

# TREATING PEOPLE AS INDIVIDUALS AND AS MEMBERS OF GROUPS

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**Abstract:** Many believe that we ought to treat people as individuals and that this form of treatment is in some sense incompatible with treating people as members of groups. Yet, the relation between these two kinds of treatments is elusive. In this paper, we develop a novel account of the normative requirement to treat people as individuals. According to this account, treating people as individuals requires treating people as agents in the appropriate capacity. We call this the Agency Attunement Account. This view has the surprising implication that it's not only possible to fail in treating people as individuals but also possible to fail in treating people as members of groups, on the presumption that people's agency is sometimes nested in, and exercised via, agential groups.

## 1. Introduction

Many believe that if we fail to treat others as individuals, we wrong them in a distinctive way (e.g. Wasserman, 1991; Thomas, 1992; Miller, 2001; Blum, 2004; Lippert-Rasmussen, 2007; 2011; Eidelson, 2013; 2015; 2020; Beeghly, 2015; 2018; Webster, 2021). In the words of Lawrence Blum, “being seen as an individual is an important form of acknowledgment of persons, [and] failure of such acknowledgment is a moral fault (...)” (2004, p. 272). Let’s call the idea that we ought to recognize people’s individuality *the individuality claim*. At first sight, the individuality claim is part of our moral commonsense, but on closer inspection it is not obvious what to make of it. What exactly does ‘individuality’ refer to, and why does it matter for how we treat people?

Our aim is to unpack the individuality claim and show that it entails some complexities that have not been acknowledged in the literature. In fact, some of these complexities very much go against the letter (but perhaps not the spirit) of the existing accounts of the individuality claim. To appreciate these complexities, it is helpful to consider a standard case in which the individuality claim is thought to have traction:

*College Application.* Muhammad applies for a prestigious college. Parker, the head of admissions, takes a brief look at Muhammad’s CV and discards it because Muhammad’s name indicates to Parker that he belongs to a racial group where

crime is more prevalent than for other racial groups. Parker doesn't want to risk admitting a potential criminal as it could spoil the reputation of the college.<sup>1</sup>

Intuitively, Parker wrongs Muhammad, but why? Advocates of the individuality claim offer the following explanation: (a) Parker wrongs Muhammad because he does not treat him as an individual. But that's not the full story. Indeed, most advocates of the individuality claim offer an additional explanatory or clarificatory remark: (b) Parker wrongs Muhammad because he treats Muhammad as a mere member of a group. Lippert-Rasmussen thus suggests that "we have a right to or (...) ought to be treated as individuals *rather than as mere members of a group*" [emphasis added] (2011, p. 49). Similarly, Castro says that "[o]ur treatment of persons should have an eye on the content of their character, *not that of the group(s) they belong to*" [emphasis added] (2019, p. 410). And, finally to take an example from outside the philosopher's club, it is said in the context of interpreting the US Constitution that, "at the heart of the Constitution's guarantee of equal protection lies the simple command that the Government must treat citizens as individuals, *not as simply components of racial, religious, sexual or national class*. [emphasis added]"<sup>2</sup>

To unpack the individuality claim, it seems that we need to distinguish between two different ways of treating people: treating people as individuals and treating people as

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<sup>1</sup> For structurally similar cases see (Wasserman, 1991; Thomas, 1992; Miller, 2001; Blum, 2004; Lippert-Rasmussen, 2007; 2011; Eidelson, 2013; 2015; 2020; Beeghly, 2015; 2018; Webster, 2021).

<sup>2</sup> *Miller v. Johnson*, 515 U.S. 900, 911 (1995). See also the discussion in Eidelson (2020).

members of groups. This, however, raises more challenges than it solves. First, what exactly is the relation between individual treatment and group-based treatment? Sometimes to treat people as members of groups is enough to fail to treat them as individuals, but this might not always be the case (e.g., Beeghly, 2018). Second, and more problematically, the idea of group-based treatment is no more self-evident than that of individual treatment. This makes it problematic to explain one kind of treatment in terms of the other. It therefore seems that we now have *two* kinds of treatment that are both in need of further explanation. Summarizing, a vindication of the individuality claim must make sense of the distinction between individual treatment and group-based treatment, account for the relation between these two kinds of treatment, and shed light on their normative significance.

Before addressing them directly, it is worth saying a bit more about how these challenges are dealt with in the current literature. Here we find two distinct accounts of the individuality claim. The first is Kasper Lippert-Rasmussen's (2011) *evidential account* of the individuality claim. According to this view, the individuality claim enjoins us to treat people based on the right kind and amount of evidence about them. A rival view is offered by Benjamin Eidelson (2013, 2015, 2020) according to whom the individuality claim enjoins us to treat people as autonomous beings, when this is appropriate. Let's call it the *autonomy account*.

In Section 2, we'll explain where we think these proposals fall short before we, in Sections 3-6, sketch our favored account, which we call the *Agency Attunement Account*. In our reading, the individuality claim enjoins us to take due notice of people's *individual agency* (a notion we will explain below). But surprisingly, this doesn't exhaust its contents. Drawing on work in social ontology, we argue that the individuality claim, suitably interpreted, also requires us to take due notice of people as agents in other capacities. Sometimes we act as individual agents (thereby exercising *individual agency*), and sometimes we act as members of groups (thereby exercising *group agency*). Based on this observation, we suggest that the individuality claim is best interpreted as a claim to take due notice of people's agency, where this includes noticing *the kinds* of agency that they possess.

The Agency Attunement Account comes with two immediate payoffs. First, it delivers a more adequate interpretation of the elusive individuality claim. Second, it helps us to hone in on the normative significance of something that is typically ignored in the literature, namely, that corresponding to the wrong of failing to treat people as individual agents, there is a corresponding mistake of *failing to treat people as members of (agential) groups*. Our account thus shows that groups can have an independent and irreducible kind of agency worthy of recognition.

## **2. Background**

To provide more context for why one should care about having an adequate account of the individuality claim, it will be worthwhile to engage more carefully with extant accounts in the literature. We'll do so by laying out how they treat examples such as *College Application*.

Lippert-Rasmussen offers what we may call the *evidential account* of the individuality claim. According to his view:

X treats Y as an individual if, and only if, X's treatment of Y is informed by all relevant information, statistical or non-statistical, reasonably available to X.  
(Lippert-Rasmussen, 2011, p. 54).

