can, or in a way in which nothing that is of the *other*’s sort can. (Perhaps ‘the East India Company’ and ‘John Doe’ are terms of that sort).

¹⁸¹ Caveat: perhaps these sentences have “meta-linguistic” uses, in which they say of ‘_changed his position’ that it may be used to describe each of the things that *a* and *b* did. If that’s so, then *thus used*, they are not, perhaps, such that one familiar with the range of applications had by ‘_changed his position’ need “work” to understand them.

Indeed, I should say, any sentence of the form...

- a decided to abandon shipbuilding by φ -ing and b decided to abandon shipbuilding by ψ -ing.

...in which information about *how* a and b decided to abandon shipbuilding is built into the sentential context by expressions that differentially modify occurrences of ‘_deciding to abandon shipbuilding’, is such that when one applies to it the rules mentioned so as to elide the second occurrence of ‘_decided to abandon shipbuilding’, it yields a sentence that one need not “work” to understand aright. For consider:

- a and b each decided to abandon shipbuilding, a by φ -ing, and b by ψ -ing.
- a decided to abandon shipbuilding, by φ -ing, and so, by ψ -ing did b .
- By φ -ing, a decided to abandon shipbuilding, and b did too, by ψ -ing.

Furthermore, I should say that any sentence of the form...

- a , a trading company, decided to abandon shipbuilding and b , a human person, decided to abandon shipbuilding.

...in which, it may be thought, the information that one but not the other of a and b is the sort of thing that can decide to abandon shipbuilding in a way in which nothing that is not of that sort can, or in a way in which nothing that is of the *other*’s sort can, is built into the sentential context by differentially modifying ‘ a ’ and ‘ b ’, is *also* such that

when one applies to it the rules mentioned in the manner outlined, it yields a sentence that one need not “work” to understand aright. Hence:

- *a*, a trading company and *b*, a human person each decided to abandon shipbuilding.
- *a*, a trading company, decided to abandon shipbuilding, and so did a human person, *b*.
- *a*, a trading company, decided to abandon shipbuilding, and *b*, a human person, did too.

And, as far as I can tell, everything that I have said about eliding ‘_decided to abandon shipbuilding’ by deletion or proformation applies *mutatis mutandis* to the other three expressions under consideration.¹⁸²

A number of prominent linguists have discussed an alleged way of testing for ambiguity by counting the number of non-zeugmatic “interpretations”,¹⁸³ or “understandings”,¹⁸⁴ or “readings”¹⁸⁵ had by a sentence that results from the application of a deletion or proformation rule. The thought appears to be that, if an expression ‘*F*’ is two-ways ambiguous,¹⁸⁶ such that there are two things $_ \varphi$ and $_ \psi$ that may be said of something by it, then a sentence that is of one of the following forms...

- *a* and *b* each *F*-ed.
- *a* *F*-ed and so did *b*.
- *a* *F*-ed; *b* did too.

¹⁸² But see the caveat at n. 24 of this Chapter.

¹⁸³ See Cruse *op. cit.* p. 62.

¹⁸⁴ See Zwicky and Sadock *op. cit.* p. 18.

¹⁸⁵ See Atlas (1989) p. 40.

¹⁸⁶ No doubt the thought could be modified to account for *n*-ways ambiguity, for any *n*.

...has at most two non-zeugmatic “interpretations”. By contrast, (the thought appears to be) if ‘ F ’ is unspecified with respect to φ and ψ , such that whenever it is used to say something of something it leaves both φ and ψ unsaid of it, it is likely to have *four* non-zeugmatic “interpretations”. Hence, while a sentence of the form, ‘ a changed his position and so did b ’ can only comfortably be read as saying either that a and b revised their view, or that a and b altered the placement of their bodies, a sentence of the form ‘ a read *Paradise Lost* and so did b ’ can comfortably be read as saying that a and b read the poem by sight, that they read it by touch, *or* that one read it by sight and the other by touch.

I struggle to understand the relevant notion of an “interpretation” or “reading” of a sentence. For if ‘ F ’ is unspecified with respect to φ and ψ , then neither φ nor ψ are *said* of anything by ‘ F ’; for example, neither ‘ φ read *Paradise Lost* by sight’ nor ‘ ψ read *Paradise Lost* by touch’ is ever said of anything by ‘ φ read *Paradise Lost*’. So, if a sentence interpretation consists of something of which things may be said, and something said of it, then the forms listed above typically have *one* non-zeugmatic interpretation, not *four*, when a univocal expression like ‘ φ read *Paradise Lost*’ is substituted for ‘ F ’. Furthermore, on that notion of an interpretation, one is in a position to count the available interpretations of a sentence only if and because one knows whether or not it features ambiguous expressions; but the point of the test was supposed to be that some such count *enables* one to make a judgement about ambiguity.

That suggests that the relevant notion of a sentence interpretation is *not* tied to the notion of something spoken of, and something said of it. But then I do not know what it is supposed to be. Perhaps a background thought here is that a sentence has just as many “interpretations” as

there are sorts of situation that would verify it. But we have already seen that it is hard to build a consensus around any claim of sortal difference.

For these reasons, I have used a version of the zeugma test that does not appeal to the notion of an interpretation, and, in particular, does not require one to *count* non-zeugmatic interpretations of sentences.

The truth-value test

Might something exist of which occurrences of the expression are alternately clearly true and clearly false?

I extract this test from a passage in Quine's *Word and Object*:

The striking thing about the ambiguous terms 'light' and 'bore', or 'bore us', is that from utterance to utterance they can be clearly true or clearly false of one and the same thing, according as interpretive clues in the circumstances of utterance point one way or another. This trait, if not a necessary condition of ambiguity of a term, is at any rate the nearest we have come to a clear condition of it.¹⁸⁷

I think Quine's thought is that, typically, an ambiguous expression may occur twice such that the two occurrences alternately say something clearly true, and something clearly false, of one and the same thing.¹⁸⁸

¹⁸⁷ Quine (1960) p. 131.

¹⁸⁸ Granted, Quine actually writes "clearly true *or* clearly false" (my emphasis). But he cannot mean that occurrences of ambiguous expressions characteristically *either* say something that is clearly true *or* something that is clearly false of one and the same thing – *that* would scarcely be a "striking" phenomenon. And on page 129, he writes that 'light' may be "clearly true... *and* clearly false" (my emphasis) of "dark feathers".

Now, as Quine recognises,¹⁸⁹ we would deviate from ordinary usage were we to interpret that as entailing that, whenever anything *changes*, such that some ‘*F*’ says something clearly true of it at one time, and something that is clearly false of it at another time, ‘*F*’ is ambiguous.

But we can interpret the test more strictly, as asking whether distinct occurrences of an expression may be used to say things that are *at the same time* clearly true and clearly false of the same thing(s).¹⁹⁰ After all, many paradigmatically ambiguous expressions are such that we can imagine them featuring in contexts in which they are alternately clearly truly denied and then, straightaway, clearly truly affirmed of something:

A. Look at my lovely new coat. See how light it is.

B. Well I can’t really tell unless you let me hold it.

A. Oh. It’s not *light*. But it is *light* – just look at it.

A. Our mothers bore us.

B. But I enjoy my mother’s company.

A. Oh dear me no. They don’t *bore us*. They *bore us*.

A. There is a bank near to my place of work.

B. Would it be a good place to go fishing?

A. Oh dear me no. It’s not a *bank*. It’s a *bank*.

In each of these exchanges, it is plausible that A uses an expression to clearly truly *deny* something of something, and immediately uses it again to clearly truly assert something of the same

¹⁸⁹ *ibid.* pp. 131-2.

¹⁹⁰ Quine *ibid.* at page 129, and again at page 130 says that an ambiguous expression “may” be “at once” true and false of the same things, (although it may be that what he means by this is that a single occurrence of it may be true and false of the same things).

thing or things, whilst not believing that it or they has changed in the interim, or that he has contradicted himself, but intending to convey, in the context, that the thing(s) in question do not satisfy the expression in a *sense* that has been made salient by the previous speaker's utterance.

By contrast, one struggles to think of any context in which the following would be appropriate, let alone true, and let alone clearly true:

L. Oh dear me no. It didn't *decide* to abandon shipbuilding. It *decided* to abandon shipbuilding.

And I take it that the same applies *mutatis mutandis* to '_wished to keep expenditures on administration to a minimum', '_intended to slip into the nooks and crannies in the eastern trade structures' and '_believed that it could never again trust the ruling elite in Awadh'.

Still, it may be replied that this point is not decisive against the claim that at least one of those expressions has a sense that is other than that in which it may be used to truly say something about a human person. For while Quine may think that his condition approximates to a necessary condition of ambiguity, it is not – he notes – a necessary one.

But it is worth exploring why it is not a necessary condition. I think there are two main reasons. The first, which goes unmentioned by Quine, is that, while it is epistemically *likely* that, for any plurality *p* of things that an ambiguous expression may be used to say of things, there is some *x* such that *p* includes something that would, were it said of *x*, be clearly truly said of *x*, and something that would, were it said of *x*, be clearly falsely said of *x*, there is no guarantee that this is so. It is conceivable that, as a matter of fact, or even as a matter of necessity, all

and only non-dark things are non-heavy things, such that ‘_is light’ may *never* be clearly truly affirmed and clearly truly denied of the same thing.

Now, if one of the expressions under consideration is thus ambiguous, then this will escape detection by Quine’s test. But if it is thus ambiguous, such that all and only those things that decided to abandon shipbuilding, or wished to keep expenditures on administration to a minimum etc. in one sense, also thus decided, or wished etc. in each of the other senses of the expression, then while we must resile from the *letter* of the third thesis, we may affirm this: there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used in *any of the senses* in which it may be used to truly say something about a human person to truly say something about *i*. And that suffices for a “formal mode” approximation of our thesis that the Company “really” and “literally” made at least one decision, and had at least one wish, at least one intention and at least one belief.

The second reason why the condition described by Quine is not a necessary condition for ambiguity is raised by a worry about ‘hard’:

For can we claim that ‘hard’ as applied to chairs ever is denied of hard questions, or vice versa? If not, why not say that chairs and questions, however unlike, are hard in a single inclusive sense of the word?¹⁹¹

Well, I think that the answer to the first of these questions is that we *can* claim that ‘hard’ as applied to questions is denied of hard chairs, as in the following exchange (imagine that *A* is speaking of a chair):

A. The best obstacle in my obstacle course is really *hard*.

¹⁹¹ *ibid.* p. 131.

- B. Don't make the course too difficult for the other children.
 A. Oh dear me no. It's *hard*. It's not *hard*.

What is less clear is whether *A* here *truly* says of something that it is hard and also *truly* says of it that it is not hard. For might it not be that *A truly* says of his obstacle that it is hard, in the sole sense of that word, and also *falsely* says of it that it is not hard, perhaps because he intends to convey, in the context, *not* that it is not hard in a *sense* that has been made salient by the previous speaker's utterance, but that it is not hard in a *way* that has been made salient by the previous speaker's utterance, namely the way in which hard questions are hard?

I suspect that something like that *is* the right thing to say about:

- A. You should ask John. He's read *Paradise Lost*.
 B. Oh (ponders). Was he not always blind then?
 A. No, stupid. He's congenitally blind. But he's read the poem.
 Even though he hasn't *read* the poem.

Here it is plausible that *A truly* says of a man that he has read *Paradise Lost*, and *falsely* says of him that he has not read it, thereby intending to convey, in the context, that the man did not read that poem in a *way* that has been made salient by the previous speaker's utterance.¹⁹² But it is just not *clear* whether '*is hard*' is like '*read Paradise Lost*' in this respect, or '*is light*', '*bore us*', '*is a bank*', each of which may be at once truly affirmed and truly denied of something.

¹⁹² There may also be contexts in which an expression '*F*' is used to truly say of something that it is *F* and falsely say of it that it is not *F*, to convey, in the context, that it is not *F* to an *extent* that has been made salient by the previous speaker's utterance:

- A. You said he was bald. Well, he's no Kojak.
 B. He's *bald*. But he's not *bald*.
 A. You said that he was tall. Well, he's no Michael Jordan.
 B. He's *tall*. But he's not *tall*.

So I think that, in the passage quoted above, Quine means to ask whether ‘hard’ as *clearly truly* applied to chairs is ever *clearly truly* denied of hard questions, or vice versa. For if, as seems likely, ‘hard’ cannot be *clearly truly* affirmed and *clearly truly* denied of one and the same thing, then it does not fulfil the condition of ambiguity described by Quine’s test, which, if the test describes a necessary condition, should lead one to conclude that chairs and questions are hard “in a single inclusive sense of the word”. So, if there are independent grounds for the proposition that ‘hard’ is ambiguous – as the semantic relations suggests there are, for ‘difficult’ is a synonym for some but not other occurrences of it – then the truth-value test does not describe a necessary condition.

But it is scarcely likely that the expressions under consideration fail to meet the condition described by the truth-value test for the reason that ‘hard’ fails to meet it, that is, for the reason that, while there are contexts in which it is appropriate to affirm and deny those expressions of the same thing, it is just not *clear* whether or not they are *truly* both affirmed and denied of that thing in those contexts. For, as has been said, one struggles to think of a context in which ‘It didn’t *decide* to abandon shipbuilding. It *decided* to abandon shipbuilding’ would even be appropriate. Moreover, the *reason* one struggles is because, as far as I can tell, in any imagined context in which that claim is asserted, the speaker clearly contradicts himself, and so says something that is clearly false, rather than something that is neither clearly true nor clearly false. (And the same applies to the other expressions under consideration).¹⁹³

¹⁹³ *If*, as I have not denied, something can decide to abandon shipbuilding in a way in which only a trading company can, or in a way in which no human person can, then there may be contexts in which a speaker is prompted to clearly truly say: (CONTD.)

L. It *decided* to do abandon shipbuilding. But it didn’t *decide* to abandon shipbuilding in the way in which you seem to think it decided.

And the same applies *mutatis mutandis* to the other expressions under consideration.

I conclude that the truth-value test is almost entirely useless as “theoretical grounds” for the ambiguity posit that we are considering.

Conclusion

We have searched in earnest, but we have failed to find any intuitive or theoretical grounds for the claim that any of the expressions under consideration is ambiguous, and, in particular, for the claim that any of them has a sense that is other than that in which that it may be used to truly say something about a human person. Given where the burden of proof lies, we ought to reject the polysemy posit suggested by Hart’s paper (and by one reading of Quinton) and accept the third thesis.

Given this result, if ‘_decided to abandon shipbuilding’ is ever truly said of a human person, then the *same*, and not merely an analogous, thing is truly said of the East India Company, by Lawson, and likewise *mutatis mutandis* for ‘_wished to keep expenditures on administration to a minimum’, ‘_intended to slip into the nooks and crannies in the eastern trade structures’ and ‘_believed that it could never again trust the ruling elite in Awadh’. But it does *not* follow that the Company decided to abandon shipbuilding in the same *way* as that in which a human person might. For all I know, it decided this in a *way* in which *no* human person can (and likewise *mutatis mutandis* for its wish, intention and belief).

I offer a comparison. If ‘_read *Paradise Lost*’ is ever truly said of a congenitally blind man, a man who read *Paradise Lost* by touch, then the same, and not merely an analogous, thing may be truly said, by the same expression, of a sighted man, who read *Paradise Lost* by sight. But it does not follow, (and is false), that a sighted man who reads the poem by

sight reads it in the same *way* as that in which a congenitally blind man might: he reads it in a way in which no congenitally blind man can.

A conviction that may seem to motivate Hart's reluctance to endorse a "realist" line is the thought that *were* it the case that the East India Company "really", "literally" decided, wished, intended and believed things, then the world would be more perplexing than we wished or believed it to be. It is not clear whether an argument that had some such conditional as a premise ought to be tolerated.¹⁹⁴ Still, it is natural for a man to be reluctant to accept that which perplexes him. In Chapter Four, I try to assuage perplexities that may be provoked by the third thesis.

¹⁹⁴ Notoriously, Mackie (1987 ch. 1 sec. 9) uses an argument of this form.

Chapter Four – a likely story.

I have defended the third thesis, *viz.* that there is an individual *i* that is picked out by a standard use of the expression ‘the East India Company’, such that there are expressions of the form ‘_decided to φ ’, ‘_wished to φ ’, ‘_intended to φ ’ and ‘_believed that p ’, each of which is such that it may be used in the same sense as that in which it may be used to truly say something about a human person to truly say something about *i*. I said at the outset that I assumed that the third thesis approximates to a “formal mode” version of the thought that the East India Company made at least one decision, and had at least one wish, at least one intention and at least one belief, in the same senses as those in which a human person makes decisions, and has wishes, intentions and beliefs. So, henceforth, I will take it that I have argued that the Company made at least one decision, and had at least one wish, at least one intention, and at least one belief, in the senses in which a human person makes decisions, and has wishes, intentions and beliefs.

In this Chapter, I tell a likely story about how a situation in which every decision, wish, intention and belief is made or had by a human person – alternatively put, a situation in which no decision, wish, intention or belief is made or had by anything that is *not* a human person – might, over time, evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs, (in the senses in which a human person makes and has such things).

Let me try to explain what I mean by ‘a likely story’, and why I think that there is a philosophical point to my telling the story that I tell.

1. The absent friend

Suppose that my temperamentally punctual and considerate friend does not arrive for an important meeting, and does not call to explain what has happened. I am perplexed, and say to someone, 'How is it possible that he's not here, and hasn't called?' I do not doubt that he *isn't* here and *hasn't* called, and so, as whatever is actual is possible, I do not doubt that it is *possible* that he isn't here and hasn't called. But my question as to *how* this is possible would be answered by at least this: a story as to how a world in which my friend is temperamentally punctual and considerate evolves into one in which he does not arrive for the meeting, and does not call to explain his absence. Here is such a story: his train gets trapped in a tunnel and he cannot get a signal. It is a rather improbable story, but it renders the fact that my friend isn't here and hasn't called *intelligible* to me in way in which it was not previously.

2. *Radical interpretation*

Davidson reports that:

Kurt utters the words 'Es regnet' and under the right conditions we know that he has said that it is raining.¹⁹⁵

How is it possible that we interpret Kurt correctly? This question, unlike the previous 'how-possible?' question about my absent friend, arises out of a *philosophical* perplexity. But in many other respects it is a similar question to that one. For someone can ask it whilst not doubting that we *do* interpret Kurt correctly (and so, whilst not doubting that it is

¹⁹⁵ Davidson (1990a) Essay 9 p. 125.

possible that we do),¹⁹⁶ and be answered by at least this: a story as to how a world in which they have no semantic competence evolves into one in which they have semantic competence. Here is one such story: by amassing data as to what sentences are held true in what circumstances, they confirm a truth-conditional “theory of meaning”. It is a rather improbable story, but it renders the fact that we interpret Kurt correctly *intelligible* to some for whom it was not previously intelligible.¹⁹⁷

3. *The social contract*

How is it possible that we are obliged to obey our political masters? This question, like the previous ‘how-possible?’ question, arises out of a *philosophical* perplexity. It is analogous to each of the previous two questions in several respects. For someone can ask it whilst not doubting that we are obliged to obey our political masters, (and so, whilst not doubting that it is possible that we are) and be answered by at least this: a story as to how a world in which there are no obligations of the relevant sort evolves into one in which there are some. Here is Hobbes’s story¹⁹⁸

¹⁹⁶ This may show that not all philosophical “How possible?” questions are ones “whose felt urgency...”, (in McDowell’s (1996 p. *xxiii*) words, “...derives from a frame of mind that, if explicitly thought through, would yield materials for an argument that what the questions are asked about is impossible.” (McDowell does not himself rule this out).

¹⁹⁷ This gloss on Davidson’s project is, I think, suggested by the paragraph in which the quoted passage features (*loc. cit.*): “Kurt utters the words ‘Es regnet’ and under the right conditions we know that he has said that it is raining. Having identified his utterance as intentional and linguistic, we are able to go on to interpret his words: we can say what his words, on that occasion, meant. *What could we know that would enable us to do this? How could we come to know it?* [italics added] The first of these questions is not the same as the question of what we *do* know that enables us to interpret the words of others. For there may easily be something we could know and don’t, knowledge of which *would suffice* [italics added] for interpretation, while on the other hand it is not altogether obvious that there is anything that we actually know which plays an essential role in interpretation. The second question, how we could come to have knowledge that would serve to yield interpretations, *does not, of course, concern the actual history of language acquisition* [italics added]. It is thus a doubly hypothetical question: given a theory that would make interpretation possible, what evidence plausibly available to a potential interpreter would support the theory to a reasonable degree? In what follows, I shall try to sharpen these questions and suggest answers.”

¹⁹⁸ Hobbes (1994) esp. chs. 16, 17.

(more carefully, here is a story that approximates to Hobbes's – whether I have Hobbes right is a matter for scholarship that need not detain us here): by each consenting (on condition that others do likewise) to transfer our natural rights over ourselves to a prospective Commonwealth, and, in particular, to a Commonwealth that will act through the agency of one or more *representatives*, we jointly give rise to some such Commonwealth, which immediately becomes the legitimate recipient of our rights over ourselves; these rights are, in turn, “inherited” by the representatives of the Commonwealth, as it acts through their agency; consequently, the representatives rule us with our consent, and so we are obliged to obey them. It is a rather improbable story, but it renders the fact that we are obliged to obey our political masters *intelligible* to some for whom it was not previously intelligible.

None of these stories is “likely” in the sense that it is, so far as we know, *probable*. But each is “likely” in the sense that it is *fit for a particular purpose*, namely that of rendering something intelligible, (or at least less unintelligible). In particular, each of them has the “therapeutic” capacity to *reconcile* someone to a proposition that he is antecedently disposed to accept as true, but which perplexes him. For each of them recounts an eminently conceivable, if improbable, sequence of hypothetical events, which would, *were* it to unfold, explain the truth of the proposition in question – putting one in a position to see *how it is possible* that the proposition is true. And when someone discerns, for the first time, a *way* in which something that perplexes him might come about, it becomes more intelligible – or less unintelligible – to him.^{199 200}

¹⁹⁹ Compare Nozick (1974 p. 8): “A *fundamental* potential explanation (an explanation that would explain the whole realm under consideration were it the actual explanation) carries important explanatory illumination even if it is *not* the correct explanation. To see how, in principle, a *whole realm* could fundamentally be explained greatly increases our understanding of the realm” (The “realm” that he has in mind is the political realm).

²⁰⁰ Likely stories that aim to dissipate philosophical perplexities by similar means are told by, among others, Hume (2000 sec. 3.2.2. ff.), about property, Williams (CONTD.)

My aspiration for my story is that it is likely in this way. I address it to those who have come with me thus far, who accept that the third thesis is true and therefore possible, but who incline towards perplexity as to *how it is possible*. I aim to ease their perplexity by recounting an eminently conceivable, if improbable, sequence of hypothetical events, which would, *were* it to unfold, explain its truth. (Perhaps some such readers will find the story ultimately unsatisfying, but the same may be said *mutatis mutandis* about the other three stories adumbrated above).

Whilst I doubt that my story is true or even probable, I incline towards the thought that it is “likely” in the additional sense that the hypothetical events that it recounts *resemble* – i.e. are *like* – actual events that conferred upon the East India Company a capacity to make decisions, and have wishes, intentions and beliefs. If it is indeed so, then my story may provide a *model* for a historical explanation of that company’s capacities, perhaps even a model for a historical explanation of the corporate “realm”. But this is speculation. (Perhaps Davidson and Hobbes had similar aspirations regarding the modelling of historical explanations, or “genealogies”, of the hermeneutic and political “realms”).

I should add that I mention Hobbes partly because, as the reader will see, the details of my likely story are analogous in several respects to those of his likely story about the origins of our obligations to our rulers.

Gilbert’s story

Recall that I aim to tell a story about how a situation in which every decision, wish, intention and belief is made or had by a human

(2002), about the value placed on truth and truthfulness, and Sellars (1997) and Craig (1990), about, respectively, our possession of folk psychological and epistemic concepts.

person – alternatively put, a situation in which no decision, wish, intention or belief is made or had by anything that is *not* a human person – might, over time, evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs, (in the senses in which a human person makes and has such things). For this reason, I look, for guidance, to the work of Margaret Gilbert.²⁰¹ For I assume that, whatever manner of individual thing the East India Company was, it was something to which a plurality of human persons, perhaps among things, gave rise, at every time at which it was present in the flow of time. And Gilbert has a story to tell about how a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which something to which a plurality of human persons give rise exemplifies a psychological property.

Gilbert’s story is, as far as she is concerned, not just a story: it is meant to describe a manner in which we routinely associate. And it is intended as part of an explanation of what is, for her, an everyday sort of social phenomenon, of which she often gives the following example:²⁰²

Consider two people – call them Bill and Jane – out on walk together or, for short, walking together... suppose that, without warning, Bill suddenly stops and says, quite pleasantly, “Well, I’m splitting!”. He then walks off, leaving their walk... [Jane] will understand that Bill has *done something wrong*... that [he] is *open to criticism*... [and that

²⁰¹ See Gilbert (1989), (1996), (1997), (2000), (2002), (2003), (2006a), (2006b). I interpret these books, collections and papers as jointly expressing a single view, such that only those claims in the earlier works that are explicitly disowned or revised in the later works do not partake of that view. I doubt that this is unfair to Gilbert: she advertises her work as a whole as developing something she calls ‘plural subject theory’. If pushed, I fall back on a familiar caveat: I speak of a hypothetical philosopher called ‘Margaret Gilbert’, who authored texts just like those cited, which jointly expressed a single view.

²⁰² Her use of the example is inspired by Simmel’s (1971 p. 24) remark: “Sociation ranges all the way from the momentary getting together for a walk to the founding of a family, from relations maintained ‘until further notice’ to membership in a state, from the temporary aggregation of hotel guests to the intimate bond of a medieval guild.”

he] would *not* have been open to criticism in the way in question if, before leaving their walk, he had asked if she minded his leaving. He should, that is, have *obtained her permission* for leaving the walk. She will understand that all this is true by virtue of what it is for people to be out on a walk together... she will understand that it follows directly from the fact that they are walking together.²⁰³

More generally, there is, for Gilbert, a way of acting “together”, such that any plurality of human persons who act together in that way are thereby such that each of them is obligated not to break off from acting together in that way, without securing the others’ permission.

Gilbert says little to single out the way of acting “together” that she has in mind. She notes that spatio-temporal contiguity is not a necessary condition of some parties acting “together” in that way.²⁰⁴ Neither is it necessary that a predicate that classifies the parties’ activity fails to “distribute”, in the Schoolmen’s sense, for ‘_went for a walk’ is such that whenever some parties satisfy it, they each satisfy it. In her latest work, Gilbert introduces the relevant way of acting “together” by example:

...conversing (with one another), hunting for food together, preparing dinner together, holidaying together, investigating the murder together, living together, building a bridge together, organizing a strike together, advancing towards an enemy outpost together, working out the details of a treaty together, founding a nation together.²⁰⁵

²⁰³ Gilbert (2003) p. 42. Gilbert goes on (p. 44) to allow that this is consistent with the possibility that, in effect, “the relevant permission has been given in advance, as a result of an ad hoc agreement or prevailing conventions.” I ignore this complication.

²⁰⁴ Gilbert (2006b) p. 101.

²⁰⁵ *ibid.*

Given this list, I hazard that the phenomenon that Gilbert has in mind is that of co-ordinated, co-operative action done by a plurality.²⁰⁶ In the sequel, this is what we shall mean by ‘acting together’, ‘joint activity’ or ‘joint action’. So, for Gilbert, there is an everyday social phenomenon, namely that anyone who is party to a co-ordinated, co-operative action is thereby such that he is obligated not to break off from it, without securing the other parties’ permission. Furthermore, for Gilbert, any such obligation derives from a more general obligation not to try to settle the details of such an action without the other parties’ permission:

...absent pertinent background understandings...
no one party is in a position unilaterally to decide on the details of a joint action. The concurrence of the other parties is needed in order that such details are settled. The parties must make it clear to one another either verbally or by means of other behaviour that each is ready to endorse the detail in question... if nothing like this has happened, and one party acts as if [the details are] indeed up to him, something is amiss. Thus suppose Bill has not previously been given charge of his walk with Jane. He suddenly says, “We’ll cross the road here’, implying that he will brook no demur. Jane could reasonably object ‘But we’re doing this together – don’t I have a say?’²⁰⁷

Furthermore, any such obligation not to try to settle the details of – and, in particular, not to exit – joint activity, without permission from the other parties, is, for Gilbert, an obligation *to* those others, which is correlated with rights *against* whomsoever is thus obligated:

²⁰⁶ The relevant notion of co-operation is rather abstract: it does not prevent *quarrelling* from being a case of acting together. See *ibid.* pp. 117-8: “Once Fred and Rose understand themselves to be quarrelling, Fred is likely to have a sense of mistake if Rose suddenly tunes out, for instance. Rose might have avoided this by saying something like ‘Let’s stop this!’ inviting a permission-granting response such as ‘Okay’.”

²⁰⁷ *ibid.* p. 106. I have changed the names of the walking companions to ‘Bill’ and ‘Jane’, in order that they match the names that are used by Gilbert in the previous quotation.

