



## Responses to Critics of The Construction of Social Reality

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## Responses to Critics of *The Construction of Social Reality*

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I am grateful for the time and intellectual effort that all three of the respondents have put into writing about my book. I will try to reply to every major criticism they make.

### **Reply to Jennifer Hornsby**

Hornsby is correct in seeing that I take collective intentionality as a fundamental notion in my analysis of social reality. It is, as she says, "basic, pervasive, and crucial". On my account the concept cannot be reduced to that of individual intentionality. That is, I think "We-intentions" cannot be reduced to "I-intentions". It is not quite correct to say that I think "that philosophers have failed to understand the social world because they have posed a false dilemma" about collective intentionality. In fact I think this is only part of the story, and there are other reasons for the failure. But certainly, I believe there is a false dilemma of the sort that she points out. The problem, as she is right in seeing, is that I need an account of collective intentionality which is consistent with methodological individualism. I need an account which is consistent with, for example, the definition of methodological individualism which she quotes from Popper.

On my view, the existence of collective intentionality as a psychological primitive in the individual heads of individual agents does not commit one to a primitive ontology of actual human collectives. On the contrary, the basic ontology is that of individual human organisms and their mental states. The collective arises from the fact that collective intentionality is in the individual heads of individual organisms. The actual social collective consists entirely of individual agents with collective intentionality in their heads, nothing more. Ontologically speaking, collective intentionality gives rise to the collective, and not the other way round. Another way to put this point in a more epistemic vein, would be to say that I could have all the collective intentionality that I could want in my head and still be radically mistaken. The fact that I have a we-intention does not by itself imply that other people share my we-

intention, or even that there is a “we” that my we-intention refers to. I take myself to be engaging in collective behavior with other people, but whether or not I am in fact succeeding in engaging in collective behavior with other people is not a matter of the contents of my head. The existence of collective intentionality does not imply the existence of human collectives actually satisfying the content of that intentionality. But once you have collective intentionality then, if it is *in fact* shared by other people, the result is more than just yourself and other people: collectively you now form a social group.

My conclusion is that social collectives can be constituted by the fact that individual agents think of themselves as part of a collective without thereby supposing that the collective is an ontological primitive. The collective’s existence consists entirely in the fact that there is a number of individual agents who think of themselves as part of the collective.

Hornsby’s worry about my account comes out in her claim that “once the fulfillment of ‘we-intentions’ is in the picture, what collective intentionality introduces are not only contents of individual people’s heads, but things which show up, as it were in action (p. 2)”; and this is something “irreducibly social”. But why “irreducibly”? The collective consists of individuals with collective intentionality. If the collective intentionality is satisfied there will also be other people besides the solitary individual. But that is exactly the result we want: In Popper’s words we explain social phenomena as “resulting from the states and actions of individuals.” The aim is not to deny the existence of social groups but to show how they arise from the minds of individuals.

Part of her misunderstanding may come from my claim that in collective behavior the “I intend” only occurs as part of the “We intend”. My point here was— in her example— if WE are building a bench, then from my point of view, I am attaching the legs to the seat only as part of OUR building the bench. I would not, in this case, have my singular intention: “I am attaching the legs” except as part of my collective intention: “We are building a bench”. But all of that is consistent with methodological individualism, because all of my intentionality, singular and collective, is going on in my head.

Hornsby extends her worry more ominously when she asks, “Must not collectives come before all mental states, in order that they can be represented by individual brains, giving rise to ‘we’ intentions?” If the question is about logical possibility, the answer is no. On my definition a social collective consists in the fact that the participants think it is a collective. Individual brains give rise to we-intentions, and the collective is created by the existence of the we-intentions in the brains of its members. This is a logical or conceptual point. Of course, in real life, there is no way that children can live if they are not part of a real community that cares for them. But the logical

point is that the child takes himself to be responding to other people and this requires only that he has a certain content in his head.

I agree with Hornsby that implicit in my account of speech acts, published nearly thirty years ago, is the presupposition of collective intentionality. Not all speech acts require collective intentionality, but you cannot have a conversation unless the two or more participants in the conversation take themselves to be engaging in the collective activity of having a conversation.

