

Collective Acceptance, Social Institutions, and Social Reality

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ABSTRACT. The paper presents an account of social institutions on the basis of collective acceptance. Basically, collective acceptance by some members of a group involves the members' collectively coming to hold and holding a relevant social attitude (a "we-attitude"), viz. either one in the intention family of concepts or one in the belief family. In standard cases the collective acceptance must be in the "we-mode", viz. performed as a group member, and involve that it be meant for the group. The participants must be collectively committed to what they have accepted. Social institutions are taken to be norm-governed social practices introducing a new social and conceptual status on the practices or some elements involved in those practices. This requires that some of the involved norms be constitutive norms as opposed to merely "accidentally" regulating ones. A classification of social institutions is presented. The account is broader in scope than is Searle's.

I

The Collective Acceptance Account of Collective Sociality

Many social and collective properties and notions are collectively man-made. There are two important features of the collective creation of some central aspects of the social world that have previously been emphasized in the literature—by such authors as Barnes (1983), Bloor (1997), Kusch (1997), and Searle (1995)). The first feature is that of

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the *performative* character of many social notions. The second is the *reflexive* nature of many social concepts. My account adds to this list a third feature, the collective availability or "*forgroupness*" of collective social items.

I will argue in this paper that sociality is in many cases created through collective acceptance. I have elsewhere created a "Collective Acceptance" account of sociality and social institutions (see Tuomela and Balzer, 1999, and Tuomela, 2002a). The first section of the present paper will present this account. The second and third section introduce some new features to the account. The fourth section discusses social institutions. The fifth section considers Searle's theory of social institutions. Section VI applies the account to the problem of the ontology of the social world. On a general level, the basic problem to be discussed in this paper is what collective acceptance can achieve concerning ontological matters. I will try to show that it can serve to make relevant parts of the social world objective and ontologically real in a sense not relying merely on "epistemic objectivity" (in Searle's, 1995, sense).

According to the Collective Acceptance account of (collective) sociality—developed in Tuomela and Balzer (1999)—certain entities get their social status by being collectively created. For example, many kinds of physical entities— for instance, squirrel fur in the case of medieval Finns—can "in principle" become money. This occurs through the members of the collective in question "performatively" accepting it as money. As soon as they cease to collectively accept it as money and to mutually believe that it is money, squirrel fur loses its status and function as money.

We must distinguish between a) collectively creating an idea, b) collectively holding and maintaining it, and finally c) collectively realizing it or carrying it out. Collective acceptance relates to a) and b) in the first place. I argue that those collective social reasons, *viz.*, reasons for which collective social actions in general are performed, are special kinds of "we-attitudes" (*cf.* below and Tuomela, 1995, Chapter 1, Tuomela, 2002a, Chapter 2).¹ Collective acceptance basically amounts to the participants' coming to hold and holding a relevant we-attitude. The we-attitudes (social reasons) that are needed

Collective Acceptance, Social Institutions, and Social Reality 125

for collective acceptance basically belong either to the intention-family or to the belief-family of attitudes. My account concentrates on intentional achievement actions, but it must be remembered that neither coming to hold a we-attitude nor holding a we-attitude need be intentional actions. Thus, in principle, an agent can acquire a belief that, for instance, there is a tree in front of him, without his reflection and intentional action. Thus, an agent can accept something as correct without having intentionally arrived at this kind of acceptance state. I will below concentrate on acceptance beliefs, which are states of acceptance of a content (sentence, proposition) as correct (or true), while mere believing is a state in which the agent experiences something as true or real (*cf.* Cohen, 1992, Tuomela, 2000b). Typically such a state of acceptance is produced by the mental action of acceptance and is, furthermore, based on the agent's reflection of what is being accepted and often also on relevant evidential considerations—*e.g.*, other group members' acceptances. While individual acceptance typically—although not always—is intentional, collective acceptance, when intentional, need not be *collectively* intentional in the strong sense of being based on a *joint* intention to accept. Instead, intentionally accept the proposition and may be connected only in terms of their mutual beliefs.

Acceptances as states (*viz.*, as states normally resulting from acceptance action) are basically dispositions to act in accordance with the contents of those states, these contents serving as reasons for those actions. Whatever else those reasons may include, intentions and beliefs of a relevant kind must always be involved (this is a generally accepted fact about reasons of action). Thus the account of acceptance in the sense of holding a we-attitude of a relevant kind can concentrate on intentions and beliefs: intentions and beliefs must accompany wants, wishes, fears, and whatever can motivate action, simply because the concept of action is based on the idea of doing something at will under the guidance of beliefs. In general, I argue that the question of how much intentionality and of which kind there must be in each particular case is to be decided largely on the basis of the collective outcome—what kinds of activities result from collective acceptance and the maintenance of what has thus been

accepted. Trivially, people must be able to do with money what we generally do with it and the same goes for schools, churches, governments and so on.

Consider collective action performed with some (even if perhaps not full) collective intentionality, *viz.*, collective social action performed for the same shared social reason. For instance, in a group there might be a (weak) we-goal to oppose a tax increase; *viz.*, this is the group members' goal, and they believe that the others share this goal and believe that this is mutually believed among them. Collective acceptance in this kind of situation can be construed as acceptance either in the sense of conative commitment to a sentence or proposition s (intention to make s true or to uphold s , *e.g.*, s = The tax increase is to be prevented) or doxastic commitment to s (the acceptance" belief that s is true, *e.g.*, s = The earth is flat). Collective acceptance here is (weak) "we-acceptance", *viz.*, each person comes to accept s , believes that the others accept s , and also believes that there is a mutual belief about the participants' acceptance of s . This we-acceptance can be either "private" acceptance (acceptance in the "I-mode", *viz.*, the group members "privately" accept s) or acceptance in the we-mode (*viz.*, the group members qua group members together accept s and are collectively committed to s). In both cases acceptance involves awareness not only concerning what one oneself accepts but also what the others accept. In the latter, we-mode case also a collective commitment to s must be involved, and we get the minimal sense of accepting *for the group* (and the involved we-mode togetherness which intersubjectively involves the group). Furthermore, without the we-mode mutual belief there is not enough intersubjectivity and collective commitment for the application of the phrase "for the group" and for saying that the participants are attempting to see to it collectively that the accepted content will become satisfied or—as the case may be—remain satisfied. Acceptance "for the group" with collective commitment can be viewed in this context as coextensive with acceptance in the we-mode. When accepting something for the group the participants can be regarded as being collectively committed to a system of norms *requiring* that the members perform certain actions (*e.g.*, inferences) and *permitting* the performance of some other actions. In general there will be

Collective Acceptance, Social Institutions, and Social Reality 127

social sanctions—approval, disapproval—to control the group members activities supposedly governed by their normative collective commitment.