Absent special background understandings, any given party [to a joint activity], A, has an obligation to any other party, B, to obtain B's concurrence in any new determination of the details of the joint activity. This includes A's exit from the joint activity. Alternatively, B has a right against A that A obtains B's concurrence in any new determination of their joint activity.²⁰⁸

Finally, the directed obligations and correlative rights that are thus grounded in joint activity are such that any party to such activity is *unlike* a third party in that he has a special *authority* to demand that the other parties conform to the activity, if they deviate from it without permission, and to rebuke other parties for thus deviating:

Suppose that... Bill is a naturally fast walker and begins to draw ahead of Jane. One can imagine Jane calling after him, demanding that he slow down, rebuking him for going too fast, or both at once: 'Bill! Slow down! You're going too fast!'... Bill and Jane will both understand that she has the *standing* to demand that he act in a manner appropriate to their joint activity, and to rebuke him should he act in a manner inappropriate to it... she has this standing by virtue of her participation with Bill in the joint activity of walking together. Of course the same goes for Bill... The standing of the parties... is not shared by people generally. Suppose Dan, a stranger, happens to see Bill drawing away from Jane and calls out to him: 'Slow down! You are walking too fast for her!' Bill might well question Dan's standing to address him in this way. In vernacular terms he may say 'What business is it of yours?'... Without special background conditions,

²⁰⁸ *ibid.* pp. 114-5.

however, if Bill and Jane are walking together it is hard to imagine him questioning *her* standing in the matter.²⁰⁹

Gilbert's explanation of these alleged deontic aspects of acting together proceeds from the assumption that something that she calls a 'joint commitment' is "at the core of any instance of acting together",²¹⁰ in this respect: parties φ together *if and only if* they are jointly committed to espousing as a body a goal or intention of so φ -ing, and, motivated by that joint commitment, act in order to fulfil that goal or intention:²¹¹

Two or more people are acting together (doing something together) if and only if: (1) they are jointly committed to espousing as a body the appropriate goal; (2) they are fulfilling the behavioural conditions associated with the achievement of that goal; (3) their satisfaction of these conditions is motivated in each case by the existence of the joint commitment.²¹²

...X and Y *collectively intend* to perform action A... if and only if they are jointly committed to intend as a body to do A [and they] are *collectively doing A* if and only if they collectively intend to do A... and each is effectively acting, in the light of the associated joint commitment, so as to bring about fulfillment of this intention.²¹³

A group *G* performed an action *A* if and only if, roughly, the members of *G* were jointly committed to accepting as a body the relevant goal *X*, and *acting in the*

²⁰⁹ *ibid.* pp. 103-4. Again, I have changed the names to 'Bill' and 'Jane'.

²¹⁰ *ibid.* p. 148.

²¹¹ As the passages here quoted illustrate, Gilbert uses 'goal' and 'intention' more or less interchangeably. (See *ibid.* p. 122 including its n. 32, for her comment on this point). In what follows, I will prefer the expression 'intention'. I doubt that much turns on this.

²¹² Gilbert *ibid.* p. 146.

²¹³ Gilbert (2006a) pp. 11-12.

light of this joint commitment, relevant members of *G* acted so as to bring *X* about.²¹⁴

What, for Gilbert, is a joint commitment? The first thing to say is that, just as a *joint account* is something that is jointly had by a plurality, so a joint commitment is something that is jointly had by a plurality:

What is it for us to be jointly committed? A joint commitment is neither mine, nor yours, nor the simple conjunction of a commitment that is mine and a commitment that is yours. It is, rather, *our* commitment, the commitment of me and you.²¹⁵

The second thing to say is that...:

Joint commitments are always commitments to “act as a body” in a specified way, where “acting” is taken in a broad sense. Thus people may jointly commit to *deciding* as a body, to *accepting* a certain goal as a body, to *intending* as a body, to *believing* as a body a certain proposition, and so on.²¹⁶

Gilbert goes on to clarify her use of “as a body”, thus:

The force of the qualifier “as a body” is roughly this: the parties are jointly committed together to constitute, as far as is possible, a single body that acts in the way in question. For example, they are jointly

²¹⁴ Gilbert (2000) p. 131. Elsewhere (*ibid.* p. 148), Gilbert gives a different necessary and sufficient condition of joint action, namely that the parties are jointly committed to *pursue* (and not merely *espouse* or *accept*) as a body the relevant goal, and that, in the light of this commitment, they act so as to fulfil that goal. I can find this formulation nowhere else in Gilbert, and so take it that those quoted in the text express her view.

²¹⁵ Gilbert (1997) pp. 25-6.

²¹⁶ Gilbert (2003) p. 51.

committed to constitute, as far as is possible, a single body that accepts goal *G* as its own.²¹⁷

It is noteworthy that all of Gilbert's examples here of joint commitments "to 'act as a body' in a specified way" are of commitments to perform *psychological* acts: decidings, acceptings, intendings and believings.²¹⁸ Indeed, she very rarely speaks of joint commitments to perform *non-psychological* acts,²¹⁹ and there is some evidence that she thinks that talk of parties being jointly committed to perform a *non-psychological* act as a body is mere "shorthand" for talk of their being jointly committed to espouse as a body a *goal* or *intention* of so acting:

It is cumbersome at all times to write of people being jointly committed to *espouse as a body the goal of going for a walk*, and so on. I shall not be concerned always to spell things out in this long-winded way. Rather, I may write simply of a joint commitment *to go for a walk*, and so on.²²⁰

Perhaps, then, Gilbert is not seriously committed to there being joint commitments to perform *non-psychological* acts. Certainly, she does not *need* there to be such things: as we have seen, the assumption that underlies her explanation of the alleged deontic aspects of joint activity – like that of walking together – is that such activity takes place just in case its parties are jointly committed, not to the activity in question, but rather to espousing as a body an *intention* of engaging in that activity; hence, although, for her, "there is a joint commitment at the core of any

²¹⁷ *ibid.*

²¹⁸ One might be reluctant to call decidings, acceptings, intendings and believings 'acts', but I will not demur at this usage: Gilbert notes that 'acting' is taken in a broad sense.

²¹⁹ Of course, the distinction between psychological and non-psychological acts is not easily drawn. But I take it that the reader will grant me that there is such a distinction.

²²⁰ Gilbert (2006b) p. 138.

instance of acting together”,²²¹ this is not a commitment to thus act; it is a commitment to espouse as a body an intention (or goal) of thus acting.

However that may be, since our focus is on Gilbert’s story of how a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which something to which a plurality of human persons gives rise exemplifies a psychological property, we will take no interest in joint commitments to perform non-psychological acts, if such there be. We shall be interested only in joint commitments to perform psychological acts, and, in particular, (for the most part), in joint commitments to espouse as a body certain *intentions*.

The third thing to say about a joint commitment is that it is, for Gilbert, a “commitment of the will”,²²² i.e. “a commitment *resulting solely from an act or state of a will or wills*.”²²³ And just as there is a variety of “personal” commitment of the will, such that any commitment of that variety is unilaterally brought into existence by the person who has it...:

By definition, I unilaterally create my personal commitments. I decide, intend, or try to do something, thereby *committing myself*.²²⁴

...so, for Gilbert, a joint commitment – “the collective analogue of a personal commitment of the will” –²²⁵ is multilaterally brought into existence by the plurality of persons who jointly have it:

Gilbert’s account of how joint commitments are multilaterally brought into existence mirrors a more or less “classical”²²⁶ view of how,

²²¹ *ibid.* p. 148.

²²² *ibid.* p. 134.

²²³ *ibid.* p. 128.

²²⁴ *ibid.* p. 133.

²²⁵ Gilbert (2006a) p. 8.

in the eyes of the law,²²⁷ a multilateral executory contract²²⁸ is brought into existence. For just as, on such a view of contract, parties enter a contract when and only when they each know, (and each know that they each know,..., and so on) that they have each expressed a preparedness to enter such a contract, (e.g. by signing a document), so, for Gilbert, parties “enter” a joint commitment when and only when...:

...matching expressions of personal readiness to enter a particular joint commitment [are] made openly [such that it is] common knowledge²²⁹ between the parties that they have occurred.²³⁰

More carefully, this, for Gilbert, is how parties “enter” a joint commitment in a “basic case”. She maintains that there are also “non-basic cases” in which it is not the case that “a joint commitment of the parties to the effect that they are to do a certain thing as a body is formed by virtue of the parties’ expressions of readiness *to do that thing as a body*”,²³¹ such as when parties express their readiness to be jointly committed to do *whatever some specified person(s) decides they should do or whatever is the upshot of some specified decision procedure*. For the

²²⁶ See Atiyah’s (1988 Essay 2 pp. 11-12) sketch of the “classical model of contract”. See also Fried’s (1981) defence of such a model.

²²⁷ When I talk of “the law”, I invite the reader to make the idealising assumption that there is *just one* legal system, which is roughly akin to the English or American system.

²²⁸ A contract is *multilateral* if its terms specify that each party shall do something, and *executory* if they permit these things to be done at some time *after* the contract is made.

²²⁹ In Gilbert (1989 pp. 186-197), Gilbert gives her account of common knowledge, which is in the spirit of Lewis’s (1986 II. 1) “hierarchical” account, and upon which we need not dwell. But let it be noted that, for Gilbert, something’s being common knowledge between some parties consists in *each* of them having various cognitive competences and (perhaps arbitrarily many) states of knowledge. Hence, common knowledge does not, for her, consist in any state of knowledge being literally jointly had by a plurality.

²³⁰ Gilbert (2003 p. 54). Since, for Gilbert, a joint commitment is “a commitment *resulting solely from an act or state of a will or wills*” (Gilbert 2006b p. 128), I assume that, for her, an expression of personal readiness to enter one is an act or state of a will.

²³¹ Gilbert (2006b) p. 140.

time being, I will ignore this complication, and assume that, for Gilbert, all joint commitments are brought into being *as per* the “basic case”.

Now, Gilbert does not elucidate the concept of a joint commitment by appealing to some purportedly prior grasp of the concept of contract. The former concept is, she thinks, “a fundamental *everyday* concept”,²³² and joint commitments are, she thinks, *sui generis* and rather more widespread than contracts or agreements. But Gilbert thinks – although does not expressly say – that a joint commitment obligates its parties in a manner that is, on a more or less “classical” view of contract, closely analogous to that in which a multilateral executory contract obligates its parties, in the eyes of the law. (Indeed, she borrows many expressions from contract law: a joint commitment is “entered” by its “parties”, who may go on to “perform” it, “rescind” it, “default” on it, or declare it “void” etc.). Hence, for parties to “enter” a joint commitment is, among other things, for them to jointly make it the case that each of them is under various “performance” obligations – that is, obligations to *do* that to which he is obligated by the commitment – from which he is released only under certain conditions. And every such obligation is directed *towards* the other parties to the joint commitment, and is correlated with rights *against* the obligated party, which are held by those other parties:

...each is obligated to all the others for performance; each is (thus) entitled to performance from the rest.²³³

For this reason, any party to a joint commitment has a special standing to *rebuke* and seek recompense from any other party who has not been released from that commitment but who nevertheless violates it:

²³² *ibid.* p. 134.

²³³ Gilbert (1996) p. 185.

...having violated a *joint* commitment I am now in some sense *answerable* to the other parties. I was not supposed to act that way, given that I did not have their permission. Certainly they now have a basis for rebuking me or, more generally, pursuing some form of recompense for the violation.²³⁴

A party to a joint commitment who has not yet fulfilled his obligation to performance is released from that obligation if the commitment is “rescinded”. But a joint commitment is properly said to be rescinded only if all of the parties to it jointly act so as to rescind it:

A joint commitment is not rescindable by [any] party unilaterally, but only by the parties together.²³⁵

Also, a party to a joint commitment who has not yet fulfilled his obligation to performance can sometimes be released from that obligation by another party’s “defaulting” on his corresponding obligation:

There are certain cases which suggest that – in those cases at least – one person’s defaulting on their obligations through the commitment in effect destroys the commitment and gets everyone out of it.²³⁶

But such a default or violation is, generally speaking, not sufficient for the release of the other parties. For it is generally also required that the remaining parties agree to declare the joint commitment “void”:

²³⁴ *ibid.* pp. 382-383.

²³⁵ Gilbert (2003) p. 50.

²³⁶ Gilbert (1996) p. 14.

...default *in general*... renders the joint commitment not so much *void* as *voidable* at the pleasure of the other parties...²³⁷

Finally, Gilbert's explanation of *why* a joint commitment obligates its parties in the manner in which it does is analogous to a possible explanation of why a multilateral executory contract obligates its parties in the manner in which it does.²³⁸ It is this:²³⁹ that which creates a commitment of the will is, for as long as that commitment is retained, *owed* the performance of that commitment. Hence, as the sole creator of a "personal" commitment of the will is also the sole committed party, he has a directed obligation towards *himself* to fulfil that commitment, for as long as he retains that commitment: an obligation that has its source simply in the fact of his having created a commitment for himself, and not in the expected nature or consequences of any act that would fulfil the commitment in question.²⁴⁰ (This is borne out, Gilbert thinks, by the feelings of self-betrayal that accompany a failure to act on one's outstanding intentions). Likewise, as the parties to a joint commitment (or a multilateral executory contract) jointly comprise its "creator", they owe *themselves* performance, for as long as they jointly remain thus committed (contracted). For, Gilbert thinks, from the fact that all owe the "creator", flows the fact that *each* owes *each*, "in the name of this creator":²⁴¹ each has performance obligations that are directed *towards* each of the others "in the name" of them all, and correlative rights to

²³⁷ *ibid.* Gilbert goes on to say that she assumes that, when there is only one other such party, he can "agree" to declare the joint commitment void at his unilateral pleasure.

²³⁸ I leave open whether this explanation of contractual obligation has ever been given.

²³⁹ See Gilbert (2006b) 7.1, 7.2, 7.4 and (2000) p. 21.

²⁴⁰ This assumption is contestable. For Bratman (1987) (1999) and Pink (1996) commitments of the will do not *generate* reasons for action, and *a fortiori* do not generate obligations to act in certain ways; rather they merely help us to more efficiently act on our *existing* reasons, by constraining our future acts and deliberations. (Such a view raises the question: *how* do commitments of the will constrain our future acts and deliberations, *if not* by generating obligations towards those who create them?)

²⁴¹ Gilbert (2006b) pp. 154-155.

performance “in the name” of them all, *against* each of the others. And while there may be various ways in which something can cease to retain a commitment, a commitment of the will can only be *rescinded* by that which created it. Hence, as the sole creator of a “personal” commitment of the will is also the sole committed party, it can be rescinded by nothing other than *him*. Likewise, as the parties to a joint commitment (multilateral executory contract) jointly comprise its “creator”, it can be rescinded by nothing other than *them*, and hence by no *one* of them.²⁴²

This analogy between the manner in which obligations are created by joint commitment, and that in which they may be said to be created by certain contracts breaks down in a number of respects. For one thing, Gilbert allows that obligations of the former kind can “fade away” over time:²⁴³ to the best of my knowledge, there is no echo of this in contract law. Also, there are, in law, circumstances in which a party can unilaterally rescind a contract, (e.g. if it is continuous and entered into for an indefinite period of time – as a contract of hire, employment, lease or agency may be – and reasonable notice is given), and circumstances in which a contract can become void simply by being frustrated, (that is, by its being practically impossible that one or more parties perform it), and yet analogous circumstances scarcely feature in Gilbert’s discussion.²⁴⁴

But the important disanalogy for our purposes is that, as a joint commitment is a commitment, had by several parties, to do something as a body, the performance obligations that it generates are, at least in part,

²⁴² Gilbert might want to add that this restriction on rescision is a special case of a more general restriction on the modification or determination of commitments of the will. It seems plausible that there is some such restriction, and *if* there is, it may help her explain why the obligation not to break off from a joint activity without permission is a special case of a general obligation not to try to settle its details without permission.

²⁴³ Gilbert (2006b) pp. 141-143.

²⁴⁴ In Gilbert (2006b) there are some sketchy remarks at pp. 112-3 and p. 143 about joint activities that cannot be completed and joint commitments that cannot be fulfilled.

participatory and, as one might say, *agency-constituting*: they are, at least in part, obligations to *partake* of states or activities so as to “constitute, as far as is possible, a single body that acts in the way in question”.²⁴⁵

Gilbert’s term of art for the “single body” that a joint commitment obligates its parties to (as far as is possible) constitute is ‘plural subject’. (More will be said presently about exactly *what*, for Gilbert, a plural subject is). Hence, whenever some human persons have a joint commitment to perform some act, they are thereby obligated to (as far as is possible) constitute a “plural subject” that performs just such an act.

Now, somewhat puzzlingly at first sight, Gilbert thinks that, when some parties have a joint commitment to perform a *psychological* act as a body – which, as we have seen, may not be a special but rather the general case of joint commitment – the obligations that they thereby incur to partake of states or activities so as to constitute (as far as is possible) a plural subject of such an act are *self-fulfilling*: it is *guaranteed* that they will (as far as is possible) constitute a plural subject that performs the psychological act in question. For, Gilbert assumes, some parties are jointly committed to bear as a body a psychological attribute if *and only if* they constitute a plural subject of the attribute in question:

...for any set of people P_1, \dots, P_n , and any **psychological** attribute A , P_1, \dots, P_n form the plural subject of A -ing if and only if they are jointly committed to A -ing as a body.²⁴⁶

²⁴⁵ Gilbert (2003) p. 51.

²⁴⁶ Gilbert (1996) p. 8 (my bold face).

For persons *A* and *B* and **psychological** attribute *X*, *A* and *B* form a *plural subject* of *X*-ing if and only if *A* and *B* are jointly committed to *X*-ing as a body...²⁴⁷

For the relevant **psychological** predicate “*X*”... When persons *P1* and *P2* are jointly committed to *X*-ing as a body, they then constitute what I call a *plural subject*. In particular, they form a plural subject of *X*-ing.²⁴⁸

A point of clarification about those biconditionals: it is clear from what Gilbert says elsewhere that she intends her use of the expressions ‘plural subject of *A*-ing’ and ‘plural subject of *X*-ing’, to be elliptical for, respectively, ‘plural subject of *an A*-ing’ and ‘plural subject of *an X*-ing’:

...those who are, together, jointly committed to – in a broad sense – doing something as a body constitute the plural subject of **the** ‘doing’ in question.²⁴⁹

...in order to constitute the plural subject of **a** belief... two or more people... must be jointly committed to accept the relevant proposition *as a body*...²⁵⁰

People form the plural subject of **an** intention if they are jointly committed to accept that intention as a body.²⁵¹

What is it for **a** goal to be ours?... for two or more people to have a collective goal or, in other terms, for them to collectively espouse a goal, is for them to be jointly committed to espouse a goal as a body.²⁵²

²⁴⁷ *ibid.* p. 348 (my bold face).

²⁴⁸ Gilbert (2000) p. 19 (my bold face).

²⁴⁹ Gilbert (2002) p. 451 (my bold face).

²⁵⁰ Gilbert (1996) p. 8 (my bold face).

²⁵¹ Gilbert (2006b) p. 379 (my bold face).

²⁵² *ibid.* p. 146 (my bold face).

...people form the plural subject of **an** intention to do such-and-such when they are jointly committed to intend as a body to do such-and-such...²⁵³

Now, Gilbert does not explain why a joint commitment to perform a psychological act as a body suffices for the constitution of a plural subject that performs such an act. It may be that she is moved by the thought – not implausible in itself – that something similar is true of singular subjects, at least if we consider only those psychological acts that Gilbert gives as examples of acting “in a broad sense”, namely decidings, acceptings, intendings and believings. For an individual person to commit to do such-and-such a thing does not, in general, suffice for there being a singular subject of the act in question. But it may be that for such a person to unconditionally commit to *decide*, *accept*, *intend* or *believe* such-and-such a thing just is, or constitutes, their becoming a singular subject of the decision, acceptance, intention or belief in question – there is no “gap” between commitment and enactment. Likewise, perhaps, whilst a joint commitment to do such-and-such a thing may not, in general, suffice for there being a plural subject of the act in question, a joint commitment to *decide*, *accept*, *intend* or *believe* such-and-such a thing suffices for there being a plural subject of the decision, acceptance, intention or belief in question. (Ultimately, to judge whether or not that is a fair assumption, we need to know what is meant by ‘plural subject’, an issue which we shall discuss).

I say that it is puzzling that Gilbert thinks that a joint commitment to perform a psychological act guarantees the performance of that psychological act, such that it generates self-fulfilling obligations to perform that act, because it raises a question as to the *point* of her

²⁵³ Gilbert (2000) p. 14 (my bold face).

discussion of the implications of *not* fulfilling the performance obligations generated by joint commitment, by, say, rescinding the commitment, defaulting on it, or declaring it void, and, in particular, the *point* of her claim that a defaulting party to a joint commitment lays himself open to authoritative rebukes from the other parties. This discussion looks entirely redundant when applied to the psychological case, where, it would seem, performance obligations are never unfulfilled, and correlative standings to rebuke defaulting parties need never be invoked. Of course, it may be that the discussion finds its point in the *non-psychological* case (if such there be), but, in the context, its purpose *seems* to be that of grounding an explanation of the (*non-self-fulfilling*) obligations, and (*non-redundant*) correlative standings to demand and rebuke that, Gilbert thinks, arise out of a joint activity like walking together, *in the parallel obligations and standings that arise out of a joint commitment to espouse as a body an intention of engaging in such activity*. Given that a joint commitment to espouse an intention is a joint commitment to perform a psychological act, such that its concomitant obligations and standings are, respectively, self-fulfilling and redundant, it is hard to see how such an explanation *can* be thus grounded.

A related interpretative problem is that Gilbert never fleshes out the details of the promised explanation. We are now in a position to see roughly how it goes: a joint commitment is “at the core of any instance of acting together” in that some parties φ together if and only if they are jointly committed to espousing as a body an intention of so φ -ing, and, motivated by that joint commitment, act in order to fulfil that intention. Since the espousing of an intention is a psychological act, any parties who are jointly committed to such an espousal thereby constitute a

plural subject of the espousal in question.²⁵⁴ They do so simply because they are jointly committed so to do, and they are thus committed as a consequence of their having multilaterally brought a joint commitment into existence, by making matching expressions of readiness to “enter” some such commitment, in conditions of common knowledge. Because they jointly comprise the creator of their commitment, they each have obligations to and rights against each other, “in the name of this creator”, to perform this commitment, which can be rescinded by no one of them, but only by all of them together, and so each has the authority to demand that each of the others partake of states or activities so as to perform the commitment, and also the authority to rebuke anyone who does not fulfil this participatory obligation. *And all of this is somehow supposed to account for obligations and standings that are grounded in joint activity*, like that of walking together. But, quite apart from the fact that the obligations and standings of the *explanans* would seem to be, respectively, self-fulfilling and redundant, Gilbert says practically nothing to explain why directed obligations and rights regarding the constitution of a plural subject of an espousal of an intention of φ -ing might ground directed obligations and rights regarding φ -ing itself.

I say ‘practically nothing’. She does say:

Evidently, when people have a collective goal... the
underlying joint commitment gives each sufficient

²⁵⁴ As to espouse a goal or intention is, for Gilbert, to act “in a broad sense”, then an infinite regress may loom: the parties to a joint φ -ing constitute a plural subject of an espousal of a goal or intention of φ -ing, and thereby constitute a plural subject of an espousal of a goal or intention of so espousing and so on. I will not dwell on this concern, because issues regarding the viciousness of infinite regresses are delicate, and because similar regresses threaten many accounts of intention formation, e.g. *any* account, even of *singular* intentional action, that demands that the espousal of a goal or intention to φ , is (i) necessary for intentional φ -ing, and (ii) itself an intentional action.

reason... to coordinate his behaviour with that of the others in pursuit of the goal in question.²⁵⁵

Gilbert's thought here appears to be twofold: first, that there is (as we have seen) a plural subject of (an espousal of) an intention of φ -ing if and only if it is comprised of parties to an "underlying" joint commitment to espouse as a body an intention of φ -ing; secondly, that this joint commitment provides each party with sufficient reason to participate with the others in *executing* said intention, by participating with the others in a φ -ing. Now, for Gilbert, to have sufficient reason to do something is to be obligated by "rationality" to do such a thing (all else being equal).²⁵⁶ So perhaps we can extract from her work the assumption that a joint commitment to espouse as a body an intention of φ -ing supplies each of its many parties, not merely with (self-fulfilling) obligations to each of the other parties to participate in comprising a plural subject of an espousal of an intention of φ -ing (and correlative rights against those other parties), *but also* with (non-self-fulfilling) obligations to each of those others, to participate in *executing* that intention of φ -ing, (and correlative rights against these other parties).

That is not to say that we can extract a *defence* of that assumption from Gilbert's work. I can find no such defence. Still, given that a joint commitment is, for her, a "collective analogue of a personal commitment of the will",²⁵⁷ we can overlook this fact. For it is plausible that a self-generated *personal* commitment to espouse an intention grounds *both* a (self-fulfilling) obligation to the creator of that commitment (i.e. oneself), to espouse the intention in question *and* a (non-self-fulfilling) obligation,

²⁵⁵ Gilbert (2006b) p. 146.

²⁵⁶ *ibid.* p. 29: "X has *sufficient reason* for performing A if and only if a consideration C that speaks in favour of X's doing A is such that, all else being equal, rationality requires that X do A, given C."

²⁵⁷ Gilbert (2006a) p. 8.

also to the creator of that commitment, to execute that intention. It is plausible simply because the notion of an intention is very like that of a commitment. Hence it is plausible that to cause oneself to espouse an intention is to do something very like that which one does when one causes oneself to be committed in some way. And so it is plausible that when one causes oneself to be *committed* to espouse an intention *and thereby* causes oneself to espouse an intention, one generates *both* an obligation towards oneself, as the creator of the commitment, to fulfil the commitment *and* an obligation towards oneself, as the creator of the commitment (and thereby the espousal), to execute the intention.

If that's right, then analogous plausibility claims will apply to the analogous case of *joint* commitment. In particular, it should be plausible that when some parties cause themselves to be jointly committed to espouse as a body an intention, and thereby cause themselves to comprise the plural subject of an espousal of such an intention, they generate *both* obligations towards each other, as parties comprising the "creator" of the commitment, to play their parts in fulfilling that joint commitment, *and also* obligations towards each other, as parties comprising the "creator" of the commitment *and thereby the espousal of the intention*, to play their parts in executing the intention in question.

However that may be, Gilbert purports to offer *some* kind of explanation of the alleged deontic aspects of instances of acting together, by appealing to the alleged deontic aspects of joint commitments to espouse as a body an intention of so acting. And what is germane to our purpose here is that, in so doing, she provides us with the materials for a *story* about how a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which something to which a plurality of human persons give rise,

namely a *plural subject*, itself exemplifies a psychological property. It is this: imagine a situation in which no psychological property is exemplified by anything that is not a human person; any human persons hp_1, \dots, hp_n who are in that situation are such that, for any psychological φ – and, in particular, for any φ such that to φ is to espouse an intention – when and only when (1) each of hp_1, \dots, hp_n expresses his readiness to “enter” a joint commitment had by hp_1, \dots, hp_n – a joint commitment to hp_1, \dots, hp_n ’s φ -ing as a body – and this becomes common knowledge between hp_1, \dots, hp_n , then (2) hp_1, \dots, hp_n become jointly committed to their φ -ing as a body, and (3) hp_1, \dots, hp_n give rise to a plural subject of a φ -ing.

We can scarcely proceed to discuss Gilbert’s story any further without asking what she means by ‘plural subject’. Despite the fact that Gilbert describes the expression, as used by her, as “my technical phrase”,²⁵⁸ she never defines it, and it is rather hard to determine her view of the manner in which a plural subject is properly said to be *plural*.

I mentioned in Chapter Two that Gilbert’s choice of the expression ‘plural subject’ seems to indicate that she thinks of a plural subject as being a plurality of individual things. We are now in a position to understand in more detail what this “pluralist” interpretation of the phrase would amount to: according to it, a plural subject of a φ -ing is (or rather are) *some individual things* that are *the subjects* of a φ -ing.²⁵⁹ But, as I also noted in Chapter Two, Gilbert’s coinage might be read as indicating that she thinks of a plural subject as an individual thing. After all, the expression features a grammatically singular common noun, and we might read its pluralizing adjective as conveying that any plural

²⁵⁸ See for example Gilbert (2006b) p. 91.

²⁵⁹ Compare Russell (1992) ch. VI §74: “In such a proposition as ‘A and B are two’ there is no logical subject: the assertion is not about A, nor about B, nor about the whole composed of both, but strictly and only about A and B. Thus it would seem that assertions are not necessarily *about* single subjects, but may be about many subjects.”

subject is somehow “made up” of a plurality, by, for example, having a plurality of parts. According to this “singularist”²⁶⁰ interpretation, a plural subject of a φ -ing is *a complex individual thing that is the subject of a φ -ing*. Gilbert sometimes gives succour to such an interpretation, by speaking of plural subjects as one would speak of complex individuals...:

Plural subjects are unified, complex entities.²⁶¹

...the phrase “plural subject”... is intended to convey... that a plurality of persons may in certain special contexts be seen as constituting the subject (as opposed to the subjects) of a certain psychological attribute.²⁶²

...and by stressing that any plural subject owes its existence to the power of a joint commitment to *unify* those persons who are party to it:

...the joint commitment involved in a plural subject... unifies a plurality of persons into a plural subject....²⁶³

There are times when her singularist formulations wax rhetorical:

...two egos may be said to have fused just in case the people in question form a plural subject of some kind.²⁶⁴

²⁶⁰ Warning: ‘singularist’ is here my coinage. By ‘a singularist interpretation of Gilbert’, I only mean one according to which every plural subject is an individual thing. Gilbert fleetingly uses ‘singularist’ differently. For her (2006b pp. 125-6) a singularist account “...ultimately draws only on the concepts of an individual human person’s beliefs, desires, goals, commitments and so on.” See also Gilbert (1989) pp. 12-14, 418-425.

²⁶¹ Gilbert (1989) p. 235.

²⁶² Gilbert (1996) p. 348.

²⁶³ Gilbert (2000) p. 5.

²⁶⁴ Gilbert (1996) p. 220.

[When] we constitute the *plural subject* of doing A... [there is] the *real unity* – in Hobbes’s phrase – that a joint commitment creates. To echo Hollis and Sugden, we constitute a *supra-individual* unit. Further, in Rousseau’s terms now, the joint commitment that unites us creates a *single moving power*. In a more modern phrase, it provides a single *locus of control* for the movements of each.²⁶⁵

Often, however, these formulations are decidedly cagey:

A joint commitment, by its nature, **may be said** to tie or bind its participants together into a unit or whole²⁶⁶

Joint commitment...makes – **to some extent** – unified wholes out of disparate, unified parts.²⁶⁷

..a joint commitment... produces, **in effect**, a single subject...²⁶⁸

Given the underlying joint commitment, **one could say** that the parties have (**in one respect**) fused into a single entity, the plural subject.²⁶⁹

Still, it is hard to find an explicit endorsement of the pluralist interpretation of ‘plural subject’, or an explicit renunciation of the singularist interpretation, anywhere in Gilbert’s work. I can find only one passage, (buried in an endnote) that seems to play such a role:

In some places I have written that a joint commitment is the commitment of “two or more

²⁶⁵ Gilbert (2006a) p. 12.

²⁶⁶ Gilbert (2000) p. 3 (my bold face).

