
FOUNDATIONS FOR A SOCIAL ONTOLOGY

Amie L. Thomasson

Abstract

*The existence of a social world raises both the metaphysical puzzle: how can there be a “reality” of facts and objects that are genuinely created by human intentionality? and the epistemological puzzle: how can such a product of human intentionality include objective facts available for investigation and discovery by the social sciences? I argue that Searle’s story about the creation of social facts in *The Construction of Social Reality* is too narrow to fully solve either side of the puzzle. By acknowledging different forms of rules for constructing social reality paralleling rules for creating ‘make-believe’ truths, we can build a more comprehensive social ontology and allow for a more appropriate range of discovery for the social sciences. Nonetheless, I argue that despite the parallels between methods for constructing make-believe and social facts, it would be mistaken to treat talk about social reality as involving a mere pretense to refer.*

The social sciences study political entities such as nations and laws, economic facts concerning money, debt, inflation and recession, and social facts concerning class structures, race and gender relations. In each case, it is fairly clear that the facts and objects studied by the social sciences are not part of the independent fabric of the world in the way that the facts and objects studied by the natural sciences are – instead, in some sense, these facts and things depend on human intentionality, and are creations of our beliefs and way of life. Yet many are skeptical that human beliefs, intentions, and practices can be genuinely *creative*, since normally (as metaphysicians are fond of pointing out) beliefs that something is the case do not make it so. So a first puzzle that arises for those who would pursue social ontology is whether there can be a “reality” of facts (that Hawaii is a state, that the Euro is a valid currency), and even a whole range of objects (laws, nations, corporations, money, property) that are genuinely created by human intentionality, and if so, by what means such creation is possible.

Even if we can tell a story to explain how human beliefs and practices may be ontologically creative, a more difficult puzzle arises for the would-be social ontologist. For we think of the social sciences as reporting *objective* facts about these social entities, and *discovering* facts, and even *kinds* of things, that

were previously unknown. But the very idea that social reality is created by human intentionality is in tension with the view that it can include objective facts available for investigation and discovery by the social sciences. Most people are accustomed to thinking of creations of human intentionality (if they accept that there are any) on the paradigm of imaginary objects – as purely *subjective*, personal creations, inaccessible to study by others and having exactly those features we think of them as having. No ‘investigations’ into them would then be appropriate: they would be impossible for people other than the creator, and unnecessary for the creator, since she automatically knows all there is to know of them. So the second puzzle is an epistemological one: How could the social sciences be thought to provide ‘objective’ knowledge of, or make any new ‘discoveries’ about social facts and objects created by human intentionality? In this paper I will attempt to make progress on both sides of the puzzle by offering an account of some ways in which social reality may be created that can do justice to range of entities studied in the social sciences, and to the idea that the social sciences may be involved in the discovery of facts and even *kinds* of facts previously unknown.

1. Searle’s Social Ontology

John Searle may be credited with bringing something like the above puzzles into recent discussion, motivating his study of social reality by posing the question “How can there be an objective reality that exists in part by human agreement?” (1995, 2). His work thus provides a natural place to start in seeking a solution to the puzzles of social reality, so I will begin with a brief overview of his account. As we shall see, however, to fully solve either side of the puzzle we will need a broader account of the methods for constructing social reality than Searle offers.

According to Searle, accounting for the construction of social reality “requires exactly three elements. The assignment of function, collective intentionality, and constitutive rules” (1995, 13). The first two, on Searle’s picture, are essential to the construction of social facts generally, while the last enters into the construction of *institutional* facts more particularly. Social reality is constructed by our collectively imposing functions on brute physical reality. In the simplest cases, we assign “agentive” functions to natural objects (as when we assign some trees the function of being lumber) or create objects that we collectively assign a certain function (as when we create a bench)

(1995, 20) – in these cases mere social facts are created. More interesting cases arise when *institutional* facts are created by collectively imposing upon some entity a new function that it could not perform solely in virtue of its physical features, as, for example when we impose upon a piece of paper the function of serving as a valid unit of exchange (money). The latter functions are ‘status functions’: functions the object could not perform solely in virtue of its physical properties (1995, 41). In order to impose status functions, we must collectively accept constitutive rules, rules that stipulate that a certain *x* “counts” as *y* in the relevant context *C* (1995, 44). Thus, for example, there is a constitutive rule that certain pieces of paper issued by the bureau of printing and engraving “count” as \$20 bills, which endows them with the status function of serving as a legal unit of exchange. This marks the difference between merely social facts and properly institutional facts: something’s being a screwdriver or a bathtub is merely a social fact, since these things could fulfill their functions of turning screws or holding water just on the basis of their physical constitution; in contrast, something’s being a dollar bill, a citizen, or a touchdown is an institutional fact involving functions beyond those that the object’s physical properties endow it with, functions that can only be acquired by collective acceptance of constitutive rules stipulating what ‘counts as’ being a dollar bill, citizen, or touchdown.

This story begins to solve the ontological side of the puzzle by showing a method whereby human intentionality can overlay new social and institutional facts on ‘brute’ physical reality. Searle also solves part of the epistemological side of the puzzle by suggesting that although the relevant facts created are *ontologically* subjective in the sense that they depend on mental states, nonetheless claims about such facts may be *epistemically* objective in the sense that their truth or falsity is independent of the “attitudes, feelings, and points of view of the makers and hearers of the judgement” (1995, 8). I will suggest, however, that while Searle deserves credit both for raising the beginnings of the puzzles and partially solving them, the story he provides about the method of constructing social reality is too narrow to fully resolve either the deeper ontological or metaphysical puzzles of the social world.

