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Groups as Persons? A Suggestion for a Hegelian Turn

DOI 10.1515/jso-2016-0019

Abstract: Christian List and Philip Pettit have recently argued for a performative theory of personhood in which all agents who manage to perform in the space of obligations are taken as persons. Based on this account they claim that group agents are also persons. This theory has been challenged on the grounds of its historical accuracy, lack of political relevance, and contestability of the concept of personhood. This paper aims to take a new perspective on the debate by approaching it through the Hegelian idea of recognition. The claim is that recognition theory provides a multi-dimensional view of personhood that gives a clearer account of what is at stake with collective personhood.

Keywords: Group agency; Personhood; Philip Pettit; Christian List; Recognition; Axel Honneth.

1 Introduction – The Question of Group Personhood

Taking a personifying stance towards collective entities is not a new or unusual idea. Teams, corporations, states, and many other groups are described and discussed as if they had intentions, beliefs, attitudes, rights, and responsibilities. Examples are easy to come up with: we say that a team scores a goal, we blame a corporation for an oil spill, nation states are said to recognize one another, and so forth. In short, our everyday language is riddled with talk of collective agency and group persons and there is even evidence that our brain reactions to group person talk are the same as those to individual person talk (Jenkins et al. 2014). On the other hand, these reactions do not yet prove that groups *are* persons and there is

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also very little in the way of criteria that we can extract from the ordinary use of the concept of ‘person’ (see Manninen 2004, p. 135). The exact defining features of persons are not agreed upon, and neither is the intension of the concept itself.

Although we cannot conclude much from the practice of group-personification, the task of clarifying what we really mean by saying that someone or something is a person should not be seen as futile or unimportant. That much has been clear ever since Frankfurt (1971) and Dennett (1976) began the contemporary philosophical discussion of personhood. It is commonly held that there are some sort of psychological capabilities that one has to have to be a person, but often we want to capture something more than just a description of the existence of an entity’s psychological states. In short, the concept of personhood is multi-faceted and describes entities with certain sort of psychological capabilities and also other person-making features like, for example, rights and responsibilities.

To see if we are justified in using the term person in relation to groups we need to map out the various conditions of personhood in a suitable fashion and show whether groups are entities that fulfil these conditions. Philosophical arguments for collective group agency and personifiable groups are not new as such.¹ However, there is also a strong persisting intuition that groups are entities of the kind that cannot be persons. One example of this is what Gilbert (1992, p. 238) calls as the combination of “*psychologism about belief*” and “*anti-psychologism about social groups*”. In short, minds and mental properties are reserved for either biological human beings (and possibly some other higher animals) or beings with person-making metaphysical properties, and groups do not have these. We might speak as if groups are persons but real persons have minds and thus this is only ‘as if’-talk. If not simply mistaken, then we are being metaphorical, as this kind of talk can or ought to be reduced to talk of individual persons and their minds.

In their book, *Group Agency* (2011), Christian List and Philip Pettit aim to overcome anti-psychologism about groups by defining concepts of mind and agency in such a manner that groups can be counted as having mental properties. This, in turn, is taken to make them personifiable agents. They argue for a functional account of agency that is combined with a similarly functional theory of personhood. What follows is a short critical analysis of the key points in the debate surrounding List and Pettit’s account (Sections 2 and 3). The analysis is followed by an argument for a broadly Hegelian account of (group) personhood (Sections 4

¹ In addition to List and Pettit, whose theory is used as a main reference point here, French (1984) and Rovane (1998), amongst others, have presented widely-known philosophical defenses of group personhood.

and 5). It is claimed that taking a ‘Hegelian turn’ gives us better analytical tools to make sense of group personification. The paper concludes with a short summary of the benefits of the Hegelian multi-dimensional view of personhood (Section 6).

2 An Argument for Group Personhood

List and Pettit (2011) begin their defense of group personhood by offering a *thin functionalist* definition of agency.² According to this, an agent needs to have some sort of representational states that depict its environment, motivational states that tell how the things preferably ought to be in its surroundings, and an ability to process these states in such a way that it leads into suitable action if the environment does not match the motivational states (List and Pettit 2011, p. 20; see also Pettit 2009, p. 68). This is to say that an agent needs representations of or beliefs about its surroundings and an ability to act and change its surroundings according to its desires. This thin model allows even simple robots and bacteria to fulfil the conditions of agency.

It is clear that we do not want to grant personhood to all the simplest functional agents like bacteria or simple robots. Thus they are distinguished from more sophisticated agents that are “fit to be held responsible” (List and Pettit 2011, p. 155). These are agents that (a) face choices of normative significance, (b) have judgmental capacities, and (c) are in control of their own actions. These conditions are intended to describe agents that have to make informed choices between good and bad, right and wrong and if they are capable of this, then it is only natural to hold them responsible for their actions. These conditions are not only necessary for being held responsible but also sufficient: List and Pettit (2011, p. 156) find it “hard to see why someone should not be held responsible for a deed if they satisfied all the conditions at once.”