With the evidential account in hand, it seems we are able to pick out something that goes wrong in *College Application*. Specifically, when he forms his opinion of Muhammad, Parker relies on base rate evidence (sometimes called 'statistical' evidence) about a class or group to which he takes Muhammad to belong. To make the evidential account deliver the desired verdict, we are to assume that there is a reasonably available body of evidence about Muhammad (such as his CV) that would put Parker in a better position to judge his propensity for criminal conduct.

There is a kernel of truth in Lippert-Rasmussen's account: it seems right to say that part of the problem in failing to treat Muhammad as an individual can be found in how Parker collects and responds to evidence. Or perhaps stated more broadly: the fault has a

cognitive component in that it concerns how Muhammad is *perceived* or *recognized* by Parker. Despite these merits, it seems that we ought to set the evidential account aside. The main reason is that the account by itself doesn't shed much light on what, if anything, would make the individuality claim stand out from a generic concern with acting and judging on insufficient evidence. Eidelson puts this point nicely: "[Lippert-Rasmussen's account] seems to reduce a concern about a very particular way of misrelating to another person to a much more general requirement of epistemic conscientiousness" (Eidelson, 2015, p. 135).

This takes us to a different account of the individuality claim which we may gloss as the *autonomy account*. We find the most developed version of that view in the work of Eidelson (2013, 2015, 2020; but see also Wasserman, 1991). If we stick with the insight yielded by Lippert-Rasmussen's account, the autonomy account seems well-positioned to offer a narrower suggestion as to what kind of evidence one ought to take into account in order to treat people as individuals, namely, evidence with relevance for ensuring that people, when appropriate, are treated as autonomous agents. On this way of glossing the analysis of *College Application*, the problem is that Parker takes Muhammad's group membership to be decisive evidence of how Muhammad might exercise his autonomy. In short, Parker fails to treat Muhammad as an autonomous being because he ignores that it is up to Muhammad to decide how he will eventually behave. As Wasserman (1991, p. 943)

puts it we might say that Parker's reasoning "ignores [Muhammad's] capacity to diverge from his associates or from his past, thereby demeaning his individuality and autonomy."

The autonomy account faces two independent challenges that motivate the search for a better account of the individuality claim. First, it is unclear what exactly the relation between autonomy and individuality is. There are two possible readings of the autonomy account. On a strong reading, I disregard someone's individuality if and only if I disregard their autonomy.<sup>3</sup> The problem with the strong reading is that we can disregard people's autonomy without disregarding their individuality. A mundane example would be wrongfully depriving someone of some of their essential freedoms, for instance by locking them up (compare Eidelson, 2015, p. 140). This wrongdoing is plausibly described as a violation of (or disrespect for) people as autonomous beings but doesn't obviously include a disregard for their individuality. This shows that the complaint, "They disregarded my individuality!" isn't equivalent to "They disregarded my autonomy!".

In response, a weaker interpretation of the autonomy account seems more plausible, saying that I disregard someone's individuality only if I disregard their autonomy. This interpretation would allow for the possibility of disregarding someone's autonomy without necessarily disregarding their individuality. But in making this amendment another problem arises. Recall that the promise of the autonomy account is to shed light on the individuality claim. But by admitting that one can have one's autonomy disregarded

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<sup>3</sup> Compare: "I have now analyzed failing to treat people as individuals in terms of a failure to respect them as autonomous beings" (Eidelson, 2015, p. 162)



without having one's individuality disregarded, the weak interpretation loses sight of what's distinct about the individuality claim, since it doesn't supply a sufficient condition for having one's individuality disregarded. One way to think about the weakened autonomy account, then, is as an account of what makes it *wrong* to disregard individuality, as opposed to (also being an) an account of what it *means* to disregard individuality. In this way, the autonomy account leaves a key part of the puzzle concerning the individuality claim unanswered.<sup>4</sup>

Our suggestion is that the distinctiveness of the individuality claim concerns agency rather than autonomy, and that agency and autonomy can come apart in important ways. The weakened autonomy account might be right that to disregard someone's individuality is always to disregard their autonomy but this is only because autonomy presupposes agency. As we shall see in Section 5, this insight – that the individuality claim concerns agency rather than autonomy – enables us to give a better account of those cases where someone is treated as an individual but *not* as autonomous.

The second challenge to the autonomy account is that it doesn't fit with the profile of the individuality claim, at least as it is commonly voiced in the literature. Recall the slogan that people ought to be treated as individuals as *opposed to simply members of a group*. Even if the autonomy account did justice to the first part of the slogan, it's harder to see how it could do justice to the latter. Granted, treating people only as a member of a group

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<sup>4</sup> Thanks to an anonymous referee for helping us articulate these details of the autonomy account.

might, as a contingent matter, lead us to ignore their autonomy. But that would be equally true of many other ways of treating people. For example, if you treat people as inanimate objects, you fail to treat them as autonomous, but you don't necessarily treat them as members of a group. Put differently, on the autonomy account the group-based treatment in cases like *College Application* figures only as an incidental fact about the case that has no independent normative significance in understanding the nature of the individuality claim.<sup>5</sup>

In light of these challenges, we take it that there is reason to search for an alternative account. We will develop one such over the next sections.

### 3. Agency and Groups

According to our account of the individuality claim, treating someone as an individual amounts to treating them as a *specific type of agent*.<sup>6</sup> Corresponding to this, treating someone as a member of a group at least sometimes amounts to treating them as a *different type of agent*. On the resulting view, the individuality claim can be interpreted as a requirement to treat people as agents and as agents *of the appropriate types*. This story prompts the basic question: What does it mean to treat someone as an agent?

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<sup>5</sup> Again, this objection doesn't undercut the weak interpretation of the autonomy account stated above. But it suggests, once more, that it must be supplemented to render individuality distinct from autonomy.

<sup>6</sup> Webster (2021) provides an illustrative analysis of the significance of agency in the context of understanding racial stereotypes and its wrongfulness. But her project is importantly different from ours, since we don't take a direct stand on what makes stereotyping wrongful. Rather, our aim is to give an account of the individuality claim and showcase its scope and significance.