We can see this by examining two features of social reality that Searle suggests follow from his construction story: 1) the logical priority of brute facts over social facts (1995, 34-5, 56-7)¹ and 2) the self-referentiality of social concepts (1995, 32-4). The idea that social reality, and in particular institutional

1 Although the initial section heading is “The Logical Priority of Brute Facts over Institutional Facts”, he claims later down that this applies to “social facts in general” (1995, 35).

reality, at bottom depends on 'brute' physical reality seems entirely appropriate, but by the 'logical priority' of brute facts over social facts, Searle seems to have a much more specific thesis in mind – namely, that no social *objects* are created at all, since any purported social or institutional object is really just a material object that is assigned a new function:

Such material objects as are involved in institutional reality, e.g., bits of paper, are objects like any others, but the imposition of status-functions on these objects creates a level of description of the object where it is an institutional object, e.g., a twenty dollar bill. The object is no different; rather, a new status with an accompanying function has been assigned to an old object. (1995, 57).

This is a result Searle seems to find welcome, since it limits the ontological impact of his study by ensuring that he is not really countenancing any additional objects at all; so-called "social objects" are merely material objects with new social facts attached to them.

And indeed this does seem to follow from Searle's account of how social and institutional reality is constructed, if we take his account as describing the only possible methods for such construction. For on that account, as we have seen, social reality is constructed by means of assigning functions to pre-existing objects. In the case of institutional reality, this must be done by collectively imposing a status function (*y*) on some object (*x*) that pre-exists this imposition. Although functions may be applied to institutional objects themselves (as a citizen may be made president), at some initial point, this process must "bottom out in phenomena whose existence is not a matter of human agreement" (1995, 55). In the case of institutional facts, in the formula "x counts as y in context C", there must be an initial *x* term that is ultimately a 'brute' object, which we then determine to count as a *y*, which we may in turn count as a *z*, and so on.

In fact, although most of his favorite examples concern institutional facts, Searle explicitly takes this feature to hold *not* just for institutional facts, but for *all* social facts (1995, 31). And again as long as one accepts that his story of the construction of social reality is *the* story of how social facts are constructed, it is easy to see that 'logical priority' would hold for mere social facts as well, for whether or not the relevant function is a status-function, it ultimately has to be imposed on some physical object. Thus, e.g. whether the function is being money or being a screwdriver, there must be some (ultimately physical) object to be assigned the function of serving as a unit of exchange, or of turning screws.

But however plausible it is for the examples Searle chooses, only a small subclass of those social and institutional entities we concern ourselves with in daily life and study in the social sciences can really be understood as material objects overlaid with new functions.² Entities such as the U.S. Constitution, General Motors, or Calvinist doctrine obviously have close relations to individual material objects, but in no case is there some particular material object (with additional social properties) with which we can identify the entity in question – they seem to be abstract in the sense of not being identifiable with any particular material object. If we are to take these commitments at face value, rather than attempting to find some way to paraphrase all talk about them into talk about concrete individuals, we will have to admit that new social objects, not just facts, can be created by the cooperation of collective intentionality and brute reality.³

In the case of the U.S. Constitution, for example, even if the original document in the Archives were destroyed, we certainly would not thereby declare that the United States was a nation without a constitution; a fire may destroy an original document of historical interest, but not the U.S. Constitution itself. In fact, it seems that the social and institutional world is becoming increasingly abstract, as paper messages are replaced by email correspondence and fax, web-sites replacing billboard advertising, and so on. Even money is increasingly becoming abstract – no particular pieces of paper in a vault, no particular entries in a particular book, no particular magnetic traces on a computer disk, can be that material entity which has the social property of being the money in my bank account, for any of these can cease to be without my deposit evaporating. This makes it increasingly important that a comprehensive social ontology include abstract social objects as well as concrete ones.

In short, while he provides a story of how some social and institutional facts may be constructed, it seems that Searle has not provided a complete enough story to explain how human beliefs and practices can create not just new social and institutional facts about familiar material objects, but entire and grand structures of new entities such as religions, nations, militaries, economies, and so on, on the basis of the fundamental physical world. To account for this, we will need to broaden our view of the methods by means

2 David-Hillel Ruben (1997, 447) makes the similar point that Searle's ontology cannot cover such entities as nations, labor unions, and classes.

3 Ruben (1985) argues that social entities such as nations cannot be reduced to individuals (or groups of them), and Gilbert (1996, chapters 6 and 7) offers similar arguments that facts about social groups cannot be reduced to facts about individual members.

of which social reality can be constructed. In section 2 below I will return to suggest what other methods of construction should be countenanced to overcome this problem.

A second feature that falls out of Searle's analysis of the construction of social reality is the so-called "self-referentiality" of social concepts. Since, on his analysis, social reality is created by our collectively imposing functions on objects, social concepts are all "self-referential", in the sense that, for any social concept F, "x is F" implies "x is used as F, or regarded as F, or believed to be F.." (1995, 32). Thus, as Searle writes, "Part of being a cocktail party is being thought to be a cocktail party; part of being a war is being thought to be a war" (1995, 34). This seems to have the consequence that all social facts created by collective intentionality are epistemically transparent in the sense that their existence logically entails that they are believed to exist, at least by those people whose collective intentions create them. As Searle writes "For these sorts of facts, it seems to be almost a logical truth that you cannot fool all the people all the time." (1995, 32).

