Social Ontology & Language

This talk has both a polemical/argumentative aim, as well as a deeper theoretical objective. The argumentative aim is about sociobiology. The deeper theoretical objective is about the nature of contemporary philosophy itself.

A couple of decades ago there was a movement founded by E. O. Wilson called "sociobiology" and the claim was that we should abandon our current conceptions of the social sciences and philosophy and consider human beings essentially as products of biological evolution, and we should attempt to give sociobiological-evolutionary accounts of humanity. I thought that the social scientists had an answer to give to Wilson, but unfortunately his suggestions were met with hostility and derision. His views were not taken seriously. I think they deserve to be taken seriously, because humans are, after all, products of the same biological processes as other species, and we are quite genetically similar to other primate species, especially chimpanzees. So part of my aim is to give an answer to Wilson. What is special and distinctive about human beings? Perhaps some other species have these distinctive traits, but not all species, and not even all primate species, have the features that I will be describing.

The theoretical aim of this talk is to situate human social reality and thus human civilization within the broader context of a reality that exists totally independent of human beings. This question is itself part of a larger question, one which I take to be the central question in contemporary philosophy: How can it be the case that there is a genuine human reality as part of, consistent with, and a natural extension of, the more basic reality that we traditionally describe as "physical" but which is physical, chemical, biological, etc.? That is, how is it possible to reconcile a certain conception we have of ourselves with what we know about how the world is anyhow? We know that the world consists entirely of entities we think it convenient, if not quite accurate, to call "particles". These exist in fields of force and are organized into systems. Some of these systems have large quantities of carbon based molecules with lots of hydrogen, nitrogen and oxygen, and many of them have evolved over a period of five billion years into the present human and animal species, including ourselves. Now we can put our question more precisely. Given that the basic reality as I described it consists entirely of mindless, meaningless physical particles, how is it possible that there can be in this world, the world of mindless, meaningless physical particles, a world of consciousness, intentionality, free will, rationality, language, social institutions, political power, human dignity, aesthetics and

ethics? I am not of course attempting to answer that entire question in this talk, but I hope to answer one fragment of it: How can we make our conception of human social reality consistent with, and a natural extension of, what we know about the world consisting in the more basic reality? I am going to assume that it is part of the basic reality that we have a biological account of how human consciousness, and with it human intentionality, evolved. I will use the notions of consciousness and intentionality without further explanation to show how we get to a human social reality.

The theory I will present is a continuation of a line of investigation I began in *The Construction of Social Reality* (1995).

I. The Construction of Social Reality. The Special Theory of Institutional Facts

I will begin by giving a brief summary of the basic conceptual apparatus of *The Construction*, and then show how I intend to extend it in the present talk.

Both *The Construction* and this work proceed on the basis of a certain methodological assumption: at the very beginning we have to assume that human society, a society that is importantly different from all other animal societies known to me, is based on certain rather simple principles. Indeed, I will argue that its institutional structures are based on exactly one principle. The enormous complexities of human society are different surface manifestations of an underlying commonality. It is typical of domains where we have a secure understanding of the ontology, that there is a single unifying principle of that ontology. In physics it is the atom, in chemistry it is the chemical bond, in biology it is the cell, in genetics it is the DNA molecule, and in geology it is the tectonic plate. I will argue that there is similarly an underlying principle of social ontology, and it is one of the primary aims of this talk to explain it. (In making these analogies to the natural sciences I do not imply that the social sciences are just like the natural sciences. That is not the point. The point rather is that it seems to me implausible to suppose that we would use a series of logically independent mechanisms for creating institutional facts, and I am in search of a single mechanism. I claim we use one formal linguistic mechanism, and we apply it over and over with different contents.) I think I identified most of the basic principle in *The Construction*, and now I want to continue uncovering it. Think of *The Construction* as stating a special theory which implements the more general theory that I want to outline here. Here are the basic theoretical bones of *The Construction of Social Reality*.

The theoretical part of the earlier theory is based on the explanation of and the interconnection between six fundamental concepts.

