

Political Creativity: A Skeptical View¹

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1.

Lee Bontęou's striking and haunting piece, *Untitled 1959/1960* is a three-dimensional piece of work rendered out of steel and canvas, framed and hung as if a normal painting. Taut, seemingly grimy canvas is fashioned, using steel armature and thin wire, into two volcanic cones, the centers of which are deep, black ovals. The ovals appear as limitless abysses piercing the space occupied by the artwork. When viewed in the white box of a gallery space, it feels as if Bontęou has rent a hole in the surface of reality to reveal a lurking, violent deep darkness. This piece, like much of Bontęou's work in that era, embodied a startling mix of painting and sculpture. Viewed today, it remains surprising and aesthetically remarkable.

Untitled 1959/1960 is a paradigm of the dominant contemporary philosophical understanding of creativity. This essay asks whether this model of creativity be applied to the political. I conclude that it cannot.

2.

This section offers a brief overview of the standard philosophical account of creativity, and also has significant application to the accounts of creativity found in the psychological literature. The

¹ forthcoming in Matthew Kieran and Berys Gaut, eds. (2017) *Creativity and Philosophy* (London: Routledge).

subsequent four sections offer more detail on the specific elements of this account. While these elements may not be found in every account of creativity, those theories of creativity that reject one or more of them would likely present itself as revisionist. Gaut (2010)'s survey of the philosophical literature and Mayer (1999)'s survey of the psychological literature supports this generalization, even though there are views rejecting one or more of these criteria, such as Briskman (2008) and Stokes (2011). So, while I am aware that there are other takes on creativity out there, my focus in this essay is on what I take to be standard approach to creativity.

Creativity is almost always understood in terms of the creation of some output (Young (1985), Boden (1994), Boden (2004), Gaut (2009), Gaut (2010), Boden (2010), Gaut (2014), Paul and Kaufman (2014), and Stokes (2015) are representative). Here we should understand 'output' as something produced by but distinct from the productive process. The productive process is creative insofar as it *generates* an output with certain qualities. Even in cases in which a performance is the creative output, the creativity occurs *prior* to the performance and then realized in the performance. One may object that sometimes the creation and the performance are simultaneous. If such cases exist, they are limit cases and as such are not paradigmatic instances of creativity. Furthermore, it is an open question whether they even exist. For, the performer almost always has *training* and a *history* of previously creative performances. Such education and practice prior to the performance could be the occasions during which the creative processes occurred. This point cannot be settled here. What matters is that these reservations are sufficient for us to view supposed cases of simultaneity in creative process and performance as the kind of hard cases that make bad philosophy, i.e., the kind of cases that neither do nor should guide reflections about standard forms of creativity.

As suggested by the Bontecou example, the typical characterization of creativity is as a capacity possessed by a person, and as activated when that person produces some output through the exercise of that capacity.¹ Thus Margaret Boden uncritically locates creativity in individual “[i]nventors, scientists, and artists...” (Boden (2004: 75). Berys Gaut concurs: “Creativity is a property of agents, not of mere things or plants...” (Gaut (2010: 1040) Similar views are expressed in the psychology of creativity (see Carruthers (2005): chapter 5). There are some challenges, such as in Briskman (1980), which locates creativity in outputs and not psychological processes. And while Stokes (2008) appears to agree, arguing that agents, processes, and products are all crucial features of creativity, he later argues that creativity depends “non-accidentally upon agency.” (Stokes (2011): 658).

Additionally, this agential understanding of creativity should be conditioned by the standard philosophical account of agency. According to such accounts, individual, intentional actions are agency’s fundamental expression. So, in virtue of creativity being agential, it is specially linked to intentional action.

Finally, the standard view is that creative output has certain qualities partially in virtue of which the creative process is an instance of creativity. Although the question of what those qualities are is a matter of some dispute, Boden (1994), Boden (2004), and Boden (2010) seems to have defended the most influential account of these creativity-realizing qualities as *newness* and *being valuable*. These metrics are challenged, and other metrics are defended and discussed in, e.g., Gaut (2010), Kieran (2014a), Kieran (2014b), Bird and Hills (this volume), Livingstone (this

volume), but there are no widely accepted alternatives that are significantly different from Boden's.

In sum, then, creativity is a capacity possessed by an individual agent who, through intentional actions, produces some sort of novel, valuable output. Lee Bontęou's *Untitled 1959/1960* is an expression of creativity because it is the novel, valuable output of the Bontęou's intentional actions, where those actions amounted to the employment of her capacity for creativity.

3.