But Hornsby thinks that I must have given up on my speculation that perhaps only humans have the peculiar form of intentionality associated with language and meaning. But I have not. The point for the present discussion is that it's possible to have collective intentionality without linguistic intentionality, without having the intentionality necessary to perform illocutionary acts.

Hornsby puts her basic question to me neatly at the end of her reply, "Are there groups whose identity conditions rely upon the particular way of thinking in which a person thinks of herself and some others when she uses the 'we' of Searle's 'we-intend'?" The answer is, yes, and indeed, all genuine social groups, that is, people who feel themselves bound together by the concept of "we" or "us", satisfy this condition. That for me is the definition of social reality.

### **Reply to Raimo Tuomela**

I found many of Tuomela's comments on my book puzzling since he frequently takes me to task for not answering questions I thought I had answered in detail and he does not always tell us why he found the answers inadequate. Perhaps the best way to answer him is to go through his main worries one by one.

1. Tuomela says that I present "two somewhat different aspects or ideas about social institutions and institutional facts. The first emphasizes the function of social institutions, and the second, the deontic powers involved."

But these are not two different and unrelated aspects since the whole point of the deontic power is to enable the performance of the function. Thus one of the *functions* of money is that you can buy things with it, but you can only do that because the deontic status of money gives the bearer the *right* or *power* to buy things with it. The function and the deontology go hand in hand, as they must because of the peculiar features of status functions. As I tried to make clear, these are not two independent aspects; rather, the function is defined in terms of the power, the power makes possible the performance of the function. The imposition of a status-function is the imposition of a deontology.

Tuomela tells us that this has something to do with semiotics and is done "semiotically." I have never used this notion. I have no idea what it means in this context, and I don't see that it adds anything to the analysis. Tuomela

says he cannot understand my use of the notion of a *function*. I thought the notion was quite clear, and indeed I try to use the notion in a common sense way. On my view hearts, chairs, money and Presidents of the U.S. all perform functions but in general stones do not, though they can in cases where we assign a function to them. We can use a stone as a paper weight, for example. The only controversial part of my account is my claim that all functions are observer relative, but I cannot see that he has presented any argument against this claim.

He thinks my account of honors and awards is somehow inconsistent with the rest of the account. But I don't believe it is. On my account, official honors are a kind of limiting case of deontic status function where the beneficiary has the symbolic status of power without necessarily actually having the power. Witness, for example, the decay of Knighthood in Great Britain. The knight is no longer a person who has power, but is given the status of a knight as an honorific residue of what was once actual political and military power.

How then should we see honors, both positive and negative, within a theory of status functions? You can see official honor as a limiting case of status power or you can think of status functions as disjunctive. Where people are concerned, status functions give you power or honor or both. I believe I can give a more elegant and powerful account by assimilating honor to power, but the same formal structure of the analysis could be applied without doing so. The important and deep point is that in both cases the fact is constituted by collective acceptance according to the formula. Tuomela really misses the basic argument of the whole account when he says that I think such facts are constituted solely by collective acceptance. The point is that the collective acceptance is necessary but not sufficient. It has to be according to the formula that assigns a very special kind of function, which I call status functions.

3. Tuomela tells us that he doesn't see how social institutions relate to institutional facts, and he does not understand the relation between institutional facts and social facts. I spell these relations out in considerable detail in the book, and I am not quite sure what he feels is lacking. Institutional facts require the existence of social institutions in the sense I explain in the book. The institutional fact that I bought a car with money can only exist within such institutions as money, property and exchange. Social facts, on my account, are stipulatively defined in terms of collective intentionality, and institutional facts are a special subcategory of social facts. They involve the collective imposition of status-functions. All of these relations are spelled out in the first 5 Chapters and are illustrated graphically in the diagram on page 121.