1. Status Functions

The distinctive feature of human social reality, the way in which it differs from other forms of animal reality, is that humans have the capacity to impose functions on objects and people where the objects and the people cannot perform the functions solely in virtue of their physical structure, but also in virtue of the fact that there is a collectively recognized *status* that the person or object has and in virtue of that status, the object or person can perform a function which it could not perform in the absence of that collective acceptance of the status. Examples are pretty much everywhere: a piece of private property, the President of the United States, a twenty dollar bill, and a professor in a university are all people or objects that are able to perform certain functions in virtue of the fact that they have a collectively recognized status which enables them to perform those functions in a way they could not perform them without the collective recognition of the status.

2. Collective Intentionality

How does the system of status functions work? I will have a great deal more to say about this later, but at present, I can say that in order that the status functions actually work, there must be collective *acceptance* or *recognition* of the object or person as having that status. In *The Construction* I tended to emphasize acceptance, but several commentators took this to imply approval. I did not mean it to imply approval. Acceptance, as I construe it, goes all the way from enthusiastic endorsement to grudging acknowledgment. So in this talk, to avoid this misunderstanding, I will use "recognition" or sometimes the disjunction "recognition or acceptance." The point is that status functions can only work to the extent that they are collectively recognized. The status function depends on collective intentionality. It is a remarkable fact about human beings and some animals that they have the capacity to cooperate. They can cooperate not only in the actions that they perform, but they can even have shared attitudes and shared desires and shared beliefs. It is an interesting theoretical question, by no means resolved by animal psychologists[1], to what extent collective intentionality exists in other species. But one thing is clear. It exists in the human species. It is only in virtue of collective

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[1] De Waal, Francis, *Our Inner Ape*, Riverhead Hardcover, 2005; and Call, Josep and Tomasello, Michael, *Primate Cognition*, Oxford University Press, 1997.

recognition that this piece of paper is a twenty dollar bill, that George Bush is President of the United States, that I am a citizen of the United States, that the Giants beat the Dodgers three to two in eleven innings, and that the car in the driveway is my property.

3. Deontic Powers

So far I have claimed that there are status functions which work by collective intentionality. But why are they so important? Without exception, the status functions carry what I call "deontic powers". That is, they embody rights, duties, obligations, requirements, permissions, authorizations, entitlements, etc. And I introduce the expression "deontic powers" to cover all of these, both the positive deontic powers (e.g. when I have a right) and the negative deontic powers (e.g. when I have an obligation), as well as other logical permutations such as conditional deontic powers and disjunctive deontic powers.

4. Desire Independent Reasons for Action

It is because status functions provide deontic powers that they provide the glue that holds human civilization together. And how do they do that? Deontic powers have a unique trait, again I think uncommon and perhaps unknown in the animal kingdom: once recognized, they provide us with reasons for acting that are independent of our inclinations and desires. If I recognize an object as "your property" for example, then I recognize that I am under an obligation not to take it or use it without your permission. Even if I am a thief, I recognize that I am violating your *rights* when I appropriate your property. Indeed, the profession of being a thief would be meaningless without the belief in the institution of private property, because what the thief hopes to do is to take somebody else's private property and make it his own, thus reinforcing his commitment and the society's commitment to the institution of private property. So status functions are the glue that holds society together. They work by collective intentionality and they function by way of deontic powers. But that raises a very interesting question: how on Earth could human beings create such a marvelous feature and how do they maintain it in existence once it is created?

5. *Constitutive Rules*

The answer, according to *The Construction of Social Reality*, is that status functions exemplify a certain simple logical principle. They are all cases of taking some person or object and *counting it* as having a certain status, and with that status, a function that goes with that

status and enables the person or object to perform the functions provided by that status. Thus for example, George Bush the man *counts as* the President of the United States, and this gives him a status and an accompanying set of powers. The piece of paper in my hand *counts as* a twenty dollar bill, thus giving it a status and with that status a function that it cannot perform without collective acceptance of that status. A football game, a stock market transaction, the existence of private property, the adjournment of a meeting and a cocktail party are all examples of status functions which are brought into existence by constitutive rules. The constitutive rules in general have the form "X counts as Y", or more precisely, "X counts as Y in context C". This piece of paper counts as a twenty dollar bill in the United States, George Bush counts as the President of the United States, crossing the goal line in possession of the ball while the play is in progress counts as scoring a touchdown in American football.

The same principle applies to the most fundamental institution of all: language. But it applies in an importantly different way: the meaning of the sentence "Snow is white" by itself determines that its appropriate utterance *counts as* a statement to the effect that snow is white. You do not need a separate act of "counting as." Why not? I will say more about this difference later.