Let us look more closely at the way creativity is understood in terms of individual agents. While philosophers of creativity have no difficulty allowing that the cultural environment can be an accelerant to creativity, that environment cannot be treated as a proper part of the capacity for creativity. For, cultural milieus are not themselves proper parts of agents but are instead *products* of human agency. That there is a feedback loop such that the outcome of an activity can become a stimulus of another activity does not there transform the outcome into a component of an agent. Following Fred Dretske's familiar distinction between triggering and structuring causes (see Dretske (1988): 43ff.), the triggering cause of a creative output is (something internal to) the individual agent, whereas the culture and so on are structuring causes. Thus, even if certain cultural conditions are necessary for creativity, it remains the case there is an important distinction between the way that creativity runs through the individual creator and the role that cultural milieu plays in creative activity.²

4.

As mentioned in Section 2, the centrality of agency to creativity invites reflection on the *intentionality* of creativity. To begin with, note that accidental behavior is not creativity-realizing. Gaut (2010) gives an example along the lines of wind knocking over paint cans carelessly abandoned outside, with the resulting spill is formally identical to a wildly creative instance of painting that is, at that very moment, being produced by a creative artist, such as Kehinde Wiley. This accidental spreading of paint is not an instance of creativity. But, the formally identical painting Wiley shows a few days later is an instance of creativity. The lesson that theorists draw from this is that creativity is a kind of skill that is intentionally exercised (see, e.g., Gaut (2008) and Stokes (2011)). Some, such as Kieran (2014b), take this as evidence that creativity might be something like an Aristotelian virtue. On all these views, creative activity is always a kind of intentional action.

The same point applies to foreseen but unintended side-effects of intentional creativity. Suppose that in producing *David*, Michelangelo chipped off marble that happened to be formally identical to Brâncuși's *Portrait of Mademoiselle Pogany*. Michelangelo, as he chipped away, saw a piece of marble with a certain shape getting chipped off the large marble block, but didn't in any way care about the specifics of that marble chip. He was only interested in what was left over. For, he was concentrating intently on producing his massive sculpture of the boy soldier and not on the *entire* shapes of pieces he was chipping off. So, he did not intend to chip off a piece with that shape (even if he intended to chip off a piece that was partially that shape). So, although Brâncuși's-produced *Portrait of Mademoiselle Pogany* is a work of great creativity, Michelangelo's chipped piece of marble, which is formally identical to *Portrait of Mademoiselle Pogany*, is not. For, it was not intentionally produced.

5.

Given that the paradigmatic intention is a product of some sort of deliberation, there seems to be a distinctively intellectual character to creativity.³ To develop this point, it is useful to consider whether someone can intend to be creative, full stop, and thereby be creative. For, insofar as creativity is intentional, people intend to do things *creatively* (although probably not under that description). For example, presumably Merce Cunningham intended to create a new form of choreography. He reflected on how to do that and this led him to develop his Chance Method. This critical engagement with some practice is a kind of deliberation, where the characteristic output is an intention – in the case the intention to choreograph a dance using dice (N.B.: this is a simplification of the method).

In particular, as Stokes (2011) details in a lengthy argument against Kivy (2001) (and as we see in the excellent discussion in Bird and Hills (this volume)), to be creative, one must engage one's work on the terms of some practice. If one simply refused to do this on the grounds that one intends 'to break the mold' or 'to challenge the dominant paradigm', then, it's unclear whether one will end up doing anything at all. For, to seek to escape a dialectic engagement with those who came before is a recipe for doing nothing at all. How does one even *conceive* of an activity without relying on past practice? Thus, early filmmakers thought of their work in terms that were familiar to them (theater, painting, photography, etc.). They did not simply invent filmmaking out of whole cloth, with no reference to existing practices. Even radical inventions within the practice of filmmaking, such as Eisenstein's invention of the montage, were understood by reference to existing practices.⁴ So, in this respect creativity seems to require

intentional engagement with existing norms of one's practice. So, creativity is intellectual in the sense that one is aware that one is engaging in some practice and one is critically engaging with the norms of that practice. Creativity always involves some sort of 'looking forward' in one's practice. The creative activity is not realized in the context of constant dwelling on what one has *just* done – a kind of reflective repose. In this way, creativity involves a kind of cognitively informed, intellectually critical foresight.⁵

This helps us situate creativity in relation to imaginativeness, with which it has long been associated (see, e.g., Currie (1995), Funkhouser and Spaulding (2009), Gaut (2009) and Stokes (2014)).⁶ Although imaginativeness itself is a matter of some debate in philosophy (see Gendler (2011)), let us understand imaginativeness as something like the capacity to call to mind novel scenarios of one's practice. Imaginativeness is therefore a feature of a certain kind of intellectual activity embedded within a practice. For, the imaginative person is both aware that she is engaging in a certain practice *and* critically guiding herself within that practice (see Gaut (2009)). On this view, imaginativeness – even if its instantiation has the phenomenology of a flash of inspiration – emerges in the context of slow labor characterized by thoughtfulness, preparation, effort, reflection, revision, and so on. This environment is ideal for “slow” cognitive processes explicitly represented in one's consciousness and subject to executive control. So, creativity understood as an expression of imaginativeness supports our interpretation of it as essentially intellectual.