²⁶⁷ Gilbert (1996) p. 18 (my bold face).

²⁶⁸ Gilbert (1996) p. 294 (my bold face).

²⁶⁹ Gilbert (1997) p. 28 (my bold face).

individuals considered as a unit or whole”, I do not mean to introduce the idea of a new kind of entity, a “unit” or “whole”. I could as well have written “a joint commitment is the commitment of two or more individuals considered together”, which would not carry any such suggestion.²⁷⁰

But this passage is not quite the recantation that it appears to be. What it denies is that a *joint commitment* is had by a “further thing” that is “over and above” a plurality of individuals. That leaves open whether or not a *plural subject* is a “further thing” that is “over and above” a plurality of individuals. For, to the best of my knowledge, Gilbert does not say, of that which *has* a joint commitment, that *it* is a plural subject of that joint commitment, or of anything else. (There are places where she says that it is a “subject” of that commitment,²⁷¹ but she is careful not to say anything more than this). Rather, she says, of that which has a joint commitment – more carefully, of that which has a joint commitment to perform a psychological act as a body – that it constitutes a plural subject of the *act* to which the commitment commits its parties. And so Gilbert’s apparent recantation is quite consistent with the claim that, when a joint commitment to act in some way – and, in particular, to perform some psychological act as a body – is had by a mere plurality of individuals, those individuals thereby give rise to a “plural subject” that is a “further thing”, “over and above” them, and which performs the act in question – even if a joint commitment is not *had* by a unit or whole, the act to which it is a joint commitment may be *done* by a unit or whole.

No doubt Gilbert is entitled to be uncertain as to how she might best render her account more determinate. What she is not entitled to do is try to have it both ways. A plural subject cannot be *both* many individual things *and* one individual thing, any more than a god can be

²⁷⁰ Gilbert (2000) p. 34 n. 23.

²⁷¹ See, for example, Gilbert (2006b) pp. 134.

both three individual things (the Father, the Son and the Holy Spirit), and one individual thing (God). Granted, some x can be both many and one insofar as it exemplifies a concept $_F$ many times and a distinct concept $_G$ just once. But, as I argued in Chapter Two, this will be so only if the x in question is many individual things and therefore *not* one individual thing. For an individual cannot exemplify any concept more than once,²⁷² (although it may have parts that, between them, do this).

Hobbes provides a comparison in this regard. He seems to say, more blatantly than Gilbert, that there can be something, in his case a crowd,²⁷³ which is both many individual things, and one individual thing:

Because crowd is a collective word it is understood to signify more than one object, so that a crowd of men is the same as many men. Because the word is grammatically singular, it also signifies one thing, namely a crowd.²⁷⁴

Unless Hobbes wishes to remain neutral as to the number of a crowd, he has but two options: adopt a pluralist view according to which a crowd is many individual things, and therefore not one individual thing, or adopt a singularist view according to which a crowd is an individual thing, and therefore not many individual things.²⁷⁵ He might reconcile the former, pluralist view with his claim that “crowd... signifies one thing, namely a crowd” by maintaining that, while a crowd is many things, any such plurality jointly exemplifies the concept *_crowd* exactly once. For (he might reason), just as there is a way in which we can count two individuals as *one* married couple, or *one* coxless pair, (if not as one

²⁷² Although see the qualification about *change* in Chapter Two n. 49.

²⁷³ I use his translators’ rendering of ‘multitudo’. (See pp. xl-xli of their preamble).

²⁷⁴ Hobbes (1998) p. 76.

²⁷⁵ He could say that some crowds are many, and some one, (or that ‘crowd’ divides its reference, and applies to both pluralities and individuals). I ignore these complications.

individual thing), by counting the number of times that they exemplify the concept *_married couple* or *_coxless pair*, (for each of these concepts can be exemplified, even though no individual thing exemplifies it), so we can count a plurality of individual things as *one* crowd, (if not as one individual thing), by virtue of the fact that they jointly exemplify the concept *_crowd* exactly once. The singularist view could not be reconciled with Hobbes's claim that "crowd... is understood to signify more than one object" in an analogous way, since it is not coherent to suppose that, whilst a crowd is an individual thing, there is some concept *_F* that some such individual exemplifies many times; in particular, there is no sense to be made of the suggestion that an individual crowd (if such there be) exemplifies *_human person* more than once. But it would be open to Hobbes to concede that many individual things *give rise* to any individual crowd, for example by its having them as parts, such that *they*, (if not *it*), exemplify some concept *_F* more than once between them, and, in particular, that many individual *human persons* give rise to any individual crowd, for example by its having them as parts, such that *they*, (if not *it*), exemplify *_human person* more than once between them. And so, his settling upon the singularist view is probably best reconciled with his claim that "crowd... is understood to signify more than one object" by his entering a clarificatory plea: what he *meant* was that crowd "... is understood to signify an object to which many objects give rise."

And as it is for Hobbes, so it is for Gilbert. If she is not to remain neutral as to the number of a plural subject – as she is, of course, entitled to do – she has but two options: (a) adopt a pluralist view, according to which a plural subject is many individual things that jointly exemplify *_plural subject* exactly once, such that it is legitimate to speak of some such plurality of individual things as being *a* plural subject, for we can count it as *one* plural subject; or (b) adopt a singularist view,

according to which a plural subject is one individual thing to which many individual things – many jointly committed human persons – give rise. There is no “third way” of rendering her overall view intelligible.²⁷⁶

I hypothesise that Gilbert vacillates between these two options because each can appear to make available an ontological *saving* that the other does not. By rising above choosing between them, Gilbert may convince herself and her reader that she is entitled to make both savings.

The ontological saving made available by the *pluralist* view of plural subjects is obvious: there is no need to suppose that, when some human persons hp_1, \dots, hp_n are jointly committed to φ -ing as a body and so give rise to a plural subject of φ -ing, this plural subject is a “further thing” “over and above” hp_1, \dots, hp_n . Rather, one can hold that it *just is* hp_1, \dots, hp_n .

The ontological saving that is apparently made available by the *singularist* alternative is this: there is no need to suppose that, by virtue of the fact that some human persons give rise to a plural subject of φ -ing, where φ -ing is psychological, there is some dyadic relation that a plurality of individual things are able to jointly bear to something else.

Let me explain. Suppose that some human persons hp_1, \dots, hp_n are identical with a plural subject to which they give rise, and that this is a plural subject of a psychological attribute. It is a widespread view among contemporary analytic philosophers that many if not all psychological attributes are dyadic; in particular, that they are attitudinal relations between their bearers and propositions or other objects of thought. But if a plurality of human persons can bear such an attitude, then a dyadic relation can be exemplified by, on the one hand, several human persons,

²⁷⁶ Subject to a qualification akin to the one made in the previous note.

and, on the other hand, a proposition or other object of thought. And so there are two dimensions to the number of a relational state of affairs: the number of the *relation*, (its -adicity) and the number of each *relatum*.

The suggestion that there are such relational states of affairs may puzzle. For each of two influential approaches to semantics is liable to leave one with the impression that it is nigh on impossible to report that some such state of affairs obtains. To a Hobbit nominalist, all signification is naming: thoughts are expressed by copulating names, such that “*he that speaketh signifies he conceives the latter name to be the name of the same thing whereof the former is the name*”;²⁷⁷ it is hard to see how, on this view, *any* relational state of affairs can be said to obtain. To a Fregean-Russellian, on the other hand, relational states of affairs can be reported by polyadic predications. But what cannot obviously be reported, using the orthodox Fregean-Russellian machinery, is a relation’s having more than one thing as one relatum. For the machinery dispenses with the Hobbit nominalist idea of a *common* name, a “name of many things”²⁷⁸. The only names (as opposed to predicates) countenanced are ones that are each “*proper to one thing*”,²⁷⁹ i.e. *singular* terms: the possibility that a predicate might have one of its argument-places filled by “a name of many things” is ruled out. And so it is hard for the orthodox Fregean-Russellian to make sense of the idea that relational states of affairs have two-dimensional cardinalities – the number of the relation, and the number of each relatum – as he does not allow that predications have correspondingly two-dimensional cardinalities, i.e. the *number of terms* with which the predicate combines, and the *number* (of referents) *of each term* with which it combines.

²⁷⁷ Hobbes (1997) Pt. 1 Ch. III §2.

²⁷⁸ *ibid.* Pt. 1 Ch. II §9.

²⁷⁹ *ibid.*

It should be granted that there are ways for a (more or less) orthodox Fregean-Russellian to make sense of this idea. One way to do it is to dispense with the metaphysical assumption that a relation is the “ontological shadow” of its corresponding predicate, in the sense that the number of the relation is identical with the number of occurrences of singular terms with which its corresponding predicate combines to form a well-formed sentence. Rather, one may appeal to the idea²⁸⁰ that certain relational predicates “group” their arguments – e.g. into terms for agent(s) and patient(s), or subject(s) and object(s) – and decree that the number of a relation is identical with the number of *groupings* of occurrences of singular terms with which its corresponding predicate combines to form a well-formed sentence. One could then hold onto the idea that psychological relations are *dyadic*, whilst allowing for the possibility that exemplifications of such relations differ in number, in that both one thing and many things can be a *relatum* of such a relation.

However that may be, we have neither the Hobbist nor the orthodox Fregean-Russellian motive for puzzlement. For in Chapter One we accepted, *contra* Hobbes, that there are predicates, and did not deny, *contra* the orthodox Fregean-Russellian view, that there are plural as well as singular terms. And so we can allow for the possibility that predications have two-dimensional cardinalities, determined by the *number of terms* with which a predicate combines, and also the *number (of referents) of each term* with which it combines, and hence for the possibility of reports of states of affairs with correspondingly two-dimensional cardinalities, determined by the number of the relation, and the number of each *relatum*. And once Hobbism and orthodox Fregean-

²⁸⁰ Which one finds in Morton (1975 pp. 309-10), Taylor and Hazen (1992), and Oliver and Smiley (2004). As Oliver and Smiley have it, a predicate has a number of argument “*places...* corresponding to groups of arguments”, such that arguments occupy one of a number of “*positions*” at one of a number of places (p. 615). (Note: Oliver and Smiley are less “orthodox” than Morton, and Taylor and Hazen, as they countenance plural terms).

Russellianism are dispensed with, it is hard to see why one ought to be puzzled by the suggestion that there are dyadic relations, each of which is such that a plurality of things is able to jointly bear it to something else, for they would appear to be ubiquitous.²⁸¹ Consider the following:

- (A) Jenkins, Owen, Rodgers and Williams issued the Limehouse declaration.
- (B) Jenkins, Owen, Rodgers and Williams lifted Foot's piano.
- (C) Jenkins, Owen, Rodgers and Williams founded the SDP.

On their most natural readings, each of (A), (B) and (C) says, of a plurality of politicians, namely Jenkins, Owen, Rodgers and Williams, that they jointly bore a relation (of issuing, lifting, or founding) to something else (the Limehouse declaration, Foot's piano, or the SDP). That is, on their most natural readings, each of (A), (B) and (C) do not say, of Jenkins, Owen, Rodgers and Williams, that they *severally* bore the relation in question to the relatum in question: (A) does not say that they *each* issued the Limehouse declaration, (B) does not say that they *each* lifted Foot's piano, (C) does not say that they *each* founded the SDP.

(Of course, it may be said that each of (A), (B), and (C) reports the exemplification of a *quinadic* relation. But this betrays an insensitivity to the real distinction between agents and patients of issuings, liftings and foundings, which is a common factor of all issuings, liftings and foundings, regardless of how many agents and patients are involved, and which is reflected in the syntactical distinction between the arguments

²⁸¹ Indeed, Hobbes may badly need there to be a relation of *contract* that a plurality of people may jointly bear to a proposal. Likewise, Frege and Russell may badly need there to be relation of *entailment* that a plurality of premises may jointly bear to a conclusion.

that appear on the left-hand side of the predicates ‘_issued_’, ‘_lifted_’, ‘_founded_’ and the arguments that appear on the right-hand side.)²⁸²

Gilbert does not make explicit her semantical presuppositions. It is possible, then, that the Fregean-Russellian orthodoxy, in particular, retains its grip on her, (as it does on many contemporary analytic philosophers). I speculate that, to the extent to which Gilbert is uneasy about the suggestion that several things could jointly be related to some object, and in particular, some object of thought, she leans towards a singularist determination of her account, favouring grammatically singular constructions like ‘plural subject’, *but* to the extent to which she is uneasy about positing any composite object to which human persons give rise, a “further thing” that is “over and above” the flesh-and-blood human parties to a joint commitment, she leans towards a pluralist determination of her view. As I have urged, she cannot have it both ways.

Given that – as (A), (B) and (C) illustrate – the ontological saving that is apparently made available by the *singularist* view of plural subjects is unlikely to be had in any case, I propose to interpret Gilbert according to the *pluralist* view of plural subjects. More particularly, I propose a “deflationary” reading of the story according to which any plural subject to which some human persons hp_1, \dots, hp_n , give rise, far from being a “further thing” “over and above” hp_1, \dots, hp_n , *just is* hp_1, \dots, hp_n .

On the proposed reading, Gilbert’s story goes like this: imagine a situation in which no psychological property is exemplified by anything that is not a human person. Any human persons hp_1, \dots, hp_n in that situation are such that, for any psychological φ – and, in particular, for

²⁸² What I say here is neutral between the hypothesis that ‘Jenkins, Owen, Rodgers and Williams’ is a plural term and the hypothesis that it is four singular terms, which are “grouped” so as to occupy a single argument place in each of (A), (B) and (C). (See in this connection Oliver and Smiley (2004 esp. 5.5) on “lists as terms” and “lists as strings”).

any φ such that to φ is to espouse an intention – when and only when (1) each of some human persons hp_1, \dots, hp_n expresses his readiness to “enter” a joint commitment had by hp_1, \dots, hp_n – a joint commitment to hp_1, \dots, hp_n ’s φ -ing as a body – and this becomes common knowledge between hp_1, \dots, hp_n , then (2) hp_1, \dots, hp_n become jointly committed to their φ -ing as a body, and (3) hp_1, \dots, hp_n become the subjects of a φ -ing, i.e. hp_1, \dots, hp_n jointly φ .

The reading is deflationary, but not trivialising. According to it, Gilbert has a story to tell about how a situation in which psychological properties are *severally* but not *jointly* had by human persons might evolve into one in which some of these persons become the subjects of a psychological φ -ing, such that they *jointly* have a psychological property.

Now, someone might ask: how can such a reading account for Gilbert’s talk of individuals being “unified”, “bound” and “fused” by their joint commitments such that they “form” or “constitute” plural subjects?

But, for one thing, one might look upon talk of individuals *forming* or *constituting* a plural subject of a φ -ing as simply being a rather grand way of expressing the thought that some individuals *become* subjects of a φ -ing. After all, whilst it would be rather grand to say of an individual that, when *he* is committed to something, he thereby “forms” or “constitutes” an individual subject, it would not be wholly unacceptable.²⁸³ For ‘form’ and ‘constitute’ need not be read as meaning *compose* or *make up*; they can be read as simply meaning *shape*, *fashion* or *set up*. Gilbert’s way of putting things may convey no more than this: that individuals who are jointly committed to φ -ing as a body thereby *shape* or *fashion* themselves or *set themselves up* as subjects of a φ -ing.

²⁸³ Indeed Gilbert (2000 p. 4) can be found saying, rather grandly, of an individual human person that, ‘...she constitutes what one might call a singular subject of doubt.’

Furthermore, ‘constitutes’, when it is flanked by expressions that correspond with *facts* can mean, roughly, *makes it the case that*, so it may be that Gilbert intends a claim such as...:

When persons *P1* and *P2* are jointly committed to *X*-ing as a body, they then constitute what I call a *plural subject*.²⁸⁴

...to be elliptical for the claim that the *fact* that *P1* and *P2* are thus committed gives rise to a *further fact*, *viz.* the fact that they are a plural subject of *X*-ing, even though *P1* and *P2* do *not* give rise to a *further thing*.

As to Gilbert’s talk of the *unifying, binding, fusing* power of joint commitments, this may be read as merely indicating that those pluralities that are plural subjects are *intimately related*. As Gilbert says:

Plural subjecthood involves a salient and distinctive type of bond, a joint commitment that links people together... The commitment unites them precisely by virtue of its jointness. It is hard to see what closer type of *association* – or at least mental *association* – there could be than participation in plural subjecthood.²⁸⁵

Here she seems to use ‘links’, ‘associates’ and ‘unites’ more or less interchangeably. So perhaps Gilbert’s fine talk of the way in which a joint commitment *unifies, binds and fuses* those who are party to it is meant to convey only this: that it *relates* them. And if the parties to a joint commitment to φ as a body are thereby subjects of a φ -ing, they are, perhaps, related in another way: by the φ -ing of which they are subjects.

²⁸⁴ *ibid.* p. 19.

²⁸⁵ Gilbert (1997) p. 28.

It may be replied that Gilbert does not merely assert that the parties to a joint commitment are *brought together* by it. She asserts (however cagily) that they are *brought together so as to form a whole*. But there is a way in which the deflationary reading permits her to say even this. For a founding tenet of Anglophone analytic philosophy is that individuals are, if they are related, thereby elements of a complex whole:

Whenever a relation holds between two or more terms, it unites the terms into a complex whole. If Othello loves Desdemona, there is such a complex whole as 'Othello's love for Desdemona'.²⁸⁶

So it may be that Gilbert's talk of how a joint commitment, "by its nature, may be said to tie or bind its participants together into a unit or whole",²⁸⁷ of how it "makes... unified wholes out of disparate, unified parts",²⁸⁸ and so on, is meant to convey only this: that a joint commitment to φ as a body, unifies, not the *parties* to the joint commitment, but *the parties and the commitment*. These are unified into a complex whole, namely the *fact* that the parties are thus committed, simply because to be jointly committed is to be related. And if the parties to a joint commitment to φ as a body are thereby subjects of a φ -ing, then, again, the parties and the φ -ing are unified into a complex whole, namely the *fact* that the parties jointly φ , for to jointly φ is to be related.

Let us take stock. Gilbert's explanation of the alleged deontic aspects of φ -ing together proceeds from the thought that parties φ together if and only if they are jointly committed to espousing as a body a goal or intention of so φ -ing, and, motivated by that joint commitment, act in order to fulfil that goal or intention. On the proposed reading, such

²⁸⁶ Russell (1998) p. 74. Of course, not everyone subscribes to the tenet.

²⁸⁷ Gilbert (2000) p. 3.

²⁸⁸ Gilbert (1996) p. 18.

parties are jointly committed to espousing as a body a goal or intention of so φ -ing, *if and only if* (looking, as it were, “backwards”) each of them has expressed his readiness to “enter” such a joint commitment, and this becomes common knowledge between them, and *if and only if* (looking “forwards”) the parties jointly espouse a goal or intention of so φ -ing.

Now, there may seem to be an element of redundancy to Gilbert’s explanation: given that the notion of a commitment is very like that of an intention, there is a puzzle as to why she thinks that *both* notions need to be invoked, such that those who act together do not merely act on the basis of a commitment or intention, but on the basis of a *commitment to espouse an intention* to thus act. What, one wants to ask, would be inadequate about the simple statement that some parties act together in some way if and only if they are jointly committed to thus act, and, motivated by this commitment, act so as to fulfil it, or the simple statement that some parties act together in some way if and only if they jointly espouse an intention to thus act, and, motivated by this intention, act so as to fulfil it? Why must those who act together have an intention to act as they do *and also* a joint commitment to espouse that intention?

The answer is unlikely to be anything unrestrictedly general about the “folk” psychological notions of commitment and intention, but likely to be something specific to those commitments and intentions that are among the antecedents of joint activity. For Gilbert discusses the notions of commitment and intention in full generality at a number of places, and (to the best of my knowledge) never indicates that she thinks that one who acts alone must be committed to espousing an intention to thus act.

A first thought might be that an intention is needed for joint activity because it must be borne by the *plural subject* who is obligated to

go on to act so as to fulfil it, whereas a joint commitment is needed because, as we have seen, a joint commitment is a joint commitment to *constitute a plural subject* that does something or other e.g. espouses an intention. Hence (the thought runs) a joint commitment is needed to *generate* the plural subject of an intention, which will, all being well, then act on the basis of that intention. But this thought leads nowhere on the deflationary reading of Gilbert, according to which the parties that “constitute” a plural subject are identical with the plural subject in question, such that an intention espoused by a plural subject is espoused by *the very same things* as those that have a joint commitment to the espousal in question – on such a reading, the “generation” of a plural subject is an unmomentous occasion, which creates no new thing.

Rather, the reason for the apparent redundancy is, as far as I can discern, that (given the deflationary reading), a single intention – i.e. *an* intention – is jointly had by any plurality of parties who, for any φ , φ together, and an explanation of some parties φ -ing together that stopped at saying that they jointly had a single intention to their φ -ing together would be seriously incomplete: for it is hard to see how a single intention might spontaneously come to be jointly had by several parties, as it is *not* hard to see how a single intention might spontaneously come to be singly had by just one party. And so Gilbert offers us a further explanation of *how* parties come to partake of a single, jointly had intention, which adduces a joint commitment to their joint espousal of such an intention.

If it is objected that this explanation requires explanation of the same kind as that which it supplies – on the grounds that, if it is hard to see how a single intention might spontaneously come to be jointly had by several parties, then it is just as hard to see how a single commitment might spontaneously come to be jointly had by several parties – Gilbert is

in a position to reply that she does, as we have already seen, offer an explanation of the required kind, which is that parties come to have a joint commitment in much the same way as they “enter” a multilateral executory contract, which is to say that when and only when they each know, (and each know that they each know,..., etc.) that they have each expressed a preparedness to be a party to the prospective commitment (or contract), they then become appropriately committed (or contracted). But now the charge of redundancy returns. For *if* Gilbert can thus give a satisfactory explanation of how a single *commitment* comes to be jointly had by several parties, is there not available a like explanation of how a single *intention* comes to be jointly had – could not a single *intention* also be “entered” as a contract is “entered” – such that no distinctive explanatory purpose is served by Gilbert’s notion of joint commitment?

The answer to this question is, I think, that Gilbert’s explanation of how a joint commitment comes to be jointly had by several parties is not in fact an explanation of how a *single commitment* comes to be jointly had by several parties, but rather an explanation of how a particular kind of *plurality of commitments* come to be jointly had by several parties, by being distributed among those parties, such that that each commitment is had by just one of the parties, and each of them has just one of them. The explanation can therefore be non-redundantly used to explain how a *single intention* comes to be jointly had by several parties. Let me explain.

For Gilbert, we “enter” a joint commitment when and only when...:

...matching expressions of personal readiness *to enter a particular joint commitment* [are] made openly [such that it is] common knowledge between the parties that they have occurred.²⁸⁹

²⁸⁹ Gilbert (2003) p. 54.

The expressions are “matching” in a strong sense:

The something that must be expressed is one and the same thing for each expressor, *mutatis mutandis*.²⁹⁰

I assume that Gilbert means, not that “one and the same” readiness must be expressed by *each* of the parties, but rather that each of the parties must express a readiness of “one and the same” kind, (this would seem to be part of the point of her talk of “personal readiness”).²⁹¹

Hence, given that one of a plurality of prospective parties to a joint commitment expresses a readiness of the appropriate sort, the parties “enter” a joint commitment *only if* each of the other parties “similarly does her part” by expressing a readiness of one and the same kind:

Suppose that Jim is personally ready to be jointly committed in a particular way with Rose and openly expresses this personal readiness. He understands that the relevant joint commitment will come into being *only if* Rose similarly does her part...²⁹²

Furthermore, parties “enter” a joint commitment *if* and only if it is common knowledge that such expressions of readiness are made:

²⁹⁰ *ibid.* p. 53.

²⁹¹ If I am wrong to assume this, then it is either the case that (i), for Gilbert, each of the parties must express a single token readiness that they *jointly* have or it is the case that (ii), for Gilbert, each of the parties must express a single token readiness that they *severally* have. If (i) is the case, then Gilbert’s explanation of how a single intention might come to be jointly had by several parties requires explanation of the same kind as that which it supplies – for if it is hard to see how a single token readiness might spontaneously come to be jointly had by several parties. If (ii) is the case, then, as far as I can see, Gilbert has an incoherent view. For I doubt that a single readiness can be had by *each* of a plurality – just as, in ch. 2, n. 15, I doubted that a policy can be had by *each* of a plurality – on the grounds that a readiness is “had” as a car or house is, i.e. if it is had by something, be it an individual or a plurality, then it is had by nothing else.

²⁹² Gilbert (2003) p. 54.

...concordant expressions of personal readiness for a particular joint commitment are not just necessary but also sufficient – given conditions of common knowledge – to create a basic case of joint commitment. What could be more necessary? What could be more adequate?²⁹³

In some places, Gilbert suggests that, any joint commitment to φ is such that each expression of “readiness” to “enter” it, performed by a party to it, is an expression of a *conditional commitment* to participate with the other parties in enacting a joint commitment to φ that they are to “create” together, the (necessary and sufficient) condition in question being, in each case, that every other party expresses a like commitment:

...each person expresses a simple form of *conditional commitment* such that (as it is understood) only when *everyone* has done similarly is *anyone* committed.²⁹⁴

What precisely [is] expressed is a somewhat delicate matter. Each party must evidently be “ready for joint commitment” as far as his will is concerned; yet (as he understands) only once a certain condition is fulfilled can he be committed as a function of the intended joint commitment. Thus one who says “Shall we dance?” indicates that, in effect, he will be committed to dancing if (and only if) his question is answered appropriately. This commitment to dance will be a function of the joint commitment then (and only then) created. One relatively crude way of describing what needs to be expressed is (as I have sometimes put it) a “conditional commitment”. This description needs to be understood as indicated here.²⁹⁵

²⁹³ *ibid.*

²⁹⁴ Gilbert (1996) p. 185.

²⁹⁵ *ibid.* p. 308 n. 25. See also *ibid.* p. 350.

As I read the latter of these two passages, Gilbert understands her expressions of readiness to enter a joint commitment to be expressions of conditional commitments to not merely “enter” but act on the basis of a joint commitment, a joint commitment that will come into being if and only if, and when and only when, the conditions in question are fulfilled. That prompts a question: what guarantees that such a joint commitment will come into being at the moment at which the conditions on the expressed conditional commitments are fulfilled? No doubt many answers could be given. But I want to propose a reading of Gilbert according to which the guarantee is that the joint commitment in question *is nothing but the plurality of individually expressed conditional commitments, once their conditions have been met.*

On this reading, the transition from (1) to (2) in Gilbert’s story...:

(GIL) When and only when each of some human persons hp_1, \dots, hp_n expresses his readiness to “enter” a joint commitment had by hp_1, \dots, hp_n – a joint commitment to their φ -ing as a body – and this becomes common knowledge between them, hp_1, \dots, hp_n become jointly committed to their φ -ing as a body.

...is to be read as being roughly equivalent to...:

(GIL*) When and only when each of some human persons hp_1, \dots, hp_n expresses his conditional commitment to hp_1, \dots, hp_n ’s φ -ing as a body (the condition in question being that each of the others among hp_1, \dots, hp_n does likewise, in conditions of common knowledge) and this is common knowledge between

them, each of hp_1, \dots, hp_n incurs an unconditional commitment to hp_1, \dots, hp_n 's φ -ing as a body.²⁹⁶

I ought to say a few words about the notion of an expression of a conditional commitment. In truth, there are at least three notions here:

(i) *An expression of a commitment to a conditional project:*

Someone performs a speech- or other act that expresses his being committed to, or his rendering himself committed to, a conditional project of some specified kind (for example, a project that one can describe using a conditional sentence).

(ii) *An expression of a conditional commitment to a project:*

Someone performs a speech- or other act that expresses his being such that, or his rendering himself such that he *will* be committed, (perhaps because he *will* render himself committed), to a project of some specified kind if and only if, (and when and only when) a certain condition is met.

(iii) *A conditional expression of a commitment to a project:*

Someone performs a speech- or other act that *will* express his being committed to, or his rendering himself committed

²⁹⁶ For reasons that ought to be familiar from the writings of Castañeda (1999) and Perry (2000) – see also Higginbotham (2003) – it may be that I should speak here, not of each of hp_1, \dots, hp_n being committed to hp_1, \dots, hp_n 's φ -ing as a body, but rather of each of hp_1, \dots, hp_n being committed to φ , as a body, with the others among hp_1, \dots, hp_n . For suppose that hp_1 is an amnesiac George Bush, who has read a biography of George Bush, but not realised that *he*, (the subject of these experiences of reading the biography of George Bush), is the same man as George Bush, (the subject of the biography). Then the truth-value of the claim that each of hp_1, \dots, hp_n is committed to hp_1, \dots, hp_n 's φ -ing as a body may differ from the truth-value of the claim that each of hp_1, \dots, hp_n is committed to φ , as a body, with the others among hp_1, \dots, hp_n . Indeed, the truth-value of the latter claim may differ from the truth-value of the claim that each of hp_1, \dots, hp_n is committed to *their* φ -ing as a body. I ignore this complication. (Similar issues will be raised by my later talk of several parties intending *that they* φ or – as I shall even less elegantly put it – of several parties espousing an intention *of their* φ -ing).

to, a project of some specified kind if and only if, (and when and only when), a certain condition is met.²⁹⁷

Gilbert does not say anything to determine that she employs any one of these notions; neither shall I. But I take it that we obviously do express commitments that are *in some sense* conditional, for example by saying things like, ‘I’ll buy you lunch, if you mow the lawn’, and that in *some sense* a conditional commitment to φ becomes an unconditional commitment to φ once its condition is met,²⁹⁸ and that an *expression* of an x guarantees the existence of the expressed x , as, say, a report or prediction of an x does not guarantee the existence of the reported or predicted x . Given these assumptions, delicate issues are raised by the differences between (i), (ii) and (iii). This is not the place to address them.