Based on this, List and Pettit argue that some group agents are indeed fit to be held responsible. Those groups that decide to ‘collectivize’ reason can be

² Here a short note on the terms “mind” and “agency” is in order. List and Pettit do not claim to provide a theory of mind in the similar sense as many of their fellow functionalists do. However, for them a theory of agency is at the same time a theory of mind (List and Pettit 2011, p. 170–171). Mindedness ought to be examined through the actions of a potentially minded entity and if the entity fulfils the conditions of agency we can say that it has a mind. In Pettit’s earlier work (Pettit 2003; Pettit and Schweikard 2006) the term “mind” is used more often in this context than the term agency. Thus it can be said that Pettit’s aim is to describe certain kind of agency and certain kind of agents. That is, agents that have been understood, in the philosophical tradition, to have a mind.

taken as loci of rational reasoning, with their own beliefs and desires that are not straightforwardly reducible to their members' beliefs and desires but instead holistically supervenient on them (Pettit 2003, p. 176–177; List and Pettit 2011, p. 69–71).³ This gives a reason to think that, even though it is clear that there is no floating group mind over and above the individual brains, some so-called mental properties might nonetheless be better understood as properties of a group agent.

If groups have goals, desires, and purposes in the social world, it is likely that they will face questions of normative significance (a). Similarly, List and Pettit (2011, p. 159) state that “there is no principled reason” why groups should not be able to make judgments on normatively significant matters (b). Finally, they make a case for groups ensuring that one or more of their members perform in a relevant manner. Thus, the fact that every act of a group is realized by an individual agent who is in control of her own actions does not present a problem for taking the group to also be in control of its actions (c). “The members have responsibility as enactors of the corporate deed so far as they could have refused to play that part and didn't. The group agent as a whole has responsibility as the source of that deed” (List and Pettit 2011, p. 163).

With these considerations, List and Pettit hold group agents to be fit to be held responsible in a largely similar manner as individual human agents are. This is also desirable as otherwise some morally relevant actions would go undetected and individuals could incorporate their actions to benefit from a “deficit of responsibility” (List and Pettit 2011, p. 166). The claim is that holding group agents responsible ensures that as much blame is given as is deserved.

While shifting the talk from being fit to be held responsible into being actually held responsible, List and Pettit move towards a theory of group personhood. To them, personhood is not an *intrinsic* property but rather a *performative* status concept.⁴ In other words, being fit to be held responsible is not enough for personhood but one needs to actually be respected and held responsible for one's actions to count as a person.

According to the broadly Hobbesian (and Lockean) conception of performative personhood “a person is an agent who can perform effectively in the space of obligations” (List and Pettit 2011, p. 173). The space of obligations includes common awareness of these obligations and reciprocal power to address claims

³ This claim is supported by an impossibility result that tells us that there is no such decision-making mechanism that would be both, sensitive to individuals' judgments on the matter and the coherence of collective decisions (List and Pettit 2004).

⁴ List and Pettit (2011, p. 171) distinguish between intrinsicist theories that stress that personhood is solely dependent on the inner properties and make-up of the entity and performative theories that stress entities' ability to perform a role of a person.

to others. Thus, what differentiates persons from non-persons is that persons can move others and be moved themselves by the force of mutual obligations (List and Pettit 2011, p. 174). In our everyday social practices we grant the status of personhood to any agent that is “capable of an addressive performance towards us” (List and Pettit 2011, p. 174).⁵ In other words, those entities that can function and that can be engaged in practical and ethical relations are persons.

Adopting the performative view of personhood alongside their functionalist account of group agency enables List and Pettit (2011, p. 174–178) to say that the common practice of treating groups as persons is well founded and not misleading as certain groups are agents capable of performing as persons. That is to say that group agents are capable of performing in a system of mutual obligations by making and being targets of addressive claims.

3 Challenging Group Personification

List and Pettit’s analysis has, of course, been challenged. Here the focus is on one particular, multi-faceted, criticism, presented by Martin Kusch in his recent paper entitled “The Metaphysics and Politics of Corporate Personhood” (2014), which focuses especially on List and Pettit’s theory of *group personhood*.⁶

Kusch’s critique comes in three sets of critical questions that concentrate on the history of ideas, the sociology of knowledge, and political philosophy. The first part states that what is presented as a historical tradition of accepting collective personhood is actually a more divided tradition with no continuity. Kusch (2014, p. 1591) argues that some of the historical references used by List and Pettit – Aquinas and Pope Innocent IV – have been misinterpreted as they do not, strictly speaking, see groups as proper agents but instead as fictional agents. He continues by pointing out that the divide between intrinsicist and

⁵ Here we can see parallels with Rovane’s view that “something is a person if and only if it can be engaged as a person” (Rovane 1998, p. 123).

⁶ For discussion on further issues with Pettit’s (and List’s) views, see, for example Briggs’s, Cariani’s, Gaus’s, and Sylvain’s contributions in *Episteme* (volume 9, issue 3, 2012) and List and Pettit’s reply on the same issue. See also Tuomela’s (2011) review of *Group Agency*. Further criticisms include, for example, the traditional critique of functionalist theories of mind. As Block (1980, p. 269) aptly summarizes, the functionalist definition of mind can be seen to be too liberal as it forces us to accept that all sorts of things have minds. In addition, one could claim, as Tuomela (2007, p. 281) does, that List and Pettit’s metaphysics is confusing or follow Epstein (2015) in doubting that supervenience can do the explanatory work between individual and collective mental states that it is supposed to do.

performative theories does not map well onto the historical theories of legal collective personhood. Collapsing varied positions into the dualism of personhood theories hides important political and legal battles and causes List and Pettit to “overestimate the commonalities behind the ‘person talk’ in different historical periods” (Kusch 2014, p. 1592).