6.

Finally, pretty much all accounts of creativity assume that it aims at an output distinct from the creative process (see Stokes (2016) and Bird and Hills (this volume)). While it is true that on these accounts a person can have a *capacity* for creativity, and we typically use the term ‘creative’ to describe people with that capacity, creativity is only realized in something that is separable from the creative process itself, namely the output of that process. One can, of course, creatively be creative (“the way he imagines new forms of painting is in itself wildly imaginative!”). But, the possibility of creative creativity is just a case of creativity being realized in output twice over. In this case, the creative process *itself* is an output of a previous creative process, and then the subsequent novel, surprising, and valuable product of that novel, surprising, and valuable creative process is yet another output.⁷

7.

As should be clear, the individualist, intentional, and intellectual features of creativity are all interlinked. They are co-packaged because the paradigm of creativity is *the individual agent, through planned engagement with some practice, producing a novel, valuable output*. These are the central features of creativity that must be realized in political creativity if there is such a thing.

8.

To begin to explore the possibility of political creativity, let us distinguish the political from simple interpersonal morality. Morality, as it is typically presented in contemporary philosophy, is concerned with small-bore phenomena: personal virtues and one-off interpersonal interactions, while the political, on the other hand, is concerned with the structural, the social, and the

systemic. Consider, for example, the distinction between the brutal simplicity and context-free Trolley Problem and the rich tapestry of social contract theorists' detailed explorations into the sources, nature, and justification of political society. Insofar as the political is concerned with the *structural*, then, I mean that it is concerned with historically situated, socially produced institutions that, through the generation of both norms and mass ideology, directly shape people's lives in ways that ensure the reproduction of that institution itself.⁸ For example, a state, in virtue of its (unhidden) practice of producing norms and ideology, is a structural phenomenon, whereas a friendship is not.⁹ The economy, insofar as we understand it as a system of norms realized in a vast complex of production and market practices, is a structural phenomenon since it produces the conditions of its own reproduction.¹⁰ Abstractions, like the concept of the theater, are not structural. But, Broadway, understood as the institution of high-cost theatrical productions based around Times Square, NYC, is structural. The same point can be made about the family. The abstraction – the concept of networks of biologically related organisms – is not structural. But, as Pateman (1988) and Moller Okin (1989) famously exploited in their challenges to certain forms of liberalism, the family as it actually realized in society is always structural. In other words: theory that focuses the political focuses on social institutions that are of a certain genus.

Since structural phenomena are social, they are constituted by more than mere one-off interpersonal interactions. Contrast this with Trolley problems and “Terror Bomber” vs. “Strategic Bomber” cases. These thought experiments are quintessentially part of the practice of moral theory. They ask us to understand its subjects *abstractly*, to treat the persons involved as no more than open variables. The political, on the other hand, treats all normative questions as

grounded in the thick fabric of historically grounded relationships. The very question of the normative relationship between the law and some person presupposes a specific contingent relationship between the person the institution producing the law (like, for example, that this person has freely entered the territory governed by that law).¹¹ The sociality of the political is not a matter of mere passing interaction; it is richly constituted.

Insofar as the political is systemic, the phenomenon in question requires a high level of penetration into a population's life such that the normative characteristics of systemic phenomena govern a significant number of characteristics in the lives of the members of that population. So, for example, the state is obviously systemic in this sense. But, so is the economy.¹² On the other hand, in many contemporary secular societies religions typically aren't systemic since they explicitly restrict their normative requirements to adherents. In non-secular political communities, on the other hand, religion is systemic. Arguably, morality is systemic, in the sense that its norms apply to all persons. So, we cannot use just this criterion to distinguish morality from the political. But, this criterion is nonetheless an important feature of the political.

One might object to my distinction between the political and the moral by appeal to the long tradition in philosophy of treating morality as either an outgrowth of the political (see, e.g., the work of Hume, Nietzsche, some interpretations of Marx, certain interpretations of Kant, such as Herman (1993), or morality as classical utilitarians understood it). In these cases, though, it seems that a distinctive sphere of morality is *lost*, and not that the political collapses into the moral. So, I do not see the distinction drawn here as unwarranted. We are typically quite comfortable thinking about, say, virtues, hurt feelings, and the nature of promissory obligation,

as within the realm of morality, and thinking about justice, oppression, and the nature of the obligation to obey the law as within the realm of the political. The three distinguishing features of the political – that it is structural, socially constituted, and systematic – just described help us to draw these lines.¹³

9.