6. *Institutional Facts*

Some facts exist independently of any human institution. I call these brute facts. But some facts require human institutions in order to exist at all. An example of a brute fact is the fact that the Earth is 93 million miles from the sun, and an example of an institutional fact is the fact that George Bush is President of the United States. Institutional facts are typically objective facts, but oddly enough, they are facts only by human agreement or acceptance. Such facts require institutions for their existence. In *The Construction* institutional facts are defined as facts which can only exist within human institutions. And what exactly is a human institution? We have already seen an implicit answer to that, and I now want to make it explicit. An institution is a system of constitutive rules and an institutional fact is any fact within such a system. Thus the fact that Bush is President or the fact that I am a licensed driver or the fact that a chess match was won by a certain person and lost by a certain other person are all institutional facts because they exist within systems of constitutive rules.

II. Some Limitations of the Special Theory

Such is the theory of *The Construction*. I think it is a pretty good theory, but there are certain problems with it, of which here are three.

1. *The Ad Hoc Cases*

One problem is that there are some institutional facts that don't seem to require an institution. Indeed, it seems that in order to create institutions in the first place, you have to be able to count certain things as having a status without a preexisting institution. In *The Construction* I imagine a tribe that comes to treat a line of stones as a boundary of the tribe's territory without having a general constitutive rule. Furthermore, such a tribe might simply count a certain person as their leader, where the leader has the usual apparatus of deontic powers and status functions, though there is no existing institution, no set of general constitutive rules for the selection of a leader. When I wrote *The Construction* I discussed such cases and others, but I did not see them as posing a problem for the account, because they exemplify the same logical structure as the constitutive rules of institutions. Thus, on an *ad hoc* basis they count this X as this Y in this C, this man counts as leader of this group in this time and place – and that is already a step on the way to adopting a general rule of the form "X counts as Y in context C". The tribe does not have an institution for selecting leaders, but is only one step away from it. If, for example, they decide, as many tribes did indeed decide, that henceforth the oldest living son of the deceased leader would be the succeeding leader, they have adopted a constitutive rule.

2. *Free Standing Y Terms*

Another interesting case arises in very sophisticated societies, where there are forms of the imposition of status function, forms of deontic powers, that do not even require an object or person on whom the status function is imposed. Thus what Barry Smith calls "free standing Y terms"[2] exist when a status function is created without there being an existing person or object who is created as the bearer of the status function. The most obvious case of this is the creation of corporations. And indeed, the whole idea of the limited liability corporation is that there need not be any person or group of persons who is the corporation because those persons would have

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[2] Smith, Barry, "John Searle: From Speech Acts to Social Reality," *John Searle: Contemporary Philosophy in Focus*, Cambridge: Cambridge University Press, 2003, 1-33. A similar objection was made by Amie Thomasson, "Foundations for a Social Ontology," *Protosociology: An International Journal of Interdisciplinary Research,* Vol.18-19, 2002.

to accept the liability of the corporation if they were indeed identical with or constituted the corporation. But as they are not identical with the corporation, the corporation can exist, and continue to exist, even if it has no physical reality. Another case is the case of electronic money, where what exists are electronic *representations* of money; for example, magnetic traces on computer discs in banks. There need be no physical realization of the money in the form of currency or specie; all that exists *physically* is the magnetic traces on the computer disc. Another obvious example is blindfold chess. The players have the powers of having the queen or the bishop or the rook, all of them deontic powers, but there is no physical object which is the queen or the bishop or the rook, only the *representation* of these in the standard chess notation.

3. *Institutional Facts that do not Require Collective Acceptance*

A third objection, posed by some philosophers and social scientists[3] to the account given in *The Construction*, is that there do seem to be institutional facts which are not matters of collective agreement, but which can be discovered, for example, by social scientists. Thus for example, the existence of a recession in the economy can be an epistemically objective fact even though it is unknown to the participants in the economic transactions. Indeed, the concept of a recession did not come into existence until the twentieth century, though there were many recessions prior to that period. In short, such institutional facts as the existence of a recession do not seem to require collective acceptance.