But actually the situation is more complicated, since Searle's original form of a constitutive rule "x counts as y in C" is ambiguous: is the "x" term supposed to refer to an individual entity, simply assigning *it* a new function, or is it supposed to refer to *anything of a particular kind*? If it always has to be applied to an individual entity, then it follows that every social fact is believed to exist (at least by the people whose collective intentionality establish the fact). But this seems clearly false even for such prime examples of Searle's as money, and would leave no room for discovery of any social facts, except those regarding other societies than one's own. For, as Searle himself notes, a particular social fact (e.g. that a particular piece of paper is a dollar bill) may exist unknown by anyone if the note has fallen through the cracks of the floor in the Bureau of Printing and Engraving (1995, 32). So it seems that in some cases (but not others) we should take the 'x' as referring to a *type* of thing rather than an individual token thing. As a result, as he puts it, this "self-referentiality" applies to some social concepts (like being a cocktail party) on a token-by-token basis – any individual event must be regarded as a cocktail party to be a cocktail party – while other social concepts (like being money) are only self-referential by type (for an object to be money requires only that everyone accepts that *things of this sort* count as dollar bills).

Searle takes self-referentiality to apply not just for institutional facts (such as being a dollar bill), but social facts generally (such as being a cocktail party), providing a way of distinguishing these from 'natural' facts. Self-

referentiality is a "... peculiar logical feature that distinguishes social concepts from such natural concepts as 'mountain' or 'molecule'" (1995, 33). Again, as long as we assume that Searle's account of the construction of social reality by means of imposition of function is the *only* way social reality is created, self-referentiality does seem to follow.⁴ For according to Searle all functions are observer-relative, and so (regardless of whether or not the object could *perform* the function on its own), in order for some object to have ('be assigned') the relevant function F, it must be created to achieve F, or accepted as being good-for F, or used for F, etc. Thus screwdrivers and cocktail parties, no less than money and citizens, must be used, regarded, accepted as being such in order to exist.⁵

But the idea that all social concepts are self-referential entails that there cannot be social facts of any *kind* whose existence members of that society do not know about – for if there are social facts of a given kind F, people must accept that certain things (or things of certain sorts) are F (and, since their collective acceptance makes it so, they must collectively be right about what things or sorts of things are F). But this severely limits the role the social sciences can play in expanding human knowledge – many of the discoveries of greatest moment in the social sciences are of things such as economic cycles, class systems, and power structures, that are capable of existing even if no one believes that anything of the kind exists, or even if no one entertains the relevant concept at all or has prior beliefs about anything of the kind.⁶ Call a kind F of social entities "epistemically opaque" if things of that kind are capable of existing even if no one believes that anything of kind F exists, and "conceptually opaque" if things of that kind are capable of existing even if no one has any F-regarding beliefs whatsoever.

4 At least this seems to be true for all of the constructed social facts created by collective intentionality. But although facts about collective intentionality itself ought, by Searle's lights, to count as social (1995, 26), they do not obviously exhibit either self-referentiality or a "logical priority of brute facts over social facts".

5 This does not, of course, mean that people must accept that, e.g., money is created through the methods described, only that people must accept that this stuff counts as money (even if they are deceived in thinking it is money not merely in virtue of being believed to be, but in virtue of intrinsic value, divine command, or some such) (Searle 1995, 47).

6 Searle acknowledges that social facts can exist without anyone knowing the truth about their method of construction (i.e. that they exist only because we believe them to) (1995, 21-2, 47). This sort of ignorance, however, must not be confused with much more substantive forms of ignorance discussed above: that social facts involving Fs may exist without anyone believing that there is anything of the kind F, or having any F-regarding beliefs.

Recessions⁷, for example, seem to be epistemically and conceptually opaque. They certainly depend on collective intentionality (and thus qualify as social facts by Searle's criterion), for they depend on collective acceptance of certain monetary systems. But a given economic state can be a recession even if no one thinks it is, and even if no one regards *anything* as a recession or any conditions as sufficient for counting as a recession. The concept of a recession is recent – the first recorded use of the term was in a 1929 article in the *Economist* – but there could have been recessions long before then. Contrary to Searle's general claim, seeming to be a recession is not logically prior to being a recession. Racism is another social phenomenon that depends on certain beliefs (e.g. about the abilities and appropriate roles of people of differing races) and practices (such as differential legal, housing, or employment practices). But something or someone can be racist without anyone regarding anything as racist – racism clearly existed long before anyone took any activity or pattern of behavior to be racist. Many of the power structures pointed out by political scientists and sociologists – i.e. those involving the economic power of a company in a small community, community-enforced gender roles, or a class structure – can exist without anyone having any beliefs about power structures of that kind.⁸

Thus it seems we need to broaden the story of the methods that may be used to construct social reality not only to account for the full range of social entities studied by the social sciences, but also to solve the deeper epistemological side of the puzzle regarding the social world: how the socially constructed world could not only be epistemically objective, but could also include epistemically and conceptually opaque kinds of entities that are previously unknown and even unconceived of, and may be discovered by the social sciences.⁹

7 The example of recessions was raised in a paper by Mark Lance during an Author Meets Critics session on Searle's *The Construction of Social Reality* at the 1997 Pacific Division APA.

8 Although Searle spends a great deal of time discussing the place of power in social reality, here again he discusses only those powers with which a person becomes endowed in virtue of collective intentional acts accepting that the person has the relevant power (to drive legally, to rule the country...) (1995, 104). But not all forms of social power are created through explicitly endowing someone or something with power; powers, too, may arise as unnoticed byproducts of existing social institutions.

9 Some may be tempted to the view that, as social phenomena, such things don't really exist until we have the concepts for them. But the point here is precisely that, while some social concepts (such as money) require intentional states involving that concept in order for things of that kind to exist, others (such as recessions) do not. The idea that recessions

While Searle's basic picture of social reality as jointly dependent on collective intentionality and brute reality seems exactly right, the limitations of his view may be seen in part as based in artificially limiting the kind or nature of dependence involved on either side.¹⁰ For, from acknowledging that social and institutional facts in general depend on brute facts and could not exist without the independent physical world, it does not follow that each social fact or "object" depends *rigidly* on a particular brute object or that each social "object" is identical with some material object with a new function. Corporations, laws and governments all seem to depend on the physical world for their existence, and are created by real and intentional acts of writing, voting, etc. Yet none of these abstract social entities is identifiable with some particular physical object or brute fact.