Stronger forms of collective acceptance for the group that may be mentioned here are norm-based, institutional acceptance and plan-based or agreement-based collective acceptance. Examples of the former kind are the collective acceptance of the norms that drunk driving is wrong and punishable, that anniversaries in a marriage ought to be celebrated, and perhaps also in some collective that squirrel fur counts as money. The last example is based on the social norm that everyone in the collective ought to treat squirrel fur as money. An example of plan-based or agreement-based collective acceptance, is the group members' joint decision to elect a certain person as their leader. In general, acceptance for a group entails mutual belief in the acceptance, at least in "egalitarian" groups and in groups in which the normative structure of the group does not affect collective acceptance.²

II

Collective Constructivist Sociality

The following general thesis of sociality in a collective and "constructivist" sense can now be proposed (*cf.* Tuomela and Balzer, 1999, and recall note 2):

Collective Acceptance Thesis (CAT): A sentence *s* is *social* in a primary constructivist sense in a group *G* if and only if the following is true for group *G*: a) the members of group *G* collectively accept *s*, and b) they collectively accept *s* if and only if *s* is correctly assertable.

In the analysis a) is the assumption of the categorical collective acceptance of *s* while clause b) is a partial characterization of the kind of collective acceptance that is needed here.

In logical terms,

$C(CAT^*)$ *s* is *social* in a primary constructivist sense in *G* if and only if

$\text{Forgroup}(CA(G,s) \ \& \ (CA(G,s) \leftrightarrow s)).$

Here the “operator” CA represents the collective acceptance of *s* as true or as correctly assertable by *G* for *G*. Forgroup(*G*,*s*) means that *s* is correctly assertable for the group, *G*, in question (see Tuomela and Balzer, 1999, and Tuomela, 2002a, Chapter 5, for discussion). In the case of descriptive sentences correct assertability can be regarded as truth in a correspondence sense.

CA must be a performative achievement-expressing notion and “acceptance” is general enough to cover both the creation and upholding of *s* and has achievement conceptually built into it. Thus the equivalence in (CAT*) expresses a kind of conceptually necessary connection.³ In standard cases collective acceptance involving collective commitment to what has been accepted can be required. This is collective acceptance qua a group member (in contrast to a private person). However, norm obeying on the basis of private commitment (and qua a private person) is possible and even frequent; see the discussion in Tuomela (2000a) and (2002a).

Let me clarify correct assertability. First note that we can derive from (CAT) and some logical assumptions concerning FG that FG(*s*) (see Tuomela and Balzer, 1999). We can interpret FG(*s*) as “group *G* takes *s* to be correctly assertable in *G*-contexts” or “*G* treats *s* as correctly assertable in *G*-contexts”, where *G*-contexts are contexts related to the activities of the group members of *G* when they act *as group members* as opposed to privately. This, when we go to the individual or member-level, entails “*s* is collectively available or premisable in *G*-contexts”. Premisibility is the idea of taking *s* to be correct or to be assumable in the context in question. But a group member does not really have to *believe* it is true. (Nevertheless, premisibility in *G* can be viewed as a notion in the belief-family, construed in a wide sense.) To accept something as right or correctly assertable entails that one has the right to use the sentence as a premise. In some cases, *e.g.*, when a “flatearther” is asked about the shape of the earth, the member ought to use a certain premise (in the example, “The earth is flat”). Using it as premise means accepting it as a premise in one’s practical inference or using it as the basis of one’s action. We can now ask whether one can accept *s* and not-*s*. The answer is that a rational group member cannot do it. Note, however, that one can to some extent rationally accept *s qua a*

Collective Acceptance, Social Institutions, and Social Reality 129

member of G and accept not-p *as a private person*. My present account does not rely on the notion of correspondence truth as an analytical notion. The basic notion here is the normative notion of a group's treating something as correctly assertable and indeed seeing to it that this is the case. (As noted, correctly assertable *descriptive* sentences can be regarded as true in a correspondence sense.)

Consider now briefly the notion of collective acceptance as characterized by (CAT*): $\text{Forgroup}(\text{CA}(G,s) \leftrightarrow s)$.

First consider the implication from left to right:

$$\text{Forgroup}(\text{CA}(G,s) \rightarrow s) \text{ (Performativity)}$$

This is true simply on the basis of the notion of collective acceptance, which is an achievement notion relative to the group's "intentional horizon". What the group accepts is correctly assertable or true for the group members.

Next consider the converse implication:

$$\text{Forgroup}(s \rightarrow \text{CA}(G,s)) \text{ (Reflexivity)}$$

This gives a central and often emphasized conceptual "mark of the social": For s to be correctly assertable within G it must be collectively accepted in G . The truth of s for G makes reference to s itself within the sentence $\text{CA}(G,s)$.

We can say roughly that a sentence is collective-social in a *derived* sense if it is not "constructively" social in the above primary sense but *presupposes* for its truth (for the group) that there are some relevant true (for the group) sentences, which are collective-social in the primary sense. For instance, sentences using "power", "unemployment", or "wealth" are at least in some cases candidates for constructively social sentences in the derived sense. Latent or unilateral social influence are social features of the social world that would not—and correctly so—be cases of even derivatively social features in the constructivist sense (not even when many agents are concerned). The same holds for "naturally" social emotions such as envy often is (*cf.* Tom envies John for the latter's new car). Furthermore, many shared we-attitudes are not socially constructed either (for instance, shared fear may be a "natural" or "non-constructed" social phenomenon).⁴

My somewhat thesis is that the family of intention concepts (including agreements and commitments) and acceptance beliefs (doxastic takings) are the basic attitudes needed to sustain (*CAT*), but a detailed defense is not possible here (see Tuomela, 2002a, Chapter 5).

III

More on Collective Acceptance

I have above required of collective acceptance, in the context of (*CAT*), that it be for the group and that involve collective commitment concerning what has been collectively accepted. I will now consider collective acceptance (*CA*) somewhat more generally in view of the “variables” for groupness (*FG*) and collective commitment (*CoCom*).

Collective acceptance can be construed in part on the basis of individual acceptance from which shared we-acceptance (and stronger forms of collective acceptance) can be built up. In principle there can be collective acceptance both as we-acceptance in the I-mode (private acceptance) and in the we-mode (acceptance as a group member). What is common to all collective acceptance is that the participants come to hold a relevant we-attitude. To use the terminology of Searle (1983), the we-attitude will be one with the either the world-to-mind direction of fit (requiring change in the world) or the mind-to-world direction of fit (requiring that the mind be fitted to the world). This is what the “construction” or “creation” of a collective idea or thought amounts to. Let us consider my favorite example about squirrel fur being constructed as money in the group. The performative element here can be highlighted by saying that the collective acceptance here theoretically *could* have taken place by the members of the group *declaring* (in chorus, if you like): *We, qua group members, hereby take squirrel fur to count as money in our group.* This collective performative speech act can be taken as an idealized theoretical model for explicating the conceptually central features of the social construction and maintenance of those parts of the social world which are up to the participants to “decide” upon (Searle, 1983, takes this kind of performatives—in the single-agent case—to be declarations).

Collective Acceptance, Social Institutions, and Social Reality 131

The italicized sentence is reflexive (as seen from “hereby”) and self-validating.