So we have at least three classes of objections to the account given in *The Construction of Social Reality*: the *ad hoc* cases, the free standing Y terms, and the institutional facts that do not require collective acceptance. What should we say about these cases? Actually, I think they can all be rather easily dealt with within the framework provided by *The Construction*, and I have in fact published answers to all three, which I will summarize briefly here.[4] The *ad hoc* cases exemplify the same form, X counts as Y in C. They are therefore steps on the way to having constitutive rules. They are not counterexamples to the account, but rather pre-institutional examples of the same logical form.

The objection about free standing Y terms can similarly be answered within the framework of *The Construction*. The free standing Y terms do not bottom out in concrete objects, but they do bottom out in actual people who have the deontic powers in question. So

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[3] Thomasson, Ibid and the articles in D' Andrade, Roy (ed.), *Anthropological Theory* Vol. 6, Num. 1, March 2006.

[4] Searle, John R., *The Journal of Anthropological Theory*, Vol. 6 (1).

there is no object or person which is the corporation, but there are the President, the board of directors, the stockholders, etc. and the deontic powers accrue to them. A corporation is just a placeholder for a set of actual power relationships among actual people. The same holds for electronic money and blindfold chess. The owner of the nonphysical money and the possessor of the nonphysical queen have the relevant powers.

The third objection, about institutional facts that are discovered rather than created, can also be answered within the analytical framework of *The Construction*. Such facts are facts about systematic fallouts or consequences of ground floor institutional facts. The ground floor facts about the economy are the buying and selling and other economic activities of participants. These will have certain macro consequences such as, for example, the trade cycle. But the systematic fallouts are macro facts which are all constituted by the ground floor or lower level institutional facts. I introduced the expression "systematic fallouts" and Åsa Anderson in her book calls these "macro institutional facts."[5]

So the principal objections to *The Construction* seem to me answerable within the general framework of the theory. However, reflection on all these issues has led me to extend the original theory, and one of the primary aims of this talk is to spell out that extension.

II. Status Functions as Created by Declarations

I want to introduce a very strong theoretical claim. All institutional facts, and therefore all status functions, are created by speech acts that have the form that in 1974 I baptized as "Declarations".[6] In order to explain that notion, I have to say something about how language works. Some speech acts, indeed the philosophers' favorites, function by purporting to represent how things are in the world. To take some philosophical favorites, "The cat is on the mat", "Snow is white," and "Socrates is mortal" are statements that purport to represent how things are in the world and they are assessed as true or false depending on the extent to which they do successfully represent how things are in the world. I think in rather crude, simple-minded

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[5] *Power and Social Ontology*.
[6] Searle, John R, "A Taxonomy of Illocutionary Acts,", *Language Mind and Knowledge*, Minnesota Studies in the Philosophy of Science, Vol. VII, Keith Gunderson (ed.), Minneapolis: University of Minnesota Press, 1975.

metaphors, so I think of these speech acts as hovering over the world and pointing down at it, as fitting or failing to fit the world, as having what I call the word-to-world direction of fit. I represent these with the downward arrow ↓. The simplest test for whether a speech act has the word-to-world direction of fit is: can you literally say of it that it is true or false? True if the correct fit exists, false if the fit does not.

But there are lots of speech acts that are not in the business of trying to tell us how things are in the world. They are trying to change the world to match the content of the speech act. So, for example, if I order someone to leave the room or promise to come and visit someone on Wednesday, in those cases I am not trying to tell them how things are in the world, but I am trying to change the world by producing a speech act, the aim of which is to cause a change. The order is aimed at causing obedience, the promise is aimed at causing fulfillment. In these cases it is not the aim of the speech act to match an independently existing reality. Rather, the aim is to change reality so that it will match the content of the speech act. If I promise to come and see you on Wednesday, the point of the utterance is to bring about a change in reality by creating a reason for me to come and see you on Wednesday and thus getting me to keep the promise. If I order you to leave the room, the aim is to try to get you to leave the room by way of obeying my order, to get your behavior to match the content of the speech act. I say of these cases that they have the world-to-word direction of fit. Their point is to get the world to change to match the content of the speech act. I represent the upward or world-to-word direction of fit with an upward arrow ↑. There are some other speech acts that I won't go into at present, which don't have either of these directions of fit, but where the fit is taken for granted, such as when I apologize for stepping on your foot or thank you for giving me a million dollars. But they are not relevant to our present inquiry.