The second limitation in Searle's theory likewise seems to derive from an overly narrow view of dependence. In fact, his claim that all social concepts are self-referential may derive in part from a simple mistake about what dependence on intentionality amounts to. According to Searle, all social features are observer-relative features; features which "exist relative to the intentionality of observers, users, etc."; i.e. which depend on intentionality (1995, 9). Yet he seems to assume that, if a feature *F* is dependent on intentionality, then *F* must be recognized or acknowledged in order to exist. As he writes: "it is a logical consequence of the account of the distinction [between observer-relative and intrinsic features] as I have so far given it that for any observer-relative feature *F*, *seeming to be F* is logically prior to *being F* because – appropriately understood – *seeming to be F* [being thought or believed to be *F*] is a necessary condition of being *F*" (1995, 13).

But being dependent on being recognized is not a logical consequence of being dependent on intentionality. For something can be dependent on intentionality without depending on *its being believed to exist, or even its being considered at all*; it may depend instead on something else's being thought of, or merely on the existence of certain agents with typical intentional abilities

and racism do not exist until we have concepts for them, on reflection, has no more plausibility than the idea that electrons did not exist until we developed the concept for them. Something falling under the concept of "electron" could (and did) exist long before scientists discovered them, and beliefs and practices that fall under the concept of racism could (and did) exist long before the concept or word was known. Our concepts might change our understanding of the world; developing the concept of racism explicitly might even lead to changes in society; but that does not entail that the entities or practices described cannot exist unless we have the concepts to describe them.

¹⁰ For details on varieties of possible forms of dependence, see Chapter 2 of my (1999).

and practices. Not all social entities arise through human agreement *about them*; some social entities (such as recessions) may arise as byproducts of our collective beliefs, practices, and existing institutions, without depending on *their* being recognized or accepted for what they are.¹¹

So while Searle provides an insightful story about one method via which a world of social facts may be created about which social scientists may make objectively true judgments, the story he gives about their creation is far too narrow to account for either the full range of objects studied by the social sciences, or the full potential of the social sciences to engage in a process of discovery. We need a more complete story to track the variety of ways in which social entities can be created in order to remove the ambiguities of Searle's story, account for the creation of abstract social objects as well as concrete social facts, and explain the possibility of unknown social kinds awaiting discovery by the social sciences.¹² The remaining sections develop the beginnings of such a story.

2. Construction of Social Entities

Following Searle (1995, 26), we can begin by noting that the simplest, most basic social facts on which all other social entities depend are facts of collective intentionality: That a group of people collectively believes or desires something, accepts a certain principle, etc. Given the basic facts of collective intentionality and the surrounding world in which collective intentions occur, the rest of the social world emerges. Certain sorts of social facts and objects are intentionally created (these I will refer to as 'constructed', since this implies intention in creating them); others are the unintended byproducts of collective intentions and/or intentionally created social constructions (these I will refer to as 'generated'). I will discuss methods of intentional construction in this section, and return to discuss generation in section 4.

- 11 This parallels to some extent Adrian Haddock's (2002, 10-11) diagnosis of Skinner's mistake in discussing actions, as accepting that actions must be intentional, but not that there may nonetheless be many true descriptions of actions under which they were not intended.
- 12 The intersections of different varieties of dependence provide several dimensions of variation in the types of object that exhibit this joint dependence. For an outline of the kinds of object that may be jointly dependent on intentionality and material reality, see Chapters 8 and 10 of my (1999).

As I mentioned at the outset, imagination provides the usual paradigm of human intentionality being “creative”. The usual stereotype has it that so-called “creations” of the imagination could not be the objects of objective knowledge or discovery. But those who, like Kendall Walton, have worked more seriously with the idea of make-believe, studying ‘public’ childhood games of make-believe (rather than private fantasy) and adult forms of make-believe involving representational works of art, have shown the variety of ways in which fictional truths (truths “in the world of a game of make-believe or ... work of art” (Walton 1990, 35)) may be generated, and how these may be independent of the individual beliefs and imaginings of participants in games of pretense (Walton 1990, 42). Thus starting from the make-believe case can, I think, provide us with some insight about the different forms the creation of *social* facts can take, and how these can be (at least to some extent) objective matters for discovery, independent of the beliefs of the participants.

The games of make-believe to be considered are public games of imagination involving external ‘props’ – perhaps dolls, trucks, tree stumps or ‘mud pies’ in children’s games, or representational works of art in adult ‘games’. The parallels between creating fictional truths in such games and creating social facts are many and striking. In both cases, there is a joint dependence on *collective* intentionality and also on certain external physical objects and facts (e.g. props and objects of imaginings in the make-believe case, pieces of paper or rivers in the social case). In both cases, the role of the mind-independent world in creating these facts gives them a relative independence from human beliefs and intentions. And in both cases, there are various sorts of rule and method that can generate fictional or social facts, and fictional or social objects from these two bases of collective intentionality and external reality. But in both cases, although the ‘rules’ of the game (Walton’s ‘principles of generation’ and Searle’s ‘constitutive rules’) must be at least implicitly understood and accepted in order to do their work, they may or may not be explicitly stipulated. They may simply be embodied in background knowledge and practices – as we, say, become competent players of children’s games, appreciators of art, or members of society – and need not be something the participants explicitly have in mind or can verbally articulate (Walton, 1990, 38). Thus although, with Searle and Walton, I will continue below to speak in terms of collective acceptance of rules of certain forms (in order to make the underlying logical structures clear), that is not to imply that the participants must actually be able to articulate such rules – they may be embodied in collective reactions and practices (e.g. involving what we do

or do not accept as money) rather than formally stipulated and explicitly accepted.