At a general level, we can think of agency as something that obtains just in case there is the right kind of causal relationship between a set of states (“agency-involving states” such as intentions, beliefs, and desires) and events (e.g., bodily movements) (see for instance Davidson, 1963; Schlosser, 2019).<sup>7</sup> An agent, according to this picture, is a being that has the capacity to manifest the relevant kind of causal relationships. Unsurprisingly, there are different views in the literature on how to specify the details of this relationship. Here we’ll follow the standard view in philosophy of action and focus on intentional actions. To illustrate, suppose that Mona decides to buy and consume ice cream. Mona can be classified as an agent with regards to (some of the) bodily movements that constitutes the activity of eating ice cream provided this activity is appropriately caused by Mona’s beliefs, desires, and intentions. That Mona can be classified as an agent with regards to this activity means that the action of her eating ice cream can be *attributed* to her. When actions are attributed to individuals in this way, we will speak of *individual agency*.<sup>8</sup>

Importantly, not all agency is individual in kind. Many now recognize that *groups*, under certain conditions, can also be considered agents. Appreciating this idea will prove crucial to make sense of the individuality claim and respond to the challenges that face

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<sup>7</sup> What characterizes the set of events that someone can be an agent with regards to? ‘Actions’ (as well as omissions) are obvious candidates and this is what we will focus mostly on here. But many recognize that we can (also) be agents with regards to both cognitive mental states (e.g., beliefs) and conative mental states (e.g., preferences or desires) (e.g., Keeling, 2023).

<sup>8</sup> It’s worth pointing out that intentional action might not supply an exhaustive analysis of individual agency. It would seem that we sometimes exercise agency in ways that bypass intentionality, at least if this is taken as involving occurrent mental states – think, for instance, of spontaneous action (e.g., Ginet, 1990). For our purposes, we can remain agnostic about the precise details of the agency-conferring causal relation; we are even happy to allow that individual agency could have a pluralistic supervenience base.

extant accounts of it. Although it is rarely couched in these exact terms, the literature on social ontology often distinguishes between two kinds of groups, namely, *agential* and *non-agential groups*. The standard view in social ontology is that a group is agential only if that group has functional equivalents of intentions, beliefs, and desires. Similarly, groups are non-agential if they fail to satisfy this condition. This distinction is important because we can ascribe actions to groups if and only if they are agential, whereas we can only attribute actions to the individual members of non-agential groups.

There are different arguments for positing agential groups, which have slightly different implications for how to draw the distinction between agential and non-agential groups. Some appeal to a kind of methodological naturalism and argue that we are ontologically committed to the entities posited by our best scientific theories and that the ascription of agency to some groups is indispensable to our best social scientific theories (see, e.g., List, 2021, p. 1216). Others argue that groups are agential only if they are “robustly sensitive to the demands of rationality” in a way that trumps or can trump the rationality of its members (Pettit, 2014). A third line of reasoning, which we endorse here, appeals more directly to our everyday notion of agency: X is an agent if and only if it is appropriate to say that X performed some action, where this typically means that X can figure in our explanations of why some action event occurred as the one who intentionally caused that action event. It is appropriate to say of some groups that they performed some

action; i.e., some groups can appropriately figure in our explanations of action events as the ones who intentionally caused them. Therefore, some groups are agents.

It is important to note that the above argument does not imply that non-agential groups cannot appropriately figure in our explanations of action events at all. Agential groups can have agency in the sense that they figure in our explanations of actions events as agents, whereas non-agential groups can appropriately figure in our explanations of actions events but only as qualifications of why actual agents exercised their agency in a particular way.

An important type of non-agential groups is that of social kinds.<sup>9</sup> Social kinds are socially constructed classifications of people that subject the individuals thus classified to certain social constraints or enablements.<sup>10</sup> Individuals that are socially constructed as members of a certain social kind (e.g., Black person or woman) have different “deontic powers” (Searle, 1995, 2010) than individuals that are socially constructed as members of other social kinds (e.g., White person or man). Importantly, social kinds often regulate how people interact with each other, both formally and informally. This means that although social kinds aren’t group agents to which we can attribute actions, we sometimes refer to social kinds when explaining actions.<sup>11</sup> For example, we might say that Kimoni gropes Lola

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<sup>9</sup> Another type of non-agential groups would be that of random groups. Random groups refer to collections of individuals that are categorized by way of a random feature (e.g., shoe size or position in time and space) in such a way that their categorization makes no difference to how the individuals thus categorized exercises their agency.

<sup>10</sup> For recent discussions of social kinds see Haslanger (2012); Khalidi (2013); Ásta (2018); Jenkins (2020, 2023).

<sup>11</sup> The idea that social kinds are non-agential groups is widespread within both social ontology and relational autonomy theory. For overviews of the latter see Khader (2020) and Ward (*forthcoming*). For comparisons between group agency theory and relational autonomy theory see Cudd (2006) and Mackenzie (2023).

“because he is a man.” To say that Kimoni gropes Lola “because he is a man” is typically to give a kind of structural explanation of Kimoni’s groping that highlights that Kimoni, due to his belonging to a social kind, is subjected to certain enablements such as a certain position of power that enables him to grope unpunished. Such structural explanations differ from proper agential explanations in the sense that they focus on the social structure in which agents operate rather than the agents themselves. Thus, a structural explanation that appeals to Kimoni’s social kind does not by itself say anything about his beliefs, desires, and intentions.<sup>12</sup> As we shall see in Section 4, this means that if we judge people on the basis of social kinds without also relying on evidence that tracks their agency-involving states, we fail to regard their individuality.

Agential groups are also composed of individual agents but in contrast to non-agential groups, agential groups can have (functional equivalents of) intentions, beliefs, and desires. For this reason, we can attribute actions to them as groups. There are two kinds of agential groups worth keeping in mind – joint intentional groups and formal groups.

Joint intentional groups are entities in which individual agents are united by a rich web of interrelated and interdependent intentional states. These webs of intentional states

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<sup>12</sup> Note that there might be a certain overlap between structural and agential explanations insofar as, say, a member of a social kind might *self-identify* with that social kind and thus perform actions that emphasize or express that self-identification. For instance, Kimoni might grope Lola to prove that he is a “real man.” In that case, explanations that appeal to Kimoni’s agency-involving states will also have to include information about his membership in a social kind. For a related discussion of how social kinds and other non-agential groups might play a decisive role in how we treat people based on their self-identity see Dembroff and Saint-Croix (2019); Bengtson and Munch (2024).

are often said to have a distinctive normative profile in the sense that the individuals within those groups are *committed* not only to what they themselves are doing but also to what everyone else in the group are doing. It is thus widely accepted, both in the literature and in commonsense, that there is a fundamental metaphysical difference between *acting in parallel* (e.g., you and me walking next to each other) and us *acting together* (e.g., you and me walking with each other). The exact nature of this interrelation of intentional states is a subject of on-going discussion, but the general idea is that you and I can each have participatory intentions that form a larger joint intention possessed by us together. The possession of a joint intention ensures (i) that we see ourselves and our activities *as part of a joint intentional group* and (ii) that our joint intention can be causally related to some action event.<sup>13</sup> Along these lines, Margaret Gilbert has suggested that once individual agents express their willingness to enter into a joint commitment to pursue some goal, they constitute a “plural subject” (Gilbert’s term for joint intentional groups) where this entails that “each of a number of persons (two or more) has, in effect, offered his will [or agency] to be part of a pool of wills which is dedicated, as one, to that goal” (Gilbert, 1990, p. 7). Similarly, Tuomela argues that when individuals act in the ‘we-mode,’ they do not make individual choices and acts. Instead, the relevant choices and acts are performed by the joint intentional group in such a way that the group members “are in principle bound to what