At least two things that Gilbert says about joint commitments are rendered intelligible by the proposed reading. First, as we have seen, she says that such commitments are guaranteed to come into being “when and only when” it is common knowledge that matching expressions of conditional commitments have been made: it is easy to see why this is so on my reading.²⁹⁹ Secondly, she claims that individually had commitments to “act in a certain way” and to “see to it, as best one can,

²⁹⁷ Someone might ask, ‘What is expressed by a conditional expression *before* its condition is met?’ But it may be that the question has a false presupposition. If one has the concept of conditional expression, and is in a position to know of some (speech) act that it is one, then one may simply understand that something *will* be expressed by that (speech) act *if* a condition is met, and understand this *before* anything is expressed by it, and even if nothing ever is. (Compare: if one has the concept of brittleness, and is in a position to know of some vase that it is brittle, one understands that it *will* break *if* dropped, and one can understand this *before* it breaks, and even if it never breaks).

²⁹⁸ But see Jackson and Pargetter (1987), where it is claimed that there are conditional obligations that do not become unconditional obligations when their conditions are met.

²⁹⁹ More carefully, it is easy to see why it should be that joint commitments come into being when and only when it is common knowledge that matching expressions of conditional commitments have been made, *given that the commitments that have been expressed are retained at least until their conditions are met*. I ignore this complication.

that the other parties fall into line”,³⁰⁰ so as to φ as a body “in conjunction with the other parties”,³⁰¹ are “derived” from,³⁰² “associated” with,³⁰³ and “dependent” upon³⁰⁴ any joint commitment to φ . If a joint commitment is nothing but a plurality of such individually had commitments, then the manner of the derivation, association and dependence is easily understood: it can scarcely be denied that a plurality is derived from, associated with, and dependent upon itself.

Granted, Gilbert is keen to deny that these derived individual commitments are “personal” ones, in her sense, and this denial amounts, more or less, to the following five claims: (a) no such individual commitment is “the unilateral creation” of its subject;³⁰⁵ (b) “one is answerable to all” for the violation of such a commitment;³⁰⁶ (c) no such commitment can be “unilaterally rescinded” by its subject;³⁰⁷ (e) such commitments come into existence simultaneously, (“at the time of the creation of the joint commitment”, from which they derive);³⁰⁸ (e) such individual commitments are “*interdependent*: there cannot be a single such commitment, in the absence of any other such commitments”.³⁰⁹

But each of these five claims is plausible when it is interpreted as applying to the *unconditional* individually had commitments that, according to (GIL*), the parties incur at the moment at which the conditions on their conditional commitments are met. For (a) each commitment is the multilateral creation of all of the parties: it is created

³⁰⁰ Gilbert (2006b) p. 148.

³⁰¹ *ibid.* p. 136.

³⁰² *ibid.*

³⁰³ *ibid.*

³⁰⁴ Gilbert (2003) p. 49.

³⁰⁵ Gilbert (2006b) p. 136.

³⁰⁶ Gilbert (2003) p. 50.

³⁰⁷ Gilbert (2006b) p. 136.

³⁰⁸ *ibid.*

³⁰⁹ *ibid.*

by its subject's expressing his conditional commitment and by each of the other parties' doing the same, in conditions of common knowledge – for by doing the same, in such conditions, those other parties jointly fulfil the condition in question. As a consequence, one can think of the parties as comprising the “creator” of *each* of their unconditional commitments, and so, given that whatever creates a commitment of the will is *owed* its performance for as long as that commitment is retained, (b) any one of the parties “is answerable to all” should he violate his unconditional commitment. And, given that a commitment of the will can only be *rescinded* by that which created it, (c) none of the unconditional commitments can be unilaterally rescinded by its subject. Furthermore, (d) the parties incur their unconditional commitments *simultaneously*, for the conditions on their conditional commitments are simultaneously met at the moment at which it becomes common knowledge that each has expressed a like conditional commitment. Finally, it is also plausible that they will not only *begin* but *cease* to retain their unconditional commitments simultaneously, if at all. For (at least, absent antecedent relations of authority between two or more of the parties), no one of them will have the authority to retain an unconditional commitment as to what he *and some others shall do as a body*, unless each of those others retains a like unconditional commitment: and so (e) the unconditional commitments are “*interdependent*: there cannot be a single such commitment, in the absence of any other such commitments”.³¹⁰

Someone might puzzle over whether there is any time at which any of some parties has the authority to commit to what he *and the others*

³¹⁰ The bracketed qualification in that sentence raises a host of issues that I prefer to ignore for now. Suffice it to say that I think that Gilbert would say that any relations of authority between the parties to a joint commitment “bottom out” in joint commitments to *grant* authority to one or more of their parties, and that the individually had commitments that derive from such joint commitments are interdependent in the manner specified. Given this, the cases that are provided for by the qualification are all in some sense dependent upon other cases for which the unqualified claim holds true.

shall do as a body. But there is no puzzle here, so long as each of their commitments is unconditionally incurred at the moment at which concordant commitments are unconditionally incurred by the others among them, in the manner outlined in (GIL*). For then, (given the foregoing) *at any time* at which any of them has an unconditional commitment as to what he and the others among them shall do as a body, each of those one or more others is likewise committed. And since such parties are in a position to know this when they undertake their conditional commitments, they have the authority to undertake them.

It may be granted that it is not in general true that, whenever the actions of a number of parties make it the case that one of them incurs an unconditional commitment, they thereby count as jointly comprising the “creator” of that commitment. It may be granted, too, that it is not in general true that, whenever someone expresses a conditional commitment and some other parties act so as to jointly fulfil its condition, he and they thereby count as jointly comprising the “creator” of the unconditional commitment that he thereby incurs. But the claims in the last paragraph but one hold good if a claim that is weaker than each of these is true, namely that whenever someone expresses a conditional commitment and some other parties, *by each expressing a conditional commitment of the same type*, act so as to jointly fulfil its condition, he and they thereby count as jointly comprising the “creator” of the unconditional commitment that he thereby incurs. And that claim is not implausible. After all, as the parties acted alike, the claim that *one*, or *some*, but not *all* of them comprises the “creator” would be arbitrary.

That completes my proposed reading of Gilbert according to which a joint commitment *is nothing but a plurality of individually expressed conditional commitments, once their conditions have been met.* It does not

amount to a complete explication of her notion of a joint commitment, because, as we have seen, she is careful to say that not *every* joint commitment comes into being in the manner of the “basic case”, in which “a joint commitment of the parties to the effect that they are to do a certain thing as a body is formed by virtue of the parties’ expressions of readiness *to do that thing* as a body”.³¹¹ But I hazard that my reading could easily be extended, such that, according to it, *what it is* for a plurality of human persons hp_1, \dots, hp_n to have a joint commitment to φ as a body is for each of hp_1, \dots, hp_n to have an unconditional commitment to hp_1, \dots, hp_n ’s φ -ing as a body, such that each of the n states of affairs in which one of hp_1, \dots, hp_n has an unconditional commitment to hp_1, \dots, hp_n ’s φ -ing as a body is jointly created by hp_1, \dots, hp_n , *either* by each of them expressing his conditional commitment to their φ -ing as a body, (in conditions of common knowledge), *or* by some other means.

If that’s right, then any joint commitment is nothing but a plurality of individually had commitments, which, I take it, deserves the name ‘joint commitment’ – which, says Gilbert, is “a technical phrase of my own”³¹² – for at least the following reasons. First, *it* – the plurality – is jointly had: its parties have it, but do not *each* have it, (“[a] joint commitment is neither mine, nor yours... [but] rather, *our* commitment, the commitment of me and you”).³¹³ Secondly, it “hangs together” in that there is no time at which some but not all of the commitments that comprise it are had. Thirdly, *each* such commitment is created jointly and, if rescinded, rescinded jointly. Fourthly, *each* such commitment is a commitment *to* a joint action, i.e. to some human persons hp_1, \dots, hp_n φ -ing *as a body* (for some φ). Finally, a joint commitment deserves to be called *a* – i.e. just one – joint commitment because, on the assumption that any

³¹¹ Gilbert (2006b) p. 140.

³¹² Gilbert (2006b) p. 125. ‘Joint commitment’ is not, for Gilbert, a technical phrase for a technical *concept*. It corresponds with “a fundamental *everyday* concept” (*ibid* p. 134).

³¹³ Gilbert (1997) pp. 25-6.

commitment is *typed* by the parties to, and type of, the prospective act to which it is a commitment, the commitments that comprise a joint commitment are of the same type, and so, although a joint commitment is not a single *token* commitment, but rather a plurality thereof, there is a way in which it is a single *type* of commitment – for it is a number of tokens of a single type of commitment. Hence, while there is no distinctive type of token commitment such that any token of that type deserves to be called a joint commitment, there is, if you will, a distinctive type of type of commitment such that types of that type have pluralities of tokens of that deserve to be called joint commitments.³¹⁴

As to my defence of this reading of Gilbert, it is this: *first*, as we have seen, it renders intelligible a number of things – mentioned above – that Gilbert says about joint commitments. Second, it further strengthens the analogy to which, it would seem, (given her choice of terminology, and many of her claims), she is drawn, *viz.* the analogy between a joint commitment and a multilateral executory contract. For on a roughly “classical” view, the creation and “entering” of such a contract is *nothing but* the acquisition of unconditional commitments, by

³¹⁴ Gilbert sometimes appears to deny that a joint commitment is *comprised* of individual commitments. But on a closer reading, the claim denied is always that such a commitment is comprised of “personal” commitments, where these are understood in the manner described in the text. So, for example, the passage quoted earlier from (1997 pp. 25-26): “A joint commitment is [not] the simple conjunction of a commitment that is mine and a commitment that is yours”, continues, “...we can perhaps speak of our ‘individual commitments’ under the joint commitment. These individual commitments, however, are interdependent. If we are jointly committed, each one’s individual commitment stands or falls with the individual commitment of the other. They cannot exist apart. Thus, you and I can only come by the relevant ‘individual commitments’ simultaneously. Nor can one of these commitments be sustained in the absence of the other.” See also (2000) p. 40: “A joint commitment... is not something composite, a conjunction of a personal commitment of one party with personal commitments of the others”, *ibid.* p. 53: “The joint commitment of Anne and Ben is simple rather than composite, it is not composed of a personal commitment of Anne’s and a personal commitment of Ben’s” and (1996) p. 10: “What, someone may ask, of my *part* of a joint commitment... Can I not at least rescind *that*?... the answer is negative... a joint commitment does not, in the relevant sense, *have* parts. A joint commitment is not a *sum* or *aggregate* of commitments such that each of those committed through it “holds sway” over his or her part of that sum, and is in a position to rescind it.”

certain parties, to abide by certain terms, as an upshot of its being common knowledge between them that each has expressed a conditional commitment to abide by those terms, the condition being, in each case, that each of the other parties does likewise, in conditions of common knowledge. *Thirdly*, as, the reading attributes to Gilbert the view that a joint commitment, far from being a token commitment of a particular type, is *nothing but* a plurality of individually had “derived”, “dependent” or “associated” token commitments – to the existence of which she is already explicitly committed – it would seem to render her respectful of the highly credible principle *token commitments, (and types thereof), are not to be multiplied beyond necessity*. *Fourthly*, and perhaps most importantly, it helps us to see why Gilbert is content with an explanation of joint activity that, apparently redundantly, adduces joint commitments to jointly espouse intentions to engage in such activity. For she thinks that joint actions arise out of intentions that favour them, and must think that (in at least some cases) these are not pluralities of intentions that are distributed among the parties to the action, but, on the contrary, single token intentions that are jointly had,³¹⁵ for – quite apart from the fact that such intentions are, for her, upshots of commitments to intend “as a body” – she says quite explicitly that it is possible that some parties have a goal or intention of their acting together in some way, *even though some or all of them personally lack any corresponding goal or intention*:

³¹⁵ This distinguishes Gilbert’s account of joint activity from those of Searle (1990) (1995 pp. 23-26) (1999 pp. 118-121), Bratman (1999 Essays 5, 6, 7, 8) and Pettit and Schweikard (2006), in which all cases of *n* parties ϕ -ing together *can* be explained, at least in part – there is more to their *explanans* than this – by their having, between them, *n* token intentions – one each – of their ϕ -ing together. (It may not, at first sight, be obvious that Searle’s account is akin to Bratman’s, and Pettit and Schweikard’s, in this respect, because he insists that (1990 p. 407) “we-intentions are a primitive form of intentionality, not reducible to I-intentions”. But, for Searle, the distinction between a we- and an I- intention does not turn on the number of the *subject* of the intention, but rather on the number of the prospective subject of the intended act, i.e. on the number of the prospective subject to which purported reference is made, as a part of the *content* of the intention. For Searle, a *we*-intention has a single subject, just like an *I*-intention).

...one who is doing something with another, in the context of a goal he regards as 'ours', may at the same time not be prepared to ascribe any related goal to himself personally... For us to have a goal is for something to be the case that does not require each of us to have a concordant personal goal. Nor is it clear that either of us must *lack* a *discordant* personal goal.³¹⁶

Out on their walk, [Bill and Jane] have a shared intention to turn back in half an hour. After they have walked for ten minutes, Jane begins to feel tired. She decides that she will turn back within the next five minutes... Jane does not intend to act in conformity with the shared intention; indeed, she intends to act contrary to the shared intention. Soon after this she blurts out "I'm turning back"... Perhaps... [Bill] is secretly relieved... [Bill] might confess to Jane "I didn't intend to go on that long either!" Thus *it seems that there could be a shared intention to do such-and-such though none of the participants personally intend to conform their behavior to the shared intention...* Does [this] mean that shared intentions cannot motivate? No, only that insofar as they do... their motivational force does not derive from the motivational force of corresponding personal intentions.³¹⁷

On the assumption that every single jointly had intention cries out for an explanation that does not adduce a single jointly had psychological phenomenon, and, in particular, does not adduce a single jointly had "intention-like" phenomenon, like a single jointly had *commitment*, (for such a phenomenon would likewise cry out for an explanation, and were a phenomenon of the same kind as it adduced to explain it, this would likewise cry out for explanation etc.), it is charitable to read Gilbert as *not* embarking on any such regress, but as holding that every single jointly

³¹⁶ Gilbert (2006b) p. 123.

³¹⁷ Gilbert (2000) p. 18. Again, I have changed the names to 'Bill' and 'Jane'.

had intention – or, at least, every “basic case” thereof – arises out of a jointly had *plurality of commitments* to espouse just such an intention, which is distributed among the parties to it, such that each commitment is had by just one of the parties, and each of them has just one of them.

Enough exegesis already! Here, finally, is my reading of Gilbert’s overall account. The directed obligations and correlative rights that, Gilbert thinks, arise out of any instance of φ -ing together do so because parallel obligations and correlative rights arise out of any joint commitment to espouse as a body a goal or intention of φ -ing together, and because parties φ together if and only if they have such a joint commitment, and, motivated by it, act in order to fulfil the goal or intention in question. The obligations and correlative rights that arise out of any such joint commitment are, in turn, explained by the fact that its parties jointly comprise its “creator”, in that – at least in the “basic case” – they *came* to be thus committed by each expressing, in conditions of common knowledge, a conditional commitment to their espousing as a body a goal or intention of their φ -ing together (the condition in question being, in each case, that each of the others among them does likewise, in conditions of common knowledge), such that the conditional commitments, once their conditions were met, deserved to be called a joint commitment to the parties espousing as a body a goal or intention of their φ -ing together. Finally, any such joint commitment suffices to bring into being the espousal to which it is a commitment, which is – at least in some cases – a joint espousal of a single token goal or intention.

I should stress that *I* do not want to say, with Gilbert, that any of that is true, any more than I want to say that Davidson’s or Hobbes’s’ stories are true. For all I know, as things actually are, there are people who act together, even though it is not the case that they are jointly

committed to espouse as a body a goal or intention of their so acting. And, for all I know, as things actually are, there are people who are jointly committed to espouse as a body a goal or intention of acting together that do not jointly comprise the “creator” of such a commitment. Indeed, for all I know, there was joint activity before there was even such a thing as joint commitment, or even such a thing as an expression of a conditional commitment, just as, for all I know, there was semantic competence before there was even such a thing as a theory of meaning, and political obligation before there was even such a thing as Covenant.

But I do want to say that Gilbert has a story to tell that is possible, indeed *likely*, by which I mean that (α) it is eminently conceivable, if improbable, that in a situation in which no psychological property is exemplified by anything that is not a human person, each of some human persons hp_1, \dots, hp_n might express, in conditions of common knowledge, a conditional commitment to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n do something together (the condition in question being, in each case, that each of the others among hp_1, \dots, hp_n does likewise, in conditions of common knowledge), such that each of hp_1, \dots, hp_n becomes unconditionally committed to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n thus act together, and hp_1, \dots, hp_n thereby come to jointly espouse the token intention in question, and (β) a proper appreciation of (α) is liable to assuage a certain sort of perplexity as to *how it is possible* that a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which a psychological property is *jointly* exemplified by some human persons.

I take it that enough has already been said to show that if (α) is true, so is (β). In order to establish (α), I want now to describe what I take

to be an eminently conceivable fictional case of some human persons coming to jointly espouse a token intention, in the manner outlined.

The story of Stan and Ollie

Stan and Ollie are two friends who buy a piano from a music shop, and then discuss how they should get it home. They consider two options: carrying the piano home together, and paying the shop to deliver it. Their lengthy discussion concludes with the following exchange:

S: Can we agree to carry the piano home? Look, I'm willing to agree with you to carry it home, if you say that you are too.

O: In that case, I'm willing to agree with you to carry it home.

One of things that a sentence of the form 'I'm willing to φ ' can be used to do is express the speaker's *commitment* to φ , (the speaker's "commitment of the will", as Gilbert would felicitously say). So one way to understand what Stan is up to in the exchange is to think of him as expressing a commitment that is explicitly *conditional* upon his addressee – Ollie – expressing a *like commitment*, "like" not merely by virtue of its being a commitment to a *like project*, and not merely by virtue of the fact that it involves the same two men as "I" and "you" – albeit with the roles reversed – but also by virtue of its being *likewise conditional*, and by virtue of its having a *like condition* (namely that the man to whom the expression of this commitment is addressed – Stan – expresses a like conditional commitment, "like" not merely by virtue of its being a commitment to a *like project*, and not merely by virtue of the fact that it involves the same two men as "I" and "you" – albeit with the roles

reversed – but also by virtue of its being *likewise conditional* and by virtue of its having a *like condition*, “like” not merely by virtue of etc.).³¹⁸

If this is indeed what Stan is up to, then his commitment is rendered *unconditional* if Ollie expresses a relevantly “like” commitment. And one way to understand what Ollie is up to in the exchange is to think of him as doing just that. First of all, by saying ‘In that case’, Ollie acknowledges that Stan has done what he has done *viz.* expressed a conditional commitment to agree with his addressee – Ollie – to carry the piano home. And then, by saying ‘I’m willing to agree with you to carry it home’, Ollie expresses a like commitment to a like project involving the same two men. This commitment is likewise conditional and has a like condition, only, as Ollie acknowledges, it has just been met. (No doubt Ollie could, if he chose, have explicitly added his own, ‘if you say that you are too’, but this would be *superfluous* given that Stan *has* said this).

It seems reasonable to suppose that, in the context, both Stan and Ollie know what each of them is doing, and know that they each know,..., and so on). And so, had Stan been in a rather more pedantic mood, he might have explicitly put an extra condition on his agreeing with Ollie to carry the piano home, namely that both he and Ollie know, (and know that they each know,..., and so on) that Ollie expresses a like commitment. For example, he might have said...:

S: Can we agree to carry the piano home? Look, I’m willing to agree with you to carry it home, if you say that you are too, *and this is common knowledge between us.*

³¹⁸ The ‘etc.’ here suggests that when one tries to make explicit what ‘saying that you are too’ consists in, one stumbles upon an infinite regress. Perhaps we have developed self-referential uses of words like ‘too’ partly in order to obviate the need to try to express infinite propositions. See Velleman (1997 p. 45 n. 26) for relevant discussion.

And had Ollie, in conditions of common knowledge, replied 'In that case, I'm willing to agree with you to carry it home' it is plausible that he would have rendered Stan's conditional commitment unconditional, by expressing a like commitment, indicating that it has a like condition, (including the common knowledge requirement) that has just been met.

Were Stan and Ollie to have such an exchange, their conditional commitments would be rendered *unconditional*: each of them would become *unconditionally* committed to their agreeing to carry the piano home. And such a state of affairs would seem to be both *necessary and sufficient* for their agreeing to carry the piano home. No one need add:

?: Great, so we're both willing to agree with each other that we carry the piano home. Shall we then *agree* to carry it home?

Stan and Ollie's commitments (to agree with each other to carry the piano) *self-enact*, at the moment at which they become unconditional.

Now, I take it that *agreeing* is not the sort of thing one can do by oneself: if an individual says that he agrees to something this ought always to be elliptical for a claim that he is one of a plurality who jointly agree to it: he agrees *with* the other(s), as we might naturally say. And I take it that, for some parties to agree to do something *just is*, in part, for them to jointly make it the case that they come to intend that they do such a thing. (That claim is neutral between the following two possibilities: (a) that they jointly make it the case that they come to espouse a plurality of token intentions – one each – of their doing such a thing, and (b) that they jointly make it the case that they come to jointly espouse one token intention of their doing such a thing). And so, I take it that for a man to (conditionally or unconditionally) *commit* to agree with

one or more others to do something together with them, *just is*, in part, for him to commit to their coming to intend that they do such a thing.

I maintain that it is eminently conceivable that Stan and Ollie had an exchange of the kind described, in conditions of common knowledge, and that prior to this exchange, no psychological property was exemplified by anything that is not a human person.³¹⁹ Given this, and given the foregoing, it is eminently conceivable, if improbable, that in a situation in which no psychological property is exemplified by anything that is not a human person, each of some human persons hp_1, \dots, hp_n might express, in conditions of common knowledge, a conditional commitment to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n do something together (the condition in question being, in each case, that each of the others among hp_1, \dots, hp_n does likewise, in conditions of common knowledge), such that each of hp_1, \dots, hp_n becomes unconditionally committed to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n thus act together, and hp_1, \dots, hp_n thereby come to intend that they, hp_1, \dots, hp_n , thus act together. And so I can establish (α) *if* I can establish that, in the case that I have described, Stan and Ollie come to jointly espouse a single token intention of their carrying the piano, as opposed to a plurality of token intentions – one had by each of them – of their carrying the piano.

To show this, I need to give some further details of the fictional case. They are as follows. When Stan and Ollie agree to carry the piano, neither of them is thereby rendered, or revealed to be, *unfree*: neither is coerced by anyone, compelled by manias, phobias, addictions, or

³¹⁹ The foregoing discussion of Stan and Ollie's exchange owes much to Velleman's *op. cit.* discussion of Gilbert's story, although he there overlooks the fact that her story is two-tiered, in that it involves, not *conditional commitments* to perform "overt" actions like piano-carrying, but rather conditional commitments to espouse *intentions* regarding such prospective actions. (Also, Velleman would say – to my mind rather perversely – that Stan and Ollie's speech-acts jointly constitute their intention of carrying the piano).

Frankfurtian “volitional necessities” of, say, friendship or love.³²⁰ And when they agree to carry the piano, neither of them is thereby rendered, or revealed to be, in any way *blameworthy*: neither of them is culpably irrational, ignorant, reckless, inattentive, irresolute, arrogant or weak.

For all that, throughout Stan and Ollie’s lengthy discussion of the matter, and even once their agreement has been forged, Ollie believes that, in the circumstances, all things considered, carrying the piano with Stan is by no means the best thing to do. It seems to him that the best thing to do is to pay the shop to deliver the piano, as he and Stan can easily afford to do this, and are more than a little accident-prone. He put this to Stan, but he countered that they are fit and healthy, that the house is just up the road from the shop, that the delivery men employed by the shop have no insurance etc. (Suppose, if you will, that from our third-personal point of view, the arguments are quite finely balanced). In the end, it seemed to Ollie that it would be churlish in the circumstances to prolong this dispute, and that by accepting Stan’s arguments and by signing up to his plan, he would be able to claim reciprocal favours in the future. And so despite Ollie’s reservations, the agreement was forged.

So, Stan and Ollie agree to carry the piano, and neither of them is thereby unfree or blameworthy. Yet Ollie retains a belief that, in the circumstances, all things considered, it is best that Stan and he do *not* carry the piano. We might put things this way: Stan and Ollie freely and blamelessly enter into an agreement to carry the piano, and thereby override Ollie’s “better judgement” as to how they should get it home.³²¹

Now, I reason as follows. By hypothesis:

³²⁰ See Frankfurt (1988) Essays 7 and 13, (1999) Essays 6, 7, 9, 11, and 14, and (2004).

³²¹ Such a situation is in some ways analogous to the so-called “paradox of democracy”, in which a democrat’s “better judgement” about government policy is, as far as he is concerned, “blamelessly overridden” by the view of the majority. See Wollheim (1964).

- (i) Stan and Ollie agree to carry the piano.
- (ii) Ollie is neither rendered, nor revealed to be, unfree or blameworthy by (i).

Given what I take to be the constitutive relationship between agreement and intentions *viz.* that for some parties to agree to do something *just is*, in part, for them to jointly make it the case that they come to espouse the corresponding intention(s), we can derive:

- (iii) An upshot of (i) is that Stan and Ollie come to intend that they (Stan and Ollie) carry the piano.

Given (i), (ii) and the aforementioned constitutive relationship, it is overwhelmingly plausible that:

- (iv) Ollie is neither rendered, nor revealed to be, unfree or blameworthy by any intentions that are upshots of (i).

Assume, for *reductio*:

- (v) An upshot of (i) is that *each of* Stan and Ollie comes to intend that they (Stan and Ollie) carry the piano.

By hypothesis:

- (vi) Ollie believes that, in the circumstances, all things considered, it is best that Stan and Ollie *not* carry the piano.

I take it that:

- (vii) For all x and all individuals i , if i intends that x does something, at a time at which i believes that, in the circumstances, all things considered, it is best that x *not* do such a thing, then i is rendered, or revealed to be, unfree or blameworthy by that intention.

By (v), (vi) and (vii):

- (viii) Ollie is rendered, or revealed to be, unfree or blameworthy by an intention that is an upshot of (i).

But (viii) contradicts (iv), so we can discharge assumption (v):

- (ix) It is not the case that an upshot of (i) is that *each of* Stan and Ollie comes to intend that they (Stan and Ollie) carry the piano.

Given (ix), the best explanation of (iii) is that:

- (x) An upshot of (i) is that Stan and Ollie come to *jointly* espouse a token intention of their carrying the piano.

The argument is in one way more modest in its assumptions than Gilbert, who, as we have seen, thinks that it is possible that some parties have a goal or intention of their acting together in some way, *even though some or all of them personally lack any corresponding goal or intention*. For it does not rule out the possibility that Ollie personally intends that Stan and he carry the piano. It is just that *if* he does, then, by (vi) and

(vii), he does so in an unfree or blameworthy manner, and, by (ix), it is not the case that his doing so is an upshot of (i).

I maintain that the more fully described case of Stan and Ollie is eminently conceivable. So, if the above argument is sound, (α) is proven.

In defence of the argument, I shall first say a few words in defence of premise (vii), which I imagine may be controversial. Then I shall say something about the step from (ix) to (x), which may also be disputed. Finally, I shall say something in defence of the conceivability of the case.

To my mind, (vii) is a “folk” psychological platitude. Certainly, many would accept that anyone who intends that he does something, whilst believing that, in the circumstances, all things considered, it is best that he does not do such a thing, is thereby either unfree – e.g. a victim of coercion or compulsion – or in some way culpably irrational: “akratic” perhaps, or reckless or inattentive; it is hard to deny that he has somehow mistakenly failed to put 2 and 2 together. What may be controversial is whether (vii) holds good even in those cases where $x \neq i$, that is, in cases where someone espouses an intention regarding what is to be done by *one or more persons with whom he is non-identical*, (but of whom he may be one). Well, all I can say is that I see no difference between the ways in which we are related to ourselves and the ways in which we are related to others that would block the more general principle. If I go wrong – if I am in some way unfree, or blameworthy – when I espouse intentions regarding what I do, which override my better judgement as to what it is best that I do, then surely I go just as wrong when I espouse intentions regarding what some other(s) do, which override my better judgement as to what it is best that they do.

It may be said that our *love* or *friendly feeling* for certain others is such that someone can believe that, in the circumstances, all things

considered, it is best that one or more others do *not* do such-and-such a thing, whilst blamelessly intending, out of love, or friendship, that they do. Suppose that I believe that, in the circumstances, all things considered, it is best that my son does *not* join the circus, as he wishes. Suppose, too, that my love does not cause me to revise this judgement: it is best, I firmly believe, that my son enters a military academy. May one not also suppose that my love determines me to blamelessly intend that my son join the circus, against my better judgement? Yes – but (vii) can allow for such a case: for such a love would seem to impose a Frankfurtian “volitional necessity” upon me, such that I do not *freely* espouse the intention in question – I can *do no other*, (I may, however, identify with and endorse the intention that I fondly adopt). The same applies *mutatis mutandis* to friendship. And, *ex hypothesi*, Stan and Ollie are constrained by nothing of the sort: they make their agreement freely.

Alternatively, it may be said that the *respect* that, as self-legislating beings, we owe each other, is such that no-one is unfree or blameworthy because he does not hold intentions that concern what is to be done by some other(s), which are in line with his beliefs as to what it is best that they do. Suppose that *Charlie* believes that, in the circumstances, all things considered, it is best that Stan and Ollie pay for the piano to be delivered, and so best that they do *not* carry the piano home, but that his respect for Stan and Ollie is such that he freely and blamelessly *lacks* an intention of their paying for such a delivery; it is not his business to adopt intentions regarding them, he surmises. Now, (vii) allows for this: it does not entail that an individual *i* is unfree or blameworthy if he *fails to adopt* an intention as to what some other(s) shall do, whilst believing that it is *best* that they do such a thing, (and best that they do *not* do some incompatible thing), but that *i* is unfree or blameworthy if he *has* an intention as to what some other(s) shall do, whilst believing that it is best

that they do *not* do such a thing. And that seems right: one does not disrespect anyone's autonomy by *not* adopting intentions regarding them.

So much for my defence of (vii). What, then, of the step from (ix) to (x)? It may be said that, whilst, by (iii), Stan and Ollie come to intend that they carry the piano, (as an upshot of their agreeing so to do), and whilst, by (ix), they do not do this by their *each* espousing some such token intention, *it does not follow that they do this by their jointly espousing some such token intention*. I would agree that it does not follow: it is by an inference to the best explanation of (iii), given (ix), that we move from (ix) to (x). For it is hard to see why *anything* should deserve to be called Stan and Ollie's coming to intend that they carry the piano, if it is not either their *each* coming to intend this, or their *jointly* coming to do so.