The relevant rules can take various forms. The simplest rules in games of make-believe involve *de re* demands, that is, they require that we imagine something *of* a particular object: of a certain child (say) we are to imagine that she is the queen, or of a particular stump, we are to imagine that it is a bear. Similarly, the simplest cases for constructing social facts and objects involve *de re* reference to a particular object, and collectively accepting that *it* counts as having a certain social status (i.e. that this person counts as our leader, this river counts as the boundary of our territory, etc.) That is, more formally, individual social facts (that this is the boundary of our territory, that this person is our leader) and individual concrete social objects (boundaries, leaders) may be constructed by (formal or informal, tacit or explicit) rules of the form:

Singular Rules: I. (Of *a*) We collectively accept: *Sa* (where “S” names a social feature)

Call constitutive rules of this form “Singular Rules”. Although outsiders and even certain individuals within the relevant society may be wrong about the fact that this individual is S, or may discover it (as children in the society will as they grow up), such individual social facts and objects cannot exist without being collectively believed to exist within the relevant society; they are epistemically transparent. These facts and objects may be the objects of social scientific “discovery” only for social scientists in a different context (from a different culture or time).

But this is certainly not the only method for creating fictional truths using collective intentionality and extant objects, nor is it the only (or even most typical) process for creating social facts. As Walton notes, games of make-believe may also be driven by certain general conditional rules, say, that “if there is a stump at a certain place, one is to imagine that there is a bear there” (1990, 40) – so that, in the context of the game of make-believe, stumps *count as* bears.¹³ Similarly, most typically, social facts in modern societies are created

¹³ Walton’s distinction (1990, 39–40) between “categorical” and “conditional” rules does not line up evenly with the above distinctions between singular, universal, and existential rules. Nonetheless, his example of a conditional rule, that (all) stumps count as bears, is the inspiration for isolating universal rules as described above. His categorical rules simply prescribe that certain things be imagined to be the case, while conditional rules demand that certain things be imagined to be the case on the condition that other (real-world) facts hold.

by the acceptance of constitutive rules that stipulate that if *anything* meets certain conditions, then it counts as having a particular social feature; i.e. *any* bills of this type issued by the bureau of printing and engraving count as twenty dollar bills. I will call these “universal rules”.

Universal Rules: 2. For all x, we collectively accept that (if x meets all conditions in C, then Sx)

Distinguishing singular rules from universal rules removes the ambiguity of Searle’s formula “x counts as y in context C”, and makes evident the different epistemic relation members of the relevant society have to social facts of each type. For when fictional truths are created by universal rules, discovery of token ‘facts’ in the game is possible. Thus, as Walton points out, the children of the example above may genuinely *discover* that there is (fictionally) a bear hidden in the thicket (1990, 40). Similarly in the social case, token social facts (that this is a \$20 bill) and objects (the \$20 bill) created via universal rules may exist without anyone knowing of their particular existence (Searle 1995, 32-3), since no one may know (or notice) that a particular thing fulfills the requirements of C.

Indeed formulating the rule in this way, as a universal conditional rule, makes it clear that even for social facts directly constructed by this method, people may not know that *anything* meeting the relevant conditions exists, and so may not know that there is anything of the relevant social kind. Thus, for example, we could collectively accept that whoever pulls the sword from the stone counts as king, without knowing that someone has done so and thus become king. The conditions specified in C may be of many types – they may involve other social concepts, they may be deferential rules appealing to authorities, and they may even appeal to *future* states of the world. The actual rule accepted for money, e.g. probably does not directly specify the relevant conditions on properties and means of production, but rather is something more like this: we accept that if an object meets the government standards, it counts money. The fact that the rules primarily accepted may be deferential to detailed constraints stipulated by others makes evident another potential source of some forms of ignorance and error regarding social facts in one’s own society, even though these are at bottom created by collective acceptance. Moreover, where social concepts’ application conditions appeal to future states of the world, some ignorance – at least at a time – is not accidental but essential. Thus, e.g. we accept that an action counts as scoring the winning goal if it counts as scoring a goal in a situation that eliminates a

tie, and there are no further goals scored during that game. But whether or not a goal scored with two minutes to go is the winning goal is something no one *can* know until later.¹⁴ The fact that universal laws appeal to conditions in the world, where we may not know if those conditions obtain, explains how it can easily be the case that many or even all people may be ignorant of the existence of facts of certain types, even when the existence of such facts depends on the collective acceptance of constitutive rules regarding them.

This method of creation does not, however, provide for the existence of *conceptually* opaque kinds of social facts: Facts of a kind S for which no one has any S-regarding beliefs – in fact still, in this case, there must be collective acceptance of conditions sufficient for being S, even if it is unknown whether these conditions are met. So these cases still cannot make sense of the possibility of social science discovering new kinds of social object (recessions, racism, etc.) that had previously been unthought of. (I will return to this in Section 5.) Moreover, it can only yield further concrete social objects and facts, for it merely assigns a new social status to material objects, and so still cannot account for the creation of abstract social objects.