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<sup>13</sup> Our present purpose does not require that we commit to one specific account of what joint or shared agency is (see, however, Knudsen 2024). Something akin to the mentioned conditions is widely recognized as being necessary for joint intentional action but these conditions might not be sufficient. In any case, our point is simply that joint intentional groups exercise agency in a way that cannot be adequately understood in terms of how individuals exercise their agency *as an aggregation of individual agents*.

the group has decided (e.g., what they have come to jointly intend to do)” (Tuomela, 2007, p. 128).

To illustrate this idea, suppose that we arrive at a crossroads while walking together, and *I* want to turn right, and *you* want to turn left, so after a little deliberation, *we* decide to continue straight ahead. Two things should be noted about this example. First, as indicated by the pronoun ‘we’, our explanation of that action event would normally attribute the action to the joint intentional group rather than you and I conceived as individual agents. Second, there can be a discontinuity between our individual intentions and our participatory intentions although both are realized in our individual brains. There is nothing mysterious about this. It can be true of me both that I *personally* intend (or would have intended) to turn right and that I *as one of us* intend to continue straight.

Whereas joint intentional groups have intentions only by way of the interrelated and interdependent participatory intentions of their members, other groups can have and realize intentions by way of complex and often hierarchical organizational structures (French, 1979; List and Pettit, 2011; Rovane, 2004). Most accounts assume that this involves at least a formal decision-making procedure that is operationally distinct from the decision-making procedures of the participating individuals, and we therefore propose to call these groups *formal groups*. Along these lines, French (1995) argues that groups with what he calls “corporate internal decision structures” exhibit what he takes to be the three core features of agency, namely, (a) intentionality, (b) rationality, and (c)



reasons-responsiveness. Similarly, List and Pettit (2011, pp. 19-25) argue that agency requires (a) representational states, (b) motivational states, (c) a capacity to process and act on representational and motivational states, and (d) a minimal rationality concerning how one's attitudes fits with the facts, with one's other attitudes, and with one's actions. List and Pettit then show that formal groups can satisfy these criteria and thus constitute supra-individual agents, whose beliefs, desires, and intentions differ from the members that comprise them even if the member's beliefs and desires are used as input in the group's decision-making procedure. For example, a corporation might form an intention to  $\phi$  although none of its members intend the corporation to  $\phi$  by way of judgment aggregation where members vote on individual premises that rationally entail a practical conclusion to  $\phi$ .

Both joint intentional groups and formal groups have agency in the sense that they have intentions (or functional equivalents thereof) that can be causally related to action events. Both types of agency are further characterized by the fact that we cannot reduce them to individual agency. This is so because there can be a discrepancy between our personal intentions and the intentions that we have as a group and because these groups make a difference in how we explain action events. In a word, agential groups have *group agency*. Moreover, acknowledging the fact that the agency of joint intentional groups is realized through the interdependent and interrelated participatory intentions of its members, we'll call this *weak group agency*. In contrast, we'll use *strong group agency* to refer

to the agency of formal groups to acknowledge that this kind of group agency is not necessarily realized through the participatory and individual intentions of the members comprising those groups.

Importantly, these types of social entities are not mutually exclusive. The members of a social kind might also constitute a joint intentional group or a formal group. For example, although ‘queer people’ is typically a social kind, it sometimes makes sense to attribute actions to parts of the queer community *qua* joint intentional or formal group. Likewise, a formal group might also be a joint intentional group if the group’s formal decision aligns with the joint intention of the group members. Nonetheless, it is important to keep these different types of social entities in mind when trying to understand how membership of groups affects agency.

#### **4. The Agency Attunement Account**

We are now in a position to state our preferred interpretation of the individuality claim:

**The Agency Attunement Account (3A):** People ought to be recognized appropriately as agents, where this involves appropriately recognizing and attributing *individual* agency, *weak group* agency, and *strong group* agency.<sup>14</sup>

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<sup>14</sup> Thanks to an anonymous referee for their help with naming the view.

In a nutshell, 3A offers an interpretation of the individuality claim that takes it to be an injunction to treat people as agents (when appropriate, as people are not always appropriately interpreted as agents, see Floweree (2023); Schroeder (2019)). But it is more fine-grained than that since discharging this duty doesn't only require that people are recognized as agents, but also that they are recognized as the *right kinds of agent*. The fact that agency appears in many forms introduces complexities that have gone unnoticed in the literature on the individuality claim.

Before we proceed, it's worth noticing that the 3A makes reference to an 'ought'. This demonstrates that there are two sides to the challenge of accounting for the individuality claim. One (semantic) part consists in accounting for what 'individuality' refers to. 3A is intended as an answer to this question. Another (normative) part consists in accounting for the normative force of not having one's individuality recognized. As we see it, we must account for what individuality means before accounting for the normative force of complaining about it not being recognized. For this reason, we will postpone discussion of the normative force of the individuality claim until Section 5 with a clearer view of its semantic content in sight.

a. Individual agency

To showcase 3A, we'll use it to work through some cases. Starting with the now familiar case of *College Application*, 3A motivates the verdict that Parker fails to treat Muhammad as

an individual. According to 3A, Parker fails to treat Muhammad as an individual because the evidence he relies on does not track Muhammad's agency. In other words, the evidence that Parker relies on doesn't, by itself, speak to the question of how Muhammad can be expected to conduct his agency in the future.

Before moving on, it is worth to pause and address a worry associated with the standard case of failing to treat someone as an individual by relying on racial stereotypes or other generics. As pointed out by Beeghly (2015; 2018; see also Eidelson, 2015, ch. 6; Webster, 2021), it is not obvious that all reasoning based on stereotypes and generics result in a failure to treat someone as an individual. To see this, consider:

*Doctor.* A panicked father is in an emergency room with his sick son. The father grabs the first person he sees in a white coat, relying on the stereotype that doctor's wear white coats.

For our purposes, it is noteworthy that *Doctor* seems to be similar to *College Application* in the sense that the father treats the person in a white coat in a specific way based on a stereotype about people in white coats in much the same way that Parker treats Muhammad in a specific way based on a racial stereotype. And, yet, we wouldn't say that the person in the white coat has their individuality misrecognized.

