The Construction of Social Reality.

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a non-participatory perfectionist and that may well include the Millian (liberal) ones of self-critical reflection, of respect for diversity and universalized autonomy, of keeping open both the road of inquiry and that leading to human well-being. If a social scientist begins to realize that her favoured community has turned toward white supremacist practices or is selling its young girls into international prostitution rings, shouldn't she at some point drop the participatory model altogether and advocate the community's dissolution?

This in turn leads to a troubling paradox. If Root's perfectionist and participatory social scientists lack an independent perspective by which to critique their chosen communities, then his position seems unable to distinguish better from worse, perverse from humane, forms of community life. Root cannot condemn those communities (or repudiate participatory research within them) which, e.g., are based on slavery, or on military repression and torture. Instead he appears bound to accept all types of community life, however barbaric. And though his final chapter discusses a range of divergent forms of perfectionist approaches to social science, Root appears to address the issue of how to choose among these solely by reference to the mere quantity of participation they provide for the subjects of research. His sole and somewhat tacit criterion seems to be simply, the more participation, the better. This may allow us to exclude minimally participatory alternatives to "liberalism", but it offers no further guidance: participatory research within, and to promote, barbaric communities can neither be identified as such nor repudiated. If this is so, however, Root's alternative to liberal social science seems to wind up entrapped within its own (unacceptable) form of "value neutrality". Is there a way to escape this paradox, and the value relativity/neutrality it manifests, without combining liberal and perfectionist models of social science?

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The Construction of Social Reality, by John Searle. London, England: Allen Lane The Penguin Press, 1995. Pp. x + 241. £20.00.

John Searle is best known for his work on intentionality and speech act theory. His self-proclaimed philosophical program is to investigate how "various parts of the world hang together". *The Construction of Social Reality* extends this investigation to institutional facts. How can there be an objective world of money, property, games, wars, presidents, and human rights in a physical world containing conscious biological creatures? Resources from his previous

works (e.g., his theories of collective intentionality, constitutive rules, and performatives) figure prominently in this attempt to answer the following questions: (1) How are institutional facts possible? (2) What is the logical structure of these facts? (3) What is language's role in constituting these facts?

Consider the following facts: I was married in Kauai, Hawaii; I own an automobile; the Chicago Bulls won four world championships with Michael Jordan. Searle calls these institutional facts, and they are importantly different from the fact that a water molecule has two hydrogen atoms, the fact that water freezes at 32°F, and the fact that snow is white. These latter facts, which Searle calls brute facts, obtain independently of whether we believe they obtain, but institutional facts do not. The central thesis of Searle's book, developed and defended in the first five chapters, is that institutional facts exhibit this kind of self-referentiality. The last three chapters defend the assumptions about realism and truth upon which the contrast between institutional and brute facts rests.

The concept of money is Searle's paradigm illustration of an institutional fact. To say that money is self-referential is to say that for certain pieces of paper to count as money they must be believed to be money. Searle sums up the self-referentiality thesis as follows:

> Something can be a mountain even if no one believes it is a mountain; something can be a molecule even if no one thinks anything at all about it. But for [institutional] facts, the attitude that we take toward the phenomenon is partly constitutive of the phenomenon ... . 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. This is a remarkable feature of [institutional] facts; it has no analogue among physical facts. (pp. 33–4)

Surprisingly, Searle is silent about whose beliefs are constitutive of institutional facts. If beliefs are indeed constitutive of these facts, it is not obvious that just any person's beliefs matter. Suppose that "being tagged out in baseball" names an institutional fact. Surely not just any person's beliefs are relevant in determining whether a runner is out; the field umpires' beliefs will loom larger here (and if there is an appeal, the league commissioner's beliefs might matter as well). But it is certainly not clear that the players' or fans' beliefs are in any way constitutive of the runner being out (although of course they might be constitutive of the fact that a game is being played).

Similarly, in the case of money, it is plausible to think that the beliefs of those with the power to resolve disputes where money is involved, and with the power to enforce monetary transactions, are constitutive of a piece of paper being money. Surely not just any person's beliefs are relevant in this context. Although Searle's failure to say more about whose beliefs are constitutive of institutional facts does not undermine his self-referentiality thesis, further clarification would have been illuminating. An obvious place to look for such clarification is in Chapter One where Searle introduces the concept of collective intentionality, but all we get here is an extremely brief and

unsubstantiated explanation of why so many philosophers falsely believe that collective intentionality is reducible to individual intentionality.