Still, the notion of a jointly had token intention may seem queer.³²² Is such a thing "scattered" among the heads of its multiple subjects? If so, how does it – as opposed to a mere *part* of it – enter into the deliberations of any one of those subjects, or motivate any of them? And if it is not thus "scattered", *where in the world is it?*³²³ There is, no doubt, a temptation to say, 'Nowhere, because such things do not exist!'

And so, given that Stan and Ollie come to intend that they (Stan and Ollie) carry the piano, but do not do this by their *each* coming to espouse some such token intention, there will be pressure to say that the fact that Stan and Ollie intend that they (Stan and Ollie) carry the piano "consists in" *some* plurality of individually had token intentions being

³²² See Searle (1999 p. 118): "...if you think collective intentionality is irreducible, you seem forced to postulate some sort of collective mental entity, some overarching Hegelian World Spirit, some "we" that floats around mysteriously above us individuals and of which we as individuals are just expressions." See also van Inwagen (1990) p. 5: "It is my conviction that...[i]n the case of any particular episode of thought or sensation, there must be a thing, one thing, that is doing the thinking and feeling."

³²³ We will touch upon this question of spatial location once again, in the Postscript.

distributed among them, such that each is had by just one of them, and each of them has just one of them. I cannot here consider *all* of the possible pluralities that will be likely candidates. But I want to point out why *two* possible pluralities of individually had token intentions, which may at first sight seem to be eligible candidates, are not in fact eligible.

The first candidate is a plurality of token intentions of *one's partaking of Stan and Ollie's carrying the piano*. It may seem plausible that Ollie can freely and blamelessly come to have a token intention of his at least *partaking* of his and Stan's carrying the piano. And a situation in which each of Stan and Ollie espouses some such token intention is one in which Stan and Ollie, *between them*, espouse a token intention of *Stan's partaking of Stan and Ollie's carrying the piano*, and a token intention of *Ollie's partaking of Stan and Ollie's carrying the piano*, and it is arguable that such a situation is tantamount to one in which Stan and Ollie, *between them*, intend that they carry the piano, even if they do not each, and do not jointly, espouse any such intention.³²⁴

But the fact that Stan and Ollie, as an upshot of their agreement, intend that they carry the piano, does *not* consist in such a plurality being distributed among them. For, by (iii) and (iv) Ollie is not rendered, or revealed to be, unfree or blameworthy by any intentions that are upshots of the agreement, yet he is rendered, or revealed to be, unfree or blameworthy if he intends that he partakes of Stan and Ollie's carrying the piano, just as he is if he intends that Stan and Ollie carry the piano. For no individual *i* who is one of a plurality *p* can freely and blamelessly intend that he partakes of *p's* doing something, whilst believing that, in

³²⁴ Tuomela (2000 ch. 2) would identify the state of affairs in which Stan and Ollie, as an upshot of their agreement, intend that they (Stan and Ollie) carry the piano, with a state of affairs in which each of Stan and Ollie has an intention of his *partaking* of Stan and Ollie's carrying the piano, (and in which a number of other conditions obtain).

the circumstances, all things considered, it is best that *p* *not* do such a thing. I here appeal to the following principle – a close relative of (vii):

(vii*) For all *x* and all individuals *i*, if *i* intends that *i* partake of *x*'s doing something, at a time at which *i* believes that, in the circumstances, all things considered, it is best that *x* *not* do such a thing, then *i* is rendered, or revealed to be, unfree or blameworthy by that intention.

In defence of (vii*), I say this. Someone's partaking of a plurality's doing something of a particular kind is not merely necessary and sufficient for that plurality's doing something of that kind, it is both partly constitutive of its doing something of that kind, and partly constituted by its doing something of that kind. To see this, compare:

(*p*₁) We fight each other.

(*q*₁) I fight you.

(*p*₂) We marry each other.

(*q*₂) I marry you.

(*p*₃) We φ .

(*q*₃) I partake of our φ -ing.

Propositions *p*₁ and *p*₂ are not merely necessary but constitutive conditions of propositions *q*₁ and *q*₂ respectively, and *q*₁ and *q*₂ are not merely necessary but constitutive conditions of *p*₁ and *p*₂ respectively. For it to be the case that we fight each other, I must fight you; moreover, my fighting you is part of *what it is* for us to fight each other. And for it to be the case that I fight you, it must be the case that we fight each other;

moreover, our fighting each other is part of *what it is* for me to fight you. As a consequence, I cannot freely and blamelessly intend that I fight you, whilst believing that, in the circumstances, all things considered, it is best that we do not fight. And I cannot freely and blamelessly intend that I marry you, whilst believing that, in the circumstances, all things considered, it is best that we do not marry. Something similar applies *mutatis mutandis* to propositions of the form had by p_3 and q_3 . If a plurality includes one, one is somehow unfree or blameworthy if one intends that one partakes of that plurality's doing something, whilst believing that, in the circumstances, all things considered, it is best that the plurality does not do such a thing. For one's partaking of something that is done by a plurality of which one is one, is not merely necessary and sufficient for its doing such a thing, it is partly constitutive of its doing such a thing, and partly constituted by its doing such a thing.³²⁵

The second candidate is a plurality of token *conditional* intentions of Stan and Ollie's carrying the piano, each had by just one of Stan and Ollie such that each of Stan and Ollie has just one of them, with the condition in question being, in each case, that the other man espouses a like token conditional intention (perhaps in conditions of common knowledge). It may seem plausible that Ollie can freely and blamelessly have such a conditional intention; after all, my story suggested that he was good-natured and tactical enough to "go along" with Stan's plans,

³²⁵ I do not here presuppose that one is unfree or blameworthy if one intends that one does something, whilst believing that, in the circumstances, all things considered, it is best that one does not do something *which is both necessary and sufficient for it*. Suppose that I bomb the school just in case I bomb the munitions plant. For all that is said in the text, I can freely and blamelessly intend that I bomb the munitions plant, whilst believing that, in the circumstances, all things considered, it is best that I do not bomb the school. For my bombing the school is no part of *what it is* for me to bomb the plant; nor is my bombing the plant any part of *what it is* for me to bomb the school. Even if I am bound to bomb the school if I bomb the plant, and bound to bomb the plant if I bomb the school, it is natural to think that my bombing the school is a *side effect* of my bombing the plant, and it is built into the notion of a side effect that it is neither partly constitutive of, nor partly constituted by, that of which it is a side effect. (I borrow the example from Bratman (1987 ch. 10); he, in turn, cites "recent literature").

given that they were his plans. And a situation in which a plurality of such conditional intentions is had – one each – by Stan and Ollie, such that their conditions are met, may seem to deserve to be called a situation in which Stan and Ollie intend that they carry the piano.

But, if I fill out the story of Stan and Ollie a little further, it will describe an eminently conceivable situation in which Ollie does not freely and blamelessly espouse even a conditional intention of the sort mentioned. In the case as I described it, Stan made his advocacy of piano carrying clear, and Ollie retained his belief that, in the circumstances, all things considered, it is best that they do not carry the piano. In the filled out version, Ollie correctly infers from these facts that Stan espouses a conditional intention of the sort mentioned, and, that he, Ollie, believes that, on balance, it is best that the two of them do *not* carry the piano, *even if Stan espouses a conditional intention of the sort mentioned.* Given that he has such a conditional belief, Ollie cannot freely and blamelessly come to espouse a conditional intention of the sort mentioned.

So much for my defence of the step from (ix) to (x). What, then, of my promised defence of the conceivability of the case of Stan and Ollie? For it is not hard to anticipate the following sort of objection: let ‘dedication’ be a general, neutral expression that applies to both *commitments* on the one hand, and *goals* or *intentions* on the other. Now, given that Ollie believes that it is best that he and Stan do not carry the piano, he must surely also believe that it is best that he Stan do not *agree* to carry it; but *ex hypothesi* he is dedicated to their agreeing to carry the piano; by an emended version of (vii), generalised so as to apply not merely to intentions but to *dedications*, he is thereby either unfree or blameworthy; but *ex hypothesi* Ollie is neither rendered, nor revealed to

be, unfree or blameworthy by his agreeing with Stan to carry the piano; and so my fictional case is incoherent, and so inconceivable.

A related, simpler objection proceeds thus: given that it is not the case that Ollie is freely and blamelessly dedicated to his and Stan's carrying the piano, it is surely also not the case that he is freely and blamelessly dedicated to his and Stan's *agreeing* to carry it; but *ex hypothesi* he is dedicated to their agreeing to carry the piano and is neither rendered, nor revealed to be, unfree or blameworthy by their so agreeing; and so my fictional case is incoherent, and so inconceivable.

I think each objection misfires at the first step. It does *not* follow from the fact that Ollie believes that it is best that he and Stan do not carry the piano that he thinks it best that they do not *agree* to carry it. The reason why it does not follow is that Ollie may believe that *agreeing* with Stan to carry the piano is likely to serve valuable ends of its own, which are independent of the value or disvalue of their carrying it. Indeed, it was implicit in my outline of the case that Ollie *did* believe that his agreeing with Stan to carry the piano was likely to serve at least two such ends: that of bringing to an end his dispute with Stan, and that of putting him in a position to claim reciprocal favours in the future.

For similar reasons, it does *not* follow from the fact that it is not the case that Ollie is freely and blamelessly dedicated to his and Stan's carrying the piano that it is not the case that he is freely and blamelessly dedicated to his and Stan's *agreeing* to carry it. For he may be moved by his belief that *agreeing* with Stan to carry the piano is likely to serve valuable ends of its own, to freely and blamelessly adopt a dedication to thus agree with Stan, but *fail* to be moved – or fail to be freely and

blamelessly moved – by any belief concerning the value or disvalue of carrying the piano with Stan, to adopt a dedication to carry it with Stan.

It might be objected to these replies that, since it is constitutive of an agreement to φ that it gives rise to a goal or intention of φ -ing, an agreement to φ is a variety of (joint) decision to φ ,³²⁶ and that decision is the servant of action in at least the following ways: if one believes that some action is best not done, one must believe that *deciding* so to act is best not done; and if it is not the case that one is freely and blamelessly dedicated to something's doing something, then it is not the case that one is freely and blamelessly dedicated to its *deciding* to do such a thing.

The thought that decision is thus the servant of action may be thought to be the lesson of (a slightly emended version of) Kavka's toxin puzzle,³²⁷ which proceeds from the supposition that an eccentric billionaire offers you a million dollars in exchange for your intending, at midnight tonight, to drink a toxin tomorrow morning, which – as you now know – you will, by then, have no reason to drink,³²⁸ as its effects are unpleasant, and you will, by then, either have won or failed to win the million. Kavka's story might seem to show that if, at midnight, you believe that drinking the toxin tomorrow is best not done, on the grounds that (a) its effects are unpleasant, and (b) by then you either will or will not have won the money, then you cannot then believe that *deciding* to drink the toxin is best done, on the grounds that it will win you the million. Likewise, it might seem to show that if, at midnight, you are *not* freely and blamelessly dedicated to your drinking the toxin, as you know

³²⁶ Ordinary usage provides some support for this claim: 'decision' and its cognates can often be substituted, more or less *salva significatione*, for 'agreement' and its cognates.

³²⁷ Kavka (1983). The puzzle is emended in that Kavka's focus is on *intention*, not decision. For a useful discussion of the emended puzzle, see Chapter 5 of Pink *op. cit.*

³²⁸ If Gilbert is right to think that (as I put it on p. 173 of the text) "...that which creates a commitment of the will is, for as long as that commitment is retained, *owed* the performance of that commitment", then this maybe ought to be doubted. Let that pass.

that you will have no reason tomorrow to drink it, then you cannot, at midnight, be freely and blamelessly dedicated to your *deciding* to drink it.

Let all of that be granted, for argument's sake. I think that the moral is that a joint decision or agreement, precisely because it has several parties, may bring benefits to one of its parties that are independent of the benefits, if any, that this party derives from the execution of the decision. And so such a party can be freely and blamelessly motivated by the expectation of such benefits. It is, perhaps, *not* like this with decisions that are unilaterally made. It may be doubtful that any such decision could bring benefits that are independent of the benefits, if any, that its agent derives from the execution of the decision. If that's right, then a party who is motivated by the expectation of such benefits – such as the million – is thereby either unfree or blameworthy. But an agreement can be a means to ends distinct from those that are furthered by its implementation. It may even be that some agreements are ends in themselves, (after all, perhaps *concordance* is an end in itself).³²⁹

³²⁹ If Gilbert is right, there may be a further reason why morals that may be properly drawn from Kafka's story do not carry over to the case of *joint* decision, or *agreement*. Kafka (*op. cit.* p. 34) stresses that the decision that you are invited to make is rescindable: "You are perfectly free to change your mind after receiving the money and not drink the toxin". And it is for this reason that you cannot freely and blamelessly make the decision at midnight, for you will know then that you will have every reason to rescind that decision once the money is won, and, knowing this at midnight, cannot freely and blamelessly make the decision at that time. But, for Gilbert, a joint commitment to espouse an intention is not unilaterally rescindable, and supplies each of its parties with obligations, to each other, to participate in executing that intention; and so even if someone knows that he will have every reason to rescind a joint commitment to espouse an intention, when the time for enacting *that* intention arrives, he may also be in a position to know that he will be unable to unilaterally rescind it, when the time for action arrives. And so the knowledge that he will have every reason to later rescind the commitment need not prevent him from entering it, (any more than the knowledge that one will have every reason to later refuse to act under the influence of drugs or hypnosis need not prevent one from visiting a apothecary or hypnotist, such that one is unable to thus refuse when the time comes).

That completes my defence of the proposition that Gilbert has a story to tell that is possible, indeed *likely*, in that (α) it is eminently conceivable, if improbable, that in a situation in which no psychological property is exemplified by anything that is not a human person, each of some human persons hp_1, \dots, hp_n might express, in conditions of common knowledge, a conditional commitment to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n do something together (the condition in question being, in each case, that each of the others among hp_1, \dots, hp_n does likewise, in conditions of common knowledge), such that each of hp_1, \dots, hp_n becomes unconditionally committed to hp_1, \dots, hp_n 's coming to intend that hp_1, \dots, hp_n thus act together, and hp_1, \dots, hp_n thereby come to jointly espouse the token intention in question, and (β) a proper appreciation of (α) is liable to assuage a certain sort of perplexity as to *how it is possible* that a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which a psychological property is *jointly* exemplified by some human persons.

We have focussed on the case of *intention*, but it is worth pausing to recall that Gilbert also thinks that there are joint commitments, indeed *self-fulfilling joint commitments*, to decide, to accept and to believe, (even if these are not, like joint commitments to espouse an intention, “at the core of any instance of acting together”,³³⁰ such as walking together). For I want to note that a certain sort of perplexity as to how it is possible that a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which a psychological property is jointly exemplified by some human persons can be *further* assuaged by considering eminently conceivable cases in which each of some human persons hp_1, \dots, hp_n expresses, in conditions of common knowledge, a conditional commitment to hp_1, \dots, hp_n 's coming to

³³⁰ Gilbert (2006b) p. 148.

decide, accept or believe something or other “as a body” (the condition in question being, in each case, that each of the others among them does likewise, in conditions of common knowledge), such that each of hp_1, \dots, hp_n becomes unconditionally committed to hp_1, \dots, hp_n 's *deciding, accepting, or believing* the thing in question, and hp_1, \dots, hp_n thereby come to jointly perform the token deciding, accepting or believing in question.

Regarding deciding, we have already conceived of such a case: given that an agreement to φ is a variety of (joint) decision to φ , for one to – conditionally or unconditionally – commit to agree with one or more others to do something together *just is*, in part, for one to commit to jointly espouse, with those one or more others, an intention of their doing such a thing *as an upshot of their jointly deciding to do such a thing*. And so the full story of Stan and Ollie will include the proposition that each expresses, in conditions of common knowledge, a conditional commitment to their intending that they carry a piano, *as an upshot of their jointly deciding* to carry the piano, which is thereby rendered unconditional, such that they come to perform the deciding in question.

Regarding accepting and believing, we can conceive of Stan and Ollie having, in addition to the exchange that I have already attributed to them, the following exchange (in conditions of common knowledge) such that neither is rendered, or revealed to be, unfree or blameworthy by it:

- S: Can we agree *that we should* carry the piano home? Look, I'm willing to agree with you that (in the circumstances, all things considered) we should carry it home, if you say that you are too, *and this is common knowledge between us*.
- O: In that case, I'm willing to agree with you that we should.

Now, I take it that, for some parties to agree *that they should* do something, *just is*, in part, for them to jointly make it the case that they *accept* or *believe* that it is best that the thing in question is done. So we can conceive of Stan and Ollie each expressing, in conditions of common knowledge, a conditional commitment to their accepting or believing that it is best that they carry the piano, which is thereby rendered unconditional, such that they come to perform the accepting or believing in question. Moreover, given that *ex hypothesi* Ollie believes – freely and blamelessly – that it is best that they do *not* carry the piano, the accepting or believing in question would seem to be a jointly performed one, (and not *two* token ones, individually performed by Stan and Ollie).

Finally, as we have spoken in this thesis, not only of intentions, decisions and beliefs, but also of *wishes*, I want to note that we can conceive of Stan and Ollie having, instead of the exchanges that I have already attributed to them, something like the following exchange:

- S: Can we agree *that we aspire* to carry the piano home? Look, I'm willing to agree with you that (in the circumstances, all things considered) we aspire to carry it home, if you say that you are too, *and this is common knowledge between us*.
- O: In that case, I'm willing to agree with you to aspire to do this.

I take it that, for some parties to agree *that they aspire* to do something, *just is*, in part, for them to jointly make it the case that they *wish* to do the thing in question. So we can conceive of Stan and Ollie each expressing, in conditions of common knowledge, a conditional commitment to their wishing to carry the piano, which is thereby rendered unconditional, such that they come to perform the wishing in question. Now, I confess that I am at a loss as to how to show that the

wishing in question is a jointly performed token one (as opposed to two individually performed token ones). Still, I have, I think, established that it is eminently conceivable that there are token intendings, decidings, acceptings, and believings that are jointly done, so I see no principled objection to the claim that there are token wishings that are jointly done.

One more thing: were someone to use expressions featuring ‘intend’, ‘decide’, ‘accept’, ‘believe’ and ‘wish’ to say of Stan and Ollie that they jointly intended, decided, accepted, believed and wished for things, then they would use those expressions in the same senses as those in which they may be used to truly say something about a human person. (I leave it to the reader to satisfy himself that this is so, by applying the intuitive and theoretical tests that were adumbrated in the last Chapter).

A development in Stan and Ollie’s story

Imagine that Stan and Ollie’s piano carrying goes so well that they agree to go professional. One way in which this might happen is by Stan presenting Ollie with some documents, and their having this exchange:

S: I’m willing to agree with you to carry *any* piano that we are asked to carry, and able to carry, in exchange for the appropriate fee, (which will be split evenly between us) as specified by this tariff – and in accordance with these health and safety restrictions, and subject to the provisions made for holidays, sickness, paternity leave etc. that are specified in this document – and also to promote this piano-carrying service in accordance with this marketing strategy, for as long as we both remain capable of heavy lifting, *if you say that you are too, and this is common knowledge between us.*

O: In that case, I’m willing to agree with you to do all of that.

I stipulate that any plurality's jointly had intention of their carrying any piano that they are asked to carry, and able to carry, in exchange for etc. – and in accordance with etc. and subject to etc. – and also of their promoting this piano-carrying service in accordance with etc. for as long as they both remain capable of heavy lifting, deserves to be called 'a *p-intention*'. Given the foregoing, it ought to be clear how Stan and Ollie's exchange might suffice for their coming to jointly espouse a *p-intention*.

Now, imagine that Stan and Ollie's piano-carrying enterprise thrives, that they grow old, and that they make provisions for the not too distant future, by coming to jointly espouse (in the familiar way) an intention of whichever one of them remains capable for longer re-naming himself (on the occasion of the other's incapacity) 'C', and of C finding, and re-naming 'N', someone who meets certain specified conditions, and of C expressing, in N's presence, in conditions of common knowledge, a conditional commitment to C and N's jointly espousing a *p-intention*, the condition in question being that N does likewise, in conditions of common knowledge, such that if N does *not* do likewise, in conditions of common knowledge, he will be stripped of the name 'N', and C will pass to the next best candidate who meets the specified conditions, re-name him 'N', and express a like conditional commitment in *his* presence and so on etc., until C comes to espouse a *p-intention* with someone suitable.

If that can be imagined, so, I contend, can this: that Stan and Ollie make provisions for the distant future, by coming to jointly espouse (in the familiar way) an intention of whichever one of them remains capable for longer re-naming himself – on the occasion of the other's incapacity – 'C', and of C finding, and re-naming 'N', someone who meets certain specified conditions, and of C expressing, in N's presence, in conditions

of common knowledge, a conditional commitment to *C* and *N*'s jointly espousing a *p*-intention *and also an intention just like this one* (i.e. *this very intention, which regards the "replacement" of whichever one of its bearers first becomes incapable*), the condition in question being that *N* does likewise, in conditions of common knowledge, such that if *N* does *not* do likewise, in conditions of common knowledge, he will be stripped of the name '*N*', and *C* will pass to the next best candidate who meets the specified conditions, re-name him '*N*', and express a like conditional commitment in *his* presence, and so on, until *C* comes to espouse a *p*-intention *and also an intention just like this one* with someone suitable.

Were Stan and Ollie to make provisions in this way, they might justly feel confident that they had started something that would outlive them by several generations, perhaps even by several centuries. For they would have made plans, not only to earn money by carrying pianos, but to replace whomsoever first becomes incapable with another with whom his former colleague will make plans, not only to earn money by carrying pianos, but to replace whomsoever first becomes incapable with another with whom his former colleague will make plans, and so on. Of course, none of these plans are such that they are *guaranteed* to be implemented: there are a number of ways in which fate might intervene to prevent such a thing. For example, Stan and Ollie might be killed instantly in a car crash. Or two of their successors might abandon their *p*-intention. Still, Stan and Ollie might justly feel confident that they had more or less done all that was in their power to make it likely that they had started something that would outlive them by several generations.

But if Stan and Ollie's confidence is well-founded, we ought to ask: *what is it* that they have started, which will outlive them by several generations? On the face of it, nothing that I have said suggests they

have created a *substance* that will outlive them. They have simply raised the chances of some future human persons having *p*-intentions, and also self-referential “replacement” intentions, which are causally dependent on their – Stan and Ollie’s – present *p*-intention and self-referential “replacement” intention; but each of those future human persons, and each of their parts, will be apt to go the way of all flesh. And no *p*- or “replacement” intention looks set to outlive Stan and Ollie by several generations. For intentions are *states*, as any sentence is barbarized or travestied by the substitution of ‘_intends_’ by ‘_is/are intending_’, (and by the substitution of ‘_did intend_’ by ‘_were intending_’, and ‘_will intend_’ by ‘_will be intending_’), and, as we saw in Chapter Two, states are static particulars that depend metaphysically upon their bearers: and so a *p*- or self-referential “replacement” intention that is borne jointly by Stan and Ollie will depend on them, and so perish with them; and there will be no *p*- or self-referential “replacement” intention that is jointly borne by Stan, Ollie and several generations of their successors, for (as we also saw in Chapter Two) no state may be jointly borne by a plurality for a period of time by virtue of the fact that it, or states of the same kind as it, are jointly borne by distinct individuals, or pluralities thereof, among that plurality, across that period of time. And so Stan and Ollie’s vision of the future may look as if consists entirely of distinct substances espousing distinct intentions. It is merely that these are intentions of the same kind, and that there are causal connections between the espousals of the various generations, which trace a path back to Stan and Ollie.

Still, it is not hard to adopt a perspective from which Stan and Ollie *do* start something that will (if all goes well) outlive them by several generations, namely an *enterprise* or *business* of professional piano-carrying, or, as we might put it, at a somewhat higher level of abstraction, an *activity*, or *process* of professional piano-carrying:

something regarding which someone might say, several generations on, that it has been *going on* – albeit intermittently – for several generations. This activity is *one* activity by virtue of its internal causal connections, which trace a path back to Stan and Ollie, and by virtue of the fact that it goes on, at all times, in accordance with the same tariff (which, we may suppose, is linked to inflation), the same health and safety restrictions, the same provisions for holidays, sickness, paternity leave etc., the same marketing strategy, or, as we might put it, at a somewhat higher level of abstraction, in accordance with the same *principle of activity* or *principle of operation*: as we might more naturally say, the same *modus operandi*.

Now, I take it that at least *some* activities or processes are such that successive pluralities of substances that engage or undergo – or are otherwise caught up in – them, at successive stages of the history of the activity or process in question, give rise to complex substances that are conterminous with the activity or process in question. The activity or process that provides the clearest instance of this is that of *living*. As van Inwagen has it, living is a kind of “self-maintaining”³³¹ activity that is “homeodynamic”,³³² in the sense that a living process will go on protractedly by means of the constant active replenishment of the materials that are caught up in it, rather like the flowing of a fountain,³³³ or a storm that “moves across the surface of the world, drawing swirls and clots of atoms into it and expelling others, always maintaining its overall structure”³³⁴, or like “the propagation of a wave... that involves different particles of fluid at different times”.³³⁵ And, as Locke has it, where successive pluralities of organic materials are caught up in a living process, at successive stages of its history, where, in his terms, they

³³¹ van Inwagen *op. cit.* pp. 86ff.

³³² *ibid.*

³³³ *ibid.* pp. 92-94.

³³⁴ *ibid.* pp. 86-87.

³³⁵ *ibid.* p. 86. I should add that, for van Inwagen, fountain-, storm- and wave-activities are not object-constituting activities in the way in which living is. (I am neutral on this).

partake of one and the same life, they give rise to a complex substance – a living thing – that is conterminous with the living process in question:

...an oak differs from a mass of matter... in this... the one is only the cohesion of particles of matter any how united; the other such a disposition of them as constitutes the parts of an oak, and such an organization of those parts as is fit to receive and distribute nourishment, so as to continue and frame the wood, bark, and leaves, etc., of an oak, in which consists the vegetable life. That being then one plant which has such an organization of parts in one coherent body, partaking of one common life, it continues to be the same plant as long as it partakes of the same life, though that life be communicated to new particles of matter vitally united to the living plant, in a like continued organization, conformable to that sort of plants. For this organization, being at any one instant in any one collection of *matter*, is in that particular concrete distinguished from all other and is that individual life; which existing constantly from that moment both forwards and backwards, in the same continuity of insensibly succeeding parts united to the living body of the plant, it has that identity which makes the same plant and all the parts of it parts of the same plant, during all the time that they exist united in that continued organization, which is fit to convey that common life to all the parts so united.³³⁶

It is difficult to say exactly *why* substances that are caught up in biological processes give rise to more complex substances, in the manner outlined. It may simply be that these processes are especially *salient*, and that any complex object that is protractedly present in the flow of time *just is* some sort of function of, or “construction” out of, the participation of simple objects in especially salient processes.³³⁷ On a more robustly

³³⁶ Locke (1965) Vol. 1 Bk. II Ch. xxvii §4.

³³⁷ See Dennett (1991) for a defence of the claim that saliences are object-constituting.

“realist” view, at least some such complex objects are, as it were, “ontological grounds” of the participation of simple objects in especially salient processes, and we can be confident of their existence as it is by far the best explanation of the salience of the processes in question.³³⁸

However that may be, once it is accepted that Stan and Ollie are in a position to set in motion an activity or process that will outlive them by several generations, it is possible to adopt a perspective from which that activity is sufficiently *lifelike* to be such that successive pluralities of men who engage in it, at successive stages of its history, give rise to a complex *substance* that is conterminous with the activity in question, such that my earlier provisional judgement that Stan and Ollie do not create a substance that outlives them requires revision. After all, the enterprise that (all being well) they set in motion, is, given their *p*-intention and their self-referential “replacement” intention, a kind of “self-maintaining” activity, which is “homeodynamic” in the sense that it will go on protractedly by means of the constant active replenishment of the materials – namely, the men – that are caught up in it, not *unlike* the flowing of a fountain, or the movement of a storm or the propagation of a wave. Granted, the men who are caught up in the enterprise are likely to be replaced rather less frequently than the cells of a living thing. But

³³⁸ Furth (1978 pp. 638-9) attributes to Aristotle’s biological texts a view that, to my mind, could be interpreted as being *either* of the two views outlined in the paragraph to which this is a note, thus: “...the world... is an Empedoclean finite three-dimensional mass, entirely filled with the four elements which everywhere interpenetrate one another in varying proportions, commingling together and separating out through time in accordance with physical laws... scattered throughout this three-dimensional mass there are innumerable *knots*, regions where the matter is very elaborately and intricately worked up into an organic unity – some kind of animal, say (here a worm, there a snail) – highly convoluted but relatively stable eddies in the general commingling-and-separation... Aristotle thinks the “principle” called “form” must be brought in on top of the Empedoclean basis to explain the stability of the knots and the complex specific character that they manifest as long as they last... placed in context in the wider universe, a material individual (i.e., animal) is seen as a semipermanent warp or bend informing the local matter, which the matter flows through at various rates during the organism’s life history (this is called metabolism), while the form imposes the continuity. Eventually the knot... unravels and disintegrates (that is called death)...”.

different living things – indeed, different parts of living things – replenish their constituents at different rates. And it is notable that the analogy is symmetrical: a common way to explain a living process is to say that it is not *unlike* certain familiar social, political and economic processes.³³⁹ (One might, in this connection, reflect upon the relative primacy of the various senses of ‘system’, ‘organization’ and their cognates).³⁴⁰

Now, of course, to insist that Stan and Ollie create a substance that outlives them, on the grounds that they set in motion an activity that is more or less *lifelike* is to rest a strong metaphysical claim upon the thin reed of analogy. Well, I am relaxed about this, for two reasons. First, my purpose here is to tell a *likely* story, and not a true one. Secondly, I take it that (i) Locke was entirely right to draw analogies between *life* and two varieties of more or less lifelike activity, and to claim that things that partake of an activity of either variety, like things that partake of living processes, are apt to give rise to more complex substances that are conterminous with the activity in question, and that (ii) the piano-carrying enterprise that Stan and Ollie set in motion is analogous to activities of each of these two varieties, as well as to living.