But 3A can accommodate this apparent counterexample by helping us see a crucial difference between *College Application* and *Doctor*. Although both *Doctor* and *College Application* include reasoning that is based on statistical evidence, the statistical evidence in *Doctor* tracks agency in a plausible (but defeasible) way whereas the statistical evidence in *College Application* does not.

At this point, you might reason in the following way: Statistical evidence concerns correlations; agency concerns a particular kind of causal relationship between agency-involving states and an actual or possible future outcome; and you cannot infer causality from correlation. This makes it seem as if statistical evidence can never track agency. But that conclusion would be mistaken, since we can distinguish between those correlations that are mere correlations and those correlations that are supported by a plausible causal structure. In other words: Some things just correlate and some things correlate because one correlate causes the other or because the two correlates have a common cause. Given that agency is a special kind of cause, this means that some correlations might be supported by and, therefore, plausibly track agency.

Let's see how this works in *Doctor*: When the father grabs the first person he sees in a white coat, he implicitly relies on a correlation between people wearing white coats in emergency rooms and people being able to help sick children. Importantly, this correlation is supported by a plausible agential-causal structure because the correlates have a plausible common cause – both can be explained by the agential fact that the person is a doctor for if

someone is a doctor, they are likely to exercise their agency by putting on white coats and helping sick children. The availability of a plausible agential-causal structure thus supports the father's treatment of the person in the white coat.<sup>15</sup>

In *College Application*, no plausible agential-structure supports Parker's generic reasoning about Muhammad. For instance, it is implausible, in the absence of further stipulations, that Muhammad's membership in some racial group is the common cause of him having a certain name and possible future criminal conduct. One reason why is that racial membership, by itself, doesn't account for how Muhammad is likely to act. One way to see this, is that "because you are Black" isn't useful in an agential explanation (of crime) without further qualification of its agential relevance whereas, "because you are a doctor" can easily play this explanatory role in the relevant context. In this way, it's plausible to say that the doctor is treated as an individual and that Muhammad is not, since the statistical evidence relied upon by the father plausibly tracks agency, while the statistical evidence relied upon by Parker does not.<sup>16</sup>

#### b. Weak group agency

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<sup>15</sup> Note that our reading of cases like *Doctor* differs from that of Webster (2021). Although she also emphasizes the importance of recognizing agency, Webster would still insist that the stereotype operative in *Doctor* is "agency-undermining" (2021, p. 365). Webster then argues that undermining agency is morally permissible because of other and weightier moral considerations.

<sup>16</sup> See Lee-Stronach (2023) for a discussion of the relationship between statistical evidence and how it may sometimes (but not always) be undergirded by causal structures. As he puts it, "credences do not answer to statistics as such. Rather, they answer to the objective chances that those statistics purport to reflect. (...) to determine whether any statistical value reflects objective chances, we require evidence about the relevance of the statistics to the causal structure of the scenarios in question" (Lee-Stronach, 2023, p. 6-7).

According to 3A, there are more types of agency than just individual agency, and if the individuality claim is essentially a requirement to be attuned to people's agency, it is plausible that there are similar claims grounded on those other types of agency. To see one instance of this, consider the following case:

*Joint College Application.* Muhammad and Jenny apply to a prestigious college thoroughly dedicated to collaborative teaching. To ensure well-functioning collaboration, prospective applicants must apply in groups of at least two people. If admitted, they are required to engage in most learning activities jointly. Muhammad and Jenny apply together. To make things easier for himself, Parker scores their CV's in isolation, ranks each group based on the average score of each group of applicants, and admits the highest ranking groups. He does not, however, consider the jointly authored letters of motivation that come with each application as well as considerations as to how the individuals might behave as a group. Muhammad and Jenny are not admitted to the college.

*Joint College Application* resembles *College Application* in most ways. Given the institutional setup of the college, it seems to us that Parker wrongfully overlooks significant parts of the application material. However, it should also be clear that Muhammad and Jenny, in contrast to the Muhammad of *College Application*, cannot complain that they are not being

treated as individuals. Indeed, the crux of the problem here seems to be that they are *only* treated as individuals and not given consideration in virtue of being a joint intentional group with weak group agency. *Joint College Application* thus showcases a point that has so far been neglected in the literature, namely, that in addition to the failures to treat people as individual agents, we can imagine analogous failures to treat people as members of groups.

We have now seen that lack of attunement to individual agency and group agency can be conceived as independent fault lines: One can be non-attuned to individual agency and correctly attuned to group agency as well as the other way around (and, of course, you can get both or neither wrong). But things get more interesting once we realize that these faults often go together in practice.

A good example of this is the original version of *College Application*. In the analysis of *College Application* offered above, we suggested that Muhammad is wronged in virtue of having his individual agency ignored by being regarded as a ‘mere member’ of a racial group. We were entitled to infer from this that something about Muhammad – taken as an individual agent – is being ignored. But given that people can be members of groups in different ways – some agential and some not – we need to say more about what kind of group-based treatment Parker is engaged in since, left unanalyzed, the suggestion remains ambiguous between different possibilities.

One might have assumed that Parker treats Muhammad as a member of a social kind. This would indeed give rise to the complaint that Muhammad isn’t treated as an



individual, because the evidence that Parker has about Muhammad's membership of a social kind does not by itself track Muhammad's agency. But, as we now have the resources to articulate, there is an equally salient but distinct interpretative possibility. Maybe Parker thinks of Muhammad as someone who acts as a member of a group in a more capacious sense, and this is why he sees no need to investigate his individuality. In fact, such morally problematic stereotypical beliefs are widespread and arguably just as problematic because of how they tend to reify or, rather, 'agentialize' non-agential groups by inflating and misattributing group agency. We find an extreme example of such misattribution of group agency in the anti-Semitic conspiracy theories common in Nazi-Germany according to which the *Weltjudentum* secretly ruled the world. On such a view, Parker could be taking Muhammad to be prone to crime because he thinks that Muhammad could be manifesting a joint intention that he shares with other members of the group.<sup>17</sup>

According to this interpretation, Parker is guilty of two separate mistakes where one facilitates the other: Muhammad is being misattributed weak group agency to the effect that his individual agency is being ignored. The alleged agency of Muhammad's racial group is radically inflated, while his individual agency is ignored or underestimated.<sup>18</sup>

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<sup>17</sup> There is ample evidence suggesting that one widespread form of prejudice against Muslims in Western countries is in the form of practices of *collective blame*, i.e., seeing the entire group of Muslims as collectively responsible for particular acts carried out by Muslims (see for example Bruneau et al., 2020). Obviously, this practice could have a fully irrational basis, but one way to reconstruct it cognitively would be as reflecting the thought that individual actions by Muslims are caused by acting from a joint plan or intention widely shared in the group.