To get clearer on where creativity must be located for there to be *political* creativity, I shall introduce four categories: the political concept, the political practice, the practical understandings of that practice, and the popular understandings of the practice. To illustrate these categories, consider the case of *human rights*:¹⁴

The *concept* of human rights is (roughly) the concept of the basic rights someone has in virtue of being human. This is essentially an intellectual phenomenon.¹⁵

The *practice* of human rights is the regulation of state, firm, and individual activity by human rights norms. This is collectively realized through innumerable instances of advocacy and litigation explicitly employing norms institutionalized in international, transnational, and national governmental, regulatory, and other state and quasi-state structures.

The *practical understandings* of human rights are the hermeneutical understandings possessed by those who engage in the practice of human rights.

The *popular understandings* of human rights are the multifaceted, conflicting, and narratively rich understandings that laypersons have of human rights.

The concept of human rights as described above is an intellectual phenomenon, not a political one. It merely *refers* to the political. The concept of human rights therefore can be fit into the standard model of creativity. Some philosopher publishing many essays on the nature of human rights may earn many citations in top-ranked journals, provide semesters' worth of heated seminar room debates in universities across the world, and be the basis for glowing and highly convincing tenure letters. This would count, by at least the standards of the academy, as a great achievement. But, it would not be an instance of political creativity.¹⁶

The second category refers to actually existing structures, not concepts or ideals. It is essentially contingent, in the sense that it has the determinate form – the contingent particularity – that all objects have.¹⁷ It follows that the second category captures the political nicely: it is structural in that it is an institution that produces the conditions of its own reproduction; it is socially constituted, and it is systemic, in the sense that it aims to govern vast swaths of people's lives.

The character the institution of human rights depends upon the self-understandings of its practitioners. Thus, the second and third categories above are co-realized. There can be no practice of human rights without the practitioners having a certain self-understanding of themselves as practitioners. Nonetheless, these are distinct phenomena, as the self-understandings can be quite varied and non-factive.¹⁸ Properly characterizing a political practice, then, requires managing the heterogeneity of practitioners' self-understandings.

On the other hand, the self-understandings of institutional actors are not themselves instances of the political. They are individualistic psychological phenomena. An individualistic psychological phenomenon cannot be structural, social, or systemic.¹⁹ Such individualistic phenomena can be among the building blocks of the social, but they are not themselves social. Furthermore, such phenomena can also be *expressions* of structural, social, or systemic phenomena. But that again does not make them structural, social, or systemic phenomena themselves. So, even when the way in which practitioners think about their practice has political consequences, those self-understandings are not instances of the political. For, a practitioner may just understand herself as doing a boring job she hates, and thereby see her activity as a rote and mechanical performance of rule-following. This is rampant in all levels of bureaucracies, and especially in the large bureaucracies that constitute the international human rights practice. Politically potent concepts like the concept of human rights are always operationalized along procedural lines specified by the black-letter regulations produced by other teams upon teams of other faceless, bored bureaucrats. Participants in government agencies, national and international juridical regimes, transnational NGO's and protest organizations, and other plainly political phenomena thereby can come to understanding their "human rights work" in entirely procedural terms. Predictably, high-minded discussions with such people often become one-sided and tedious recitations of the correct ways to initiate claims, the proper fora in which to file different claims, strict and notional timetables about hearings, and so on.

One upshot of this is that the actual practice of the human rights regime can itself be utterly non-political, in the sense that it is little more than the activity of bureaucrats. This can apply as

much to legislators and lobbyists as it does to those who process minor forms associated with legal cases or the receipt of protest letters. This may have serious political consequences, e.g., it might alienate those for whom the human rights practitioners aim to be advocates or it might sap institutional energy when that energy is most urgently needed. So, when this apolitical self-understanding is properly contextualized within the broader political practice – i.e., within the phenomena identified in category two above – these individuals’ apolitical self-understandings are manifestations of the political. But, it is only once we firmly connect the individual ideas persons have about themselves and their lives with broader structural phenomena that those ideas become recognizable as elements of the political.

For another illustration of how the self-understandings of practitioners can be apolitical, consider the example of mass policing in the modern state. Police officers, although the tip of the spear when it comes to the application of state power, often fail to think politically about their activity. Rather, their self-understandings are utterly procedural. Thus, it is often pointless to criticize policing activity as, for example, racist. For, many police are apt only to understand their activity as procedurally sound or unsound. An intervention is required to awaken police so that they break free of the apolitical, bureaucratized understanding of their activity and come to see it as a part of a historically constituted, and normatively thick political practice.