However, in actual life we often have to get along with a weakened version of this performative. Thus, while the above kind of collective performative of the “standard” kind, viz. “We hereby agree that p”, is sufficient for the creation of a new conceptual and social status for some entity it is not necessary (cf. Section IV). What is necessary is that the group members think and act *as if* the above kind of performative had been authoritatively issued (by the group members or their authorized representatives). Accordingly, there should be functional equivalence (or “near-equivalence”) with the linguistic case, so that the group members are disposed to think and act as if the above kind of speech act by the group members (or other authorities) had created the institution (or, more generally, social artifact) in question. Collective acceptance need not involve language use, although it must be linguistic in a broader, non-verbal sense.

Above we discussed collective acceptance in terms of seeing to it that s is premisable, where premisibility also was taken to cover intentionally acting on the premise (viz. the thought it expresses). This is basically we-mode acting, for here the reason for action is in part that s. However, in actual life it cannot be required that all group members or even their majority have accepted p in this we-mode sense, although behaviorally they will by and large have to act in the right way (e.g. use squirrel fur as money).

Once a proposition, s, has been collectively accepted, collective acceptance (which need not invariably be in a we-mode sense) can be regarded as a disposition to perform relevant collective social actions (viz., actions performed in part for the same social reason) concerning the accepted content s. The social reason here will be that s is the core content of a shared we-attitude, and which they are understood collectively to satisfy or uphold (as the case may be depending on the direction of fit of the attitude). It can be noted that in the case of constitutive institutional beliefs such as that squirrel fur is money (s), the direction of fit is world-to-language (contrary to normal beliefs). Thus the (mere) reason s for action is that squirrel fur is money and the social reason is that this is a we-belief in the group. The participants may be either collectively or privately com-

mitted to this kind of satisfaction and upholding activity. They must in this context mutually believe that they have collectively accepted *s* and understand what such collective acceptance is (and thus that they are committed to *s*).

As their social reason involves not only the idea of satisfying or upholding *s* but also the idea of doing this in part because of the others also do it, we can see that collective acceptance involves reflection of social expectations. The participants must be aware of, or believe, not only that they themselves have accepted *s* but also that the others have similarly accepted *s* and in fact that the others also believe similarly of the others (and so on higher up in the belief hierarchy, at least in principle). The fuller cases thus must involve at least loop beliefs: each person should believe something not only about the others' beliefs but also about their beliefs concerning his belief and perhaps more.

Consider now a weak notion of we-mode collective commitment. It can be exemplified as follows in the case of two persons, you and me. If we are collectively committed to a proposition *s* (or, to be more precise, *.s.*) expressing our joint action or project (or other joint content) the following must be true: I take myself to be committed to *s* and will act accordingly, in part because I believe that I ought to use *s* as a premise in my inferences related to group contexts and act on its truth in the context of acting as a member of the group ("us"); and I believe that you are also similarly committed to *s* and will act accordingly in part because of your similar personal normative thoughts. Furthermore, we both believe that all this is mutually believed by us. Here *s* could be "We will do X together", and we are talking about your and my commitment to using it for the use of the group. In the present weak sense of collective commitment my account goes in terms of shared we-belief only and collective commitment is thus analyzed in terms of attitudes concerned with binding oneself normatively to an item. Hence communication is not required and even less is explicit agreement making at stake. (Note that I-mode collective acceptance need not involve collective commitment even in this weak sense.) What we have here is already a weak version of we-mode collective commitment—to be clearly distinguished from aggregated private (viz. I-mode) commitment.

Collective Acceptance, Social Institutions, and Social Reality 133

There is some normativity involved here, but in the above weak case it may only be technical or *instrumental* normativity in the following sense. Suppose all or most girls in the town want to look pretty and believe that this requires that they use lipstick. Accordingly, they believe they ought to use lipstick and commit themselves to using it. This “ought” involves only an instrumental, means-end type of normative relationship (thus, “if you want to achieve an end you ought to do what it takes”).

Even weak we-mode collective commitment involves *social commitment*. This involves that the participants are committed to each other to perform their shares of the joint project in question. In weakest cases there is no proper normativity, but only instrumental “oughts” and “mays” (cf. above). However, in its strengthened form social commitment concerns rights and obligations of the participants. E.g. in our example, I would then be entitled (have the right) to expect that you will be committed and do your part, and I am by symmetry obligated to you to be committed and to perform my part or share.

The present “attitudinal” notion of collective commitment can be strengthened, on the one hand, by requiring the normative aspect to rely on an personal norm (e.g. a personal norm one has accepted to govern his interaction with others) or on an intersubjective norm or normative belief towards s (instead of only a personal normative belief). The next possibility is that commitment be grounded in an objective norm “in the public space”. Such a norm may be sanctioned by objective sanctions (e.g. fines). State laws are an obvious example of this type of case.

So in all, we-mode collective commitment may be based on *subjective commitment* (involving only personal normative thoughts) and beliefs about others, or it can be *interpersonal commitment* (involving appropriate interpersonal norms or normative thoughts), or it can be *objective commitment* (viz. commitment in the public space based objective norms, epistemically available to anyone); and there may in addition be normative beliefs requiring the others to be committed to s may be normative or (perhaps e.g. in the case of laws not thought fair) only descriptive.

Let me still systematically consider collective acceptance (CA), forgiveness (FG), and collective commitment (CoCom) in their various

combinations. We may think of a Venn diagram concerned with the domain of all things that are in a group's concern, something the group actually or dispositionally is concerned with. Let us call this domain of items (sentences) the group's intentional horizon (IH). We can also say, equivalently, that the elements of IH are items that the group is concerned with in its propositional attitudes, its thoughts, so to speak. Within IH we may now consider the following contents:

$$(+ -)CA(G,s) \ \& \ (+ -)FG(G,s) \ \& \ (+ -)CoCom(G,s).$$

Here the + and - signs obviously mean, respectively, inclusion and exclusion related to the sets in question.

Let us now consider the subclasses of IH in obvious shorthand notation:

1. CA & FG & CoCom
2. CA & FG & -CoCom
3. CA & -FG & CoCom
4. CA & -FG & -CoCom
5. -CA & FG & CoCom
6. -CA & FG & -CoCom
7. -CA & -FG & CoCom
8. -CA & -FG & -CoCom

Our discussion in Section II has shown that collective acceptance in the fullest sense must be of the kind 1, *viz.*, it must be collective acceptance for the group and it must involve collective commitment (but recall the mention of some less central cases with private commitments only and see the discussion of case 2 below). This is in fact what we mean by we-mode collective acceptance. (This is not mere stipulation, but accords with how I have analyzed the we-mode in Chapter 2 of Tuomela, 2000a.) However, the Collective Acceptance account can exceptionally tolerate also case 2 (while still requiring private commitment; *cf.* below).

Given our earlier discussion, I propose the thesis that we-modeness (WM) is truth-equivalent to collective acceptance with collective commitment for the group, *viz.*,

$$i) \quad WM(G,s) \leftrightarrow CA(G,s) \ \& \ FG(G,s) \ \& \ CoCom(G,s).$$

Collective Acceptance, Social Institutions, and Social Reality 135

The second conjunct could also have been $CA(FG(G,s))$, but in the present context the latter entails the former and conversely.