<sup>18</sup> It is beyond the scope of this paper to settle whether one agential mistake is worse than others. It might also be interesting to consider whether, if you are an agent, it is better, other things being equal, to be ascribed agency in the wrong capacity rather than being denied agency in general.

The original *College Application* could realistically be interpreted as a case where non-attunement to group agency leads to non-attunement to individual agency. But the point that these mistakes in agency attunement can be intertwined in complex ways can be brought out even clearer if we focus on cases where non-attunement of individual agency leads to non-attunement of group agency:

*Bad Crew.* Muhammad has applied to the local city college, where Parker is the admissions officer. Based on his GPA and his CV, Muhammad is highly qualified for admission. In his college applications, Muhammad has also included letters of recommendation from well-respected but indiscreet community leaders in his neighborhood. These letters report that Muhammad contributes positively to his local community and is very well-regarded but they also mention that he as of late has fallen in with a bad crew, committing petty crimes such as disorderly conduct and painting graffiti. The letters also correctly point out that Muhammad has only participated in these misdemeanors because of his involvement with the bad crew and that admission to the city college is certain to steer him back on track. After looking them over, Parker throws Muhammad's application material in the bin exclaiming: "We will have no petty criminals here!"

In this case, Muhammad is in fact a member of a social group with a joint intention and when Muhammad acts as a member of this group he does bad things he would otherwise not do. What Parker gets wrong, though, is that he ignores that Muhammad's misdemeanors reflect weak group agency. Instead, he takes it to be a consequence of Muhammad's individual agency.

This means that Muhammad is not treated as an individual agent in the sense that outcomes are ascribed to him that are not a result of his individual agency.<sup>19</sup> What's interesting to note is that the error in not being attuned to Muhammad's individual agency is a direct consequence of a failure of not being properly attuned to the agency of the group.

c. Strong group agency

An objection to the picture we have painted so far might run as follows: Granted, people are not always appropriately recognized as members of groups, yet, in the cases presented, there is no significant difference between individual agency and group agency, since joint intentional groups in reality constitute a liminal case where individual agency and group agency are intertwined. After all, joint intentional groups presuppose that members share a joint intention by way of participatory intentions, and their participatory intentions play an

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<sup>19</sup> Notice that *Bad Crew* could speak to Muhammad's individual agency even if the petty crimes are to be explained with reference to group agency. For example, if he knew what he was getting into when joining the crew, this could reflect poorly on his individual agency. If we assume that the decision to join the crew doesn't reveal much about Muhammad's individual agency (suppose he was forced into the group or didn't know what he was getting into), then it seems right to say that Parker is making a mistake in terms of recognizing Muhammad's agency. Thanks to an anonymous referee for pressing this point.

indispensable role in understanding their individual agency. For this reason, one might be tempted to conclude, 3A overstates the significance of non-individual agency.

In response to this worry, it is helpful to see that there are cases where group agency and individual agency come cleanly apart. This underscores the practical significance of our account. Moreover, it serves to illustrate the final element of 3A. Consider:

*At the Dean's Office.* A conservative union for Afro-American students sets up a meeting with the Dean. The union's website notes that the union fears that the university's new policy on diversity, equity, and inclusion threatens academic freedom and that the policy should be rejected. The dean reviews the website prior to the meeting, and, yet, the dean starts the meeting by saying: "A group like yours will surely appreciate our new university-wide policy on diversity, equity, and inclusion!"

The conservative union is an example of a formal group with strong group agency. This contrasts with the weak group agency of joint intentional groups discussed in the previous subsection. One interesting feature of formal groups is that they can have and state preferences that are independent of the preferences of the individuals that compose them. We take it that the dean acts wrongfully. Yet, as should be clear, the dean can hardly be said

to fail to respect someone's individuality. After all, the only preferences mentioned in the case are those of the group agent.

A skeptic about group agency might push back and say that the stated preferences attributed to the union in virtue of being a group agent could just as well be attributed to the members of the group. And, following this, the skeptic might object that the dean only fails to consider the individuality of the group members after all. However, this suggestion fails to take seriously the idea that the preferences of group agents can come fully apart from the preferences of individual members of the group. To see this, consider:

*At the Dean's Office, Reluctantly.* The members of a conservative union for Afro-American students take a vote on the university's new policy on diversity, equity, and inclusion. A majority voted that they are against the policy as it threatens academic freedom. The union notes this on their website. The union then set up a meeting with the dean to discuss the policy. As it happens, the four student representatives going to the meeting personally support the DEI policy. However, as they are meeting with the dean within the remit of their roles in the union, they are committed to expressing the group's concerns about the policy. The dean reviews the website prior to the meeting, and, yet, the dean starts the meeting by saying: "A group like yours will surely appreciate our new university-wide policy on diversity, equity, and inclusion!"

Here we take it to be out of the question that the dean fails to respect the individual agency of the students that are present since they do not share the view of the union. This means that we need some other explanation of how the dean treats this group of students wrongfully. Our suggestion is, of course, that the dean mistreats the group of students because he fails to properly treat them as a group agent with stated preferences that are independent of the preferences of the individual agents that compose that group agent.

At this point, the skeptic might note that even in *At the Dean's Office, Reluctantly*, the Dean still meets with a group of individual students who just happen to have particular group-based reasons for being there. This is compatible with our account with the crucial amendment that there is an important difference between those reasons that are based on membership in non-agential groups (such as racial groups) and agential groups (such as the conservative union for Afro-American students). If the Dean were to treat a random sample of Afro-American students appropriately, he would have to rely on evidence tracking how they had exercised their individual agency even if they all had (non-agential) group-based reasons to meet with him. When meeting with the students from the conservative union, on the contrary, the Dean treats the students appropriately when relying on evidence tracking how the group had exercised its agency, independently of any evidence about the individual students. This means that although the Dean is indeed faced with individuals with special reasons to meet him, he has to rely on a different kind of evidence to treat them

appropriately when those individuals are members of an agential rather than non-agential group.<sup>20</sup> In contrast with those accounts that only recognize individual agency, 3A enjoys explanatory purchase in being able to account for these differences.

## 5. The normative force of the individuality claim

In the previous section, we demonstrated how 3A enables us to account for failures in treating people as individuals and enables us to account for parallel failures targeting groups. In this section, we address the question of what normative force it has to complain about having one's individuality go unrecognized.