There is a fascinating class of speech acts which combine the word-to-world ↓ and the world-to-word ↑ direction of fit, which have both directions of fit simultaneously in a single speech act. And these are cases where we change reality to match the propositional content of the speech act and thus achieve world-to-word direction of fit. But, and this is the amazing part: we succeed in so doing because we represent the reality as being so changed. Over three decades ago, I baptized these as "Declarations." They change the world by declaring that a state of affairs exists and thus bringing that state of affairs into existence.

The most famous cases of the Declarations are what Austin called "performative utterances".[7] Those are the cases where you make something the case by explicitly saying that it is the case. Thus you make it the case that you promise by saying, "I promise." You make it the case that you apologize by saying, "I apologize." Someone makes it the case that he gives an order by saying, "I order" or even "I hereby order." These are the purest cases of the Declaration.

One of the primary theoretical points of this talk is to make a very strong claim. With the important exception of language itself, all of institutional reality, and therefore, in a sense, all of human civilization, is created by speech acts that have the same logical form as Declarations. Not all of them are, strictly speaking, Declarations, because sometimes we just linguistically treat or describe, or refer to, or talk about, or even think about an object in a way that creates a reality by representing that reality as created. These representations have the same double direction of fit as Declarations, but they are not strictly speaking Declarations because there is no Declarational speech act.

Let us call these cases where we create an institutional reality of status functions by representing them as existing as "Status Function Declarations" (sometimes for short, "SF Declations") even in cases where there is no explicit speech act of Declaration. *The claim that I will be expounding and defending in this talk is that all of human institutional reality is created and maintained in existence by SF Declarations, including the cases which are not speech acts in the explicit form of Declarations.*

If I am right that all institutional reality is created and indeed maintained in its existence by sets of linguistic representations that have the same logical form as Declarations, then we need to explain how my earlier account in terms of constitutive rules fits in. And I will now attempt to do that. The most general form of the creation of an institutional fact is: we (or I) make it the case by Declaration that the status function Y exists. This now covers all of our cases including the apparent counterexamples. Constitutive rules of the form "X counts as Y in C" are what we might think of as *standing Declarations*. Thus the rule that says such and such a position in check counts as checkmate can be thought of as a standing Declaration, and specific instances will simply be applications of that rule: A position where the king is in check and there is no legal move by which the king can get out of check, counts as checkmate. So we are now distinguishing between the constitutive rule and the applications of the rule in particular cases.

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[7] *How to Do Things With Words*, Cambridge: Harvard University Press, 1962.

The rule itself is a standing SF Declaration and it will be applied in individual cases where there need be no separate act of acceptance or recognition because the recognition is already implicit in the acceptance of the rule. Rules of games and constitutions of nations are typical examples where the constitutive rules function as standing Declarations. So for example, the Constitution of the United States makes it the case by Declaration that any presidential candidate who receives the majority of votes in the Electoral College counts as the President-elect. Because the constitutional provision functions as a standing Declaration, no further act of acceptance or recognition is necessary to accept that such and such a candidate is now the elected President. The acceptance of the constitutive rule, which is part of the acceptance of the Constitution itself, is sufficient to commit the participants in the institution to accepting that anybody who satisfies such and such a condition is now the President.

The apparent cases where we are on the road to having institutions, where on an *ad hoc* basis we simply count X as Y, we count so and so as the king, such and such a line of stones as the boundary, again exemplify the form of Status Function Declarations. In these cases, we are counting an X as a Y without a preexisting institutional structure, but counting X as a Y is a case of making an X into a Y by representing it as being a Y. That is precisely the form of the Status Function Declaration. The special feature of these cases is that we do it on an *ad hoc* basis. The problem with the freestanding Y terms is also easily dealt with. These are cases where we create a status function – for example, we create electronic money, or we create a corporation – by Declaration. And indeed the statutory law for creating corporations is itself a Declaration that declares that certain other Declarations will create corporations. The individual creations of corporations are then specific Declarations within an institution of standing Declarations. In the State of California, as in many jurisdictions, explicit laws enable the creation of a corporation by a speech act of Declaration.

The California Code regarding corporations specifies it this way.