Kusch’s second set of critical questions starts from the insight that the concept of personhood is essentially contested. There are inevitable endless disputes about the use of the concept and when this is combined with the fact that human agents and collective agents have empirical differences and similarities, it is no surprise that certain theoretical positions end up highlighting similarities while others concentrate on differences. The main thrusts of this criticism are that:

First, List and Pettit fail to acknowledge that their differential weighting of similarities and dissimilarities between individual and group persons needs a detailed argument. [...] List and Pettit fail to make plausible why we should use the dissimilarities in this way rather than in favour of the conclusion that group agents are not persons.

Second, List and Pettit show far too little awareness of the ways in which socio-political goals have shaped decisions for or against real entity theory and corporate personhood theory. (Kusch 2014, p. 1596.)

The third main area of Kusch’s critique is that List and Pettit do not trace out the normative consequences of their view. The key term ‘respect’ is not defined sharply enough, and what is meant by respect for corporate persons is especially ambiguous. Corporations can be sold and ‘enslaved’ and this does not fit with the ideals of respect that we tend to accept in relation to individual persons. (Kusch 2014, p. 1597–1598.)

However, perhaps Kusch is not being completely fair: List and Pettit are aware that there are competing theories and views about personhood and about agents that ought to be personified. What they do is to make an argument for a certain definition of personhood. The claim is that group agents are similar to individual agents in the relevant functional properties and that enables them to perform in a person-making way.

Nevertheless, Kusch is certainly right in paying attention to the shortcomings of the divide between intrinsicist and performative theories of personhood. The problem is not necessarily that the divide does not map well onto certain historical positions in the discussions around collective legal personhood. List and Pettit are not after a mere legal personhood but a general theory of personhood. Rather, the problem is that List and Pettit (a) present neither a credible intrinsicist alternative nor an argument against it and (b) do not hold strictly to the distinction themselves either.

- (a) The examples List and Pettit give of the intrinsicist view are various kinds of substance dualism⁷ that have lost much of their philosophical credibility over the past centuries. Souls, for example, do not figure in current debates on personhood and no arguments are offered against more plausible accounts like Baker's (2000) constitution view or Olson's (2007) animalism. The performative view is effectively supposed to be the right one.
- (b) An extreme version of performative theory is counterintuitive as it enables almost any entity to be personified under suitable conditions.⁸ It is clear that List and Pettit do not hold such an extreme view as they require the personified entity to be an agent that is fit to be held responsible. However, the *agential* conditions of fitness to be held responsible can be taken as intrinsicist. What List and Pettit (2011, p. 177) call the thick account of conditions of performative personhood include reasoning, rationality, and various self-regulative abilities. One could easily add to this scope of abilities complex communication, self-consciousness, the ability for self-motivated action, and free will – all of which are generally taken as a standard starting point for discussing the necessary conditions of personhood.⁹ In short, persons are self-representing agents (Pettit 2014, p. 1646). Most of these properties are intrinsic in the sense that they do not have much to do with others and their attitudes. In other words, List and Pettit's theory includes (functional) intrinsic criteria for a self-representing agency and the said agent also needs to be a part of a system of obligations to be counted as a person. Thus their account of personhood includes both intrinsicist and performative elements.

Instead of being separate theoretical approaches, intrinsicist and performative views of personhood can be taken to describe two different aspects of

⁷ A passing reference is made to David Chalmers (List and Pettit 2011, p. 170) who is taken to hold an intrinsicist view of mind, if not personhood.

⁸ A thought experiment can be used to show this: Imagine a society where, according to their law and tradition, a defendant who is accused of committing a crime is brought to face a statue of a judge. The statue is asked if the defendant is guilty. It happens to be that in this particular culture, staying silent is interpreted as a strong sign of agreement. Obviously every criminal is then deemed guilty by the judge-statue. Now, being a judge seems to be a social role that we usually consider to belong to a person. In our example, this role is functionally fulfilled and performed by the statue, and it could be said that in this extreme case it would make the statue a person according to the performative view. There seems to be something odd about this story as the common intuition is that we cannot transform any entity into a person solely by recognizing or acknowledging it as a person. This is so even if the entity would fulfil a person's role in a certain situation.

⁹ Goodman (1992, p. 75) lists Daniel Dennett, Harry Frankfurt, and Mary Anne Warren as the authorities on this matter. See also Laitinen (2007, p. 252) for a similar thought.

personhood. The intrinsicist view is close to what we understand by the metaphysical, material, or psychological conditions of personhood and the performative view, in turn, is what we often understand as social, relational, or political personhood. Although at times, for List and Pettit, the functional capacity to perform as a person seems to be enough for personhood while at some instances performance alone is enough, both of these aspects are equally important when trying to make sense of what we mean by the concept of a person.

This reading brings List and Pettit's view closer to the standard theories of personhood but it is still easy to appreciate Kusch's challenge: what is it that makes List and Pettit's theory of personhood as an ability to perform in a system of obligations – that is, to be a person is to be respected – the theory that we should adopt?

List and Pettit's performative theory does not acknowledge or try to solve the problems that came up in the discussions of the conditions of personhood: their nature, their sufficiency, and their necessity. Instead it merely sketches the conditions of personhood in a manner that is close to the standard view and takes that view as given. However: what if groups do not fulfil these thick conditions in the same manner as individuals do? Might their personhood be in some relevant sense different from the personhood of the so-called natural human persons? It is true, for example, that List and Pettit (2011, p. 180) grant group persons a lesser range of rights compared to natural persons who hold a privileged position in comparison to them. List and Pettit appear to justify this by arguing that group persons are constructed out of individuals; but at the same time, the question of how a person's physical constitution affects their status as a person – especially if they fill the performative roles – is left unanalysed.