In Chapter Four Searle clarifies what is at stake in the creation of institutional facts:

> Because the creation of institutional facts is a matter of imposing a status and with it a function on some entity that does not already have that status-function, in general the creation of a status-function is a matter of conferring some new *power*. (p. 95)

So, for example, the significance of the piece of paper in my pocket counting as money is that it gives me certain powers, e.g., the power to buy things and pay debts. Similarly, being chair of the philosophy department gives the holder of that office various powers, rights, duties, and privileges, such as negotiating contracts for colleagues, making recommendations regarding salary increases, calling department meetings to order, and so on. Thus, a distinguishing feature of all institutional facts is that they give individuals various powers, rights, duties, and privileges. How should we construe this point, given Searle's self-referentiality thesis? Applying this thesis leaves us with the following view: people have the deontic powers imposed by status-functions only if we believe that they do. Our believing that they have the powers is constitutive of their having them.

Searle's version of the self-referentiality thesis represents the mental as grounding institutional facts. But it is equally plausible, if not more plausible, to take social practices as such to ground institutional facts. If creating institutional facts is a matter of conferring power relations on individuals, it is not clear that these relations exhibit the kind of self-referentiality that Searle has in mind. More plausibly, whether individuals have the powers imposed by status-functions seems to turn on whether they are able to exercise them with impunity. And, arguably, this turns on whether the powers are respected by others, and maintained and enforced by the relevant authorities. The general point is that *actions* (i.e., being treated in this or that way) and not merely *attitudes* are constitutive of individuals having the powers imposed by status-functions.

Searle might object that attitudes are more basic than actions on the grounds that we can explain why people act in certain ways by appealing to their underlying beliefs. For example, we can explain why the authorities back my paying debts with the piece of paper in my pocket by noting that they collectively believe that the paper counts as money. Thus it is not their backing me that is constitutive of the paper being money, rather it is their having the collective belief that it is money. Even if beliefs can serve this explanatory function, this is certainly not sufficient warrant to infer that they are also constitutive of institutional facts. An argument is needed to establish this point.

Searle's insistence on the primacy of the mental in grounding institutional facts seems to be motivated by a commitment to show that there is a continuous progression from physical to cultural reality bridged by the mental:

> Our aim is to assimilate social reality to our basic ontology of physics, chemistry, and biology. To do this we need to show the continuous line that goes from molecules and mountains to screwdrivers, levers, and beautiful sunsets, and then to legislatures, money, and nation-states. The central span on the bridge from physics to society is collective intentionality .... (p. 41)

Searle's emphasis on the mental in grounding institutional facts appears to be driven more by his commitment to bridge the physical and the social in this way than by independent argument. He could have taken greater care to avoid the appearance that he has given us independent grounds for embracing his mental gloss of the self-referentiality thesis.

If Searle's appeal to beliefs to explain the nature of institutional facts is amiss, this will undermine his argument concerning language's role in creating institutional facts. For Searle argues that language is constitutive of institutional facts—this follows from mental representations (beliefs) being constitutive of institutional facts, and from such representations being language dependent. But if, as I have suggested, beliefs are not constitutive of institutional facts, another argument is needed to show that language is indeed constitutive of institutional facts.

Finally, Searle claims that human rights are institutional facts. Given the self-referentiality thesis, this entails that an individual has a human right only if we believe that she does. Many ethicists would reject this view on the grounds that linking the existence of human rights to beliefs undermines the protective power of human rights. How can these rights truly protect if right-holders cease having them when they are no longer believed to have them? Avoiding this consequence is why many moral philosophers (e.g., Joel Feinberg) have insisted that human rights exist even when they are not believed to exist. Indeed, the key idea underlying the doctrine of human rights is that they are the kind of rights that one can have merely on account of being human. I suspect that many ethicists would view human rights as brute facts, and not as institutional ones.

Unfortunately, philosophical inquiries concerning the nature of institutional facts are scarce. Facts that play such an important role in our lives deserve more philosophical attention. While Searle's account of institutional facts is worthy of attention, it is not clear that the notion of collective belief is sufficient to provide such an account. But even if one ultimately rejects his account and questions its ethical ramifications, there is still much to learn from Searle's thought-provoking study.

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