The following can, furthermore, be proposed as a valid truth:

$$\text{ii) } \quad \text{CoCom}(G,s) \rightarrow \text{FG}(G,s)$$

Clause ii) says that collective commitment in the context of collective acceptance entails collective acceptance for the group. ii) can be argued for by saying that a group cannot be collectively committed to s unless everybody somehow takes part in seeing to it that s will be or is kept correctly assertable and that, accordingly, when s is satisfied or maintained (as the case may be) it is collectively available for all group members and $\text{FG}(G, s)$ is true. It of course immediately follows from i) and ii) that

$$\text{iii) } \quad \text{WM}(G,s) \leftrightarrow \text{CA}(G,s) \ \& \ \text{CoCom}(G,s)$$

is true as well—and of course accords with what was earlier said about the we-mode.

Given this, we can now consider more generally which of the cases 1)-8) are rationally possible? Case 1 amounts to we-mode collective acceptance and does not require further comments here. Case 2 is possible. There can be cases of collective acceptance for the group involving only private commitments. Suppose thus that it is mutually believed—in a private, tacit sense—by the Finns that they are the toughest people in the world. This kind of collective acceptance based on mutual private belief would only entail private commitments but could still be for the group and even be a reason for collective social action. Case 3 is not possible, as CoCom entails FG . Case 4 is possible: There might be collective private acceptance of statement such as that emeralds are green without this being for the group and without its being collectively committed. Or consider another example directly concerned with action. The group members might all accept to go picking mushrooms and accept it as true that everybody will go, without accepting all this for the group. There might be mutual knowledge about this in the group, but the group members would compete for the mushrooms. This can be taken as collective acceptance in the I-mode without collective commitment to the accepted activity and without forgroupness. Case 5 I find conceptually impos-

sible at least in the case of “egalitarian” groups (my sole concern here). There can be no collective commitment without people collectively accepting the sentence they are collectively committed to, as commitment entails having an intention to act appropriately; and that is what collective acceptance here amounts to. Thus collective commitment to the proposition that the earth is flat entails the collective acceptance of the use for all group members of the premiss “The earth is flat” (although the converse is not generally true). How about case 6? Private acceptance by only a few people in the group of a sentence *s* would satisfy this case. It is certainly possible. More strongly, the group might collectively reject *s*, and this is also an instance of 6. As to 7, it violates ii) and is impossible also for the reason that there can be no collective commitment without collective acceptance—recall the discussion of case 5. Case 8 is possible. Items which are the group’s concern (although they are not for the group) but which it has not actively considered or has actively considered but not accepted belong here. *E.g.*, the statement that titanium is a light metal might be given as an example.

In all, we have found that of the combinatory possibilities 1)–8) only CA&–FG&CoCom (case 3), –CA & FG & CoCom (case 5), and –CA & –FG & CoCom (case 7) are not “conceptual-rationally” possible, if we take collective acceptance (CA) to be collective social action or disposition to collective social action in the discussed, relatively precise sense of Tuomela and Bonnevier-Tuomela (1997). Although the Collective Acceptance account is typically concerned with case 1 (and occasionally with 2), the consideration of the other cases has both justified that fact and has thrown some further light on the notions of CA, FG, and CoCom.

IV

The Collective Acceptance Account of Social Institutions

As we will see below in detail, there are many kinds of institutions and that the word “institution” is often used rather vaguely. In this section I not only want to bring more clarity to the conceptual and philosophical issues related to institutions but also to present and advocate my own views. I will start by discussing what unites differ-

Collective Acceptance, Social Institutions, and Social Reality 137

ent kinds of social institutions and then proceed to a discussion of what distinguishes different kinds of institutions from each other.

I submit that institutions presuppose some kind repeated collective acting in group contexts based on collective acceptance (of the institution, in some sense). Thus institutions fundamentally relate to practices (recurrent activity) and to social collectives or groups. In the present general case institutionalization amounts to the creation, by the group members via their collective acceptance, of specific repeatable ways of acting relative to group tasks and functions, given that the group is, so to speak, internally controlled by its members. For instance, in some tribes certain ritualized ways of doing things (*cf.* rain dance) are institutional and certain roles (*e.g.*, hunter) are institutional in this sense. I claim that in its most general and “rock bottom” sense institutional (*viz.*, institutionalized) acting is acting and functioning *as a group member* (as opposed to acting as a private person). This can be taken to be functioning a certain *group position or role* (be the positions differentiated or not), where these notions are understood in their broadest sense. Acting as a group member accordingly necessarily involves a group context, *viz.*, acting in relation to some group tasks, purposes, or functions. In the group’s view there is a right and a wrong way of so acting, and thus we have a weak element of normativity here. In the full case we should assume extensive collective commitment to the instituted item. Given that, we can here equivalently speak of institutional acting in a group as acting in the we-mode rather than in the I-mode. (However, institutional acting without collective commitment and thus acting in the I-mode also is factually possible, given the existence of an institutional context.)

In the full-blown case or the “standard” case, covering, *e.g.*, the general institutions of money, language and law, as well as such specific (or “narrow”) institutions as the school and the banking system, institutional acting is a social practice governed by a social norm accompanied by sanctions (*cf.* Tuomela, 1995, Chapter 10, and the references given there). This serves to create the collective outcome that the group as a whole functions “as meant”, *viz.*, so that it tends to fulfil its basic tasks and functions. There is much more to be said, however, and there are classifications to be made within standard institutions.

Let me now say a little more about the *standard* case of social institutions. I have elsewhere briefly sketched an account of social institutions which emphasizes the normative character of social institutions (see Tuomela, 1995, esp. Chapter 10, Tuomela and Balzer, 1999). This account relies on two kinds of collectively “made” and accepted social norms: i) formal or informal rule-norms (“r-norms”), which are based, directly or indirectly, on group-authorized agreement-making (resulting in, *e.g.*, laws, charters, informal rules) and ii) proper social norms (“s-norms”), which are either society-wide or group-specific norms based on normative collective expectations and require action in response to them (*cf.* the norm of mutual gift-giving).

Rule-norms (“r-norms”) are basically norms that an authority, such as a government or governing board, imposes on the members of the collective in question (e.g. a professor must teach a certain amount classes in his field during each academic year). These norms are explicitly stated, like in the paradigm cases of state laws, and they can “exist” in a weak sense even if people do not pay much attention to them although they ought to know them. (If they get in conflict with the norms, and consequently get sanctioned, they at least typically cannot defend themselves by saying that they did not know the law.) The other kind of norms is norms based on mutual normative behavior expectations in the collective in question (e.g., the members of the press are to sit on the left side of the hall during a political meeting). These norms may be traditional, and transmitted in connection with habits: people just learn to obey the norms during socialization. They norms are often not codified and perhaps not even verbalized. They can be called proper social norms (“s-norms”). Sanctions are generally associated with social norms, they are respectively either “official” authority-imposed sanctions (“r-sanctions”) or social sanctions (“s-sanctions” consisting of social approval and disapproval).