Another point of concern here is the nature of person-making performances. We may agree that being in obligation-relationships is what, at least partly, defines persons; but is this the only type of relationship that is person-making? Being part of the space of obligations may not be the full picture as it is equally possible that we attribute and recognize personhood in other ways too. As an example, one can examine the contemporary takes on Hegel's idea of recognition of persons where the key idea is shared with List and Pettit – persons become and continue to be persons through being recognized as such (Ikäheimo 2007, p. 226–228). However, in the recognition theoretical discussion the person-making relationships are often understood along the lines set by Axel Honneth's (1995, p. 129) tripartite divide of different species of recognition – love, respect, and esteem. All three forms of recognition are directed towards and constitute different aspects of personhood and to be a fully-fledged person is to have recognition in all of its forms, not just one. This is the line of thought that I wish to develop in the last parts of this paper and in doing so, present what can be called a Hegelian

alternative to List and Pettit's respect-centred picture of group personhood. While Kusch's critique does not present an alternative theory, this paper offers some steps towards one.

4 A Hegelian Suggestion

In light of the discussion above, it is possible to see a broad picture of personhood emerging. Firstly, personhood is social in the sense that it consists of performances and attributed statuses in a social setting. Secondly, personhood also has to do with psychological or agential (more or less intrinsic) capabilities and potentialities. Thirdly, if we take Kusch's point about essential contestability seriously, these psychological and social properties are also historically debated or political. What personhood is and who is included in its sphere changes through historical struggles, examples of which include the abolishment of slavery, civil rights movements, and feminist struggles for equality.

The claim here is that the Hegelian idea of recognition provides theoretical openings that can be used to elaborate theories of group personhood.¹⁰ Though the idea of interpersonal mutual recognition is often traced back to Hegel, here the focus is on the contemporary discussion.

What is Hegelian recognition, then? Theorists largely agree on two central claims. Firstly, that recognition denotes positive affirmative relations between persons that also constitute personhood. In other words, this means that our identities are shaped by the perceptions and judgments of others. Secondly, recognition is also a political term as societies can be understood to be just only when they manage to provide the recognition that their members require. Related to this is the idea that historical and contemporary social struggles are best conceived as struggles for different kinds of recognition. Defined in this manner, recognition incorporates the three aspects of personhood – persons are persons only in systems of recognition (sociality), recognition is not only constitutive but

¹⁰ Finding a strong link between List and Pettit's work and the Hegelian tradition might well prove impossible. It is clear that like the performative view, recognition theories emphasize the social constitution of persons. Hegelian philosophy is also considered open towards the idea of collective agency. One more concrete connection can be gleaned through Rovane's *The Bounds of Agency* (1998) in which she discusses some Hegelian ideas. Rovane's philosophy has been influential in the development of List and Pettit's theory, and they see their ideas as cohering closely with hers (see Pettit 2001, p. 82; List and Pettit 2005, p. 386, 2011, p. 11, 34). Rovane's view is an exemplar of the performative view of personhood and in addition her work on personhood has also been used in the context of recognition theory (see Laitinen 2011, p. 312).

also responsive to personhood (psychology), and recognition deals with historical struggles (politics). In other words, while recognition is a social practice, the responsiveness means that there are certain general criteria that one needs to fulfil, such as the capacity for rational thought or communicative skills, to be a recognizable entity. These properties can also be present as potentials that are realized and brought about through successful recognition. The exact relevant capacities are, in turn, debatable and they may undergo change through historical political struggles.

What separates recognition theories from the idea that being a person is merely about respect is that they also ask in what way and as what kind of person one is recognized. This can be gleaned from Ikäheimo's (2002, p. 450) analytical blueprint for recognition. According to him, in recognition agent A takes agent B as a C, in the dimension of personhood D, and respectively B takes A to be a qualified and capable judge on the matter at hand. C is the attribute attributed to B in A's attitude-taking and D a dimension of B's personhood that is the target of the 'recognitive' attitudes. According to this view, it is possible to have multiple personifying attitudes that differ in their content and that are directed towards different dimensions of personhood.

One of the most influential formulations of the dimensions of personhood is found in Axel Honneth's widely acknowledged theory of recognition.¹¹ According to Honneth (2001, p. 118), recognition is acting or performing in such a manner that does 'justice' to the recognized person, promotes the well-being of the recognized person, and affirms the personhood of the other. Through recognition we express positive attitudes in a manner that is, ideally, understood by the recipient of recognition (Honneth 2007, p. 329–330; see also Ikäheimo and Laitinen 2007). Recognitive attitudes take various historical forms and for modern societies Honneth (1995, p. 93) distinguishes three of them – *love*, *respect*, and *esteem*. These can be analytically distinguished from each other, and their importance in establishing positive relations-to-self is supported by empirical social and psychological research.¹²

Love refers to the primary relationships that are built on strong emotional bonds. As such it is connected to needs and emotions that are affirmed only when they are directly satisfied (Honneth 1995, p. 95). Love as recognition is affective

¹¹ For other recent presentations of recognition theory, see, for example, McBride (2013) and Ikäheimo (2014).

¹² See especially Deranty (2009, p. 281–282) for this point. The claim is that Honneth, rather than verifying his theory through empirical research, tries to show that results from various empirical sciences converge in a manner that lends support to his reconstruction of the Hegelian idea of recognition.

approval and encouragement that is tied to our needs as physical beings. Through being loved subjects gain security in themselves and of the persistence of self – the “capacity to be alone” (Honneth 1995, p. 104). In other words, basic self-confidence is achieved through love and care.