Section 200A: "One or more natural persons, partnerships, associations or corporations, domestic or foreign, may *form a corporation* under this division by *executing and filing articles of incorporation.*"

Section C: "*The corporate existence begins upon the filing of the articles and continues perpetually,* unless otherwise expressly provided by law or in the articles." (italics added)

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These two sections, taken together, form a very powerful constitutive rule. The actual texts are standing Declarations. They make it the case by Declaration that any entity that satisfies certain conditions may form a corporation by performing another Declaration, and the corporation will then exist "perpetually", unless certain other conditions are met. So there is a double Declaration involved in the creation of a corporation. The law is itself a (set of) Declaration(s). But what it Declares is that anyone who makes another Declaration of a certain sort will have formed a corporation.

Such constitutive rules are Declarations that specify the conditions under which certain institutional facts will be created. Sometimes, as in this case, the conditions involve the performance of another Declaration. Sometimes, as in the case of getting a base hit in baseball or committing first-degree murder, the act, which then constitutes the institutional fact, is not itself a speech act. One of our puzzles is, If all institutional facts are created by Declaration, then how do we account for the fact that such events as getting a base hit or committing first-degree murder are not speech acts? The answer is that the physical events in question constitute the institutional facts of getting a base hit or committing first-degree murder only because there is a standing Declaration which assigns status functions to these physical events. The rule declares that satisfying such and such conditions counts as a certain sort of institutional fact.

Our third class of objections to the account in *The Construction* can also be easily dealt with. Indeed, we do not need to change our earlier answer. Just as there are ground floor institutional facts that require collective acceptance, so there are macro or systematic fallouts of institutional facts that do not require collective acceptance in order to exist, but simply are consequences of the ground floor institutional facts. This forces a change in the terminology which I will remark on later. Strictly speaking, these cases are not cases of institutional facts.

This discussion so far reinforces a point made in *The Construction* and that is that all of institutional reality is created by linguistic representation. You do not always need actual words of existing languages, but you need some sorts of symbolic representation in order for the institutional fact to exist. As I noted before, there is, however, an interesting and crucial class of exceptions: linguistic phenomena themselves. Thus, the existence of a Declaration is itself an institutional fact and thus a status function. But does it itself require a further Declaration in

order to exist? It does not. Indeed, if it did, we would have an infinite regress. But now, what is it about language that makes it a system of status functions that is exempt from the general requirement that all status functions are created by Status Function Declarations? We use semantics to create a reality that goes beyond semantics, and semantics to create powers that go beyond semantic powers. But the linguistic facts, the fact that such and such an utterance counts as a statement or a promise, are not facts where the semantics goes beyond the semantics. On the contrary, semantics is sufficient to account for the existence of the statement or the promise. The semantic content of the speech act by itself cannot make money or private property, but the semantic content of the speech act by itself is sufficient to make statements, promises, requests and questions. The difference is in the nature of the meanings involved. At first sight, it might seem that formulae of the form "X counts as Y in C" function the same for language as they do for other institutional facts. Thus, it is indeed the case that an appropriate utterance of the sentence "Snow is white" counts as the making of the statement that snow is white, as it is the case that as he meets certain conditions, George W. Bush counts as the president of the United States. But in spite of this apparent similarity, there is in fact a huge difference, and it has to do with the nature of meaning. The meaning of the sentence "Snow is white" by itself is sufficient to guarantee that an appropriate utterance will constitute the making of a statement to the effect that snow is white. But the meaning of the sentence "Bush is President" by itself is in no way sufficient to guarantee that Bush is in fact President. In the case of the sentence, formulae of the form "X counts as Y in C" describe the *constitution* of meaning and not a separate linguistic operation that we perform. But, in the case of nonlinguistic institutional facts, constitutive rules of the form "X counts as Y in C" describe a *linguistic operation* that we perform.

III. Changes in the Terminology

The new account gives us a rather simple set of equivalences and logical implications:

Institutional facts = status functions → deontic powers → desire independent reasons for action.

In plain English, all and only institutional facts are status functions; status functions imply deontic powers and deontic powers always provide desire independent reasons for action.

Implicit in this summary however are three changes from the terminology I used in *The Construction.* One of these is purely notational, the other is substantive. In *The Construction* I

said that all institutional facts exist within institutions.   But once we agree that some status functions can exist outside established institutions we are faced with a choice: we either have to say that there are some institutional facts that exist outside institutions or we have to say that not all status functions are institutional facts.   I find it more useful to treat the concept of an institutional fact and the concept of the status function as coextensive.   So I change the terminology accordingly.   All status functions are institutional facts, but not all institutional facts exist within pre-existing institutions consisting of constitutive rules.