The first variety of more or less lifelike activity is the “life”, or (as we might more naturally say) the “history” of a machine or other artefact:

Something we have like this in machines and may serve to illustrate it. For example, what is a watch? It is plain it is nothing but a fit organization or construction of parts to a certain end, which, when a sufficient force is added to it, it is capable to attain. If we would suppose this machine one continued body, all whose organized parts were repaired, increased, or diminished by a

³³⁹ See for example van Inwagen’s *op. cit.* pp. 84ff.

³⁴⁰ See Ryan (1970) p. 193.

constant addition or separation of insensible parts, with one common life, we should have something very much like the body of an animal, with this difference: that in an animal the fitness of the organization and the motion wherein life consists begin together, the motion coming from within; but in machines, the force, coming sensibly from without, is often away when the organ is in order, and well-fitted to receive it.³⁴¹

The second variety of more or less lifelike activity is the “inner” or “mental” or “conscious” life of a *person*. For Locke, just as whenever organic materials “partake” of one and the same life, they give rise to a complex substance – a living thing – that is conterminous with the living process in question, so whenever ideas “partake” of one and the same “mental” life – one *consciousness*, or as we might felicitously say, “stream of consciousness”³⁴² – they give rise to a complex substance – a thinking thing – that is conterminous with the mental process in question:

...*person* stands for... a thinking intelligent being that has reason and reflection and can consider itself as itself, the same thinking thing in different times and places; which it does only by that consciousness which is inseparable from thinking and, as it seems to me, essential to it....³⁴³

...different substances, by the same consciousness (where they do partake in it) being united into one person, as well as different bodies by the same life are united into one animal, whose *identity* is preserved in that change of substances by the unity of one continued life. For, it being

³⁴¹ Locke *op. cit.* Vol. 1 Bk. II, Ch. xxvii §5.

³⁴² Just as life *flows* like a fountain, ingesting and excreting matter from its periphery, so, for James (1998 Vol. 1 Ch. IX p. 239) consciousness *flows* like a stream, in that it “does not appear to itself chopped up in bits. Such words as 'chain' or 'train' do not describe it fitly as it presents itself in the first instance. It is nothing jointed; it flows.”

³⁴³ Locke *op. cit.* Vol. 1 Bk. II, Ch. xxvii §9.

the same consciousness that makes a man be himself to himself, *personal identity* depends on that only, whether it be annexed solely to one individual substance, or can be continued in a succession of several substances.³⁴⁴

This may show us wherein *personal identity* consists: not in the identity of substance but, as I have said, in the identity of *consciousness*, wherein, if *Socrates* and the present mayor of *Queenborough* agree, they are the same person; if the same *Socrates* waking and sleeping do not partake of the same *consciousness*, *Socrates* waking and sleeping is not the same person.³⁴⁵

Why is Stan and Ollie's enterprise like the history of an artefact? Because it is set in motion by the skilful arranging, or organising, or combining of certain sorts of things in certain sorts of ways, so as to make it possible that certain sorts of purposes are served, and because it goes on protractedly because those things are, over time, *re-arranged*, *re-organised*, and/or *re-combined* with other things, in accordance with a specifiable *modus operandi*, so as to make it possible that the purposes in question can still be served. The only *disanalogy* – if indeed it is a *disanalogy* –³⁴⁶ is that the things that are thus arranged, organised or combined include the arrangers, organisers and combiners themselves.

Why is Stan and Ollie's enterprise like the mental life of a *person*? Because the things that partake of it do so because they manifest, over time, a persisting pattern of thought, in that, at distinct times, distinct pairs of protagonists jointly espouse like *p-intentions* and like self-referential "replacement" intentions, such that, despite their substantial separateness, they exhibit, over time, a kind of psychological continuity.

³⁴⁴ *ibid.* §10.

³⁴⁵ *ibid.* §19.

³⁴⁶ For is a giant chess board with human "pieces" not – straightforwardly – an artefact?

The story of Vic and Bob

Now, *if* Stan and Ollie set in motion an activity or process that will outlive them by several generations, and which is sufficiently *lifelike* and/or sufficiently like the history of an artefact, and/or sufficiently like the inner life of a person, to be such that successive pluralities of men who engage in the activity in question, at successive stages of its history, give rise to a complex *substance* that is conterminous with that activity, it need not follow that they *set out to do such a thing*. After all, it is notoriously possible to fail to set out to create a living thing, but create one nonetheless. (No doubt the vast majority of living things are created by things that did not set out to create them). Less obviously, perhaps, it is possible to fail to set out to create an artefact, but create one nonetheless: the first man ever to make a table (in the “state of nature”) may simply have taken himself to be moving things around, in order to serve certain sorts of purpose; only retrospectively would it be truly said that, by his actions, he made a table. Likewise, it is, I submit, eminently conceivable that Stan and Ollie simply took themselves to be combining, and organising themselves, so as to make provisions for the future as best they could, and that only retrospectively would it be truly said that, by their actions, they brought into being a complex individual substance.

But, if, with hindsight, such a thing *is* truly said, then it is, I submit, eminently conceivable that some of those who come after Stan and Ollie, by looking back on their efforts – and perhaps also on the efforts of later generations, who combined, and organised themselves, in accordance with Stan and Ollie’s *modus operandi*, so as to make it possible that their purposes could still be served – muster a conception of what it would be to bring into being a complex substance like theirs,

and *intentionally* bring just such a substance into being. (After all, it is eminently conceivable that one or more of those who came after the creator of the world's first table, looking back on his efforts – and perhaps also on the efforts of later generations, who re-arranged, re-organised, and/or re-combined his things with other things, in accordance with his *modus operandi*, so as to make it possible that his purposes could still be served – mustered a conception of what it would be to make a table, cultivated certain skills, and intentionally made one).

How could such a thing occur? Well, consider Vic and Bob. They look back on the case of Stan and Ollie, and have the following exchange:

V: I'm willing to *give rise to a complex substance, jointly with you*, which intends to carry any piano that it is asked to carry, and able to carry, in exchange for the appropriate fee, (which will then be split evenly between those who give rise to it) as specified by this tariff – and in accordance with etc. and subject to etc. – and which also intends to promote this piano-carrying service in accordance with etc., and which also intends, whenever one of those who gives rise to it becomes incapable of heavy lifting, to (i) find someone who meets certain specified conditions, (ii) try to agree with him that *he* will then give rise to it, jointly with the party that remains capable, and to (iii) repeat this process of finding-and-trying-to-agree, until some such agreement has been forged with some such suitable party, *if you say that you are too, and this is common knowledge between us.*

B: In that case, I'm willing to give rise to such a thing with you.

One way to understand this exchange is to think of each of Vic and Bob as expressing a commitment – one that is conditional in the manner that ought by now to be familiar – not to espouse an intention jointly with the other, but rather to constitute an individual substance, jointly with the other, which will, in turn, espouse intentions all of its own, (in the sense in which a human person espouses intentions; for the lesson of Chapter Three ought to be that Vic here uses ‘intends’ in the sense in which it may be used to truly say something about a human person).

There is no good reason to doubt that it is possible that Vic and Bob give rise to a complex substance, given that Stan and Ollie did precisely that. Neither is there any good reason to doubt that they have the authority to *commit* to their jointly doing such a thing – we have already seen that each of some parties has the authority to commit to what he and the others shall jointly do, provided that he is in a position to know that each of their commitments is unconditionally incurred at the moment at which like commitments are unconditionally incurred by the other parties, as – we may suppose – is the case with Vic and Bob.

Still, there is a way in which each of Vic and Bob does not merely undertake a commitment as to what they – Vic and Bob – shall jointly do, (*viz.*, give rise to a substance), he also undertakes, or purports to undertake, a commitment as to what the prospective substance to which they – Vic and Bob – are committed to give rise shall do, (*viz.* espouse intentions).³⁴⁷ And one might worry that neither has the authority to undertake a commitment as to what *something other than him* shall do.

³⁴⁷ I might have added ‘...in the same sense as that in which a human person espouses intentions’. In the rest of the Chapter, I omit such determinations of the *sense* in which intentions are spoken of, and thereby created, by Vic and Bob (and others like them).

A short response to this worry is that, as we have already accepted that each of Stan and Ollie has the authority to undertake a commitment as to what *something other than him*, namely a plurality of which he is one, shall do, it is hard to see why Vic and Bob should lack the authority to undertake a commitment as to what *something other than him*, namely a complex substance to which the plurality of which he is one gives rise, shall do. A longer response will begin by noting that any organism or artefact – the case of persons is perhaps more contentious – will “inherit” or “borrow”³⁴⁸ very many of the jointly had qualities of the pluralities that successively give rise to it, such that, for example, at any time at which a plurality of things gives rise to an organism or artefact, and at which those things are jointly *heavy* or *cuboid* or *smelly* or *red*, it – the organism or artefact – will have the corresponding quality. It can then be argued, by analogy, that something similar is true of the organism-like, artefact-like substance to which Vic and Bob give rise, thus: at any time at which they give rise to this complex substance, and at which they jointly have the quality of being such that each of Vic and Bob has the authority to undertake a commitment as to what shall be done by them, (provided that he is in a position to know that it becomes unconditional when and only when the other man incurs a like unconditional commitment), the complex substance to which they give rise will have the corresponding quality of being such that each of Vic and Bob has the authority to undertake a commitment as to what shall be done by it (provided that he is in a position to know that it becomes unconditional when and only when the other incurs a like unconditional commitment).

But still, even once it is granted that each of Vic and Bob has the *authority* to undertake a commitment as to what a prospective complex substance to which they will give rise shall do, it may be doubted that,

³⁴⁸ I introduce the idea of “inheriting” or “borrowing” properties on pp. 103-4 of the text.

between them, they have the *power* to enact these commitments, such that they give rise to a complex substance that *intends* various things.

Again, a short response to this worry is that, as we have already accepted that Stan and Ollie, between them, have the power to enact their commitments as to what *they* shall intend, it is hard to see why Vic and Bob should lack a like jointly had power to enact their commitments as to what a complex substance, to which they give rise, shall intend. And a longer response will argue, by analogy, that, among the qualities that are jointly had by Vic and Bob, and “inherited” or “borrowed” by the organism-like, artefact-like substance to which they give rise, is the quality of being such that Vic and Bob, between them, have the power to enact Vic and Bob’s commitments as to what intentions it shall have.

Finally, even once it is granted that Vic and Bob have the power to give rise to a complex substance that intends various things, it may be doubted that they have the power to give rise to a substance that intends to carry pianos, to promote a piano-carrying service, to find (and enter into agreement with) human parties, and so on. For – it may be thought – only humanoid creatures, or pluralities thereof, are capable of piano-carrying, promoting piano-carrying services, finding (and entering into agreement with) human parties etc., and so only humanoid creatures, or pluralities thereof, can be properly said to intend to do such things.

But the worry is ill-founded. For we have a perfectly common-sense notion of *vicarious* activity, according to which something can engage in certain sorts of activities, like lobbying government ministers, or torturing enemies, by virtue of the fact that one or more of its servants, agents or employees does most of the actual work involved. (Note that use of ‘agent’: in the philosophical sense, an agent is a subject or author or locus of activity, but in a non-philosophical sense, it is

someone through whom one acts, one to whom one delegates some of the actual work of one's activities). And so we may grant that only humanoid creatures, or pluralities thereof, are capable of *the actual work involved in* carrying pianos, promoting piano-carrying services, finding (and entering into agreements with) human parties etc., and not preclude the possibility that non-humanoid things are capable of doing such things – through the agency of humanoid creatures, or pluralities thereof – and so not preclude the possibility that they are capable of *intending* to do them.

In conceiving of the case of Vic and Bob, we have, of course, conceived of a variant of Gilbert's story, which, using a *singularist* interpretation of 'plural subject' proceeds thus: in a situation in which no psychological property is exemplified by anything that is not a human person, each of some human persons hp_1, \dots, hp_n expresses, in conditions of common knowledge, a conditional commitment to hp_1, \dots, hp_n 's giving rise to a plural subject that espouses intentions of *its* doing certain things, through the agency of those who give rise to it (the condition in question being that each of the others among hp_1, \dots, hp_n does likewise, in conditions of common knowledge), such that each of hp_1, \dots, hp_n becomes unconditionally committed to hp_1, \dots, hp_n 's giving rise to a plural subject that espouses such intentions, and hp_1, \dots, hp_n thereby come to give rise to a plural subject that (singly) espouses the intentions in question.

Why incorporate?

Someone might want to know whether there would ever be a good reason for human persons to make provisions for the future in the manner of Vic and Bob – i.e. by giving rise to a complex substance – rather than that of Stan and Ollie. Perhaps there is not much to choose between their two ways of setting about this task. But imagine an enterprise that involves, even at its birth, not two, but twenty human

persons. Imagine that it is, not a piano-carrying, but a shipping enterprise, and that its overall aim is encapsulated in an “s-intention” – to traffic goods by sea etc. – roughly analogous to Stan and Ollie’s *p*-intention, which is jointly espoused by the twenty persons. Finally, imagine that those twenty persons jointly espouse a self-referential “replacement” intention of the sort espoused by Stan and Ollie (i.e. an intention of whichever nineteen of them remain capable for longest finding – on the occasion of the other’s incapacity – one who meets certain conditions, and of espousing with him a new *s*-intention *and also an intention just like this one*). Given that intentions are states, and states are static particulars that depend metaphysically upon their bearers, each of these intentions, and any future like intention, will *cease to be* if any one of its twenty bearers ceases to be a party to it. Such intentions might then seem to be somewhat frail hostages to the sorts of vicissitudes of human affairs upon which Hobbes, among others, was apt to dwell. By contrast, an intention that is had by a *single* bearer – and, what is more, by a single bearer that is conterminous with an activity that has the capacity to outlive human persons by several generations – might seem to have rather higher chances of enjoying a long-term *inertia* or *stability*. I conjecture that the fact that intentions of these two varieties – those jointly had by many bearers, and those had by a single resilient bearer – might seem to exhibit this sort of contrast explains why some people might want to make provisions for the future, not in the manner of Stan and Ollie, but by giving rise to a complex substance, conterminous with their business, with intentions all of its own. Still, more must be said if I am to make good on that sketch of an explanation.

First of all, someone may want to know what sorts of Hobbist “vicissitudes of human affairs” I have in mind. Well, death, for one. I was careful, in the foregoing, to speak of Stan and Ollie jointly espousing a

self-referential “replacement” intention that regards what one of them shall do on the occasion of the other’s *incapacity*. For were they to jointly espouse a similar intention that regards what one of them shall do on the occasion of the other’s *death*, it would perish with whichever of the two of them predeceases the other, and so may not suffice to motivate the survivor. Of course, he may be motivated, by the memory of the intention in question, to form a *new*, singly had, intention of a corresponding kind. And likewise, nineteen survivors may be motivated to come to jointly espouse a new intention of a kind that corresponds with one that they previously espoused with a recently deceased party. But, typically, when a *plurality* of parties come to jointly espouse an intention, they will have previously considered and jointly discussed whether to do this, before – in something like the manner outlined by Gilbert’s story – jointly committing to do it, by expressing conditional commitments to their espousal of just such an intention, in conditions of common knowledge. And this business of coming to adopt a jointly had intention is, typically, costly: it takes time and intellectual effort for the parties to come together to properly consider and debate the issues, for each to have his say, and for each to perform his part of the Gilbertian ceremony of expressing conditional commitments and so on. It also carries the risk that one of the parties will come to be moved by considerations that militate against his partaking of the prospective intention, and which would not have moved him had he been engaged in either partaking of retaining a like intention, or partaking of giving rise to something that retains a like intention – comparatively passive enterprises in that they need involve little in the way of active consideration of the wisdom of partaking of the activity in question.³⁴⁹ For when one considers – and discusses with others – whether to enter a joint commitment to espouse a new intention that would replace a recently terminated one, to which one was a party,

³⁴⁹ For detailed discussion of the extent to which intentions are immune to active reconsideration, see Bratman (1987) chs. 4-6. (He discusses only *singly* had intentions).

one is liable to alight upon considerations the like of which did not obtain, or did not enter into one's deliberations, at the time at which one came to partake of the old intention, and to which one's attention would not have been drawn had one merely been partaking of retaining such an intention, or partaking of giving rise to something that retains a like intention.³⁵⁰

By contrast, the intentions of a complex substance, to which human persons give rise, need not be imperilled by the certainty of death. For such substances need not perish whenever one or more of those who give rise to them do, and, as a consequence, their intentions need not. For, quite generally, it is characteristic of complex substances that they, and their states, can survive changes to the identity of the things that give rise to them, as it is *not* characteristic of *states* that they can survive changes to the identity of their bearers. (As one might vaguely put it, a complex substance does not depend metaphysically on the things that give rise to it to the *extent* to which a state depends metaphysically on its bearers). And what goes for intentions in general goes, in particular, for "replacement" intentions. Hence, parties who set out to give rise to a complex substance may reasonably take themselves to be in a position, not merely to provide for the replacement of *incapable* parties, as Vic and Bob do; they can build into their "founding declarations", and hence – it may be hoped – into the content of the intention that is, as a result, had by the substance to which they will give rise, a clause that specifies that whenever one of those who give rise to the substance ceases to play his part in so doing, or ceases to play his part in performing the actual work of the substance's execution of its intentions, *for any reason* – be it his incapacity or death or some other reason – *the substance* will (through the agency of its human

³⁵⁰ I need not deny that there are *other* risks involved in *retaining* an intention, and which are not involved in considering and discussing whether to replace an old one.

constituents) find an appropriate replacement. And they may reasonably believe that the substance will survive for long enough for this “replacement” intention to begin to do its work, and that this intention, will, in turn, provide for the longevity of the substance, and, thereby, the longevity of its other intentions, such as its intention to traffic goods by sea. Granted, were death to strike several times in quick succession, such that insufficient numbers continue to give rise to the substance, it may be laid waste, or, at least, some of its intentions may be rendered ineffective; but where an *s*-intention or “replacement” intention is jointly had by several parties, it is wiped out by the death of any *one* of them.

It seems to me that death is not the only sort of Hobbist circumstance that might prompt one to cease to be a party to a jointly espoused intention, as another is provided by cases in which someone judges that it is no longer in his best interest to be party to some such intention. But Gilbert may demur. For, on her story, it may be that no such person has the power to unilaterally cease to be a party to any such intention. For, on the assumption that (i) such intentions are the multilateral creation of all of those who are party to them, (ii) an intention is, or is akin to, a “commitment of the will”, such that it can only be *rescinded* by that which created it, (and hence not by any *one* of a plurality that created it), and that (iii) one can unilaterally determine that one is no longer party to an intention on grounds of self-interest only by rescinding that intention, it would seem that, on Gilbert’s story, one who prizes self-interest over fidelity to a jointly espoused intention may *default on* or *contravene* that intention, but cannot unilaterally cease to be a party to it. There are delicate issues here,³⁵¹ but we need

³⁵¹ Not least that of whether, for Gilbert, one who prizes self-interest over fidelity to a jointly espoused intention must cease to be a party to a *joint commitment* to espouse the intention, or merely default on or contravene it, if, and as soon as, he ceases to be a party to the jointly espoused intention. On the one hand, the biconditionals that I quoted on pp. 175-6 of the text suggest that any jointly espoused intention (CONTD.)

not be waylaid by them. For one thing, even if it is *untrue* that one can unilaterally determine that one is no longer party to an intention on grounds of self-interest, those who seek to make provisions for the future might *fear* that it is true, and so seek to avoid what they consider to be – in the light of the familiar vicissitudes of human self-interest – costs and risks associated with joint intentions. Besides, even if a joint intention is not annihilated but rather contravened when a party, motivated by his self-interest, unilaterally deviates from playing his part in executing it, if sufficiently many parties to a joint intention deviate from it in this way, there is likely to be pressure on the other parties to bring new parties “on board” to replace the contravening parties, and this will require that a new intention is brought into being, which will carry the costs and risks of active consideration that are adumbrated above. (Notice that this point does not rely on the assumption that either the old, contravened intention, or the one that is substituted for it, regards what its parties shall jointly do. It may apply even in cases where these intentions regard what one of their parties shall unilaterally do, or what some third party – e.g. a complex substance to which the parties to the intention presently give rise – shall do, for it may be that such intentions cannot be executed unless they have sufficiently many parties working towards that end).

stands or falls with its parties’ joint commitment to espouse it. On the other hand, on Gilbert’s story, *no*-one can unilaterally rescind his part of a joint commitment. Still, it may be that there are ways of ceasing to be party to a joint commitment, on grounds of self-interest, other than by rescision. It may also be that the quoted biconditionals should be read as implying, not that, for any time *t*, some parties are the subjects of a joint intention at *t* if and only if they are jointly committed at *t* to be the subjects of a joint intention, but rather that, for any time *t*, parties *become* subjects of a joint intention at *t* if and only if they *become* jointly committed at *t* to be subjects of a joint intention. That would allow for the possibility that a jointly espoused intention falls, whilst the corresponding joint commitment stands – or *vice versa* – and is all that is needed to derive the claim that we earlier extracted from the biconditionals, namely that when some parties cause themselves to be jointly committed to espouse as a body an intention, they generate *self-fulfilling* obligations to play their parts in fulfilling that joint commitment, for that claim does not rule out the possibility that the parties *also* generate *non-self-fulfilling* obligations to *continue* to play their parts in fulfilling the joint commitment in question.

Now, the parties to a joint intention might try to insure against the (perceived) costs and risks of that intention's coming to conflict with the self-interest of some of its parties, by, at the outset, building into their expressions of conditional commitment, and hence into the content of the resultant jointly had intention, something roughly of the form *until any of us gives the others reasonable notice, or even until any of us is otherwise motivated by his own self-interest*. Such a "get-out" clause may ensure that, when a party moves on to pastures new, the joint intention to which they had previously been a party is not rescinded or contravened, but *executed*. But this matter is of academic concern. For, on the assumption that the *point* of the intention is, not to bring it about that its "get-out" clause is fulfilled, but rather to achieve a substantive goal that enters into the content to which that clause is appended, it is likely to be necessary that the remaining parties form a new intention, to replace the one that has been executed, and their doing this will carry the costs and risks of active consideration that are adumbrated above.

Granted, the parties to a joint intention might try to insure against the costs and risks that attend upon the replacement of old intentions with new ones, by, at the outset, jointly adopting conditional intentions to immediately, and without prior discussion, jointly adopt – in the example under consideration – s-intentions and self-referential "replacement" intentions, *whenever* one of more of them ceases to be a party to, or contravenes, intentions of these kinds. But such conditional intentions will be as vulnerable as any other jointly had intention to one of its parties ceasing to be a party to it, or contravening it. Of course, it might happen that every $n-1$, and every $n-2$... etc., of the n parties to a joint intention jointly adopt conditional intentions of the required kind. But there are a number of reasons why this will not always happen. Some parties will be reluctant to spend time and intellectual energy

considering and discussing whether to (enter joint commitments to) espouse such conditional intentions. And some – perhaps motivated by personal attachments or animosities, or by the worry that a public commitment to conditional intentions of the sort described will only encourage others to deviate from the unconditional intentions that they jointly espouse, as soon as it brings them more costs than benefits – may refuse to be party to such conditional intentions. And where conditional intentions of the sort described are adopted, there will be more joint intentions than there would have been, had the parties not thus insured against the costs and risks of replacing old intentions with new ones, and so, in a way, *more* hostages to the vicissitudes of human affairs than there would otherwise have been. In particular, there will be more opportunities for the termination or contravention of intentions that conflict with the interests of their parties. If sufficiently many of these opportunities are seized, then – even if their seizure has been provided for by “get-out” clauses of the kind outlined in the previous paragraph – a general spread of distrust may ensue, and manifest itself by parties actively considering whether they should persist in intending – both conditionally and unconditionally – as they previously had. Or so it may reasonably be feared, by those who seek to make provision for the future.

It may be objected that costs and risks similar to the ones adumbrated above are *also* incurred when parties give rise to a complex substance that espouses intentions all of its own. After all, just as any one of some twenty parties to a jointly had intention i_1 can cease to be a party to, or contravene, that intention, so, it would seem, any one of some twenty parties that give rise to a substance that bears an intention i_2 , all of its own, can cease to be a party to their giving rise to such a substance, thereby – if they came to give rise to it in the manner of Vic and Bob, by each expressing conditional commitments so to do, in conditions of common knowledge, which were thereby rendered

unconditional – contravening his commitment to their (the twenty’s) giving rise to a substance that bears i_2 . And if sufficiently many do thus “peel away”, there is likely to be pressure on others among the twenty to bring new parties “on board” to replace them, and this may seem to carry the costs and risks of active consideration that are adumbrated above.

But, as has been said, there is a difference between the two cases: when one ceases to be a party to a jointly had intention i_1 , i_1 ceases to be, whereas when one ceases to partake of giving rise to a complex substance that bears an intention i_2 , i_2 need not cease to be. Similarly, a jointly had intention i_1 cannot survive someone’s *coming to be* party to it, whereas an intention i_2 that is had by a complex substance, to which various parties give rise, *can* survive someone’s *coming to partake* of giving rise to that substance. And so, whereas jointly had intentions are lost when their parties cease to be party to them, and new jointly had intentions are required if “fresh blood” must be brought “on board”, intentions had by complex substances, to which human parties give rise, need not be lost when those who partake of the substance cease to do so, and a new intention of this sort is not required whenever “fresh blood” is.

Still, one might worry that new intentions or commitments will be a requirement of someone’s *coming* to partake of giving rise to a complex substance (to which others had previously given rise without him), for he must come to some kind of understanding with those with whom he will give rise to the substance, or – alternatively – he must come to some kind of understanding with the substance *itself*, most probably *through the agency* of those with whom he will give rise to it. And that is to say that he must either come to intend something with them or it, or that he, and they or it, must acquire new unconditional commitments regarding the constitution of the substance, which – in either case – will require that all

of those that give rise to the substance engage in discussion, consideration etc., and thereby incur the costs and risks sketched above.

But this rings false: working for a corporation is often not like this at all. It is quite possible to “keep one’s head down”, and not take part in any discussions regarding the make-up of the corporation. That may be, at least in part, because a distinction may be drawn between *principal* intentions – e.g. to traffic goods by sea – and *ancillary* intentions, which concern, among other things, the means by which the principal intentions that they subserve will be executed, and also because a complex substance may “divide the labour” of executing a principal intention, by delegating its authority to adopt and execute a certain sort of ancillary intention to various parties, or pluralities thereof, which partake of giving rise to it – and, in particular, to those who are identified by virtue of their occupancy of certain *roles* or *offices*. Hence, a complex substance that intends to traffic goods by sea may delegate the authority to adopt and execute ancillary intentions regarding shipbuilding to some parties, and likewise *mutatis mutandis* for ship maintenance, finance, strategy, marketing and so on. In particular, it may, at its birth, and through the agency of those who create it, delegate its authority to enter into understandings with prospective “fresh blood” to the occupants of certain roles or offices in a “human resources” department, such that, at any time thereafter, the occupants of those roles or offices have the authority to do the actual work of entering into understandings with “fresh blood”, (“on behalf” of the substance, as one might say),³⁵² and such that *very many* of those who, at any time, partake of giving rise to the same complex substance *never* concern themselves with such issues.

³⁵² Can those who work in “human resources” replace *themselves* by entering into understandings with their replacements, “on behalf” of the substance that they are to cease to give rise to? I do not see why not, provided that these understandings precede the departure of the departing parties. (So it may be that a “human resources” department ought to be large enough to withstand the impact of unforeseen deaths etc.)

It is important to see that it is not like this with joint intention. Of course, a plurality can delegate the authority that they jointly have to adopt and execute intentions that are ancillary to others that they jointly have – a plurality of teenagers in a shopping mall can thus authorise one of their number to adopt and execute intentions regarding the means by which they shall execute their principal intention to obtain more beer, drugs, glue etc. In particular, a plurality can delegate authority, to one of their number, to enter into understandings with prospective “fresh blood”; they might even identify the person(s) in question, by virtue of their occupancy of certain roles or offices, such that like authority is thereafter delegated to future occupants. But so long as the *delegators* are human parties, and not a further thing to which such parties give rise, such delegations of authority presumably arise out of “flesh and blood” intentions to thus delegate authority, which are as vulnerable to the vicissitudes of human affairs as any other intention that is borne by flesh and blood. In particular, a delegating intention that is jointly had by several parties will be forever lost, along with the delegation of authority that it precipitates, when someone ceases to be party to it, and a new jointly had delegating intention – along with a correspondingly new delegation of authority – will be required if “fresh blood” must be brought “on board”. By contrast, a delegating intention that is had by a complex substance, to which human parties give rise, like the delegation of authority that it precipitates, need not be lost when those who partake of the substance cease to do so, and a new intention – along with a correspondingly new delegation of authority – of this sort is not required whenever “fresh blood” is. And so it looks as if any twenty human parties to an intention to, say, traffic goods by sea, who wish to provide for a future in which this enterprise outlives them, are – *unlike* a substance with a like “shipping” intention, to which twenty human parties give rise – liable to lack the power to indefinitely postpone the costs and risks of

most of them partaking of future discussion and consideration of related prospective intentions, be they of the principal or ancillary or “delegating” variety, by delegating authority to adopt and execute intentions to replace idle parties with “fresh blood”. Or so it may reasonably be feared.

Still, someone might persist in pressing the objection that *most* of those who give rise to a complex substance must consider the adoption of new intentions or commitments, *whenever* “fresh blood” comes to partake of giving rise to the substance. For consider Vic and Bob. Each conditionally committed to give rise to a complex substance jointly with the other, such that they jointly comprise the “creator” of each of their ensuing unconditional commitments. If Gilbert is right, these commitments cannot be unilaterally rescinded, and so are defaulted on if and when one of Vic and Bob unilaterally ceases to partake of giving rise to the substance, on grounds of self-interest, (provided that the expressions of conditional commitment did not contain “get-out” clauses akin to the ones mentioned a few paragraphs back). Given this, it may appear that, if and when parties cease to partake of giving rise to a complex substance on grounds of self-interest, it will become necessary for each of the *remaining* parties’ commitments to be replaced with new commitments, as the commitments that are had by these (non-defaulting) parties, and which regard what they *and the defaulting parties shall jointly do* – namely, give rise to a complex substance that intends such-and-such a thing – will be apt to motivate them in fruitless and inappropriate ways, given that the defaulting parties are determined to default on their like commitments. And, given something that was said earlier, namely that, absent antecedent relations of authority, no one of several parties has the authority to retain an unconditional commitment as to what he *and some others shall jointly do*, unless each of those others retains a like unconditional commitment, these *new* commitments

will be authoritatively adopted only if their prospective bearers partake of a Gilbertian ceremony whereby, after due discussion and consideration, conditional commitments are expressed, and corresponding unconditional commitments adopted just as soon as concordant expressive acts are made by each of the other parties; and the need for such a ceremony brings with it the costs and risks that I sketched above.