Respect is directed towards persons as bearers of rights or participants in legal relations. The features of personhood that are recognized in respect relationships are reason and the capacity to make one’s own moral decisions (Honneth 1995, p. 114). Legal recognition fosters self-respect, which means understanding one’s actions as universally respected expressions of one’s autonomy.

Esteem is directed towards persons’ particular features and qualities that “characterize people in their personal difference” (Honneth 1995, p. 122). It requires a shared value horizon where abilities and achievements are judged according to how they contribute towards culturally defined – and thus also historically changing – values (Honneth 1995, p. 122). Being esteemed by others supports one’s own ability to appreciate particular features oneself, i.e. the capacity for self-esteem.

Love, respect, and esteem are the three forms of recognition that characterize modern societies. The claim here is that these give content to a broadly Hegelian multi-dimensional concept of a person and as such, recognition theory offers arguably a more fleshed out version of what it is to be a person in practice. As with the performative theory, the main emphasis is on the practical forms that recognition, and thus personhood, takes in a given society. However, the forms of recognizing someone as a person are broader under recognition theory than under List and Pettit’s performative theory, which is concerned only with respect.

From the multi-dimensional concept of personhood follows the possibility that some agents fulfil only some of the person-making roles. As Honneth states, every principle of recognition has its own criteria by which to determine what is justified and what is not, and they can be seen as relatively independent from each other (Fraser and Honneth 2003, p. 186). The forms of recognition are responsive to certain psychological aspects of personhood, and at the same time recognition relationships form different normative frameworks only within which persons can be recognized at all. This idea, in turn, could help to explain the differences between group persons and natural human persons. What follows is a short description of the conditions of recognizing different dimensions of personhood.

Firstly, there is a set of basic conditions that one needs to fulfil to be capable of taking part in any sort of social relationship. The basic competencies include, in a Dennettian vein, intentionality, the capacity for being understood as an intentional entity, and the capability to reciprocate attitudes. These are preconditions for reflection and language and thus function as background conditions for

the concrete forms of recognition. Any reciprocal action requires at least that the actors are capable of acting in an intersubjective manner. This means that one needs skills to communicate the recognitive attitudes to others, as recognition is in its core acting and not mere attitude-taking. The basic background conditions also require one to be capable of forming relations-to-self and thus to be self-conscious.

Love is attached to the needs and emotions of a bodily being (Honneth 1995, p. 95). At the centre of love is the psychological ability to consider the other valuable as such (see, for example, Ikäheimo 2009, p. 37). In love, the other's needs and emotions are recognized, confirmed, and, to an extent, fulfilled. Though it might seem somewhat unclear what the emotions or needs are that are in question here, Honneth (2012, p. 226–227) takes his cue from psychoanalysis and assumes that in love it is not a broad range of various developed emotions that are confirmed, but rather the unity of self-consciousness, which is required for the avoidance of anxiety and for developing a sense of certainty.

For Honneth, personhood is partly constituted in interaction that is neither reflected upon nor necessarily describable at the conscious level at all. Love does not in itself yet require all the conceptual skills that one needs as a fully-fledged person but, instead, what is required is some other sort of ability to relate to another person in a non-conceptualized manner. In later adult forms of love the conceptual capabilities play a larger role but love's basis remains in the affectual fulfilment of needs and in reaffirming the existence of oneself as a separate individual entity.

When love is understood in this manner, then an entity in a love relationship needs to have the capability for affective or emotional interaction at the non-reflective level. This might take the form of being responsive to others only on the basis of perception of their bodily movements, coupled with an innate understanding of what the actions convey on the emotional level.¹³ This ability needs to be paired with the emotional ability to care about the other non-instrumentally, to value the other as such (Ikäheimo 2007, p. 234).

Respect and esteem add new elements to what can be called the radical intersubjectivity of love. Respect requires taking the point of view of the generalized other and seeing aspects of the other that denote him as a bearer of rights. Basically, respect is granting the other a status or a role of a person who has rights and who can make moral claims and statements. In respect we need shared moral knowledge and an ability to see that the moral norms are applicable in the

¹³ The innate ability for understanding the other can be explained as Gallagher (2005, chapter 9), for example, does, in terms of genetic bodily capabilities like mirror neurons that allow for seeing others' intentions in action.

practical situation (Honneth 1995, p. 112–113). Thus, what is needed for an entity to be respected are the capacity for abstract moral thought, linguistic skills, the ability for self-conscious reflection, and rationality. A person needs to be able to conceptually reflect upon moral norms. Some sort of commitment to moral norms, using them as reasons for actions, and rational coherence are required from a moral person. This is roughly what Ikäheimo means by the deontic dimension of personhood, where the psychological layer of personhood is a “capacity for rational authority or deontic co-authorship” (Ikäheimo 2007, p. 234).¹⁴

Similar higher forms of reflection are also needed with esteem. As social esteem is targeted towards the specific acts, traits, and capabilities of persons, it requires that the subjects are capable of identifying esteemed acts and abilities and picking out their meaning. This involves judgements and the exercise of higher-level conceptual capacities, as the acts must be recognized within a shared value horizon and in relation to a shared understanding of a common goal. This also means that an esteemed subject needs to have specific traits and abilities that make individuation possible. There need to be specific features that can be attributed to the object of esteem, and that can become part of one’s identity and key elements of one’s self-esteem. In the case of respect, what the object of recognition needs to have is a universal ability for moral action. With esteem, we move from a universal ability into individuating features.