There is, however, a third method for creating fictional truths beyond adopting the singular and universal rules so far described. Consider the games of make-believe involved in discussion of the content of a work of literary fiction. In those cases, we are not typically asked to imagine something of a particular extant person, or of people meeting certain qualifications. Instead, we are simply required to imagine (*de dicto*) that there was such and such a person engaged in such and such activities... Here, seemingly, the rules of the make-believe (that we pretend that what the book says is true) *introduce* a new fictional character rather than just introducing new, fictional, facts about extant people or things of certain kinds. Similarly, there are rules for creating new social objects, of the form:

Existential Rules: 3. We collectively accept that (if all conditions C obtain, then there is some x such that Sx)

Call these “existential” rules, since, unlike the others, they introduce the existential quantifier into the intensional context of collective acceptance,

¹⁴ The example is (modified) from Haddock (2002), which provides a detailed treatment of cases in which the application conditions for a concept depend on the occurrence of future events. Haddock suggests that there is a harmless sense in which such facts only come into existence later, since these involve the original events in a mere Cambridge change.

and thus, unlike the others, seem to ensure the creation of new social objects, not just the application of new social statuses to extant physical objects. For example, we collectively accept that, if a majority of members of congress vote to approve a certain bill, then a law is created.

Here again, as in the second case, the kinds of facts created may be epistemically opaque, since there is some relative independence of the existence of members of the social kind *S* from people's belief in their existence, as everyone may lack knowledge that the relevant conditions *C* obtain, and thus fail to know of the existence of one or all things of kind *S*. This accounts for the obscurity of many institutional facts in our own society – for we collectively accept, say, that any act passed by congress counts as a law, but most of those acts passed remain unknown to most members of the relevant society whose base-line collective acceptance empowers congress to create laws, and so there may be laws few people know of despite the fact that the very existence of laws depends on a certain form of collective acceptance.

But despite these forms of relative epistemic independence, facts of these kinds remain conceptually transparent; indeed certain facts about the nature of the kinds of social entities constructed by means of the last two kinds of rules must be known.¹⁵ For each such social kind *S*, necessarily there is something that is *S* only if some constitutive rule is collectively accepted that lays out sufficient conditions for something to be *S* (or for there to be an *S*). Since those rules *establish* the relevant conditions, they must be correct. Thus nothing of the kind *S* can exist without there being *S*-regarding beliefs (indeed without members of the relevant society collectively knowing of certain sufficient conditions for something to be *S*, or for there to be an *S*). So none of these forms of construction can fully solve the epistemological side of the puzzle and account for the ability of social science to discover sorts of entity no one had conceived of before.

Recognizing all three methods described above for creating social entities does, however, enable us to acknowledge the existence of abstract as well as concrete social entities, and thereby to resolve the deeper metaphysical puzzle by showing how this kind of constitutive rule enables new kinds of entities (laws, governments, corporations...) to be created, rather than just adding new facts and labels to extant material entities.

15 For further details on the relation between constructed social kinds and our knowledge of them, see my (forthcoming).

3. Are We Just Pretending About the Social?

But some might doubt that the ontological puzzle has been solved in the way I planned. Many philosophers – including Walton himself (1990, 42) – would say that the so-called “fictional truths” are no *truths* at all; speaking of “fictional truths” is just a way of speaking of what sorts of pretense are licensed by the game of make-believe. Similarly, most (including Walton) would say that *really* there are *no* fictional objects or facts generated by the principles of generation accepted in games of make-believe; it is just licensed in the relevant game to assert that there are such facts or objects. (So, e.g., there is really no Tom Sawyer ‘created’ by accepting the rule that what the book says is fictionally-true. Instead, as Walton would say, the Twain books authorize a certain game of make-believe such that one who says “There once was a boy called ‘Tom Sawyer’ ...” makes it fictional of herself that she speaks truly.)¹⁶

As a result, the strong parallels identified above might lead some to suspect that talk about social facts and objects, too, is really just *pretenseful* talk; we pretend that things have acquired a new property (say, being a licensed driver or a president) when in fact there are really no such properties; or we pretend that a new entity has been created (a law or a corporation) when really there are no such things. This would explain the ‘giddiness’ Searle describes feeling when contemplating the structure of facts built up by human agreement in the social world, and his sense that “there is an element of magic, a conjuring trick, a sleight of hand in the creation of institutional facts... Surely when you get down to brass tacks, these are not real facts” (1995, 45). Perhaps human intentionality, after all, can create no new facts or objects, but only make it true that, in our pretense, we accept certain claims – indeed such an idea seems to be built into the use of the term “fictitious names” in the U.S. for the legal names of corporations. Perhaps, then, all talk about the social world can be understood as *pretenseful*, so that the real solution to the meta-physical puzzle of the social world is to deny that we need any story of how these entities can be created, since there are really no such entities (though we

16 As I have argued elsewhere (1999, 94-100), although the pretense reading may be suitable for internal discourse about what happens according to the story or in the world of the fiction, difficulties arise in applying the pretense account to external talk about fictional characters as characters, appearing in literary works, created by authors, etc. These problems, I argue, give us reason for accepting that there are fictional characters despite the role of pretense in internal discourse about them. So I do not personally fully endorse the account of fiction given by Walton and cited above.

are all co-implicated in a pretense that there are); we need no social ontology at all, as we can provide instead a *fictionalist* account of the social.

I think many would find this a welcome result, with an admirably spare ontology. But I think such a move would be mistaken, for there is a crucial disanalogy between the case of make-believe and the case of social reality.¹⁷ If children in a game of make-believe agree that stumps ‘count as’ bears, then although it may be fictional that a particular stump is a bear, that alone cannot make it true *simpliciter* that the stump is a bear, since terms like “bear” also have uses outside of the make-believe situation, which set up application conditions for them (i.e. that the thing designated be of the same species as all or most things in the group of entities ostended as bears) that are not met by stumps. Similarly, if a work of literary fiction claims that there is a man who is twelve feet tall, that alone cannot make it the case, since the conditions necessary for there to be a twelve-foot tall man cannot be met merely by people accepting that it is so.