Finally, there is the last category, the example of which I have given is a collection of individualistic takes on human rights. These are just the sorts of mental states that might be creatively produced and that therefore might be instances of creativity. But, they are not political phenomena. For, they are neither social, nor structural, nor systemic. Rather, they are what we

tell ourselves about the political order. These narratives may be co-produced in classrooms, in the media, and so on, but they are taken up and mobilized intellectually at the individual level. Thus, like the third category, these also may have political upshot under certain conditions, but like the hermeneutically constructed self-understandings of practitioners of human rights, they are not themselves political.

In sum, then, the only category that refers to intrinsically political phenomena is the second one. All the other categories are political in relation to the second category. Thus, if political creativity is possible, we shall find it in the second category.

10.

So can we apply the standard model of creativity to the political? I am pessimistic. For, the standard model of creativity is individualistic. But, the political, by its very nature, resists understanding in individualistic terms. So, any plausible, much less any attractive, theory of political creativity must build across this gulf a rather substantial theoretical bridge. I do not believe that we currently have the resources to construct such a connection, even given the diverse and attractive philosophical models of group agency now available. Furthermore, merely paying lip service to the *possibility* of political agency is not sufficient. Any respectable model of political creativity must do the hard work of showing institutionally-constituted multitudes can be agents, have intentions, and be imaginative, and in the ways in which would it apt to ascribe creativity to them. And, while there has been some discussion of how we might conceive of collective creativity (Sawyer (2008), Fischer and Vassen, eds. (2011), Sanino and Ellis, eds., (2014)), these volumes are outside the discipline of academic philosophy. So, it would be a

complicated matter to determine whether these accounts of collective creativity sit happily with the views developed by philosophers of creativity. For example, Berys Gaut's work on creativity plays almost no role in the discussions of creativity in these volumes.

So, given what the current state of research into the possibility of non-individualistic agency, mental states, and processes, all we can do now either is (i) posit without justification the existence of agency, intentionality, and imaginativeness at the political level; (ii) radically alter our understanding of creativity so that it can be applied to the political; or (iii) reserve judgment about whether the concept of political creativity successfully refers or is even coherent. The first option is undermotivated. The second is unmotivated. Only the third is currently attractive. We should therefore be skeptics with respect to political creativity. The remainder of the essay makes a detailed case for this conclusion.

11.

I remind the reader that our concern is not here with creativity with respect to some political idea or with respect to the execution of some institutional action. Mary Wollstonecraft was in the former sense politically creative when she wrote a *Vindication of the Rights of Women*, and Johnnie Cochrane was creative in the latter sense when he used an ingenious strategy in successfully defending OJ Simpson. But, these are not the forms of political creativity that interest me. Rather, our focus is on whether political institutions and political processes can be creative.

The first disjunction between standard forms of creativity and the political is at the level of the agent. While there is some philosophical debate about what an individual is and what an agent is, at the grain of inquiry at which philosophy of creativity proceeds there is no dispute. What is employed is an intuitive concept of the individual person that is as familiar as any concept is. We can without too much difficulty ascribe mental states, mental processes, actions, and responsibility to this agent. Central to the attractiveness of almost every extant philosophical account of creativity is the assumption that when it comes to making sense of what an individual agent is, in the paradigm case of the creative this is philosophically unproblematic, or at least there is no *special* problem. This is why there is such an easy slide from philosophy of creativity to the psychology of creativity (see almost all contemporary work in the philosophy of creativity), the neuroscience of creativity (see, e.g., Dietrich (2004)), and the computer science of creativity (see Boden (1998) and Boden (2009)). For all of these disciplines are individualistic in character, in the sense that they more or less unproblematically posit the individual agent as the site of the subject of research.

The same cannot be said about group agents and political agents. For, while we do have an *intuitive* notion of the political agent, even our modestly sophisticated accounts of group agency face immediate and quite vicious problems (see List and Pettit (2011)). Most notably, the very materiality of the collective agent can be questioned, whereas the intuitive and intellectual *basis* of ascription of individual agency just is the materiality of the individual human body. The undeniable physical presence of the body in which creative processes supposedly occur is part of why it is so unproblematic for philosophers (and other theorists) of creativity to posit the individual as the locus of creativity. The absence of such a body – the body politic is a fiction

and has been understood as such by many if not most political theorists – therefore presents an immediate and powerful discontinuity between our intuitions about individual agency and institutional agency. Thus, in Tuomela (1989: 471), we read that, “Persons have (biological) bodies and perform bodily actions in contrast to collectives... [A] collective is not a self-sufficient agent (e.g., in the sense of being capable of performing basic bodily actions).”