In short, all three forms of recognition share the minimal requirement of there being an intentional agent capable of intersubjectivity. However, they also have their own distinctive enabling conditions. Love requires capabilities for radical emotional attunement; respect hinges upon rationality and authority regarding universal norms; while esteem demands particular individuating competences and traits. With this in mind we can examine how group agents fulfil the suggested three dimensions of personhood. The idea is straightforward: to see if it is analytically possible to recognize groups as persons, we have to compare the group agents to the different conditions of the different dimensions of recognizable personhood.

5 Fulfilling the Conditions of Recognition

Group agents, at least of the kind that List and Pettit argue for, fulfil the common background conditions of recognition. If we take groups to be intentional and understanding agents, there seems to be nothing in principle preventing a group

¹⁴ Ikäheimo (2007, p. 235) also mentions an important difference between the types of rationalities. A person needs to be autonomously rational in the sense that they administer the norms of rationality by themselves instead of working with a pre-given set of rules.

from forming its intentions of something else as an intentional being, and attributing intentions to this being in a reciprocal manner. Assuming that a group's embodied being consists of its members, interaction with a group amounts to interaction with a member of the group. The information communicated in an interaction can be related back to other members, which may have an effect on the behavior and decision-making of the group in a manner comparable to forms of interaction affecting individual decision-making. In this sense, groups are capable of reciprocal interaction. They can express their opinions and communicate through their members. The possible lack of phenomenological self-consciousness, centralized perception, and unified memory do not necessarily rule out the possibility of embodied reciprocal interaction.

It is quite clear that, unlike individual human beings, a group does not have a unified phenomenological consciousness of self. A group lacks the singular brain that it could think with, as well as the unified sensory systems that could inform its thinking about its place in the world. This, in turn raises some questions as one of the conditions for being in a recognition relationship is the, at least potential, ability to have a relation-to-self. However, we can look for an answer to the issue of groups' self-consciousness in a similar manner to that which we saw in the case of groups' embodied agency. That is, we can try to see if a group can somehow be self-conscious through its members. The knowledge individuals collectively have of a group, as members of that group, can perhaps be understood as that group's knowledge of itself. If a group's self-consciousness is understood in this manner, it is indeed possible for a group to formulate beliefs regarding itself.

Moving onto specific form of respect-recognition, insofar as groups form judgements, there is no reason to think that they could not also form value judgements. Analytically, nothing prohibits a group from forming moral intentions, judgements, or goals and committing to them and expressing them adequately to other groups or individuals. Company policies, state level or international moral principles, and team ethos are all examples of potentially collective moral value judgements.

Furthermore, as far as groups are agents capable of forming attitudes about themselves, there is no doubt about the possibility of a group forming a positive self-relation on the basis of the recognition it receives. It is easy imagine that groups shape their self-evaluations through external feedback and recognition. However, whether and how recognition brings about collective self-respect is an empirical question that cannot be answered here.¹⁵

¹⁵ Some promising examples of empirical research on state-level recognition do exist. Amongst others, Lebow (2012) argues that the lack of collective self-esteem ultimately drove Germany to World War II and Murray (2012, p. 133–134) discusses the importance of a secure recognized state

In Honneth's understanding of recognition, respect is closely related to the sphere of law and legal recognition (Honneth 1995, p. 107–121). Thus, following Niiniluoto (2004, p. 308), we can say that, in practice, those organizations that have achieved the status of a legal person are recognized as moral subjects or moral persons. The idea here is that legal personhood is an institutionalized form of moral respect – a person is taken to have legal rights and responsibilities that would not be attributed to it if it were not a suitable (moral) agent. However, the sphere of morality is not emptied by the sphere of law. It is often thought that legal norms are either a subset of moral norms or at least largely overlap with them and thus it does not require a great deal of imagination to say that a group agent that is a recognized legal person is receiving (at least partial) recognition as a moral person. The gist here is that moral personhood is a background condition for legal personhood – we would not take an entity as legally responsible if it were not also morally responsible.

Here one needs to be careful. Firstly, the fact that some collectives have attained the status of a legal person does not mean that only those collectives are moral persons. There may well be formal and informal organizations that collectivize reason and function within the boundaries of group agency which have not been recognized as legal entities as such.¹⁶ Secondly, it might also be the case that not all attributions of legal personhood are justified. Some collective entities might have attained this status even though they might not be robust collective agents at all. Further, the legal systems differ greatly in their classifications of legal personhood or corporate responsibility, and these classifications may pull apart moral and legal personhood.

This brings us to the false personification of a group. It is possible that not all legally recognized organizations fulfil the requirements for personifiable group agency. Ikäheimo (2007, p. 243–244) goes as far as to suggest that all collective recognition and responsibility are only a legal fiction. In his view, groups do not have the necessary person-making psychological capabilities (e.g. for rational authority and intrinsic valuing) and thus any legal recognition they might get is purely fictional and we would actually do better without it. It is notable though that Ikäheimo does not offer an account of the psychological properties of groups. No group-ontological argument is given, and the accusation of fictional recognition is based on a presupposition of groups' non-existent psychological capabilities.

identity. These examples do not necessarily prove how recognition and collective self-relations form but they do show the empirical applicability of a theory of collective recognition.