Of course there are lots of marginal cases, but then that is precisely the result that we should expect. There can be gradual shifts from social to institutional facts. Tuomela assumes that I am using the notion of mutual belief,

but as this notion is standardly defined in philosophy, my notion of collective intentionality is importantly different from mutual belief. Mutual belief is typically used to try to show how apparent cases of collective intentionality can be reduced to individual intentionality, including mutual belief—how “We-intentions” can be reduced to “I-intentions” plus mutual belief. I reject any such reduction. I published my arguments against these reductions elsewhere and so did not repeat them in this book.<sup>1</sup> On my view We-intentionality can *give rise* to mutual belief, but does not *reduce to* I-intentionality plus mutual belief.

Tuomela ends with three puzzling cases:

1. What about the Mafia protection racket that some people “go along with?” but others do not.

I don’t see that there is a special problem here. Large societies typically have smaller institutions that exist within and even in opposition to larger institutional structures. Criminal gangs and revolutionary conspiracies are two obvious sorts of examples. Furthermore, people frequently go along with social institutions that they disagree with, and may even wish to destroy. Both sorts of cases would seem to fit my analysis perfectly. In the Mafia gang, people accept the boss as boss, even though the boss is a criminal in the larger society, which they also accept or at least go along with. In the revolutionary case the revolutionaries have an organization with a system of status functions designed to overthrow the larger society. But even the revolutionaries can have drivers’ licenses, make and spend money and even call the police when their house is burglarized by the criminal gang.

2. Tuomela points out that an authorized person within an institutional structure may assign a status which other members of the structure accept, even though most members of the structure think it is an unwarranted assignment. Acceptance, in short, does not imply approval. He gives the example of a student given a grade which most people do not think he deserves. But consider an even more extreme case. The institutional structure of which I am a member may assign a status function to a certain member by making him, for example, a Dean of the College, even in cases where I and most of my colleagues think the person is incompetent to perform the functions of a dean. But as long as that status function is accepted, then he has the powers that go with being a dean. Whether or not we collectively think he is competent to be a dean is irrelevant to the existence of those status functions, as a matter of institutional ontology.

So far so good. But Tuomela thinks all this is somehow a difficulty for or even an objection to my account. But it is not an objection and far from being a difficulty it illustrates my points perfectly. Tuomela’s puzzle here is

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<sup>1</sup> “Collective Intentions and Actions” in *Intentions in Communications*, P. Cohen, J. Morgan, and M. E. Pollack (eds.) (Cambridge, Massachusetts: MIT Press, 1990).

symptomatic of the mistake I pointed out earlier. He thinks my view is that institutional facts are constituted solely by collective acceptance and that such examples show a need for two different concepts of collective acceptance. This shows a fundamental misunderstanding of the whole analysis. The analysis is not in terms of collective acceptance as such. That is a necessary but not a sufficient condition. Rather there must be *collective acceptance of a status function according to the formula*. And one can have such collective acceptance even in cases where most people, or even everybody disapproves or thinks it is a bad thing.

3. Tuomela's last problem is about the negation of institutional power. I am not exactly sure what he thinks the problem is, but in any case I discussed the problem of negation of status function at considerable length in the book. On my view, we need to distinguish between the *absence* of an institutional prohibition (which is not an institutional fact) and the *removal* of an institutional prohibition (which is an institutional fact). The sense in which I have a "right" to breathe the air is the sense in which there never was any institutional prohibition on these activities and so no institutional fact is involved in my possession of such a "right". The sense in which my California Driver's License gives me the right to drive in the State of California is a sense in which it removes the restrictions on driving that apply to people who do not hold valid driver's licenses. The fact that I am a licensed driver is an institutional fact.

In the book, I try to show how the scope of the power creation operator together with negation can account for institutional facts. I don't see that Tuomela has said anything to cast doubt on my analysis. He points out correctly that there are cases in which there is simply an absence of a prohibition, as in my "right" to walk the streets. Indeed his examples of the two sorts of "rights" to walk the streets look like my distinction above between the cases which are institutional facts and those which are not. If I understand him correctly, his first case is exactly like my example above of the "right" to breathe the air. It is not an institutional fact. I was concerned to analyze institutional facts.