To develop our preferred proposal, let's start by considering the most influential account of the normative force of the individuality claim, the autonomy account. This account says, recall, that the moral wrongfulness of not recognizing X's individuality is explained by how this amounts to a failure to treat X as an autonomous agent. This account is initially plausible, but seems inadequate in cases where agency and autonomy comes apart. To illustrate, consider:

*Addiction.* Mohsen has been addicted to opioids for a long time. His addiction not only makes him incapable of making autonomous actions but also means that the

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<sup>20</sup> Indeed, since strong group agency is realized through the organizational setup of a group in a way that is in principle independent of the group member's participatory and individual intentions, we can also imagine cases where, e.g., a group's preference as stated on its website should be taken into consideration even if no individual group members have mental states reflecting that preference.

drugs have changed Mohsen's character.<sup>21</sup> Since he is constantly struggling to find money to buy drugs, Mohsen one day applies for a job at the local grocery store. Patricia, the local manager, likes people-watching in her spare time and as it happens, she has often observed Mohsen and his erratic behavior. She deems his behavior to be incompatible with the code of conduct in the grocery store and throws his application and CV in the bin.

How would the autonomy account interpret this case? Let's assume that Mohsen is not momentarily exercising his agency in a heteronomous way but has in fact lost the capacity for acting autonomously.<sup>22</sup> This means that Mohsen has no autonomy for Patricia to regard or disregard. At the same time, it seems that Patricia does indeed treat Mohsen as an individual. 3A can deliver this verdict by pointing to how Patricia is appropriately sensitive to Mohsen's *non*-autonomous agency in how she treats him.<sup>23</sup>

Cases like *Addiction* are important for several reasons. First, they demonstrate – as also noticed in Section 2 – that there is no essential connection between treating people as individuals and treating them as autonomous. Further, provided we think that Patricia

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<sup>21</sup> He thus no longer satisfies the Character and Agency Conditions of Eidelson's account of autonomy (2015, p. 144).

<sup>22</sup> It is difficult to say exactly when someone has a capacity and when they don't, but for our purposes, let's say that there are no near-by possible worlds in which Mohsen would be able to quit the drugs so that all his actions in all of these near-by possible worlds aim at him scoring another high.

<sup>23</sup> Along similar lines, Lippert-Rasmussen (2011, p. 53) also objects to autonomy accounts by pointing out that they imply that the individuality claim does not apply to non-autonomous beings such as minors. In response, Eidelson (2015, p. 160) notes that he finds it implausible that minors can lack autonomously generated characters and the ability to make reflective choices in the relevant way. We take our example of addiction to be more problematic for the autonomy account than the example of minors.



*could* have failed in treating Mohsen as an individual (suppose she throws his CV in the bin, not because of direct evidence of erratic behavior, but because of racial generalizations analogous to how Parker reasons in *College Application*), the autonomy account cannot supply a complete account of what goes wrong in cases where it is apt to complain about having one's individuality unrecognized.<sup>24</sup>

In response, we propose the following picture: Whenever there is a failure to treat someone as an individual then, necessarily, there is present a particular kind of *epistemic* failure. This failure consists in attempting to answer a question about how an agent has (or has not) conducted, or will conduct, their agency with evidence that isn't suitable to answer that question.<sup>25</sup> In short, the failure consists in not being *epistemically* attuned to a particular class of facts, namely *agential facts*.

One may question this picture from the assumption that we should expect the individuality claim to track a particular kind of *moral*, not epistemic, failure (e.g., Eidelson, 2015).<sup>26</sup> We have two responses to this challenge. The first one is pointing to cases where it

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<sup>24</sup> Proponents of the autonomy account could deny that Mohsen would be *morally* wronged in this case and in this way reserve their account as a complete account of the *moral* force of the individuality claim. We won't press this issue here, but it strikes us as implausible to deny that Mohsen is morally wronged.

<sup>25</sup> We noted earlier what "suitability" should mean here, namely capacity to speak to a particular kind of causal question.

<sup>26</sup> Following this, one may ask: Does 3A fall prey to Eidelson's challenge of conflating the core of the individuality claim with a generic worry about epistemic conscientiousness (Eidelson 2015, p. 135)? No, because on 3A there is an important difference between failures in agency attunement and the flaw of not being epistemic conscientious. First, the individuality claim, according to our interpretation, involves epistemically inappropriate conduct *with regards to a particular class of facts*, namely agential facts. In this way, the individuality claim concerns a particular class of propositions, as opposed to generic epistemic (un)conscientiousness that can be manifested with regards to any proposition. Second, on a standard view, whether you are conscientious depends on whether you acted reasonably or appropriately in light of practical constraints. On 3A, by contrast, whether you are appropriately attuned to agency is a function of whether the evidence you rely on speaks to the agential questions you attempt to answer.

seems right to identify a failure in treating someone as an individual but where it's hard to spell out a further moral complaint. Consider to this end:

*Self-stereotyping.* Muhammad learns about the racial stereotype that Black people are more likely to engage in criminal conduct. He comes to predict, from this evidence alone, that he will in fact commit crime in the future.

In *Self-stereotyping*, Muhammad forms judgments about himself in an identical fashion to how Parker reasons. As such, there is strong pressure to infer that Muhammad fails in treating himself as an individual, and neglects his own individuality. Moreover, we think it's obvious from what we have said earlier that Muhammad is acting inappropriately from an epistemic perspective. Indeed, one might add that what Muhammad is doing looks particularly bizarre because of the privileged introspective access people typically have into their own agency. And yet, it's not clear that Muhammad commits a moral wrong, in part because it's not clear that it's possible to wrong oneself.<sup>27</sup> Cases like *Self-stereotyping* suggest, therefore, that it's possible to fail to recognize individuality even if nobody could raise a *moral* complaint on that basis. If so, failing to comply with the individuality claim cannot essentially involve a moral mistake.

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<sup>27</sup> This is subject to philosophical controversy. See Muñoz & Baron-Schmitt (2024).