In the case of general institutions like language, money, and private property, society-wide norms are involved. In the case of institutions having organization (e.g. business company), the norms generate “task-right systems”, often based on relationships of social power. There can be task-right systems utilizing either kinds of norms. Typically in an organization there is a task-right system based on r-norms

Collective Acceptance, Social Institutions, and Social Reality 139

and one on s-norms, and there may be tension and even explicit conflict between these two task-right systems. The resulting social institution of this organizational kind can be represented as a couple consisting of a social practice (or a class of social practices) involving recurrent collective social action governed by and “carrying out” a general, relatively enduring task-right system. When the latter is based on r-norms we speak of an *r-institution* and in the case of an s-norm-based institution of an *s-institution*. (Mixed cases can also occur.) We can also say that a social institution amounts to collective norm-following or collective normative social practices, which at least in some cases involve a collective good and purport to solve a collective action dilemma. As the norms are collectively created, this gives a reason to think that the CA account and its CAT formula expressing attitudinal reflexivity applies to institutions in the present organizational sense.

I already said that general institutions include money, property rights, and language. (More precisely speaking it is the norm-governed social practices involving these things that are social institutions—or, if you prefer, social institutions are norm systems governing the relevant norm-obedient social practices.) The first two as we currently have them are best construed as r-institutions, while language seems to represent a mixed case. Mutual gift-giving is an example of a pure s-institution.

Before proceeding with our theoretical discussion it is useful to consider an invented but still realistic example which throws light on the genesis of a social institution. Consider a village in which a social practice of playing soccer on Sunday afternoons has arisen. A social norm may develop to govern this practice. For instance, its content could be that all young boys in the village ought to (or are normatively expected to) participate. What this results in is norm-governed social practice, and it may well be called a kind of institutional practice, or a weak kind of social institution. The next step would be that this institutional practice is conceptualized for instance as the “Sunday Match” and it may gain some new special features involving some social activities related to the game. Then the Sunday Match will become an ingrained concept for the group members that they use in their thinking and action. The notion of Sunday Match so con-

ceived involves special group activities grouped together by the label "Sunday Match". In other words, those activities get a new conceptual status by being subsumed under this new label. Recall in the account in Section III, we may say that the conceptual and social status could, but need not, have arisen due to the participants' explicit declaration "We collectively declare that this match, with its associated activities, is to be called the "Sunday Match".

The notion of a Sunday Match is a self-referring notion, for its content is socially constructed and involves that the people collectively take it to be the Sunday Match in their group. We have a social institution here, and it is a type of institution in the sense of being capable of having instances. Thus Sunday Match institution may also begin spreading into other villages, as it is not tied to particularities like certain particular participants. What I have just said about the Sunday Match also applies to other analogous activities going to sauna on Saturday afternoons. There are also object related institutions. Thus Citroen 2CV owners have adopted certain institutionalized practices, and it can even be said in view of them and of their and others attitudes that this car is an institution. An important point in the process where a weaker social institution develops into a strong one is whether the participants and possibly other members of the collective in question have conceptualized the practices by means of a concept which they also then use in their own thinking (especially belief contents) and collectively take the practices in question to fall under that concept.

As I have above told the story, there is obligating norm concerning participation in the social practice of playing soccer. Furthermore, soccer is game involving norms. So there is double normativity here. But neither kind of normativity seems essential. Consider, for instance, the example of blueberry picking. There are no social norms concerning the "internal structure" of the social practice of picking blueberries (although, trivially, there is semantic correctness and incorrectness concerning the kind of activity which is blueberry picking and activity which isn't). Furthermore, there is no social norm telling people to participate in the social practice. Still there is the social notion of blueberry picking, viz. in the society people use and in some context need to use this notion to be able to describe cor-

Collective Acceptance, Social Institutions, and Social Reality 141

rectly what some collective activity amounts to. It would seem right to say that there is a normative collective commitment to the “social existence” of the concept of the social practice of blueberry picking in late summer.

Speaking of primary social institutions, viz. institutions which do not themselves consist of institutions, the following classification of increasingly stronger social institutions can now be usefully proposed in view of or discussion:

- a) institution as norm-governed social practice;
- b) institution conferring a new conceptual and social status to some entity (e.g. person, object, or activity);
- c) institution conferring a new deontic status and status functions to go with it to the members of the collective in question;
- d) institution as an organization involving social positions and a task right system;

In view of what will be said below, a)–d) can be taken to represent increasingly stronger kinds of social institutions. The strongest case d) has already been commented on. Case c) is the case which fits e.g. money, marriage, and property. This case is what Searle (1995) takes as the object of his analysis (see Section IV for a discussion of Searle’s theory). However, in my account also case b) is central. As seen, it involves a new conceptual status of something conferred by collective acceptance. This “concept” notion of institution is taken to satisfy the CAT formula, which makes it “attitudinally reflexive” (see Tuomela and Balzer, 1999, and, especially, Tuomela, 2002, for this kind of reflexivity). Reflexivity applies to cases b), c), and d), but need not apply to a). In the case of a) there need not be the kind of new conceptual status involved which entails reflexivity, whence reflexivity might fail in the case of a). What I have called the “standard” cases of social institutions are cases belonging to b), c), or d). My analysis will be given in terms of the CAT-formula and the CA model covers precisely standard social institutions.⁵ (Thus I assume that the correct analysis of them will involve reflexivity. I will not here consider the possibility that there are or could be cases of a new deontic institutional status which would *not* involve reflexivity. Case d) is considered in detail in Tuomela, 2002a, Chapter 7.)

I include also case a) among social institutions, as this seems common in the literature, but I wish to emphasize that there is a crucial difference between a) and the other cases, which involve reflexivity. The difference is basically that in b) and the stronger cases the institution involves a “concept” for the group in question, assuming that cases b)—d) indeed fit the CAT-formula. This entails that the concept is accepted and maintained by the group members basically in the we-mode rather than in the I-mode. What does this involve? More generally, what kinds of collective intentionality, if any, do social institutions involve? As all social institutions—including the weak case a)—are based on social practices and as—or so I have argued—social practices (at least in their “core” sense) are based on we-attitudes, at least this much collective intentionality will be present in all social institutions. One may ask whether instead of regarding all cases of a) as institutions it would be better to accept only some special cases of a) as institutions, cases with some further properties but falling short of being cases of b)—d). As my principal concern are cases b)—d) I will not here further ponder that question but proceed as if indeed it were justified to regard all instances of a) as institutionalized practices.