### **Reply to David-Hillel Ruben**

Ruben is sceptical of my distinction between constitutive and regulative rules. I am grateful for any challenge to this distinction because it has stood the test of time so well that one tends to take it uncritically and I am grateful for the chance to reexamine it.

I find the distinction intuitively obvious, my students grasp it so readily that I think it would take an enormous argument to talk me out of it. Let us see what Ruben has to offer: He says we ought to think of it not as a distinction between types of rules, but as between types of action descriptions. One action description entails the presence of a rule, another kind does not. And

then he points out, correctly, that this won't work because any rule-governed behavior admits of an action description that mentions the rule, namely, the description of the action as done in accordance with the rule. So, to take one case, if I say "he played football," that entails the existence of the rules of the game. If I say, "he followed the rule: Drive on the right-hand side of the road," that also entails the existence of a rule that he is following. Similarly, both activities done in accordance with regulative rules, and activities done in accordance with constitutive rules, will admit of descriptions which don't mention the rules. "He ran twenty-five yards down the field," does not imply the existence of a rule, even though in actual fact the case may be one of his carrying the ball on a running play in a football game, and "he drove on the right-hand side of the road" does not by itself entail the existence of any rule, though in the particular case in question, the person referred to may have been following a rule when he drove down the road.

So far, I cannot see that this casts any doubt whatever on the distinction. The distinction is a distinction between those rules which create the possibility of new forms of activity and those rules which regulate preexisting forms of activity. The fact that actions within each of these kinds permit descriptions which are rule-entailing and descriptions which are not rule-entailing is just irrelevant to the distinction. Ruben shows that the test of rule entailing descriptions is inadequate to make the distinction between constitutive and regulative rules. But the fact that the test of "action descriptions" is not by itself adequate to distinguish constitutive from regulative rules shows not that there is something wrong with the distinction but rather that there is something wrong with the test.

Ruben thinks, however, that this must be the test, that the very formulation of the distinction requires that we understand it in terms of rule descriptions because "actions are *not* rule-involving or non-rule-involving per se but only relative to a description." This claim seems to me exactly wrong, so it is important to examine his reasons for saying it. Here is what he says in full:

"But of course 'it is possible that that twenty two men might go through the same physical movements as are gone through by two teams at a football game' (*Speech Acts*, p. 35) it is just that such movements could not be described as their C-ing. So whether or not there is this entailment from action (their C-ing) to the existence of rules depends *not on the action itself* (my italics), but is relative to the description that one offers of the action."

This passage bears close scrutiny because it makes a mistaken and question begging identification between physical movements and actions. Ruben simply assumes that "same physical movements" implies "same action", that an "action per se" is just a physical movement and that everything else is "relative to a description". But one thing we can learn from my account is that this is false. In one case movements of a certain physical type constitute



the action of scoring a touchdown. In the other case movements of the same physical type do not. Same movements different actions. The fact that the actions are different will indeed generate different descriptions because there are different facts that the descriptions must describe. Different true descriptions correspond to different actions. Furthermore, it is not only false but question begging to identify action with bodily movement alone because the distinction I am making is that between actions which are made possible by the existence of the rules and those which are not. The fact that those physical movements *count as* the action of scoring a touchdown can only exist because of the rules of football.

Ruben is led into this error by his acceptance of a fashionable but muddled contemporary view. Here is what he says,

“Just as actions are intentional or nonintentional, basic or nonbasic, only relative to a description, so too actions are *not* rule-involving or non-rule-involving per se, but only relative to a description.”

This is a muddle. If the action is, e.g., intentional only “relative to a description” then if the description is true, there must be some fact about the action that the description describes. But that fact does not exist relative to the description. It is part of the action, as he says, “per se”. And what goes for the fact of being intentional goes for the fact of being rule involving. I have exposed the confusions of the “relative to a description” view in *Intentionality* so I won’t expand on it here.

I conclude that Ruben has said nothing to undermine the distinction between constitutive and regulative rules.