But, once again, this rings false: parties who set out to give rise to a complex substance need not, like Vic and Bob, each commit to give rise to a complex substance, *jointly with the other(s)*, they may simply each commit to being *one of some parties* that give rise to a complex substance, such that the other parties are, *in the first instance*, those who express like commitments. If such commitments are undertaken, then if one of them is later defaulted upon, because its bearer ceases to partake of giving rise to the complex substance, there will be no pressure for the non-defaulting parties to generate new commitments – each may simply remain committed to being one of some parties that give rise to a complex substance, such that the other parties are – or rather were – *in the first instance*, those who expressed like commitments. Furthermore, the parties may each undertake – even more weakly – to being, *until he is otherwise motivated by self-interest, or until he has given reasonable notice, such that this period of notice has elapsed* one of some parties who give rise to a complex substance, such that the other parties are, *in the first instance*, those who express like commitments. Such commitments are liable *not* to be defaulted when their bearers move on to pastures new on grounds of self-interest. Nor does this moving on to pastures new generate a need for the other parties to review their like commitments.

Once again, there is a no parallel here with jointly had intentions. There is no point to someone's committing to being one of some parties

that jointly espouse an intention, such that the other parties are, *in the first instance*, those who express like commitments. For the metaphysics of intentions is such that those who jointly espouse an intention *in the first instance* are those who jointly espouse it whenever it is espoused. One can partake – and sensibly commit to one’s thus partaking – of giving rise to a substance that can survive one’s ceasing to partake of giving rise to it. One cannot partake – or sensibly commit to one’s thus partaking – of an *intention* that can survive one’s ceasing to partake of it. And as we have seen, a jointly had intention that is fulfilled because its “get-out” clause is will be apt to generate a need for a new, like intention.

None of the above requires us to deny that a complex substance that intends to traffic goods by sea, and to which twenty human parties give rise, may on occasion, be prompted to *reconsider* this intention (through the agency of those human parties), perhaps in the light of new considerations that have (through the agency of those human parties), been brought to its attention. Neither is it to deny that it will, on occasion, be prompted to consider (through the agency of those human parties), the adoption of *other* intentions. *Because* it will engage in such consideration through the agency of its human constituents, this may be just as costly, and just as perilous, as the consideration that takes place when a plurality jointly considers whether to jointly espouse a new intention. It is simply that it is not unreasonable to believe that such active consideration will occur less frequently: it need not be triggered by a situation in which one of the twenty parties dies or determines that he no longer partakes of giving rise to the substance, on grounds of self-interest, or by an imperative to bring in fresh blood to counteract the efforts of “dissidents” among the twenty who contrive to obstruct the intention’s execution, (such that the twenty who give rise to the substance are not the twenty who previously did), for the *substance’s*

intentions can persist through such circumstances. By contrast, consideration is apt to be triggered by a situation in which one of twenty parties to a joint intention dies or – if this is possible – determines that he is no longer party to the intention, on grounds of self-interest, or by an imperative to bring in fresh blood to counteract the efforts of “dissidents” among the twenty who contrive to obstruct the intention’s execution. A joint intention cannot persist through such circumstances.

So, in short, people may want to make provisions for the future, not in the manner of Stan and Ollie, but by giving rise to a complex substance, conterminous with their business, with intentions all of its own, *because they expect that these intentions will be unusually stable, and wish to provide for a future in which those who are “caught up” in the business can avoid the costs and risks of consideration associated with (what they perceive to be) the relative instability of jointly had intentions.*

The above discussion may prompt someone to observe that *both* jointly had intentions, *and* intentions had by complex substances to which human persons give rise are more trouble than they are worth. Would not many of the costs and risks adumbrated above be obviated were – in the example under consideration – *each* of the twenty parties to adopt an intention regarding the twenty’s trafficking goods by sea, and the twenty’s replacing dead, incapable and otherwise idle parties? After all, it might seem that any twenty token intentions, distributed among twenty parties, are such that any nineteen of them can survive the termination or contravention of the remaining one. Well, for one thing, it is not clear that this is so. Consider cases where each of the twenty intentions regards *what the twenty parties shall jointly do* (which, I take it, includes cases where each of the twenty intentions regards its bearer’s *partaking of* something that the twenty parties shall jointly do). For

familiar reasons, if one party deviates from some such intention, the remaining nineteen intentions may require replacing, either because each of their bearers no longer retains the authority to espouse an intention that regards what the *twenty* shall jointly do, or because his intention is liable to motivate him in inappropriate ways, given the deviance of the twentieth party. And as the replacement intentions are likely to also regard what their bearers will do jointly with others, it may well be that, like the unconditional commitments that comprise a joint commitment, on Gilbert's picture, they are authoritatively adopted only if the parties partake of a Gilbertian ceremony whereby, after due discussion and consideration, conditional intentions are expressed, and corresponding *unconditional* intentions adopted once concordant expressive acts have been made by each of the other parties, in conditions of common knowledge; and the need for such a ceremony brings with it familiar costs and risks.

But this is not the only problem that might be raised by individually had intentions of the relevant kind. The case of Stan and Ollie has already shown how individually had intentions can clash with individually had beliefs as to what it is best, such that one may have no good reason to personally adopt an intention that one has good reason to jointly bear with others. The likelihood of such a clash may seem to increase once one reflects on the fact that protracted co-ordinated activity tends to be more efficiently prosecuted when a principal intention is subserved by ancillary intentions that concern the means by which it will be executed, and which are likely to include ancillary intentions to "divide the labour" of executing the principal intention by delegating authority to adopt and execute ancillary intentions regarding various means to various parties, or pluralities thereof, caught up in the enterprise, and, in, particular, to those who have particular specialist skills. For it seems entirely possible that one caught up in a shipping

enterprise freely and blamelessly believes that it is best if the enterprise is not conducted in the way in which it is, but this would not be possible if all of the minutiae regarding the implementation of the principal intention were *intended* by each party. And outright *clash* between one's intentions and other psychological states is a species of a more general kind of phenomenon, namely the sort of psychological *burden* that is placed on one who intends more than is necessary. There is a cost to having very many detailed intentions, especially when they regard matters in which one takes little interest. How much easier to "off-load" them onto something else, be it a plurality of which one is one, or a complex substance to which this plurality gives rise! Would that not be a *load off* the twenty minds of the twenty parties to a shipping enterprise?! (There is an analogy here with the personal liabilities that are, in the eyes of the law, off-loaded onto a corporation, whenever parties incorporate. Indeed, it may be more than an analogy – there may be reasons why the off-loading of legal liability "tracks" the off-loading of states of intention).

At last, the likely story

Let us recap. We used the fictional case of Stan and Ollie to help show that Gilbert does indeed have a likely story to tell as to how a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which some human persons come to jointly exemplify a psychological property. We then used the fictional case of Vic and Bob to show that a singularist variant of this story, which concerns how a situation in which no psychological property is exemplified by anything that is not a human person might evolve into one in which a *complex individual* to which human persons give rise comes to exemplify a psychological property, can also be told. We gave some indication of the *means* by which human persons might

intentionally create some such complex individual, namely their having an exchange that begins, more or less, 'I'm willing to give rise to a complex substance, jointly with you...', and of the *motive* that they might have for doing this. And this discussion has revealed that the case of Vic and Bob was a rather simple one, and that there are *other* eminently conceivable cases of intentional creation of complex substances of the specified kind, where the means employed are exchanges like this one...:

hp1: I'm willing to give rise to a complex substance, *in the first instance* jointly with you, and you, ..., and you, (*and until I have given reasonable notice, and this period of notice has elapsed*), where this will be a substance that intends to traffic goods by sea etc., and which will execute this intention by delegating its authority to adopt and execute ancillary intentions *in such-and-such a way* (e.g. to the occupants of such-and-such roles and offices) and which also intends (although the business of executing this intention, and of adopting and executing its ancillaries will be delegated to the occupants of "human resources"), whenever one of those who gives rise to it ceases to play his part in doing so, or ceases to play his part in performing the actual work of its activities, (i) to find someone who meets certain specified conditions, (ii) to try to agree with him that *he* will then give rise to it, jointly with whichever parties at that time give rise to it, and (iii) to repeat this process of finding-and-trying-to-agree, until some such agreement has been forged with some such suitable party, *if you say that you are too, and this is common knowledge between us.*

hp2: I'm likewise willing.

hp3: I'm likewise willing.

....

*hp*₂₀: In that case, I'm willing to do such a thing with all of you.

I need to make two more observations, which, I take it, apply to intentions that are had by human persons, and hence – we may presume – to intentions that are had in the sense in which a human person has intentions. First, one way to come to intend something is to make the corresponding decision. Secondly, principal intentions are not only subserved by ancillary *intentions*, but also by ancillary *beliefs*, such as beliefs about available means, or beliefs about what is best done, and by ancillary wishes, in the sense of *aspirations* or *ambitions*, which regard the execution of the corresponding intention. So, if the exchange reported above is eminently conceivable, it is *as* conceivable that *hp*₁ might have added that the prospective substance under discussion will *also* execute its intention of trafficking goods by sea, in part, by delegating its authority to make *decisions* and adopt *beliefs* and *wishes*, in such-and-such a way, e.g. to the occupants of such-and-such roles and offices. (More carefully, it is *as* conceivable that *hp*₁ did this, *using expressions that feature cognates of 'decide', 'believe' and 'wish', in the senses in which they may be used to truly say something about a human person*).

Now, I submit that it is eminently conceivable (although almost certainly false) that such an exchange took place, in conditions of common knowledge, and that *hp*_{1,...} *hp*₂₀ thereby gave rise to a complex substance, which came to outlive them by several generations, and which intended to traffic ships by sea, and which, on various occasions in its history, came to subserve this intention by, (through the agency of the occupants of various of its roles and offices, who may have been acting unilaterally or multilaterally), deciding to abandon shipbuilding, wishing to keep expenditures on administration to a minimum, intending

to slip into the nooks and crannies in the eastern trade structures, and believing that it could never again trust the ruling elite in Awadh. And that amounts to the promised “likely story” as to how a situation in which every decision, wish, intention and belief is made or had by a human person might, over time, evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs, (in the senses in which a human person may make and have such things).

The *point* of this story has been to describe *how it is possible* that the third thesis is true, i.e. a *way* in which its truth might have come about, and thereby to assuage perplexities provoked by the case for that thesis. (I also expressed a hope that the story is “likely” in the additional sense that the hypothetical events that it recounts *resemble* actual events that conferred upon the East India Company a capacity to make decisions, and have wishes, intentions and beliefs). Of course, perplexities are scarcely likely to be assuaged by the mere observation that it is conceivable that human persons *say* certain things, such as that they are willing to give rise to complex substances and so on. Talk is cheap. But my story is not just one in which certain things are said, but one in which certain things are *understood* when certain things are said. In particular, it is one in which the speakers know that (i) by each expressing, in conditions of common knowledge, a conditional commitment to their coming to jointly exemplify some psychological property, (the condition in question being, in each case, that each of the others does likewise, in conditions of common knowledge), they can each become unconditionally committed to their coming to jointly exemplify that property, and thereby come to jointly exemplify it, that (ii) by so doing, they can set in train an activity, which will outlive them by several generations, and also an organism-like, artefact-like complex substance, to which they give rise, and which is conterminous with that activity, and

which will “inherit” or “borrow” very many of the jointly had qualities of the pluralities that successively give rise to it, and finally – and on the basis of their knowledge of (i) and (ii) – that (iii) they can *set out* to give rise to a complex substance that exemplifies a psychological property, and succeed in so doing, by each expressing, in conditions of common knowledge, a conditional commitment to their giving rise to such a substance, which exemplifies such a property (the condition in question being, in each case, that each of the others does likewise, in conditions of common knowledge), such that each becomes unconditionally committed to their coming to give rise to a complex substance that exemplifies that property, and they thereby come to give rise to just such a substance.

The reader will have noticed that my story has scarcely mentioned the law. He might reasonably want to know whether it purports to describe a sequence of events of a sort that can take place independently of the law, and of lawyers and legislators, and which the law may, at best, “track” or “reflect”, or one that is, at least in part, dependent upon, and constituted by, the law, lawyers and legislators. I have only two things to say in defence of my silence on this issue: *first*, and quite generally, it is not always easy to distinguish between that which the law “reflects”, and that which the law partly constitutes: consider, in this connection, discussions of rights and duties (and, in particular, of property rights, and their correlative duties). *Secondly*, and again, quite generally, it is not always easy to distinguish between those who help to *create* something organism-like and artefact-like (I mean this description to apply to *bona fide* organisms and artefacts, as well as to their *simulacra*) and those who make some other contribution to its creation: consider cases of assisted conception, or cases where a proximal artificer uses technologies and/or parts that are the inventions of others, perhaps others for whom he is working, albeit with some degree of inventiveness

and autonomy. These two observations become entangled in cases where lawyers, legislators and other state officials or bodies are candidates for inclusion among something's creators: one such case is provided by *patenting*; the question of whether patent law, both in theory and in application, always "reflects" property rights, or in some cases helps to constitute them is clearly bound up with the vexed question of whether, say, a gene sequence, insofar as it is a patentable invention,³⁵³ is *created* by officials of the state and of the law, as well as by geneticists, (and, for that matter, by progenitors, and "by evolution"). I should say that the two observations are also not easily disentangled in the case of incorporation.

Let me say this too. In Chapter One, I noted that interpretations of the "Fictionist Theory" of corporate legal personality are apt to turn on whether the theory is understood as saying that corporate legal persons are *fictions*, i.e. artefacts fashioned by creative minds, or that they are *fictitious*, i.e. putative, feigned entities that exist only according to some story. I went on to dismiss the view that the East India Company is fictitious. But I did not reject the claim that it is a *fiction*, in the sense of "that which is fashioned or framed; a device, a fabric" (OED). Given that the Company is, at least, artefact-*like*, there may be a sense in which it is indeed a fiction. Furthermore, if the law, and lawyers and legislators helped to make it the case that this fiction was brought into being, then there may be a sense in which the Company is, in an often carelessly used phrase, a *legal fiction*. And so, while there is a sense in which the third thesis is "realist", it is consistent with one sort of legal fictionism.

Conclusion

³⁵³ See directive 98/44/EC of the European Parliament and of the Council of 6 July 1998 on the legal protection of biotechnological inventions, article 5(2): "An element isolated from the human body or otherwise produced by means of a technical process, including the sequence or partial sequence of a gene, may constitute a patentable invention, even if the structure of that element is identical to that of a natural element".

In this Chapter, I have tried to describe a way in which a situation in which no decision, wish, intention or belief is made or had by anything that is not a human person, might evolve into one in which the East India Company makes decisions, and has wishes, intentions and beliefs, (in the senses in which a human person makes and has such things). The point of this was to try to reconcile the perplexed to the third thesis.

The reader may be curious to know whether there are similar ways in which the Company might have come to exemplify *other* psychological properties. This concern will be addressed, rather briefly, in a Postscript.

Postscript – where will it all end?

This thesis began with the observation that Lawson writes...:

...the Company decided to abandon shipbuilding and ownership...³⁵⁴

...it wished to keep expenditures on administration to a minimum and to maximize profits from all trade surpluses, especially from Bengal.³⁵⁵

...the Company intended to slip into the nooks and crannies in the eastern trade structures which the native traders and other Europeans had ignored...³⁵⁶

The Company believed that it could never again trust the ruling elite in Awadh...³⁵⁷

We have taken these sentences at face value. Alternatively put, we have denied that Lawson employs them as a mere “manner of speaking”, or that, in Quinton’s phrase, they are “plainly metaphorical”. In particular, we have denied that they are *not asserted* (as ‘Juliet is the sun’ may be thought to be not asserted), that they are *shorthand* for some less elegant “paraphrase”, (as ‘The average mother has 2.4 children’ may be thought to be), that they are *synecdochical*, (as ‘The King would speak with Cornwall’ may be thought to be) and that they exploit an *ambiguity* or *polysemy* (as ‘Everest has a foot’ may be thought to do).

I warned at the outset that this thesis would have an extremely restricted focus, namely the East India Company, and that I did not

³⁵⁴ Lawson (1993) p. 48.

³⁵⁵ *ibid.* p. 115.

³⁵⁶ *ibid.* p. 26.

³⁵⁷ *ibid.* p. 112.

know whether I ought to endorse claims about, say, the London Symphony Orchestra, the Black Watch Regiment or the Swindon Moonrakers (a pub quiz team), which parallel the ones that I have made about it. One reason for this acute reticence may have become clear: some such social groups may be best thought of as mere pluralities of human persons, rather than as complex individuals, to which pluralities of human persons give rise (perhaps, as one might put it, the East India Company is to a pub quiz team as a weasel is to a heap of grains).³⁵⁸

Still, the reader who is content to indulge my fixation upon a single example may despair of the narrowness of the scope of the third thesis. For it is silent on the issue of which (if any) psychological predicates that are *not* of the form ‘_decided to ϕ ’, ‘_wished to ϕ ’, ‘_intended to ϕ ’ or ‘_believed that p ’ can be used, (in the same senses etc.) to truly say something about the East India Company. In particular, it is silent on the issue of whether, had Lawson seemed to say of the Company that it had been *considering* something (as a bank may be said to be considering your request), that it had been *deliberating* or *imagining* or *remembering* something, that it was *dizzy*, and that it fell into a *brown study*, any or all of these claims should be taken at face value, or whether they should be explained away as “manners of speaking”, either not asserted, or shorthand, or synecdochical, or ambiguous, or (as may seem more likely) *simply not the sort of thing that anyone like Lawson should stoop to say*.

³⁵⁸ I here assume that heaps and piles are mere pluralities. Leibniz (1968 p. 197) seems to suggest that an absurd consequence of the view that “...parts which fit together for a common design are more appropriate to constitute a true substance than those which are in contact...” is that “...all the officials of the India Company in Holland would constitute a real substance better than would a pile of stones.” *Pace* Leibniz, I doubt that there is anything absurd about this consequence. If the suggestion to which this is a note is correct then, paraphrasing Leibniz, “...all the officials of the India Company in England would constitute a real substance better than would a pub quiz team.”

I will maintain this silence to the end. But I shall concede this: you have to draw the line somewhere. At some point, there will be a “cut-off”. That is, *at least one* psychological predicate will be such that it cannot be used, in the same sense as that in which it can be used to truly say something about a human person, to truly say something about the East India Company. Furthermore, I shall concede that at least one psychological predicate will be such that it *could not possibly* be used, in the same sense as that in which it can be used to truly say something about a human person, to truly say something about anything that is *of a kind* with the East India Company; that is to say, the *nature* of the Company is such that there are varieties of psychological phenomena that it could not exemplify. I will not argue this here, but I take it that many sensible readers who have come with me thus far would agree with it. And although, no doubt, different readers will have different views about where to draw the line, it is hard to resist the conviction that a lesson to be extracted from Block’s notorious “mind of China” thought experiment is that *it could not be* that a complex substance to which human persons give rise has a mental life that includes any “qualitative states”, “raw feels” and “immediate phenomenological qualities”, such as pains, feelings, sensings, visual and auditory imagery and the like.³⁵⁹ If anything is cut off by the “cut-off”, it is “felt” phenomena such as these.

³⁵⁹ Block (1990) argues that, on a sufficiently imprecise (or “liberal”) construal of what it would be for a Turing machine table to “describe” psychological states, we can conceive of the inhabitants of China being connected to “a human body, say yours” by radio, such that each inhabitant “implement[s] a ‘square’ of a reasonably adequate [Turing] machine table that describes you”, such that they constitute a “China-body system” which is “functionally equivalent to you for a short time, say an hour” (p. 276). He then invites us to intuit that, were this scenario to obtain, the system composed of Chinese and body would not enjoy any “qualitative states”, “raw feels” or “immediate phenomenological qualities” (p. 278). Dennett (1979 Essay 9, p. 153) indicates that Lawrence Davis conducted essentially the same thought experiment in an unpublished paper delivered at MIT in 1974. But Block’s strategy of reducing to absurdity a conception of mind according to which a comically “enlarged” mind could be “entered” into by any one of us also owes something to Leibniz (1991) § 17: “In imagining that there is a machine whose construction would enable it to think, to sense, and to have perception, one could conceive of it enlarged while retaining the same proportions, so that one could enter into it, just like into a windmill. Supposing this, one (CONTD.)

Granted, some people might have difficulty with the very idea of a “cut-off”, i.e. a distinction between those psychological predicates that could be used, and those that could not be used, to truly say something about anything that is of a kind with the Company. In particular, a defender of a radical form of “mental holism” – according to which if something has *any* sort of mental capacity, (i.e. a capacity for *some* mentality), then it has a capacity for *all* varieties of mentality – might, by contraposing that thesis, infer that it follows from my conceding that that certain sorts of psychological phenomena could not possibly be exemplified by the Company (or anything akin to it) that *no* psychological phenomena could be exemplified by the Company (or anything akin to it), and hence that there is something wrong with the case for the third thesis. But such a strong form of “holism” is surely – to use a term of Block’s – chauvinist: after all, many philosophers and non-philosophers would agree that many *beasts* have capacities for some degree, or some varieties, of mentality, which are not – and not co-instantiated with –

should, when visiting within it, find only parts pushing one another, and never anything by which to explain a perception.” Block’s strategy is more complex than Leibniz’s, however. The lesson of his thought experiment is but a lemma to his main conclusion that the mental states that we humans bear are inadequately described by functional characterisations; the rest of the argument is that (a) sufficiently *precise* or “chauvinistic” functional characterisations of such states fail to adequately describe them, as they fail to characterise states of possible systems that *do* have, broadly speaking, the same kinds of conscious mental lives as we do, and (b) any functional characterisation of the mental states that we bear will either be precise enough to lead to *this* predicament, or imprecise enough to allow, absurdly, for a “mind of China”. Now, it is only fair to recall that Block does not defend the intuition that a “mind of China” is absurd by way of any premise that a complex substance to which human persons give rise could not have psychological properties, or even “qualia”. Indeed, he describes a contrasting case in which tiny “humanlike creatures... build hordes of space ships of different varieties about the sizes of our electrons, protons and other elementary particles, and fly the ships in such a way as to mimic the behavior of these elementary particles” such that some of *us* become composed “mainly of the ‘matter’ made of the tiny people in space ships”, (p. 280), the point of the contrast being that the tiny creatures, unlike the inhabitants of China, do not each “implement a square” of a Turing machine table that functionally describes a web of mental state tokenings, on any likely construal of what it is to do this. Finally, we should note that Block’s phrase ‘China-body system’ does not clearly distinguish between the hypothesis that a plurality of Chinese, with “your” body, might jointly exemplify “qualitative” psychological properties, and the hypothesis that they might give rise to a further thing that does this.

capacities for *all* varieties of mentality; in short, that they have sentience but not sapience, (or not “full-blown” sapience). Likewise, the proper conclusion to draw from Block is not that something is wrong with the case for the third thesis, but that the Company is the mirror image of the beasts, in that – perhaps like ghosts or angels – it has some capacities for sapience, but no (or no especially developed) capacity for sentience.

Still, one who does not subscribe to the radical “holist” thesis that is sketched above might agree with those who *do* that there is a *natural unity* to the psychological realm, such that, by conceding that there is a “cut-off”, I incur an obligation to explain *why* this is so, and *why* the “cut-off” falls where it falls, such that it puts the “felt” beyond the pale for the Company, (for do not philosophers who defend the inverse “cut-off” with respect to the beasts provide some sort of explanation of *it*, by adverting to what they take to be the beasts’ soullessness, or lack of conceptual competence, or inability to acknowledge norms?) And even one who thought that no such obligation had been incurred might reasonably think that it is worth holding out for answers to these two why-questions, as they might teach us something about the *nature* of the Company, and the respects in which it differs from our human natures.

I have the beginnings of answers to these two why-questions. But, before I give them, I want to pour some cold water on the thought that there *is* a natural unity to the psychological realm, or, at least, on the thought that there is a natural unity to the objects of those inquiries that have come to be known as psychology, and the philosophies of psychology and mind. We sometimes forget that these are rather recent fields of academic inquiry, and that the broader philosophical tradition is not unequivocal about the scope of the mental. Of the moderns, Locke, Berkeley, Leibniz and Spinoza have radically different things to say on

this theme. And of particular interest, given our tendency to assume that pains, feelings, sensings, visual and auditory imagery etc. *are* of a kind with other phenomena that have come to be called “mental”, is that there is at least a strand in Descartes according to which, not only sensory and affective phenomena, but also imaginings, are properly explained, at least in part, by our (contingently and temporarily) embodied worldly circumstances, and in particular by the pineal gland, and are not essential to we thinking things *per se*, and hence not essentially *mental* phenomena.³⁶⁰ On one reading of the history of our conceptions of our own mindedness, it is to the empiricists that we owe the stipulative yoking together of heterogeneous phenomena, which were properly kept apart by Descartes, under the coinage ‘_idea’, and hence the subsequent emergence of fields of inquiry that have these phenomena as their objects, which, like the phenomena, are possessed of a bogus unity.³⁶¹

Furthermore, ordinary language provides some support for the Cartesian dichotomy. For when we “look and see” exactly how and when we reach for expressions that feature cognates of “mind”, in our non-philosophical lives, we notice that, whilst we might say that something or other *has a mind* to do such-and-such, or that it has such-and-such *in mind*, or that it is *of a mind* to do such-and-such, or that it is *minded to* do such-and-such, or that it is *mindful of* such-and-such, or that it *minds* such-and-such or that it did such-and-such *mindfully*, or that it *applied its mind to* such-and-such, or that it *exercised its mind over*

³⁶⁰ Descartes (1991 p. 380): “...the human mind separated from the body does not have sense-perception strictly so called”, (1985 p. 209): “...[we] experience within ourselves certain other things which must not be referred either to the mind alone or to the body alone. These arise, as will be made clear later on, in the appropriate place, from the close and intimate union of our mind with the body. This list includes, first, appetites like hunger and thirst; secondly, the emotions of anger, joy, sadness and love; and finally, all the sensations, such as those of pain, pleasure, light, colours, sounds, smells, tastes, heat, hardness and the other tactile qualities” and (1984 p. 51): “...this power of imagining which is in me, differing as it does from the power of understanding, is not a necessary constituent of my own essence, that is, of the essence of my mind.”

³⁶¹ This rather “broad brush” paragraph owes much to Rorty (1980) and Smith (1988).

such-and-such, or that it *made up its mind* about such-and-such, or that it *changed its mind* about such-and-such, we would not normally describe sensory or affective or imaginative phenomena in these terms.³⁶² On the contrary, like faithful Cartesians, we tend to report many such phenomena by adverting to bodily parts:³⁶³ a pain might be “in the foot”, a feeling “in the stomach”, while visual or auditory imagery – e.g. recollections of how things looked and sounded, and fantasies about how they might look and sound – are said to be seen or heard “in the head”.

Still, if we temporarily grant that there is a natural unity to the mental, such that the “cut-off” must be explained, then, when one casts around for an explanation, it is hard to avoid registering that *one* salient difference between the Company and a human person is that it is not in the nature of the former, as it is – to the secular mind – in the nature of the latter, that it is sustained by – perhaps identical with – a unitary animal body, just as, for Descartes, the salient difference between any one of us, and any one of the beasts, is that it is not in the nature of the former, as it is in the nature of the latter, that it is sustained by – perhaps identical with – a unitary animal body. And just as the Cartesian explanation of the stupidity of beasts is that the nature of any beast is *exhausted* by its organic nature, so, it may seem, the best explanation of the insentience of the Company is its *lack* of a unitary organic nature. (For might not the lesson of the fact that we report pains, feelings, visual and auditory imagery etc., by adverting to bodily parts, be that such phenomena are essentially modes of substances with animal natures?)

This explanation receives some support from a consilience between the Company and any *plurality* of human persons. For it would seem that a “cut-off” akin to the one that applies to the Company applies to any

³⁶² At least, this is so if we set aside dead Shakespearianisms, like “in my mind’s eye”.

³⁶³ I here leave *perceivings* off the list. (I doubt that the vulgar place them *anywhere*).

such plurality. For whilst (as the case of Stan and Ollie showed) it is quite conceivable that a single token decision, or a single token intention or belief, is (jointly) made or had by a plurality, it is very hard to conceive of what it would be for a single token pain, or a single token feeling or sensing, or a single token episode of visual or auditory imaging, to be jointly undergone, performed or experienced by a plurality,³⁶⁴ (although some *have* tried to conceive of this).³⁶⁵ Moreover, any plurality of human persons is, *just like the Company*, plainly unlike *one* human person in that it is not in the nature of the former, as it is – to the secular mind – in the nature of the latter, that it is sustained by – perhaps identical with – a unitary animal body. And so, it may seem that the best explanation of the insentience of pluralities is, (like the best explanation of the insentience of the Company) that pluralities *lack* unitary organic natures.

Furthermore, it is plausible that this consilience is not merely *exculpatory* of the “cut-off” that applies to the Company but *explanatory* of it. That is, it may be that is not *merely* that, as the “cut-off” that is had by the Company, and anything akin to the Company, is *also* had by something that is not akin to the Company, namely, a plurality such as, say, Stan and Ollie – and for a similar reason, *viz.* the lack of a unitary organic nature – it (the “cut-off”) is scarcely a unique form of breach of the natural unity of the psychological realm, and so ought not to worry us unduly. For we saw in Chapter Four that an organism-like, artefact-

³⁶⁴ Granted, developmental psychologists draw a distinction between mere “gaze-following” i.e. the ability to be led towards an object by the direction of another’s gaze, which infants tend to participate in from the age of about six months, and so-called “joint attention”, which infants tend to engage in from about nine to twelve months, and which appears to involve the emergence of a capacity for, and a sensitivity to, the expression of pre-linguistic communicative intentions e.g. by pointing to, “showing” and giving objects, and by using facial expressions and noises to convey an emotional or conative attitude to them. But it is not obvious that it follows from there being joint attentional behaviour of *that* sort that any single token episode of looking or listening is literally jointly undergone, performed or experienced by a plurality of human persons. (See Bakeman and Adamson (1984), Moore and Dunham (1995) and Eilan *et al* (2005)).