16 One example is Taiwan's struggle for recognition in international politics. A state is taken to be a collective actor and Taiwan meets all the functional criteria of a state but in practice it still does not get institutional recognition as an independent state (Zuo 2012, p. 162).

In some cases this presupposition is likely accurate. Groups might not collectivize reason, and they might not form a collective moral agent. In these cases the legal role seems to be a more or less useful fiction, where the intricacies of individual responsibilities become too complex and legal problems are solved by using pre-described systems of responsibility. However, to deny the possibility of any justified legal recognition of collective agents would require a stronger argument.

The conditions of esteem are close to those of respect and thus if groups can take part in respect relationships, it does not require a huge theoretical leap to see them partaking in relationships of esteem as well. The similar psychological features of intentionality, conceptual understanding, relations-to-self, and an ability to be in a reflective relationship with another are in play in the case of esteem as well. As with moral agency, if we already accept the possibility of collective judgements, there are no theoretical obstacles in the way of concluding that groups can also form judgements about their own features.

Finally, is it possible for a group to love or to be loved? In everyday language we use multiple expressions that denote love towards collective entities. Fans love their teams, nationalists love their nations, hipsters love Apple, and so forth. Similarly, we express love towards entities that are not persons or agents – like music or nature. However, here love is understood, as described in recognition theory, as a personifying attitude that also involves several elements and conditions that may make it difficult to hold groups as full participants in love-relationships.

Honneth's theory of recognition and especially his view on love has been described as a model of broken symbiosis (Deranty 2009, p. 293). The early mother-child relationship, in which the mother's continuing love ensures that the infant gets sufficient self-confidence to function alone in the world, forms a basis for the later love relationships where we can be emotionally responsive to others and hold their ends valuable as such. Similar empirical developmental story cannot be told about groups, which are not nurtured in the manner of biological humans. The need for the self-confidence that comes through loving relationships is particularly unclear in the case of groups. We do not perceive groups as in need of emotional support to see themselves as unified subjects in the world. Instead, they rely on collective acceptance for their continued existence.

The first upshot of this is that if love is understood in its psychoanalytically influenced meaning that ties it closely to bodily, physical, and emotional needs and longing towards broken unity with other, it is better understood as something related to the needs of a biological individual body, as opposed to needs of a group agent. This is especially the case if the group agents in question are of the proceduralistic and decision-making centred kind that List and Pettit have in mind. It is hard to see how we could fit these group agents within Honneth's

partly psychoanalytical framework with its unconscious mental elements, drives, and capabilities.

The same worry can be formulated through the terms of radical intersubjectivity or affective proximity. This is to say that the elementary recognition or love requires attunement with others that can be described as taking another's perspective, fusion of perspectives, or sympathetic engagement (see Honneth 2008, p. 40–52; Varga and Gallagher 2012; Zurn 2015, p. 43–46). Although it is debatable if it is love that requires affective proximity or whether affective proximity is a completely new form of recognition, it seems likely that this is a capability that is missing from the group agent as a whole. That being the case, any form of love (or other interaction) that has affective proximity amongst its conditions becomes impossible for group agents.

Another worry shifts the focus from the ontogenesis of love into the actual emotional capabilities of groups. While early primary intersubjectivity is important for the human emotional development, it is possible that groups would nevertheless have emotional needs and capabilities which would not have 'developed' as such. However, emotions and feelings are often associated with the phenomenologically unified centre of consciousness that groups themselves lack. Although there is a broad literature on group emotions, this most commonly refers to shared emotions in a group or emotions that become possible only in a group (e.g. we-mode emotions). In short, the wide range of collective emotions are compatible with the commonly accepted ontological individualism about emotions. As Salmela (2012, p. 37) puts it: "The ontological individuality of emotions, on the other hand, is beyond doubt: only individual subjects feel emotions". What makes collective emotions different from collective reasoning is that there is no discontinuity between the collective and individual emotions in the sense that List and Pettit have described. Group agents cannot feel separately and/or differently from individuals' feelings.

Against ontological individualism, there are functional and cognitivist theories of emotions that downplay the role of feelings in emotions and would thus enable groups as such to have emotions (see, for example, Gilbert 2002 and Huebner 2011). However, if we take feelings to be, first, an essential part in emotions and, second, embodied, the functionalist and cognitivist accounts quickly become too rationalistic. Honneth's recognition-theory – upon which the analysis here is largely based – is closely tied to a somewhat psychoanalytical theory of embodied feelings and needs and thus it seems either that groups cannot love, at least not in the strong embodied sense, or that we should restructure the meaning of the term love to get to the collective love proper.

A step towards the latter solution is to say that adult relationships of love and friendship are not only about non-conceptual emotional fulfilment, but

also include reflective elements that are tied to conceptual understanding. One example of this is Larry May's analysis of solidarity between collectives (May 2006, p. 200–201). Solidarity sets us demands when faced by others' suffering, and because the care of others' physical and emotional well-being is included in the love-aspect of recognition, May's proposal points towards some form of love where collectives are participants. However, again it is unclear what the physical and emotional needs of a group as such would be and so it seems more fitting that this attitude of love or solidarity is better understood as something directed towards individual humans – as individuals or as members of a group. This brings us back to the distinction between different types of love: if we understand love in its Hegelian–Honnethian sense, a group cannot be loved as an individual because it lacks the necessary psychological features. However, groups are able to form caring attitudes towards embodied individual beings. It is clear though that the immediacy of caring about needs and responding to emotions is missing as group attitudes are formed through a process that retains reflective distance.¹⁷