Our second response consists in pointing to the fruitfulness of the epistemic analysis as a basis for moral analysis of the target cases. Specifically, this analysis helps us explain why we should expect the presence of further, moral wrongs, even if they are not essential to what it means to fail to treat someone as an individual. For example, if we interpret the individuality claim as pointing to an epistemic mistake, the 3A can be used to account for why many failures to treat people as individuals predictably will amount to disregarding autonomy: To treat someone as an autonomous agent, it is sometimes (but not always) necessary to take directions from them, i.e., to be attuned to how they express their agency. Think, for example, of consent. You respect people as autonomous agents by being guided by their consent, which is an expression of their agency (Dougherty, 2021; Steglich-Petersen and Munch 2024). Conversely, when you fail to be guided by their consent, you wrong them by disregarding their autonomy. Nevertheless, disregarding agency and disregarding autonomy are independent fault lines, even if they in many cases travel together.<sup>28</sup>

Moreover, given that we diagnose the essential flaw in the individuality claim as an epistemic failure, we are not committed to the claim that *all* failures in attributing agency are morally wrong because they violate autonomy. In principle, our account could be paired with a pluralistic stance on the moral wrongness of making mistakes in the attribution of

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<sup>28</sup> To illustrate how it's possible to violate autonomy without disregarding anyone's agency: Suppose you adequately understand that somebody says, "I consent to  $\phi$ -ing", and that it's genuinely an expression of their agency, but you mistakenly believe that their consent is irrelevant to how you should act because you have mistaken moral beliefs. This is a case where you are properly attuned to individual agency, but autonomy is nevertheless disregarded because the moral significance of the attribution of agency isn't understood.

agency.<sup>29</sup> This gives us resources to account for a moral wrong in the version of *Addiction* we considered above where Patricia discards Mohsen's CV based on racial stereotypes. We want to sketch a possible line here, even if providing a complete account of the moral wrongness of not treating people as individuals is beyond the scope of the paper: Even if Mohsen lacks capacity for autonomy, he might be entitled to be treated *fairly* and not doing so is to morally wrong him. And, plausibly, fairness requires that you are sensitive to people's agency. For example, it's typically unfair to blame or sanction people if this is based on inappropriate tracking of their agency, since we are thereby holding people responsible for outcomes that cannot be attributed to them (their agency).<sup>30</sup> This suggests that if you take fairness to be a moral concern (and you believe that fairness must be sensitive to agency), then 3A will imply that some failures to treat people as individuals are morally wrongful because they instantiate unfairness.

Finally, recall our earlier contention that it's possible to misrecognize group agency. It's contentious whether agential groups are ever owed treatment as autonomous agents in a manner that is similar to how we owe (autonomous) individuals to respect their status as

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<sup>29</sup> Webster (2021) argues that stereotyping is morally wrongful because it undermines people's agency and outlines three distinct ways in which this may happen. More specifically, to Webster, agency can be undermined by *i*) limiting the availability or quality of choices, *ii*) falsely essentializing or *iii*) by ignoring past exercises or agency. Moreover, Webster claims that moral concerns for agency can be outweighed by other moral considerations. This may (or may not) be interpreted as a form of pluralism about how agency can be undermined. The position we propose here, by contrast, is a pluralism in what makes it morally wrongful to not be attuned to people's agency. According to this view, it may sometimes be morally wrongful to disregard someone's agency because it affects their autonomy, at other times be wrongful because it's unfair, and at other times again there may be a failure in attributing agency that doesn't give rise to any moral complaints (as is arguably the case in *Self-stereotyping*).

<sup>30</sup> For one influential articulation of the significance of agency to fairness (via a concern for responsibility-sensitivity), typically referred to as *luck egalitarianism*, see Lippert-Rasmussen (2015).

autonomous agents. Venturing into this delicate territory would take us beyond the scope of this paper, but if we endorse 3A in combination with the epistemic diagnosis offered above, it's perfectly possible to endorse our view and retain skepticism about agential groups having the moral status of autonomous agents that we tend to associate with individual agents. In that case you could agree that group agency is being misrecognized in *Joint College Application* and *At the Dean's Office*, but still deny that the group is morally wronged or that the group members are morally wronged *qua* being members of the group. This also means that if you believe that there only is a *moral* requirement to recognize individual agency, there will be a derivative case for recognizing forms of group agency since attunement to group agency may sometimes be necessary to avoid misrecognizing individual agency.

In sum, we think there are significant reasons to endorse 3A in combination with the view that failing to recognize people's individuality is essentially an epistemic failure.

## **6. Conclusion**

How are we to understand the common but elusive requirement that we ought to treat people as individuals? In this paper we have articulated a novel account of this requirement that resolves several puzzles about its status and content. According to this account – *The Agency Attunement Account* – this requirement says that people ought to be recognized

appropriately in their capacity as agents. This means recognizing people both as agents in their individual capacity as well as in their capacity as being members of agential group.

It might seem a little strange that our analysis of the individuality claim reveals an underlying issue that also includes what we, analogously, might label the *group* claim (i.e., a concern for being adequately attuned to group agency). But as we have suggested, the issue of individual treatment is intimately connected to the issue of group-based treatment in both commonsense and the scholarly literature. This makes an exclusive focus on individuality too narrow. While we recognize the challenge to understand the normative significance of individuality, this can only be done in tandem with an appreciation of the normative significance of group membership. In fact, if 3A is correct, previous commentators have been mistaken in thinking that the normative concern tracked by the individuality claim was ever only about ‘individuality’ since the distinctiveness of the individuality claim only comes to the fore when contrasted with the other forms that agency can take. Extant accounts proceed, or so it seems to us, on the assumption that the significance of group-based treatment lies only in the alleged fact that it makes the proper attribution of individuality hard, if not impossible. If 3A is correct, we must reject this assumption. This is so because there is the possibility of making an analogous mistake in the opposite direction by failing to treat people as members of agential groups.

These observations bring out an important upshot of our account. On the one hand, 3A explains what makes the individuality claim, specifically, a claim about

individuality since it concerns the attribution of *individual* agency. There is, as we have seen throughout this paper, an important difference between complaining about having one's agency *simpliciter* misrecognized, as opposed to complaining about having one's *individual* agency misrecognized. In this way, our account explains the aptness of complaining about 'individuality' specifically, as this conveys essential information about which kind of agency is being misrecognized.

On the other hand, 3A reconstructs the deeper rationale for why it makes sense to speak of both individual treatment and group-based treatment in the same breath, namely, that the underlying normative concern is not just the attunement to agency in general but, importantly, the attunement to *the right kind* of agency. In this way, our account delivers what seems to us the most sympathetic and unified reconstruction of the normative tension that has impressed many in the literature. There is often a tension between treating people as individuals and treating people as members of groups insofar as these forms of treatment sometimes aim at recognizing different species of agency.<sup>31</sup> As we have shown, the tension finds its root in the same underlying concern – i.e., a concern about appropriate agency attunement – which in turn delivers a unified interpretation of the various glossings of the individuality claim that mention both individual treatment and group-based treatment.

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<sup>31</sup> This is of course not to deny that there can be cases that involve both individual and group agency.

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