³⁶⁵ See for example Strawson (1987) pp. 90-1.

like complex substance may “inherit” or “borrow” very many of the jointly had qualities of the pluralities that successively give rise to it. Hence, if it is indeed the case that any plurality jointly has an incapacity to bear certain psychological attributes, then this may explain *why it is* that the Company, which is an organism-like, artefact-like complex substance, to which successive pluralities gave rise, also has an incapacity of the same kind, i.e. *its* incapacity is “inherited” or “borrowed” from *those* pluralities.

But, actually, it is doubtful that the “cut-off” that is had both by the Company and its constituting pluralities is *fully* explained by the fact that each lacks a single, underlying organic body. For many of the sorts of mental phenomena that each of us may undergo, but which *cannot* – on the face of it – be undergone by the Company (or anything akin to it) or by any of its constituting pluralities (or anything akin to them) are not *obviously* essentially afflictions of our animal natures.

The kind of examples that I have in mind are the sorts of thing that baffled Ryle, until the end of his career,³⁶⁶ such as long division that is performed, or “silent” monologue that is “heard”, as it is commonly said, “in the head”, and which can seem to take place in the absence of any corresponding visual or auditory imaging, and, more generally, musing, rumination, calculation, idle reverie, meditation, brown study and so on; in short, *pensive, excogitative, imaginative or recollective* phenomena or, more simply, *dwelling upon things*, as *Le Penseur* appears to thus dwell. Such phenomena, unlike itches, tickles, tweaks, hunger-pangs, euphoria, dizzy spells etc., or lookings and listenings, or even those “inner” lookings and listenings that are mental imagery, do not seem to be *essentially* afflictions of organically embodied substances. Or, at least, it is not clear how the *lack* of a unitary organic nature could explain

³⁶⁶ See Ryle (1979), and the essays that make up the second half of Ryle (1990b Vol. II). (Many of the examples listed in the rest of the paragraph are drawn from these sources).

something's inability to undergo them, given that this lack does not exclude its making decisions, and having wishes, intentions and beliefs. And yet it is plausible that at least some such phenomena are cut-off by the "cut-off". For whilst one can imagine Lawson saying that the Company was *considering* or *deliberating over* something, one can scarcely imagine him saying, with a straight face, that it was drifting in idle reverie, or engaging in silent speech, or meditating, or that it fell into a brown study. Furthermore, the same is true of any plurality that one cares to think of: one can imagine saying that there was an episode of consideration or deliberation that Stan and Ollie jointly performed or underwent, but not that there was an episode of idle reverie, silent speech, meditation, and so on, that they jointly performed or underwent.

I think that a proper appreciation of *why* these phenomena baffled Ryle helps us to understand why they might be cut-off by the "cut-off". So I need to briefly reconstruct Ryle's problematic with regard to the mind. His puzzle in *The Concept of Mind* is an apparent dilemma between the "Hobbist" or "mechanical" conception of mind, according to which mental phenomena, can, in principle, be witnessed by an arbitrary subject, which, on the face of it, requires that they are *somewhere*, and the "Cartesian" or "para-mechanical" conception, according to which mental phenomena are such that they cannot, in principle, be witnessed by an arbitrary subject, which, on the face of it, entails that they are *nowhere*: a claim that the "Cartesian" can make sense of only by means of a spooky metaphysics, which divides each of us into a part that is *nowhere*, which is afflicted or modified by mental phenomena, and another part that is *somewhere*, and which is *not* thus afflicted or modified (or at least, which is, at best, "derivatively" thus afflicted or modified) – hence the myth of the "ghost in the machine". Ryle's puzzle is that it can look as if the only available third way between the claim that

mental phenomena are witnessable and the claim that they are unwitnessable is a flat denial of their existence, which is intolerable.

The details of Ryle's solution – if indeed he has one – are a matter for scholarship of a sort that need not detain us here. But a strategy that he deploys many times is that of trying to get us to accept that many mental phenomena are neither witnessable nor unwitnessable – indeed that it makes no *sense* to say that they are either of these things. Phenomena that are such include at least some abilities and habits,...

Just as the habit of talking loudly is not itself loud or quiet, since it is not the sort of term of which 'loud' and 'quiet' can be predicated, or just as a susceptibility to headaches is for the same reason not itself unendurable or endurable, so the skills, tastes, and bents which are exercised in overt or internal operations are not themselves overt or internal, witnessable or unwitnessable.³⁶⁷

...at least some emotions,...

Liking and disliking, joy and grief, desire and aversion are... not the sort of things which can be witnessed or unwitnessed.³⁶⁸

...at least some perceptions,...

... it makes no sense to speak of my witnessing, or failure to witness a piece of hearing or seeing...³⁶⁹

³⁶⁷ Ryle (1990a) pp. 33-4.

³⁶⁸ *ibid.* pp. 105-6.

³⁶⁹ *ibid.* p. 253. This is the antecedent of a conditional, which continues "*a fortiori* it makes no sense to speak of my witnessing, or failing to witness, a piece of fancied hearing or fancied seeing". But it's clear from the context that Ryle thinks that it is true.

...and at least some sensations:

The reason why my tweaks cannot be witnessed by [the cobbler] is... that they are not the sort of things of which it makes sense to say that they are witnessed or unwitnessed at all, even by me.³⁷⁰

The reason that Ryle gives for each of the claims quoted above is that the phenomena in question do not belong to the “logical” category regarding which it makes sense to say, only of things of that category, that they are witnessed or not witnessed, witnessable or unwitnessable. The category in question is described using different expressions in each case. In the case of the first quotation about abilities and habits, we are told that that such things do not belong to the category “happening”:

...the reason why the skill exercised in a performance cannot be separately recorded is not that it is an occult or ghostly happening, but that it is not a happening at all.³⁷¹

In the second quotation, the category in question is “episode”:

Liking and disliking, joy and grief, desire and aversion are, then, not “internal” episodes which their owner witnesses, but his associates do not witness. They are not episodes and so are not the sort of things which can be witnessed or unwitnessed.³⁷²

In the third quotation, the relevant category is “doing”:

³⁷⁰ *ibid.* p. 196.

³⁷¹ *ibid.* p. 33.

³⁷² *ibid.* pp. 105-6.

Seeing and hearing are neither witnessed nor unwitnessed doings, for they are not doings...³⁷³

In the fourth quotation, it is a disjunctive category, “thing or episode”:

It is nonsense to speak of observing, inspecting, witnessing or scrutinizing sensations, since the objects proper to such verbs are things and episodes.³⁷⁴

And in many places in *The Concept of Mind* Ryle speaks of putative phenomena of the category “process” that are “subterranean”, “occult”, or “ghostly”, implicitly or explicitly contrasting them with phenomena of the same “process” category that are *not* thus spooky and hence witnessable.

Ryle is not an especially systematic philosopher, so I propose not to press questions about the identity or difference between the things that he means by ‘happening’, ‘doing’, ‘episode’, ‘process’ and so on, or questions raised by the fact that he only once, in *The Concept of Mind*, claims that *things* as well as episodes are objects proper to verbs of witnessing. Neither do I propose to evaluate or endorse his idea that phenomena that are not of these categories are such that it is *nonsense*, rather than plain false, to say of them that they are witnessed or unwitnessed, witnessable or unwitnessable. But I take it that he applies *four* key insights to the solution of his puzzle. The first is that we pre-theoretically have the notion that there are some mental phenomena that *go on* throughout a temporal interval.³⁷⁵ The second insight is that many

³⁷³ *ibid.* p. 253.

³⁷⁴ *ibid.* p. 199. I take it that there is an implied contrast here between things and episodes, such that Ryle must mean something like ‘substance’ by ‘thing’. (There is a similar implicit contrast on *ibid.* p. 115, “things existing, or processes taking place”).

³⁷⁵ See William James’s (1998 Vol. 1 Ch. IX p. 224) account of ‘The Stream of Thought’: “*The first fact for us, then, as psychologists, is that thinking of some sort goes on.*”

mental phenomena are not, on reflection, among these goings on, either because, like skills, bents, tastes, likings and dislikings, they are essentially *dispositions*, or because, like seeings and hearings, they are occurrences that “do not go on for a time, however short”³⁷⁶ – in our terms, *punctual occurrences* – which essentially and constitutively mark the onset of states, such as states of having seen or heard, and perhaps also the “upshot” of things that previously went on for a time, like “episodes” of looking and listening. Hence, in *Dilemmas*, Ryle writes....:

...I can be looking for or looking at something, but
I cannot be seeing it. At any given moment either I have
not yet seen it or I have now seen it.³⁷⁷

(Ryle sometimes calls such punctual occurrences “achievements”).

The *third* insight is that “mechanists” and “para-mechanists” alike have bequeathed to us a tendency to think that *all* mental phenomena go on, and to thereby confuse the non-goings on with the goings on, such that, if ever we needed to choose between saying, of a mental phenomenon, that it is located somewhere, and that it is not located somewhere, we are apt to misconstrue this as an invidious choice between saying that it *goes on* somewhere, and that it *goes on* nowhere, on pain of conceding that it does not exist.³⁷⁸ The fourth insight is that,

³⁷⁶ Ryle (1969) ch. VII p. 103.

³⁷⁷ *ibid.* See Ryle (1990a) pp. 143-7, 253 and 284-5 for more on punctual mental occurrences, which for Ryle include inferences, conclusions, deductions as well as seeings and hearings. Note that Ryle does not deny that they are *located* in time, only that they *go on* for a time. (Likewise, I should say, he does not deny that dispositions are located in time, only that they *go on* for a time; see *ibid.* p. 120: “It should be noticed that there is no incompatibility in saying that dispositional statements narrate no incidents and allowing the patent fact that dispositional statements can have tenses”).

³⁷⁸ *ibid.* p. 34: “The traditional theory of mind has misconstrued the type distinction between disposition and exercise into its mythical bifurcation of unwitnessable mental causes and witnessable physical effects”; *ibid.* p. 114: “The temptation to construe dispositional words as episodic words and this other temptation to postulate (CONTD.)

whilst it need not be odd to say, of a thing that went on, that one observed or witnessed *not merely that it went on, but the thing itself*, it is a little odd to say that one observed or witnessed, not merely *that* something had such-and-such a disposition, or *that* it came to be in such-and-such a state (perhaps as the upshot of something that previously went on), but the disposition or the punctual onset of the state *themselves*. Hence, while it is not at all odd to say that one observed that such-and-such a person *likes* a thing, or that one observed that they *saw* a thing, it does sound a little odd to say that one observed the *liking*, or the *seeing* that they did.

These insights provide Ryle with the resources with which to frame at least a *partial* solution to his puzzle. It is this: the “Cartesian” was right to suppose that at least some mental phenomena are not properly said to be witnessable, and hence may justly be said to be *nowhere*. What bred puzzlement was not this, licit supposition, but the combination of it and the illicit supposition that these phenomena *go on*. We would be entitled to be perplexed by the claim that there are things of the category that I earlier called ‘process’, (where processes are quantities of the sort of stuff that constitutes non-punctual occurrences) that do not go on in space, precisely because we have a clear understanding of, and acquaintance with, *contrasting* cases of processes that *do* go on in space, as well as time. We have witnessed many such “goings on” and so are naturally vexed by the suggestion that there are also “*hidden* goings on”,³⁷⁹ goings on, as it were “behind the scenes”.³⁸⁰ And we would be entitled to be *further* perplexed if it were said that *we provide the scenery*, i.e. by the claim that at least some of the processes that go on nowhere, are *engaged in* or *undergone* or *gone through* by human persons, (as a

that any verb that has a dispositional use must also have a corresponding episodic use are two sources of one and the same myth (of “the agent’s secret grotto”).

³⁷⁹ *ibid.* p. 120. (My emphasis).

³⁸⁰ *ibid.*

Jamesian “stream of thought” is said to be engaged in or undergone or gone through by a human person). For how could *that* be so, unless something like the myth of the “ghost in the machine” were true, i.e. unless each of us had a part that was nowhere, and which, in the first instance, engaged in or underwent or went through the relevant phenomena? By contrast, it should *not* perplex us if there is pressure to say, of any dispositional states, or onsets thereof, that they are non-spatially located. For it is doubtful that we have a clear understanding of, or acquaintance with, contrasting cases of dispositional states, or onsets thereof, that *are* spatially located. The “man on the omnibus” answer to both ‘Where is Liam’s habit of shaving in the mornings?’ and ‘Where is the commencement of the brittleness of this vase?’ is, roughly speaking, ‘That is not the sort of thing that is anywhere’. Granted, we understand what it is for something that *has* a disposition to be spatially located and hence witnessable, and what it is for an *exercise* or a *manifestation* of a disposition to be spatially located and hence witnessable, and perhaps also – although now I use terms that are foreign to Ryle – what it would be for a *categorical ground* of a disposition, if such there be, to be spatially located and hence witnessable. But it is doubtful that anyone properly understands what it would be for a dispositional state itself, or onset thereof, to be spatially located, simply because it is doubtful that anyone can point to a clear case of somebody’s witnessing a dispositional state, or onset thereof. Furthermore, neither dispositional states nor their onsets *go on* – for dispositional states do not occur, and, whilst their onsets occur, they do so punctually – and so are not *engaged in* or *undergone* or *gone through*,³⁸¹ and so there is no puzzle as to how they might be *engaged in* or *undergone* or *gone through* by human persons. But, whilst it *should* not perplex us if there is pressure to say, of any

³⁸¹ See Ryle (1969) *loc. cit.* “The verb to see does not signify an experience, i.e. something that I *go through*... It does not signify a sub-stretch of my life-story.” (My emphasis).

dispositional states or onsets thereof, that they are non-spatially located, it is understandable if it *does* perplex us, as we tend to misclassify such phenomena, at least when they afflict human minds, as “goings on”.³⁸²

³⁸² It ought to go without saying that to claim that we do not understand what it would be for a disposition to be located in space, is *not* to commit oneself to either of two propositions to which Ryle is often *said* to be committed, namely that dispositional properties do not “really” exist, and that true dispositional statements lack “truth-makers”, i.e. objects that necessitate their truth. Perhaps Ryle held such views, but I doubt it. Granted, he does not talk, as I do, of dispositional *states*, and at one point (Ryle 1990a p. 43) says, in a sentence seized upon by Armstrong (1968 ch. 6 sec. vi), that ‘To possess a dispositional property is not to be in a particular state’. But that would appear to presuppose that there *are* dispositional properties. Granted, he also says, (1990a p. 120), in a sentence seized upon by Mellor (1974 sec. iv, 2000 sec. 5), that ‘Dispositional statements are neither reports of observed or observable states of affairs, nor yet reports of unobserved or unobservable states of affairs’. But I have argued in the text that, for Ryle, it need not follow from something’s being neither observed nor unobserved, and neither observable nor unobservable that it does not “really” exist. In any case, whether or not things of a particular category “exist” for Ryle is a complex question, as, for him, ‘exist’ has different senses, and things of some categories exist in one but not others of those senses (1990a p. 24). What is certain is that throughout *The Concept of Mind* he appears to quantify freely over inclinations, tendencies, capabilities, abilities, liabilities, propensities, habits, pronenesses and so on, and that the whole point of his (ch. 1) examples of the University, the division, the *esprit de corps* and the British Constitution, which informally set up the project of the book, is that when questions about certain things, and in particular questions about their spatial location or observability, fail to find the expected answers, this is as likely to be because we have assigned those things to the wrong category, as because they do not “really” exist. Granted, Ryle denies that dispositional statements convey (p. 119) “factual knowledge of the same type” as that conveyed by non-dispositional statements, and suggests (pp. 118-9) that they have “jobs” other than that of “stating facts”. But, for one thing, the relevant notion of a “fact” is never explained, and there is no reason to believe that he is working with the Wittgenstein-Russell-Austin conception of a fact, still less the contemporary notion of a “truth-maker”. For another thing, these remarks of Ryle’s are quite consistent with the proposition that dispositional statements correspond with exemplifications of dispositional properties, or other “truth-makers”, so long as these are “facts” that are not “of the same type” as those that correspond with non-dispositional statements, and so long as dispositional statements perform “jobs” over and above their stating such “facts”. And I should say that whole the point of Ryle’s distinguishing dispositional from non-dispositional statements with regard to their “factual” status is not obviously *ontological* at all. Rather, he is concerned to make the *epistemological* claim that true dispositional statements directly warrant inferences that are not formally sound – “material inferences”, in Sellars’s (1953) terms – from observational statements to observational statements. (I cannot resist one more parenthetical remark: if dispositional states are “real” but unlocated, then Armstrong’s – and, more generally functionalism’s – supposed advance over “Rylean behaviourism”, namely that mental dispositions are real “inner states”, was actually a relapse, as it is a mistake to say, of anything that is not located in space, that it is “inside” anything else).

We might draw the contrast in this way: there is a conception of the “hidden” according to which something is hidden only if it can be discovered. If there are processes that are not spatially located, there is an inclination to think of them as “hidden”, in the relevant way, because there is an inclination to at least *try* to make sense of the suggestion that something that goes on, but which goes on nowhere, may, in principle, be observed by an ideal observer, (perhaps one who has the privilege of being himself unlocated in space, like a “Cartesian” self, who is himself “hidden” in the relevant sense). But whilst we are inclined to at least *try* to make sense of the suggestion that something that goes on, but which goes on nowhere in the ordinary world, could, in principle, be observed by an ideal observer, this breeds puzzlement: we *struggle* to make sense of the suggestion that that which is “hidden”, in the relevant way, may one day be found. By contrast, we are less inclined to even *try* to make sense of the suggestion that something that is nowhere, but which does not *go on*, can, in principle, be observed. Hence, those who believe in *abstracta* like numbers and propositions do not tend to think in this way about them. And so we are less inclined to think of such phenomena as “hidden” in a manner that leaves us perplexed. Likewise, a lesson we can extract from Ryle is that dispositional states and onsets thereof, like numbers and propositions (if such there be) are not “hidden” in the relevant, perplexing, sense, because we cannot attach any clear sense to the suggestion that something might observe them under *any* conditions.

Now, Ryle’s strategy might succeed in rendering skills, bents, tastes, likings, dislikings, seeings, hearings and many other phenomena less puzzling than we thought they were. For they are plausibly said to be dispositional states, or onsets thereof, or “mongrels” of these and witnessable, spatially located behaviour.³⁸³ But it leaves *dwelling upon*

³⁸³ See Ryle (1990a) p. 135, 140, 217 on “mongrel-categoricals”.

things as puzzling as it ever was, as it is not plausibly denied that this *goes on*. And so Ryle was baffled. He did not wish to say, with the “Cartesian”, that when we “run through” a sum, or tune, or train of thought, this is a “subterranean” process that goes on *nowhere*. Nor did he wish to say, with the “Hobbist” that it goes on *somewhere*, for such mental episodes are not witnessable by arbitrary subjects. After all...:

No one thinks that when a tune is running in my head... a doctor by applying a stethoscope to my cranium could hear a muffled tune, in the way in which I hear the muffled whistling of my neighbour when I put my ear to the wall between our rooms.³⁸⁴

And hence there was pressure on Ryle to simply deny the existence of “covert” pensive, excogitative, imaginative and recollective episodes. He wished to resist it, but never satisfactorily resolved how to do so.³⁸⁵

Now, of course, many philosophers would now say, ‘So much the worse for Ryle.’ And some might add, ‘His work is not wasted. He taxonomised mental phenomena by appeal to the ontological categories *disposition*, *achievement* and (*non-punctual*) *occurrence*, and this enabled him to show that *some* mental phenomena – *viz.* those that belong to the first two categories – are such that there is a false dilemma between the proposition that they go on somewhere and the proposition that they go on nowhere, for they do not go on at all. For all that, the thought that *all* mental phenomena are such that this is a false dilemma – whether or not Ryle ever had it – is a hopeless thought. For each of us muses,

³⁸⁴ *ibid.* p. 36.

³⁸⁵ Ryle (1990b Vol. II p. viii): “...like plenty of other people, I deplored the perfunctoriness with which *The Concept of Mind* had dealt with the Mind *qua* pensive... I have latterly been concentrating heavily on this particular theme for the simple reason that it has turned out to be at once a still intractable and a progressively ramifying maze.”

ruminates, calculates, meditates, etc. in short, each of us ponders, and pondering goes on, and so, strange as it may seem, either the “Cartesian” is right and, pondering goes on nowhere (or, at least, some pondering does, or some constituents of pondering do) or the “Hobbist” is right, and pondering goes on somewhere (or, at least, some pondering does, or some constituents of pondering do), and so is, in principle, publicly witnessable, (much may then turn on the use of phrases like “as such”).’

Now, *our* project is that of explaining why a certain sort of pondering, which we might call “*Penseur*-pondering” (a sort that comprises *idle reverie, silent speech, mulling over, daydreamy meditation* and the like, and which may not comprise *consideration* and *deliberation*), is cut-off by the “cut-off” that is had by the Company (and anything akin to it) and by its constituting pluralities (and anything akin to them). We saw that this was not obviously explained by a lack of a unitary organic nature. We are now in a position to see that, were *Penseur*-pondering *not* cut off by this “cut-off”, we would confront a dilemma analogous to the one that stumped Ryle. Either there could be *Penseur*-pondering, jointly undergone by pluralities, or singly undergone by substances to which they give rise, which went on *somewhere*, or *Penseur*-pondering, thus undergone, which went on *nowhere*. And neither horn seems attractive. On the former horn, it is hard to conceive of any in principle publicly witnessable processes with which one might identify joint or corporate *Penseur*-pondering.³⁸⁶ (Do we embark on an unpromising “Hobbist” strategy of identifying the “stream of thought” of, say, the East India Company – or whatever it may be – with located, observable things like documents reporting minutes of meetings?) With regard to the latter horn, the suggestion that there might be *any* process

³⁸⁶ By ‘joint or corporate *Penseur*-pondering’ I simply mean *Penseur*-pondering that is *jointly undergone by a plurality* or *Penseur*-pondering that is *singly undergone by a complex substance to which a plurality – or to which successive pluralities – give rise*.

that goes on nowhere is – as we have seen – perplexing. And we would be entitled to be further perplexed by the suggestion that such unlocated, invisible, intangible processes can be jointly engaged in, or undergone, or gone through, by pluralities of human *persons*, or singly engaged in, or undergone, or gone through, by complex substances to which they give rise. For how could *that* be so, unless – as is doubtful – we can render intelligible a myth analogous to the “Cartesian” myth of the ghost that is “mysteriously ensconced”³⁸⁷ in each of us, namely the “Hegelian” myth of the ghost (*Geist*) in which we are “mysteriously ensconced”, a myth that was laughed out of court half a century ago by Popper³⁸⁸ and Berlin³⁸⁹ (intriguingly, just as Ryle was taking apart its sister “Cartesian” myth).

And so our explanation of why *Penseur*-pondering is cut-off by the “cut-off” is simply that any possible instance of *Penseur*-pondering *goes on*. And so a possible instance of joint or corporate *Penseur*-pondering (if such there be) would *go on*. Given this, any such instance would either go on *somewhere* or go on *nowhere*. But (i) there can be no *place* in the world in which joint or corporate *Penseur*-pondering goes on, and yet (ii) it cannot be that such pondering goes on *nowhere*, from which it follows that there are no possible instances of joint or corporate *Penseur*-pondering. More carefully – since we cannot be completely sure that (i) and (ii) are both true, or (for that matter) that joint or corporate *Penseur*-pondering is impossible – there is a negligible amount of pressure to assert (or deny that it is not the case) *either* that there might be a *place* in the world in which joint or corporate *Penseur*-pondering goes on, *or* that such pondering might go on nowhere, from which it follows that there is a negligible amount of pressure to assert (or deny that it is not the case) that there are possible instances of joint or corporate *Penseur*-pondering.

³⁸⁷ Ryle (1990a) p. 19

³⁸⁸ See Popper (1963b) (1966).

³⁸⁹ See Berlin (1969).

By contrast, even though there can be no *place* in the world in which joint or corporate decisions, wishes, intentions and beliefs go on, and it cannot be that such phenomena go on *nowhere*, it does *not* follow that there are no possible instances of joint or corporate decisions, wishes, intentions and beliefs. For no possible decision, wish, intention or belief *would go on*; such things are either *punctually made* or *had*. Granted, it follows that any possible decision, wish, intention or belief would either be made or had somewhere, or made or had nowhere. But we ought not to deny that such things can be made or had nowhere, for *any* possible decision, wish, intention or belief would be either a dispositional state, or onset thereof, and there are, most certainly, actual and possible instances of these phenomena, but it is doubtful that we have a clear understanding of, still less an acquaintance with, actual or possible dispositional states, or onsets thereof, that are spatially located.

Now, it might be objected that as each of us is a *Penseur*, at least one of two claims that are closely analogous to (i) and (ii) above is not the case: either it is not the case that (i*) there can be no place in the world in which individual human *Penseur*-pondering goes on, or it is not the case that (ii*) it cannot be that such pondering goes on *nowhere*. For individual *Penseur*-pondering *does*, undeniably, go on, and so can go on either somewhere or nowhere. And if that's right, it may seem that we can argue by analogy that there is, contrary to the foregoing, a *non-negligible* amount of pressure to assert (or deny that it is not the case) *either* that there might be a place in the world in which joint or corporate *Penseur*-pondering goes on, *or* that such pondering might go on nowhere.

But that cannot be right. For if there is such pressure, then there is a *non-negligible* amount of pressure to assert (or deny that it is not the

case) that there are possible instances of joint or corporate *Penseur*-pondering, *given* that any possible instance of *Penseur*-pondering goes on. And we are taking it as read – as our *explanandum* – that there is but a negligible amount of pressure to assert (or deny that it is not the case) that there are possible instances of joint or corporate *Penseur*-pondering.

To recap, the “cut-off” cuts off *both* the sorts of mental phenomena that would seem to require a gross animal nature *and* the sorts of mental phenomena that would seem to require – on the face of it, absurdly – a Cartesian or Hegelian “second theatre”,³⁹⁰ where unlocated things go on. And so, not much is *not* cut off: (a) dispositional states, and onsets thereof; and perhaps also (b) spatially located, witnessable mental events or processes, (after all, it may be that the *consideration* or *deliberation* – the “brain-storming” – of a plurality can be witnessed, along with the consideration or deliberation of the complex substance to which it gives rise, if this is carried out through that plurality’s agency). It may also be that “mongrels” of phenomena of varieties (a) and (b), and of spatially located behaviour also count as mental phenomena that are not cut off.

I have had nothing to say about a question that may seem pressing: *did the East India Company have a mind?* Well, as the “cut-off” cuts off very many varieties of phenomena that have come to be classified as “mental”, we should probably be reluctant to answer in the affirmative (although we should *not* be reluctant to say, in the vernacular, that the Company *had a mind* to abandon shipbuilding, keep expenditures on administration to a minimum, slip into the nooks and crannies in the eastern trade structures etc., or that it was *minded*, or *of a mind* to do these things, or even that it was *mindful* that it could never again trust the ruling elite in Awadh, or that it kept this *in mind*, or, more

³⁹⁰ Ryle (1990a) p. 149.

archaically, that it *minded* that this was so, or – for that matter – that it *changed* or *made up its mind* about abandoning shipbuilding, and so on).

Should we be puzzled by the corollary that mental properties can be exemplified by something, even though a mind is not had by it? Surely not. After all, the story of Stan and Ollie shows that we can conceive of mental properties being exemplified by some *plurality*, the plurality of Stan and Ollie, and yet it would be queer to say that a *mind* was had by Stan and Ollie. For a decision, intention or belief to be jointly made or had by a plurality, it suffices that minds are distributed among them – it would be bizarre to insist that a mind must also be had *by the plurality*.

Let me drive home this point by way of an analogy. A mind is, I take it, a *mental capacity*, (or range thereof). Likewise, a *voice* is a *vocal capacity*, (or range thereof). As some acts of singing are jointly done, it would be bizarre to insist that every act of singing is an application of a single vocal capacity, a single voice; rather, some are applications of *several* vocal capacities, several voices. Likewise, as some decisions, intentions and beliefs are jointly made or had, it would be bizarre to insist that every mental act or state is an application or modification of a single mental capacity; rather, some are applications or modifications of *several* mental capacities, several minds. Hence, when Velleman writes:

What has made some philosophers skeptical about literally sharing an intention is that intention is a mental state or event, and minds belong to individual persons.³⁹¹

This is as much of a *non sequitur* as the following would be:

³⁹¹ Velleman (1997) p. 30.

What has made some philosophers skeptical about literally *singing a chord* is that singing is a vocal act, and voices belong to individual persons.

Now, if that's right, then the fact that reflection on pluralities shows that mental properties can be exemplified by something, even though a mind is not had by it, is not merely *exculpatory* but *explanatory* of the fact – if it is a fact – that mental properties can be exemplified by a complex substance like the East India Company, even though a mind is not had by it. For we saw in Chapter Four that an organism-like, artefact-like complex substance may “inherit” or “borrow” very many of the jointly had qualities of the pluralities that successively give rise to it. Hence, if it is indeed the case that a plurality can exemplify certain mental properties despite its lack of a mind, then this may explain *why it is* that the Company, which is an organism-like, artefact-like complex substance, to which successive pluralities gave rise, also has a like capacity to exemplify certain mental properties *despite* its lack of a mind: *its* capacity is “inherited” or “borrowed” from its constituting pluralities.

Again, consider an analogy. Imagine a complex substance that *sings*: a *choir*, which has made polyphonic music for several centuries, by virtue of the fact that successive overlapping pluralities of singers have given rise to it. One might be reluctant to say that it has a *voice*. And a good explanation of this might be that it “inherits” or “borrows” its capacity to sing whilst lacking a voice from its constituting pluralities.

No doubt many questions are raised by the claims that I have sketched in this Postscript. These must be for another time and place.

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