The same does not hold true, however, for many social kinds. If two tribes accept that a particular river counts as the boundary between their territories, it is the boundary – for that is all it takes for it to be a boundary. If two parties agree that signing a statement on a piece of paper counts as making a deal between them (one that can’t be broken merely by destroying the paper, and thus something not identical with the paper itself), then they have made a deal, for that is all it takes to make a deal. Most terms for constructed social kinds have no other use (outside of the system of social rules) establishing ‘deep’ application conditions that cannot be met merely through social agreement. On the contrary, most such terms are such that, as a matter of meaning and rules of use, things falling under that concept exist if (and only if) the relevant constitutive rule is collectively accepted and the conditions stipulated therein hold.¹⁸

Thus for example, if one believes that a certain society collectively accepts that two unmarried people who knowingly and willingly take prescribed vows before a justice of the peace and two witnesses “count as” married (and

17 That is, between the case of internal make-believe or fictional discourse and discourse about social reality. There are, however, important parallels between external fictional discourse and discourse about social reality. See note 19 below.

18 This helps to answer more fully another puzzle Searle (1995, 94) raises: What sorts of facts can and cannot be created by collective agreement? Searle answers only that facts involving certain kinds of powers can be created just when collective recognition of a certain power is constitutive of having it (1995, 96), but he does not provide further criteria to distinguish which cases those include or why.

are thereby endowed with all the relevant legal rights and social status), and believes that some people fulfill these conditions, it makes little sense to ask with Searle (in his “toughest metaphysical mood”), “is making certain noises in a ceremony really *getting married*?” (1995, 45), or to deny that there are marriages, or to hold that all talk about marriages (like talk about dragons) must be pretenseful or mistaken. Since those conditions are jointly logically sufficient for the existence of the relevant social entity, accepting that there is a collectively accepted constitutive rule and that the conditions stipulated therein hold, but denying that there is the relevant social entity just shows a misunderstanding of the conditions for there to be such a social entity.¹⁹

Thus the general form of an answer to the original ontological question of how it is possible for mere human agreement and intentionality to create social facts and entities such as marriages, corporations, and laws, ‘on top of’ the brute facts of the world turns out to be relatively simple: Because all that many social concepts require for their application is that certain constitutive rules are collectively accepted, and (in the case of singular rules) that they are applied to an extant object; or (in the case of universal or existential rules) that the conditions they stipulate as sufficient for a thing to be/there to be something of the social kind, hold. For many constructive social concepts (unlike, e.g., natural kind concepts), given that, the existence of something of the relevant social kind is logically ensured; nothing more is needed.

4. Generation of Social Entities

While we can agree with Searle that social concepts are alike in requiring, as one of their conditions of application, the existence of collective intentions, in order to found a more complete social ontology and account for possibilities of discovery in the social sciences we must recognize that social concepts are nonetheless extremely diverse in their application conditions, including the ways those conditions appeal to collective intentions.²⁰ Thus as we have seen, for some social concepts *S*, collective agreement that things meeting

19 As I discuss elsewhere (2001, 325-6) (roughly following Schiffer (1996)), external discourse about fictional characters has a similar feature: According to the meaning and rules of use of terms like ‘fictional character’, it is logically sufficient for there to be a fictional character (not a person), that someone tell a story in the right kind of society mentioning the relevant name and attributing its referent some characteristic.

20 Haddock (2002, 22) draws out some of the diversity in application conditions that social concepts, action concepts, and other concepts may possess.

certain conditions count as S, combined with the fact that those conditions hold, is necessary and sufficient for the creation of things of that kind. Nonetheless, it is important to note that for other social concepts, collective agreement about what it takes to be of that kind is not at all necessary for there to be things of the kind. The concepts discussed so far have been mainly those that *participants* in a social world use in constructing (conceptually transparent) entities in their own society; as a result the participants must have some knowledge of the existence or nature of the constructed objects or kinds. But things are quite different for social concepts defined ‘from the outside’ by those reflecting on or analyzing social practices, beliefs, and institutions. These are conceptually opaque: they may require the existence of certain forms of collective intentionality for the existence of members of the kind, without requiring any sort of collective belief or agreement *about things of that kind*.

As mentioned above, the most basic social facts are those that simply involve collective beliefs and intentions. Even these alone (before one gets to the direct construction of further social entities) can lead to the inadvertent generation of social facts of kinds unintended by the participants and that may in principle exist unrecognized by anyone.²¹ Collective beliefs that (say) people of other races are inferior and collective practices in systematically denying jobs, housing and other benefits to people based on race are themselves sufficient to ensure that that society has the additional social feature of being racist, without the need for anyone to accept any constitutive rules regarding racism. A society with widespread collective beliefs that supernatural occurrences can be brought about by performing certain rituals, automatically is a society that has the additional social feature of being superstitious, without the need for anyone to accept any constitutive rules about what ‘counts as’ superstitious. In each case, the mere existence of the relevant collective intentions, perhaps in the relevant context, is logically sufficient to ensure that the relevant social fact of kind S obtains, without the need for

21 The difference between constructing social entities and generating them (perhaps unintentionally) by means of collective intentionality is parallel to the difference Alvin Goldman (1970, 18) marks between the conventional generation versus simple generation of acts from basic intentional bodily actions. Whereas in the conventional case, the generation of one act (signaling a left turn) from another (sticking one’s left arm out) relies on the acceptance of a rule that doing the latter counts as doing the former, in the case of simple generation, doing an act of the relevant kind in the relevant circumstances (jumping 6 foot 3 inches) “automatically” ensures the performance of another act (outjumping one’s opponent) (Goldman 1970, 26-27).

anyone to have any thoughts about facts of kind S at all. (These may be required for defining the word “S”, but not for facts of kind S to exist).