Here we have already stepped beyond love as an emotion and shifted towards love as an intersubjective attitude. Some recognition-theoretical accounts define love as taking the ends of the other to be valuable as such (see Ikäheimo 2009, p. 37), without making a direct reference to any particular psychological or embodied needs. The commonplace proclamations of one's love for a country or culture, for example, can be perhaps stated in terms of caring for the continued existence of the collective and its success in its pursuit of its purpose. The element of caring for embodied well-being is missing in its human form but what is left is conscious care for and acting for the continuation of identity-making collective elements or preservation of such collective structures, the purposes of which are seen as important. It seems that love for collectives in this attitudinal form is possible. However, one worry is that in proper acts of love we consider the other valuable as such and that the love for collectives is of a more instrumental nature. This worry follows from the assumptions about how the collective agents are characterized: they are purposive groups and their purposes are derived from individuals' motivations. As Pettit (2003, p. 177) formulates it, a group needs to be seen to be an effective pursuer of its goal or it loses any validity in the eyes of the group-members. However, it is easy to come up with a counterexample: a human rights worker may well appreciate a minority group and its goals just because they happen to be the goals of that group. Although no full analysis of the issue can be given here, it seems that we are able to care for group ends for themselves.

¹⁷ Here, again, the assumption is that the group agents are of the proceduralistic kind that List and Pettit (2011) describe.

If the above characterisation of groups in recognition relationships is sound, it is the case that to be loved is not essential for group personhood in the same sense it is for individual persons. From this it follows that groups' personhood is not similar to individuals'. We can say that they are not fully-fledged persons because they do not fulfil all the criteria for all the available forms of recognition. However, certain groups and collectives do have potential for legal and moral personhood, for individuation through esteem, and for forming attitudes of care towards those in need.

6 In Conclusion: A Multi-dimensional Approach to (Group) Personhood

Let us get back to the problem of fitting together the intuitions that, firstly, having a mind requires a largely human-like brain and, secondly, in practice we relate to collective entities as if they were persons in themselves. List and Pettit abandon the first intuition and provide a more open category for mindedness and agency by relying on a functionalism and performative theory of personhood. However, as Kusch's critique showed, the performative theory threatens to dissipate important differences between potentially personifiable agents as it simplifies the nuanced term of personhood so much that we may lose sight of what we wanted to describe with that concept. In an attempt to move away from the arguably difference-blind theory of personhood, the Hegelian move opens up the range of person-making performances into a larger spectrum instead of mere obligations. This lets us go beyond the simple theory of group personhood towards a multi-dimensional theory of personhood.

This amalgamation of ideas combines a theory of collective agency with three forms of personhood-constituting relationships – love, respect, and esteem – that are responsive to certain psychological features, but are at the same time historically changing. The different aspects of personhood – emotional care, legal personhood, individuating traits – are analytically separate spheres with their own enabling conditions and recognition relationships that constitute a particular aspect of personhood in the social world. A fully-fledged person is one that is recognized in all the forms of recognition, and fulfils the psychological conditions of all aforementioned dimensions of personhood. Though it is debatable whether or not there can be partial persons who fulfil only certain criteria, and are thus only persons in certain dimensions of the word, an interpretation of this form can be defended by supporting the idea that the dimensions of personhood are independent from each other. Practical examples of partial personhood could

include small children who do not get full recognition as legal persons, or psychopaths, who have no emotional aptitude for love but who are capable in other dimensions of personhood.¹⁸

Is the partial personhood of groups a problem? A normal adult human being is the paradigmatic reference case of personhood, but is there any sense in expanding the usage of the concept to the non-paradigmatic cases like higher animals, aliens, or collective entities? Wilson (2005, p. 234) defends the expansion as it enables us to conceptualize agencies that would otherwise be left unnoticed and misunderstood. This would make talking of group personhood sensible, but we have to always remember that this particular personhood is not equivalent to individual personhood, as not all the same dimensions are in use and not all the conditions are fulfilled in a similar manner. Thus, despite the lack of equivalence, this kind of talk is neither merely metaphorical nor empty. Group persons are not only ‘as if’ persons or *persona ficta* but entities that can be regarded at least as really having rights and individuating traits. While this alone does not make them persons in the full human sense of the word, the analytical distinction between the dimensions of personhood, introduced in the theory of recognition, enables us to regard something as a person in only one or two of the dimensions. Through the concept of personhood we can see the role that groups have in our social practices and what their status is with regard to reasons and causes in social life. The benefit of adopting the Hegelian multi-dimensional view of personhood is that it manages to accommodate different kinds of agents into the theory of personhood, while still retaining the ideas that personhood is not merely about performances in the social sphere but also a psychological and historically changing political concept – in the sense that it is up to us to decide whom it encompasses. Although so far it is clear that personhood is a political concept that does not automatically flow from agency, a wholly acceptable theory of collective personhood would of course require a robust theory of group agency. That is to say that although for the purposes of this paper List and Pettit’s theory of group agency has been tacitly accepted, it can also be challenged. However, that is a different story for a different time.

Acknowledgments: This work has been supported by the Kone Foundation. I am grateful to audiences who have seen earlier versions of this paper at the Collectivity Conference in Bristol, at the Workshop on Social Kinds in Tampere, and at the research seminar at the University of Lucerne for helpful discussion; and to two anonymous reviewers for helpful comments and suggestions.

¹⁸ Interestingly, in the document *The Corporation* the conclusion is that if corporations are personified, they end up resembling psychopaths.

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