Furthermore, as I suggested briefly above, because they do not carry deontic powers, the systematic consequences of institutional facts are not themselves institutional facts. That is, the fact that the economy is currently in a recession is a fact about a whole lot of other institutions, but it is not itself an institutional fact because it carries no deontic powers. If, for example, Congress passed a law requiring that the Federal Reserve board lower interest rates during periods of recession, then being a recession would become an institutional fact because it would carry a deontic power. It would have the typical form of institutional facts whereby something at one level, the level of being a recession, carries a deontology at a higher level, placing the Federal Reserve Board under an obligation.

A third change is also implicit.   In *The Construction* I said that in general institutional facts carried deontic powers but that there were some exceptions, most notably the honorific cases.   If I get an honorary degree from a University or someone is awarded the title of Miss Alameda County, then they acquire a new institutional status, but they have no new powers.   No power is carried by purely honorific statuses.   But I now think it is more useful to treat honor as a kind of deontic power.   A limiting case, perhaps, but still a kind of power – honor deserves respect, for example.   So I now say that all status functions create deontic powers. To summarize, there are three changes in the terminology. First, some institutional facts can exist outside of any established institutions. Second, some facts that do require existence within institutions are not themselves institutional facts because they carry no deontologies. And third, all institutional facts by definition carry a deontology, however limited or weak it may be.

III. The Philosophy of Society

The entire enterprise is in part based on, and in part an attempt to justify, the assumption that we need a new branch of philosophy that might be called "the philosophy of society." Philosophical disciplines are not eternal. Some of the most important have been created fairly recently. Perhaps without knowing it, Gottlob Frege, along with Bertrand Russell, Ludwig Wittgenstein and others, invented the philosophy of language in the late nineteenth and early twentieth century. But in the sense in which we now regard the philosophy of language as a central part of the subject, Immanuel Kant did not have and could not have had such an attitude. I am proposing that "The Philosophy of Society," ought to be regarded as a legitimate branch of philosophy along with such disciplines as the philosophy of mind and the philosophy of language. I believe this is already happening, as is evidenced by the recent interest in questions of "social ontology." One might object that there already was a recognized branch of philosophy called "social philosophy," on which there are numerous university courses. But social philosophy courses, as they have been conceived, tended to be either the philosophy of social science, or a continuation of political philosophy, sometimes called "political and social philosophy." Thus in such a course one is either likely to study such topics as Hempel on deductive nomological explanations or Rawls on the theory of justice. I am suggesting that there is a line of research that is more fundamental than either the philosophy of social sciences, or social and political philosophy, and that is the nature of human society itself. What is the mode of existence of social entities such as governments, families, cocktail parties, summer vacations, trade unions, baseball games and passports? I believe it will deepen our understanding of social phenomena generally and help our research in the social sciences if we get a clearer understanding of the nature and the mode of existence of social reality. We need not so much a philosophy *of* the social sciences of the present and the past as we need a philosophy *for* the social sciences of the future and, indeed, for anyone who wants a deeper understanding of social phenomena.

This investigation is historically situated. It is not the sort of thing that could have been undertaken a hundred years ago or even 50 years ago. In earlier eras, from the seventeenth century until the late twentieth centuries, most philosophers in the Western tradition were preoccupied with epistemic questions. Even questions about language and society were construed as largely epistemic: How do we know what other people mean when they talk? How do we know that the statements we make about social reality are really true? How do we verify

them?   These are interesting questions but I regard them as peripheral.   One of the agreeable features of writing in the present era is that we have in large part overcome our 300 year obsession with epistemology and skepticism.   No doubt many interesting epistemic questions remain, but in this investigation I can mostly ignore them.

It is an odd fact of intellectual history that the great philosophers of the past century had little or nothing to say about social ontology. I am thinking of such figures as Frege, Russell, and Wittgenstein, as well as Quine, Carnap, Strawson and Austin. But if they did not address the problems that I address in this talk, they did develop techniques of analysis and approaches to language that I intend to use. Standing on their shoulders, as well as on my own earlier work, I am trying to describe a geography they did not see. And why is this an appropriate subject for philosophy and not the proper domain of empirical sciences? Because it turns out that society has a logical (conceptual, propositional) structure that admits of, indeed requires, logical analysis.