So some (epistemically and conceptually) opaque social facts may be generated just through basic collective beliefs, desires, etc. But there are even more possibilities for previously un-thought-of kinds of social facts that can be generated based on the directly constructed social world. Once a social world is constructed, there will be all sorts of interesting patterns and causal relations within it – economic cycles, patterns of human settlement and property use, of human behavior, of distribution of goods and status, and so on, many of which the participants in the relevant society may lack any concept of or beliefs about (each being interested solely in his or her own transactions). While these relevant patterns and relations could not exist without the social world and the collective intentions that construct it, they can exist quite well without anyone having any thoughts about or recognition of those patterns as such. Social scientists may then discover such patterns and invent labels for them (perhaps with definitions that stipulate the conditions to be fulfilled for a label such as ‘recession’ to apply). But the features discerned may nonetheless exist independently of the beliefs of social scientists, and may count as genuine discoveries, despite their dependence (at some level) on the intentional states of the members of the participating society.

Thus, for example, money paradigmatically exists as a *constructed*, conceptually transparent social kind, as do companies, stocks, and all the various trade transactions that contribute to an economy. But once established, there may be all sorts of interesting patterns in the resulting system that may be discovered and studied, and terms describing them may be stipulatively defined. If an economist studying economic cycles defines “recession” as two or more consecutive quarters of negative growth, then the existence of recessions certainly depends on collective intentionality (since there could not be economies at all without monetary systems and trade transactions, all of which require collective intentionality), but requires no beliefs of anyone’s *about recessions* (not even the beliefs of the defining economist) at all, for according to the conditions stipulated, there is a recession when there are two or more consecutive quarters of negative growth, regardless of whether or not any economist has defined the *term* “recession”.

In the case of generated as constructed social entities, whatever the conditions are that are criterial for being of a certain social kind, we have reason to say that there *really are* things of that kind (that we are not merely pretending) as long as we have reason to think that those conditions are fulfilled. As in the case of marriages above, if one grasps the concept of a recession and

knows that the relevant conditions are sometimes fulfilled, it makes little sense to ask whether there *really* are recessions.

Accepting that social facts and entities may be generated as by-products of collective intentionality itself and of (perhaps a multitude of) constructed social facts enables us to accept the dependence of the social world on collective intentionality and brute reality without giving up the idea that many social facts, objects, and kinds may not be known or even conceived of by participants, but remain in need of discovery by the social sciences, and thus to see the way to solving the remaining corner of the epistemological puzzle of social reality.

Whether or not the story developed above provides a complete account of ways social reality can come into existence, I hope that it provides the basis for explaining how it is possible for there to be a wide range of social facts and objects built up on the basis of the independent physical world and collective intentionality, and how the social world can nonetheless be subject to investigations and discoveries by the social sciences. I also hope to have provided at least some initial reasons for taking such creations ontologically seriously, rather than taking talk about them to be mere pretenseful talk. If that much has been achieved, we will have at least laid the foundations for a social ontology.

References

- Gilbert, M. 1996. *Living Together: Rationality, Sociality, and Obligation*. Lanham, Md.: Rowman & Littlefield Publishers.
- Goldman, A. 1970. *A Theory of Human Action*. Princeton: Princeton University Press.
- Haddock, A. 2002. Rewriting the Past: Retrospective Description and its Consequences. *Philosophy of the Social Sciences* 32 (1): 3-24.
- Hornsby, J. 1997. Collectives and Intentionality. *Philosophy and Phenomenological Research* 57 (2): 429-434.
- Hund, J. 1998. Searle's *The Construction of Social Reality*. *Philosophy of the Social Sciences* 28 (1): 122-131.
- Ruben, D. H. 1985. *The Metaphysics of the Social World*. London: Routledge.
- Ruben, D. H. 1997. John Searle's *The Construction of Social Reality*. *Philosophy and Phenomenological Research* 57 (2): 443-47.
- Schiffer, S. 1996. Language-Created Language-Independent Entities. *Philosophical Topics* 24 (1): 149-167.
- Searle, J. 1995. *The Construction of Social Reality*. New York: The Free Press.

- Thomasson, A. L. 1999. *Fiction and Metaphysics*. Cambridge: Cambridge University Press.
- Thomasson, A. L. 2001. Ontological Minimalism. *American Philosophical Quarterly* 38 (4): 319-331.
- Thomasson, A. L. (forthcoming). Realism and Human Kinds. *Philosophy and Phenomenological Research*.
- Walton, K. 1990. *Mimesis as Make-Believe*. Cambridge, Massachusetts: Harvard University Press.

ON PROTO SOCIOLOGY

Protosociology occupies an important position in the European intellectual scene, bridging philosophy, economics, sociology and related disciplines. Its volumes on rationality bring together concerns in all these topics, and present an important challenge to the cognitive sciences.

Donald Davidson, Berkeley (USA)

Protosociology publishes original papers of great interest that deal with fundamental issues in the human and social science. No academic library is complete without it.

Nicholas Rescher, Pittsburgh (USA)

Protosociology has been remarkably successful in publishing interesting work from different tradition and different disciplines and, as the title signals, in giving that work a new, eye-catching slant.

Philipp Pettit, Canberra, Australia

Protosociology is a truly premier interdisciplinary journal that publishes articles and reviews on timely topics written by and for a wide range of international scholars. The recent volumes on rationality are remarkable for their breadth and depth. Protosociology would be a great addition to any library.

Roger Gibson, St. Louis (USA)