Does the kind of collective intentionality needed in institutions have to be we-mode intentionality rather than merely I-mode intentionality? My answer is that generally speaking all standard institutions at least ideally must involve we-mode intentionality. This is because of the following reasons (for a more extensive discussion, see Tuomela, 2002a, Chapter 6). First, the new concept or conceptual status of something created is one for the group in question and assumes that the group members are committed to using the concept in their thinking and action. We can also say that, from a group’s point of view, a fully justified reason for institutional acting must refer to the fact that the group members collectively accept the instituted item for group use and for their action in group contexts. Secondly, I have argued elsewhere that the functionally best institutions must involve we-mode intentionality, while in everyday life individual mode collective intentionality will sometimes or often suffice for the functionality of social institutions (*cf.* Tuomela, 2000a, Chapter 6). In any case, at least in the collective creation of an institution full-blown institu-

Collective Acceptance, Social Institutions, and Social Reality 143

tional acting will have to involve we-mode action to a substantial degree. For one thing, as social institutions often are created to solve collective action dilemmas (*cf.* Prisoner's Dilemma type of case), cooperative solutions cannot rationally be arrived at without substantial amounts of we-mode action towards shared collective goals. Thirdly, another point speaking for the requirement of (extensive) we-mode action and hence collective commitment is this. Suppose the institutional state to be created and maintained is something described by a proposition p . Then assume counterfactually that people would not be collectively committed to p but that, quite the contrary, they would be collectively committed to $\neg p$. This counterfactual possibility is not rationally realizable, given the institutional status of p . So, minimally, the participants are required not to be collectively committed to $\neg p$. But this kind of passive state is not satisfactory for maintaining p . Collective commitment to p at least in the case of rational, well-informed group members seems the ideal requirement to make here. A fourth reason for requiring we-mode acceptance and action is that institutional activity essentially involves a social group or collective. Thus the social identity (or partial identity) of the participants involves the group in question. Clearly, at least a substantial amount of we-mode thinking and action is required to avoid alienation from the group and block the threat of something like stimulus-response-based action not involving the proper kind of social self-understanding. The participants must refer to this fact as one of their reasons for acting.

Acceptance can be based on mutual "acceptance-belief", although it at least in the case of the creation of the institution must be for the use of the group and involve collective commitment. There are institutions based on stronger kind of collective acceptance than this. Thus property rights, for instance, and other r -institutions understood as modern law-based notions seem to require group-authorized agreement making. But agreement making, and derivatively authority and power, can be fitted into my account. Roughly speaking, agreement making amounts to the shared acceptance of a norm-entailing, non-singular proposition (meaningful sentence), say p , accompanied by the joint intention and commitment to carry out (or, as the case may be, maintain) what p says. Generally speaking, p expresses an

ought-to-do, ought-to-be, a may-do, or a may-be norm. Mutual belief at least in a dispositional sense must also be required, and it is taken care of by the requirement that the members share a we-attitude towards the content expressed by the sentence p .

Case a) of institutions is a possible case by itself. I mean that there can consistently be norm-governed social practices which do not involve reflexivity and—accordingly—we-mode thoughts. Thus, considering the Sunday Match case before it became a we-mode concept for the group members it did not figure in their thoughts as anything like “our Sunday Match”. It could just have been an I-mode notion such that different group members could have conceptualized the situation differently, e.g. “I will play soccer on Sunday afternoons as there will then be other players available for a good match”. Furthermore, a social norm might develop to the effect that young people ought to come to the village lawn for playing soccer on Sunday afternoons. The existence of a social practice which is governed by such a norm is certainly a conceptual possibility. As long as it is based on I-mode thinking no group concept concerning the match which involves collective commitment to participation and to the use of the Sunday Match concept will arise. (Notice that I am not making the linguistic point that the word “Sunday Match” must be used, the concept in question can have different linguistic expressions.) The upshot is that case a) still can be called an institutionalized social practice, as recurrent norm-governed behavior is involved (this is, for instance, how Schotter, 1981, p. 11, argues in his equilibrium-based account). I will use the term “minimal” social institution for case a) when it does not satisfy the reflexivity criterion.

I will now abstract from “area-specific” institutional notions and give a rather general summary account or theory of standard social institutions. The account relies strongly on the analysis (*CAT*) and assumes, for the sake of simplifying the formulations, that the collective in question is an unstructured one and that it is the same one that collectively accepts the institution-expressing sentence. This sentence, s , can be a complex and compound one, and it is assumed to include a constitutive norm (r-norm or s-norm), such as is “Squirrel fur is money,” among the norms it expresses (cf. Tuomela, 2002a, Chapter 6):

Collective Acceptance, Social Institutions, and Social Reality 145

- (SI) Sentence *s* expresses a *social institution* (in the “standard” sense) for collective *g* if and only if
- (1) *s* expresses or entails the existence of a social practice (or a system of interconnected social practices) and a norm or a system of interconnected norms (including a constitutive one) for *g*, such that the social practice generally is performed at least in part because of the norm;
 - (2) the members of *g* rationally collectively accept *s* for *g* with collective commitment; here it is assumed that collective acceptance for the group entails and is entailed by the correct assertability of *s*.

To comment on the clauses of (SI), (1) is not by itself rich enough to capture a standard social institution can be seen from trivial examples of norms that are “arbitrary” from the group’s point of view. A system of norms seems more likely to give a basis for an institution than a single norm. Even if that were given, (1) would not suffice. There might, for instance, be externally imposed and strongly sanctioned norms imposed on a group (by some kind of dictator). The norm might then be in force but only in a sense involving I-mode acceptance, and this might be an institution in sense (a). Thus forgoupness and collective commitment would be lacking. A standard social institution, here assumed to be at least collectively rational, must thus involve (rational) forgoupness, which entails serving the satisfaction of the group’s goals. Thus clause (2) gets a partial justification from this angle.

I understand clause (2) to entail that a standard social institution concept is reflexive because of the facts of collective acceptance, as collective acceptance in the above sense (making true the CAT-formula) entails that the concept in question must appear in the members’ belief contents. This suffices to make the institution concept reflexive. Suppose, for simplicity, that sentence *s* above is of the simple monadic kind “For all *x*, if *x* is *P* then *x* is *S*,” where *x* can be a practice, an object, or a state, as the case may be. As the institution is assumed to be a primary or non-derived one, *P* is not an institutional concept by itself. But here it gets a new conceptual and social status because *P*-things now become institutional *S*-things, on

the basis of collective acceptance. Accordingly, it can be assumed that clause (2) of the above analysis (*SD*) entails this:

- (*R*) The fact expressed by sentence *s*, viz. that P-things are S-things, is reflexive in the “attitudinal” sense that the members of the collective *G* collectively accept *s*, and hence the concept *S* will occur in their belief contents when they use *s* to express the mentioned fact for them.

I would like to emphasize that when I speak of the special social and conceptual status that institutions get in the present account, the basic idea is simply that an institution is created and, especially, maintained by our collective acceptance and that this, via idea formalized by the CAT-formula, gives a new status to the institutional structure or aspect that the collectively accepted sentence *s* expresses relative to the case where there was no such structure. Thus, it is the performative intersubjectivity, so to speak, involved in CA, that gives the new status. In simplified cases like “Squirrel fur is money” (= *s*) we give squirrel fur the status of money, and this new social and symbolic status obviously also has consequences for action—e.g. for exchange activities and other relevant interactions between people. As squirrel fur gets its new status, in (*R*) *S* gets its new status from the collective acceptance of the sentence of *s* involving the base property *P*. The base property can be institutional, but it can also be non-institutional (as in the squirrel fur case). Notice that the new status may also be related to a norm to use certain concepts for certain practices—this is what happens in case b) of institutions.