Another form of scepticism that he presents is whether or not there will be any cases where the “X counts as Y in C” formula actually permits the assignment of a value to the X variable which specifies a brute phenomenon. As he points out, in complex societies certain sorts of paper, for example, can count as money only if there are other institutional structures to authenticate the paper in question.

In answer to this objection we need only to cite simpler forms of institutional facts. In such cases you can have all sorts of brute phenomena on the left-hand side. My example of the line of stones counting as a boundary is a case in point. To be a line of stones, no institutional fact is required. Perhaps the most obvious case is language itself. That a certain sound or shape acquires the status of a word or symbol does not require any institutional authority. Indeed language could not have evolved if it were necessary to have a set of institutional facts before language ever got going. Countries such as France where there is an institution charged with authenticating something as an official word of the language are the exception rather than the norm, and besides the requirement of official approval never really works well in practice. Furthermore, even within our complex society, with its elaborate interlocking groups of institutional structures, there are simpler subgroups where

the move from brute to institutional can be seen more clearly. For example, in a group of children someone may just emerge as the acknowledged leader of the group without any official recognition or authorization. The leader is just another person until the emergence of the status-function. There isn't any prior institutional fact in virtue of which he or she is the leader, rather the emergence of their status as leader is the institutional fact in question.

My effort to explain institutional facts is not even remotely like his analogy with the phenomenalist reduction of material object statements to sense datum statements. Phenomenalism was an effort to *eliminate* an ontological category by reducing it to its *epistemic* base. My effort has nothing to do with such traditional reductionist or epistemic worries. Rather my aim is to show how the acknowledged realities all hang together.

A third form of scepticism that Ruben presents concerns the family of notions involving recognition, acceptance and belief. He is sceptical about the forms of the intentionality involved in the collective imposition of status-functions. But again, I think that there is a wide range of differences here, and I point out some of the different types in question in the book. We need, for example, to distinguish those institutional structures that gradually evolve, as in the evolution of paper money, from those where there is an explicit conscious imposition, as in the case of the election of a president. So, once again, what is the problem? I just think that in both cases you must have the recognition or acceptance of something as having a certain sort of status-function or the institutional structure will not work. And the forms in which that recognition comes about historically can be quite various. However, Ruben is certainly right that my theory of Background needs more work.

His fourth and final sceptical doubt is about the primacy of acts over objects. I claim that where institutional reality is concerned the noun phrases tend to name placeholders for patterns of activity rather than independent entities, and this is because the point of having institutional reality is to facilitate action. Institutional entities are more like a floating crap game than they are like Mount Everest.

He mistates my view when he says that it is a matter of "logical priority" and that it is reductionist. I speak of acts having "primacy", not "logical priority" and my aim was not reductionist. I actually think that of the four examples he gives to cast doubt on this point, three tend to support it, and the fourth is irrelevant because it is not an institutional entity. Entities like the United Kingdom, the Icelandic Cabinet and the AFL-CIO are in fact, placeholders for all sorts of human activities. In the first case, notice that the British Isles are actual physical objects, but the United Kingdom is not in that way a physical object. The French working class does not seem to me an institutional phenomenon at all. That is, the expression "French working class" is a third-person sociological description of a certain set of people in

France, but the existence of any such group is not an institutional fact in the relevant sense, because it does not satisfy the conditions I set out.

Ruben concludes by suggesting that some doubt has been cast on whether my project has succeeded. I do not see that he has cast any doubt at all. His analogy with mathematical reality is, I think, poor, because it begs the question about the status of mathematical facts. That is a subject in much dispute. But let's take physical facts. If somebody writes a book called *The Construction of Physical Reality*, and tries to show that it has a structure like the structure I claim for institutional reality, we know that he or she is mistaken, because we know that physical reality exists totally independently of our representation of it, in a way that institutional reality does not exist independently of our representations of it. Now, since institutional reality is in some sense our creation we ought to be able to state precisely the mechanisms of that creation and the ontology of the resulting structure. That is exactly what I have attempted to do.