The absence of the corporeal makes skepticism about political agents quite natural – something that must be overcome instead of something that can be dismissed with a wave of a hand and a citation to a single article. For example, some of our best empirical accounts of nations, which are often taken to exist prior to the political agent, have argued that they are fictions created for the sake of social control, as clearly illustrated in See Anderson (2006). Even optimistic accounts of group agency that reject this fictionalist approach nonetheless are committed to a kind of individualism that leaves little room for the robust sort of emergentism that would make political creativity *sui generis* as opposed to a mere amalgamation of instances of individual creativity. In the mid twentieth century, Popper (1945), Garfinkel (1967), and most importantly Watkins (1955) labeled as “pre-scientific” any accounts of “group spirits” (Popper’s term) that cannot be wholly explained in terms of the individual. Thus, J. W. N. Watkins writes that “the ultimate constituents of the social world are individual people who act more or less appropriately in the light of their dispositions and understanding of their situation.” (Watkins (1957): 106). The same sentiment is found in contemporary social theory, such as Elster (1982), although see Pettit (2009) for complications.

Today, although most leading philosophical attempts at theorizing group agency have abandoned simplistic forms of methodological individualism, they nonetheless hew to a similar, but weaker methodological principle that group agency supervenes on individual agency. Searle (1995) and Searle (2009) defend a ‘naturalist’ view of group agents, denying that in any fundamental sense there are supra-individual agents, but at the same time holding that collective recognition of something having a certain status can give that thing ‘social reality’ at least partially in the form of certain ‘deontic powers’, or more simply, in terms of that thing having certain rights, privileges, duties, etc., with respect to individuals and other groups. Thus, the state, for example, has actual deontic powers but its existence as such depends upon individual mental states. Similarly, Tuomela (2013) both firmly rejects methodological individualism but also does not argue that group agents are so metaphysically independent of individual agency that it makes sense to treat them as robustly isomorphic to individual agents.

The upshot of this is that while it is certainly *possible* that massive, diversely constituted group agents, constituted in any of the myriad of ways that contemporary philosophers have imagined they could be constituted, might have some sort of capacity for creativity, it does not follow from a simple punning on the word “agency” that political agents (assuming they exist) have the same capacities as the individual agents on which they supervene. The philosopher of creativity facilely relies on such a pun when she does not do the legwork to show that massive group agents, constituted in at least one of the many and often incompatible ways that group agency has been theorized, have the same or enough of the same psychological properties as have individual agents, such that ascription of creativity to group agents is warranted. And, as of this writing, no philosopher of creativity has done this legwork.

12.

Even the briefest dive into the guts of theories of group agency reveals deep problems for a theory of political creativity. For, while almost all theories of group agency rest on theories of collective intentionality, that is where agreement, such as it is, gives way to a welter of contestation (see Chant, Hindriks, and Preyer (2014)). Quinton (1975), Cohen (1989), and Cohen (1995) all argue that talk of “group thought” cannot be taken literally on pain of illicitly anthropomorphizing groups, which we are here allowing exist. That is, even if groups – fans of a sports team, nations, states, political institutions, whatever – exist, they are so sufficiently *unlike* human beings that it would be an error to ascribe mental states and mental processes to them. To say these groups have intentions is to speak loosely. Really, there are just individuals with appropriately interlocking intentions (see Bratman (2007)). If this view of collective intentionality is correct, then all talk of political creativity is subject to the same objection. For creativity is a psychological phenomenon, and one that is vastly more complicated than mere belief or mere intention. So, if all collective intentionality is to be reduced to interlocking individual intentions – if all collective intentions are not strictly analogous to individual intentions – then only loose analogies can be drawn between theories of individual creativity and political creativity.

As mentioned above, even though the “big four” theorists of collective intentionality – Gilbert (1989), Bratman (2007), Searle (2009), Tuomela (2013) are representative texts – limit individualism by requiring a commitment by individual agents to an unreduced group entity or

group interest whose existence in turn depends upon these commitments, they firmly resist positing a form of group intentionality strictly isomorphic to individual intentionality.

For example, recall Searle (1990)'s famous example of unrelated people in a park sprinting all at once for the same shelter when the rain starts. It may appear that there is something shared going on, and each of their intentions may refer to some of the same things, but the intentions do not display the robust interconnectedness that is required for *collective* intentionality. That is why theories of collective intentionality always require either shared reference to some social entity that is collectively constituted (e.g., a 'we'-activity, a 'we'-intention, a group, an institution, a social rule, etc.). For, this facilitates, at the very least, the sort of mutual responsiveness that is an essential characteristic of joint action realized via collective intention.