The notion of a special social and conceptual status is somewhat vague but the basic idea is clear enough and is given by the requirement that the institution-expressing sentence *s* must include as its component a constitutive *r*-norm or *s*-norm (cf. my discussion in Section IV below). It could be e.g. “The Sunday Match is our football event” or “Squirrel fur is our money.” The fact that, according to clause (2) of (*SD*), it is collectively accepted, indeed we-believed, in the we-mode entails that there is a new social concept in and for group *g*. Our football game gets this new conceptual status that it and the rituals involved can be fully captured only by the definite description “Sunday Match.” It is also entailed that the football game

Collective Acceptance, Social Institutions, and Social Reality 147

then gets a special social status (based on the aforementioned we-belief), even if there need not be a participation norm. But there will be a norm requiring the conceptualization of the football event as the Sunday Match. Similar remarks can be made of other institutional cases. Even a simple example like a certain group of young people having the normative practice of wearing red jeans can under some circumstances be a social institution, if there is a collectively accepted norm of participation and if there is a constitutive norm saying that something to the effect that red jeans is their special dress. In all, given the present view of a conceptual and social status, we can say that the fulfillment of the CAT-formula entails the existence of a special conceptual and social status, as the mentioned constitutive norm was assumed to be a conjunct in *s*.

All institutions are *normative* in some sense although not always in one and the same sense. The b-case, the “concept” sense of an institution, is interesting. What is the norm in its case? The social practices that the institution involves and that the institution concept presupposes or entails may be normative in that it involves obligations and rights for the members participating in the social practices involves, but it need not be normative in this strong sense (which sense would indeed make it a case of c). It need not either involve a social norm (which would typically be an obligation norm) to participate in the social practice (or practices) in question. But there will be collective commitment to the “social” existence in the group of the concept in question—let’s say the concept of the social practice of blueberry picking or the concept of the Saturday sauna (referring to the social practice of sauna bathing on Saturdays). This collective commitment need not yet concern the practice in question. The collective commitment here concerns the social existence and use of the concept in suitable circumstances. In my understanding the notion of a commitment is, roughly, the notion of a normative binding oneself to a proposition or to what the proposition expresses. The norm can be expressed in first-person practical reasoning of the kind “I ought to do or be disposed to do X”. If all group members are entitled to this practical inference and if they also believe that the others are, we can speak of a shared norm in a rudimentary sense; and we speak of an interpersonal norm when it is a mutual belief among the group

members that the members share the norm in question. If, furthermore, the norm is “out in the public space” (e.g. it is a public, mutually known fact that there is this kind of norm that the members accept or are supposed to accept), we can speak of an objective norm and consequently of an objective collective commitment. In the case of a “concept” institution X might be the activity of using a certain concept in one’s descriptions and inferences. Let us consider the case of squirrel fur as money. Speaking in terms of the Collective Acceptance model, in the CAT-formula we now have $s =$ Squirrel fur is money, and “money” here is a predicate applying to items of squirrel fur. Thus “money” expresses the central concept that the institution involves (we can even say that the concept of money is the institution in question) and s gives the central presupposition underlying the use of the concept and the non-linguistic activities related to it. It simply says to what kind of items the predicate “money” in the context of collective g can be applied.

I wish to emphasize that even if the participants (the members of g) are collectively committed to the existence in the group of the central institution concept and to its use in both in linguistic activities under suitable circumstances, they are not yet thereby collectively committed to the participation in the social practice expressed by the concept. Thus even if one is committed to the fact that blueberry picking in August is an institutional concept in Finland and to use this concept in one’s descriptions and inferences in suitable contexts (e.g. when asked about typical Finnish leisure activities in summertime) one is not thereby committed to participating in actual blueberry picking oneself.

Notice that the concept sense of institutions then requires the above special interpretation of normativity to make clause 1) of (S) true. It is also worth noticing that if we have a participation norm but not a concept yet, we arrive at a social institution of kind a) rather than b) (or something stronger).

The present account of social institutions is of course highly general and only diachronic. It is, however, possible to give more content to it and to make it dynamic (see Tuomela, 2002, Chapter 7). The result is a detailed mathematical model that I have called a “social mill”. It

Collective Acceptance, Social Institutions, and Social Reality 149

shows on a general level how social institutions can be initiated, maintained and revised via the agents' collective practices.

V

Searle on Social Institutions

In this section I will discuss some aspects of Searle's (1995) account of social institutions, especially features that are concerned with the role of collective intentionality in the creation and maintenance of social institutions. His account is interesting and rich. I find the basic ideas of his theory to be on the right track. However, I think that there are still non-trivial problems related to it. The theory seems too narrow on two counts. First, Searle's theory is too narrow in that it leaves out a central class of social institutions. This is the class consisting of social institutions based on expectation based social norms or, as I have called them, "proper social norms" (*cf.* Tuomela, 1995, Chapter 1). Secondly, Searle's emphasis on deontic status and status functions seems to be too demanding in general. While it works well for some cases (e.g. money), it does not apply to all those institutional cases where a new "conceptual and social status" in the sense of my account is involved nor does it apply to institutional cases which only involve norm-governed social practices.

According to Searle, part of society—including at least institutional facts—is conceptually created by us and via our collective intentionality in a language-dependent way. Searle's three basic ingredients in the creation of institutional facts are (Searle, 1995, p. 28): 1) the imposition of a new function on an entity, 2) collective intentionality (a primitive notion for Searle), and 3) the distinction between constitutive and regulative rules. (Actually, there is also the demand of new deontic status and status function, but it is assumed to be entailed by the above, mainly 2); *cf.* below.) Constitutive rules do not merely regulate. "They also create the very possibility of certain activities." (p. 28) As a slogan, a constitutive rule has the form "X counts as Y in C", where "the 'counts as' locution names a feature of the imposition of a status to which a function is attached by way of collective intentionality, where the status and its accompanying function go

beyond the sheer brute physical functions that can be assigned to physical objects" (p. 44). "So the application of the constitutive rule introduces the following features: The Y term has to assign new status that the object does not already have just in virtue of satisfying the X term; and there has to be collective agreement, or at least acceptance, both in the imposition of that status on the stuff referred to by the X term and about the function that goes with that status" (p. 44).

Searle's account of social institutions goes in terms of a) "status functions" involving b) deontic powers conferred on the agents through collective intentionality (in a sense to be discussed below). Furthermore, c) a constitutive rule of the kind "X counts as Y in C" must be present. Element b) is introduced later in the book (*cf.* p. 110). In this account the first basic idea then is that the members of a collective, so to speak, collectively construct a social institution by conceptually giving something a new status and a function to accompany it, and this is always expressible in terms of constitutive rules paradigmatically of the form "X counts as Y in C" (p. 40). Consider the case of money as an example. Simplifying somewhat, X could here be a certain kind of piece of paper with a status and functions that have nothing to do with money. The *collectively accepted* constitutive rule "This kind of piece of paper (X) counts as money (Y) in our community C" gives X the new status Y with a new function (something like a quantitative, transferable unit of value for use in certain kinds of exchange) to go with this status. According to the present account, money is not money unless collectively believed to be money—this is the self-referentiality of social institution concepts Searle stresses.⁵ Accordingly, collective acceptance must be taken to entail shared belief in this sense. It can still be noted that at bottom the thing (object, fact, etc.) to which the new status is given is a physical or material thing (or in any case a non-institutional thing). The use of "X counts as Y in C" can be iterated, and matters related to this are discussed at length in the book.