As Smith (2006) shows, this also requires a nontrivial form of conceptual agreement amongst the participating agents. This conceptual agreement, in turn, requires both co-extensionality and intensional *coherence* of the agents' relevant beliefs and intentions (see also Coleman and Simchen (2003)). If two parties are going to engage in a joint intentional activity, then each must have the intention "I intend that we J" which should be understood at least partially in terms of the intention "I intend to J in response to her intention to J." At first blush it seems sufficient for shared activity if the two parties' concepts of *J-ing* are extensionally equivalent.²⁰ And, if this were sufficient, then mere extensional equivalence and not conceptual coherence would be required. For, there easily can be cases of extensional equivalence with intensional incoherence (I discuss a case below). But, as is clear from Bratman (1992)'s discussion of joint intentional action and shared cooperative activity, what makes joint and shared intentions collective in the

meaningful sense we want is the fact that they are *interlocking* in the right sort of way. And this requires that each party's intention successfully refer to the other parties' intentions: "I intend to J in response to her intention to J" must be such that "her intention to J" refers to the other party's intention to J. Another way to say this is to say that our intentions are not mediated entirely by the action we intend to perform, but are in fact more directly related in virtue of the fact that they refer to each other. But, in order to refer successfully, the intension of "J" in her intention to J has at least to *cohere* with the intension of "J" in my intention to J or else my concept *her intention to J* will not get mapped onto her intention to J. Mere coextensionality will not do.²¹ Thus, for parties who are J-ing together, their concepts of J-ing have to intensionally cohere as well as be extensionally equivalent. In fact, the higher standard of intensional *equivalence* is arguably required. For, responsiveness to the intentions of others is more important for collective intentionality than is to responsiveness to the *actions* of others. This is because people's actions can be imperfect realizations of their intentions. Mere coherence creates space where two people, inexpertly trying to enact radically different intentions end up responding to each other in such a way as to appear to one another that they have a collective intention. But, in fact they don't. This is a premise for certain comedic scenes in which two bumbling characters appear to each other to be in cahoots with each other but in fact are natural enemies.

For example, if I believe that I am playing a game of basketball against you and you believe that we are just practicing driving to the basket, it is only at a fairly high level of abstraction that we can be said to be doing something *together*. At best, we share only an intention to be on the court engaging in basketball moves with each other. But, when I foul you hard as you drive to the basket and say that I was trying to prevent you from winning the game, you would be correct

in observing that all along it turns out we weren't playing a basketball game together at all, even though outwardly it appeared as if we were. This is a case of a lack of intensional coherence with extensional equivalence. Such lack of coherence can block the sort of interlocking psychological attitudes on which collective intentionality depends.²²

So, while joint action need not require *shared* goals or beliefs among the collective, it does require intentions that are responsive to one another via coherent descriptions. This in turn suggests that these models of collective intentionality are most felicitously applied to small interactive groups for whom such coherence would not be overly demanding. Hierarchical structures in which information is not shared, the employment of 'essentially contested' concepts at the heart of the activity, and other normal features of political communities typically do not allow these conditions to be met (but see Shapiro (2011) and Shapiro (2014) for work on resolving these difficulties without departing significantly from the Bratmanian tradition).

Similar problems arise in even our most sophisticated accounts of conventional social norms. These accounts – Lewis (1969), Cubitt and Sugden (2003), and, for an overview, Vanderschraff and Sillari (2014) – typically rely on some sort of common knowledge requirement, which is cashed out in terms of each participant being aware that other participants believe the same relevant things about the coordination problem and its solution, and furthermore are aware of each other's beliefs about each other, and so on. This is a very difficult condition to meet. It is unlikely that they would be met given the number and diversity of all the actors in contemporary political institutions, which are vast, complicated, and riven with fairly basic disagreements even about the function of those institutions.

Finally, even if we put aside worries about collective intentionality, new problems crop up. For, as we've seen, creativity involves complex forms of representation associated with both creativity's intellectual engagement with some practice and the imaginativeness involved in being creative. So, not only must the political institution settle on a unified end via some process of collective intention formation, but it must be able to form representations about what it is doing and how that relates to numerous practice-related phenomena. But, what is it for a group to have even a single belief, much less to have the sort of complex representations that sustain a creative process? We have long known that plebiscites are poor methods for arriving at collective representations. For, as Condorcet (1785) and Arrow (1951) famously showed, and as we see from more recent work such as Russell, Hawthorne and Buchak (2014), they are subject to many paradoxes. So, even if we have a theory of collective intentionality that allows for isomorphism between group intentions and individual intentions, there remain quite vast hurdles for any theory of political creativity such that the representations necessary for creativity are realized in political institutions in a manner sufficiently similar to the individual forms of representation such that the two processes merit a univocal accounting.

13.

The mysteries of social ontology and collective intentionality are genuine puzzles. A great deal of quite innovative and powerful work has been completed by those who have taken these puzzles seriously. That is why we have theories of group agency, collective intentionality, and so on. Philosophers of creativity should neither ignore the questions surrounding group agency and collective intentionality nor simply assume that whatever form social agency and collective

intentionality takes, it will fit neatly onto the model of agency and intentionality they employ in their accounts of creativity. Treating political creativity as just a kind of gigantic, collective form of Beethoven's creativity is too facile to take seriously.

On the other hand, nothing I've written impeaches the value of the literature on individual creativity or creativity at the small-group level. Rather, it merely suggests that that it is not sufficiently general to be applicable to all areas of human activity. In particular, our philosophical understanding of creativity does not apply to socially realized institutions that aim at a certain kind of systemic governance of populations by norms produced by those institutions. As there currently is no conception of creativity applies to such institutions, it will take an act of intellectual creativity to produce it.²³

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¹ Although some argue that creativity is a disposition. See Grant (2012).

² This would explain why the philosophical literature reveals such interest in the psychology and neuroscience of creativity as opposed to interest in the social science of creativity.

³ By 'intellectual' here, I am referring to processes that are non-automatic and at the conscious-level. For more on dual-process theory, see Kahneman (2003).

⁴ See the essays on Eisenstein and montage in Donald, Friedberg, and Marcus, ed. (1998).

⁵ Intellectual activity can be irrational just as much as it can be rational. Thus, even if Plato was correct in holding that creativity had to be realized in some sort of state of unreason, that state of unreason is not an unconscious or trancelike state. Instead, the idea was that there was some connection between *rationality unbound* reflection and creativity. But, that rationally unbound reflection remains intellectual in character, in the sense that it involves a kind of thoughtful, albeit wild, engagement with the norms of the practice.

⁶ Cf. Kant's comment on this connection in Kant ([1790] 1987: 185).

⁷ On the other hand, if one's novel creative process, however valuable and surprising it is, is not *itself* intentionally produced as a result of an exercise of some intellectual faculty, then it is not itself creative, but is instead a lucky psychological quirk. So, where there is creativity, there is an output of a creative process that itself is aptly described as creative.

⁸ On ideology, see Eagleton (1991). For a nice characterization of ideology in contemporary political life (but not contemporary political theory), see Rorty (1989: 191).

⁹ Although it might be the case that how friendship manifests itself is politically sensitive and so it has structural features (in the sense that I am using the term ‘structure’).

¹⁰ For a detailed and specific exploration of the interaction between the state and the economy, see Beckert (2014).

¹¹ For the extreme version of this, see Simmons (2001). For the most ‘moralized’ – i.e., the most abstract and ahistorical – version of this, see Estlund (2008). Estlund recognizes that this version of his account of the political may be theoretical suspect on these grounds. See Estlund (2014) for a response to such worries.

¹² Again, see Beckert (2014).

¹³ This suggests that some of what Appiah (2008) discusses are not instances of ethics understood as morality but instead ethics understood as the political.

¹⁴ I am influenced here by the characterization of human rights found in Moyn (2010). I am also influenced by the discussions of dignity (and its relationship to human rights) found in Rosen (2012) and Waldron (2012).

¹⁵ Following Rawls (1999), we might distinguish the concept of human rights from a conception of human rights, where the latter is a specific list of rights and a further characterization of their normative and institutional statuses, as well as their justificatory grounds. By ‘the concept of human rights’ here, then, I am referring to both the concept and various conceptions of human rights.

¹⁶ Should this philosophers’ work end up shaping the practice, then the philosophers’ work would be *part* of the political. But, on its own, it is not a part of the political.

¹⁷ In this way, it is *just like* the output of creative activity, which is always highly contingent.

¹⁸ For an exploration of this phenomena as it relates to the law understood as a social practice, see Smith (2006).

¹⁹ It is important to distinguish socially constituted enabling conditions and social constitution itself. An enabling condition for thinking about baseball is the socially constituted game of baseball. But, thinking about baseball itself is not a social activity (although this claim itself depends upon one's view about externalism about mental content – for the canonical statements see Kripke (1972) and Putnam (1975)).

²⁰ For, the J-ing that concerns us happens in the actual world and not some merely possible world.

²¹ So, this is just another way to put the old Fregean point that within *de dicto* contexts, there cannot be substitution *salva veritate* by merely co-referring terms.

²² There are complications here that come from the fact that this example is a case of game-playing and so there are rules governing the activity that are independent of the intentions of the players. So, an alternative would be cooking together. If I think we are cleaning up and you think we are cooking, and I have exotic beliefs about what it is to clean up (e.g., I think you should chop vegetables in order to maximize biodegradation efficiency), then we could easily have extensional equivalence with intensional incoherence.

²³ This essay benefited from comments from this volume's editors, Berys Gaut and Matthew Kieran. I am very grateful.