Let me now discuss Searle's deontic power account in more detail. The deontic powers collectively conferred on people are enablements and requirements. Searle's basic hypothesis here is this (p. 111): "There is exactly one primitive logical operation by which institutional reality is created and constituted. It has this form:

Collective Acceptance, Social Institutions, and Social Reality 151

We collectively accept, acknowledge, recognize, go along with, etc., that (S has power (S does A)).

Searle thus takes many different kinds of activities to be power-creating (or power-maintaining, as the case may be). For convenience, I will below mostly use only the first term, viz. "collective acceptance". As will be indicated below, Searle says rather little about the applicability and interconnection of the aforementioned different acceptance-related notions, and this leaves the theory somewhat vague. For one thing, the theory is supposed to account for the rise and maintenance of social institutions, but it seems that, *e.g.*, "going along with" will not suffice for the first of these tasks and perhaps not always for the maintenance task either.

At least shared belief seems to be required to be always present. Thus, on p. 32 we find: "If everybody always thinks that this sort of thing is money, and they use it as money and treat it as money, then it is money. If nobody ever thinks this sort of thing is money, then it is not money. And what goes for money goes for elections, private property, wars, voting, promises, marriages, buying and selling, political offices, and so on." Searle seems to want to say here that it is a sufficient and necessary condition for the existence of social institutions that they are collectively "taken" to exist. The sufficiency part is clear, but the necessity part is not yet quite required above, as one single person ("nobody") cannot bring about collective taking. Actually Searle should require something like mutual belief, at least second-order beliefs. For instance, a person believing (in a sense involving acceptance) that a piece of metal is money cannot rationally use it for exchange unless he also believes that the others believe it is money.

I have several critical points against Searle's theory. While I will discuss them in detail later in the chapter, let me here make some initial remarks. First consider constitutive rules. Searle's account is given by means of constitutive rules of the form "X counts as Y". Here statuses and functions are imposed on whatever the X-term denotes, and that seems to be a rather mixed bunch of objects (such as pieces of paper, houses, persons, and activities). Secondly, there is the account that goes in terms of the collective acceptance con-

ferring deontic powers on some agents. For instance, the first story has it that “This kind of piece of paper (X) is money (Y)”. The second story says that people are collectively given powers to use certain pieces of paper as money. The function account and the deontic power account are of course meant to represent different aspects of a phenomenon. Nevertheless, Searle does not make it very clear what a status really is. To be sure, such position-labels or position-placeholders as “president”, “professor”, and “wife” surely qualify, but so does, *e.g.*, “money”. What about terms denoting social practices (*e.g.*, the Midsummer feast) or social roles (*e.g.*, “scapegoat”, “mother-type”, “clown”)? I in fact claim that Searle’s above basic hypothesis is wrong, for—as already said in so many words—there are institutional cases involving reflexive institutional notions which create new conceptual and social statuses but no deontic powers interrelating the members of the group. Even Searle mentions such cases. Thus, in the case of an honorific status, no powers are associated to it, according to him (p. 96). (I wonder, however, if there might not be some kind of prestige type of power associated to it.) Furthermore, there is the internal problem for Searle’s theory that not all bundles of deontic powers seem to constitute a status, and we would like to know what kinds of bundles do. (In my CA account the CAT formula serves to define what a *conceptual* status is.)

As to constitutive rules, the distinction between them and regulative rules is not that clear in the case of normal real life examples of institutional social practices. While it makes sense in the case of chess—Searle’s favorite example—it is far from clear that in the case of normal social practices like engaging in conversation, gardening, going to sauna, etc., a strict distinction of this kind (any more than an analytic-synthetic distinction in the case of descriptive statements) can be made. In the present paper I will, however, accept Searle’s distinction. My problems lie elsewhere. One central problem is that for Searle, institutional facts exist only within systems of constitutive rules (p. 28), whereas in my account also “proper social norms” including normative conventions are capable of normatively characterizing social institutions. According to Searle, in chess checkmate rules and legal pawn moves count as constitutive rules. “It is important to emphasize that I am discussing rules and not conventions. It

Collective Acceptance, Social Institutions, and Social Reality 153

is a rule of chess that we win the game by checkmating the king. It is a convention of chess that the king is larger than a pawn. 'Convention' implies arbitrariness, but constitutive rules in general are not in that sense arbitrary." Rules need not be encoded in Searle's account. However, over and above that liberalization a viable account of social institutions needs to allow for proper social norms (expectation-based norms, *cf.* Tuomela, 1995, Chapter 1) to play an important role. Nevertheless, they seem to be excluded in Searle's theory. This is because he excludes conventions. But conventions—when specifying a normative practice—more or less tightly correspond to proper social norms. However, perhaps Searle means that the "arbitrariness" of conventions entails that they are only non-normative customs. Even if that were the case, it still seems that proper social norms are excluded as they are not considered in the book.

While Searle takes language and money to be social institutions, a clear formulation of the notion of institution is missing in the book. He is mainly concerned with institutional facts, but does not give a conceptually precise account of social institutions. For instance, what is the ontological status of social institutions such as money (which Searle calls an institution)? Is it an object, a collective action, or a deontic power (or set of powers), or some kind of combination of these?

Searle's account does not clearly distinguish between the different kinds of collective intentionality relevant here nor does he specify the roles of these different kinds of collective intentionality. He concentrates on "we-intentions", but there are we-intentions of different kinds (see e.g. Tuomela, 2000a, Chapter 2). Furthermore, also doxastic collective intentionality can in some cases perform the task of institution-maintenance and in some cases even the task of institution creation.

Searle (1995) emphasizes that social institutions are based on a collectively created deontic status of something. I would like to say that the kind of new understanding and new "social meaning" involved in a social institution, as compared with the case where the social institution did not exist, is due to two factors. First, we have a system of interaction which need not have existed before; and, secondly, there is the holistic or group-level element involved in "forgroupness"

and some amount of collective commitment, both involved in collective acceptance in the CA account, at least in the case of the creation of an institution. These elements did not exist before and they, especially, account for the new status of the social interaction structure involved. (As said, from a functionality perspective the maintenance of a social institution can take place also in the I-mode and without collective commitment.)

I argued in Tuomela (1997) that Searle's account needs elaboration and is not sufficiently informative as it stands. In that critical note I presented some problematic examples for Searle's analysis. From his response it appears that he has misunderstood some of my main points. So let me try again.

One of my points was that we need more than one specific kind of we-attitude (and thus collective intentionality) to account for social institutions (*e.g.*, to account for the difference between what I have called rule-based institutions and institutions based on proper social norms). However, Searle's deontic power account does not clearly keep apart the different kinds of collective intentionality (especially agreement-making and shared expectations) which can be sources of social institutions. In my critical note I presented three criticisms against the deontic power account, but to save space and to be able to concentrate on the most central issues I will here explicitly discuss only one of them.

This central critical point has to do with the need to keep apart different notions of collective acceptance. I presented an example concerning the law-based institutional powers versus the institutional powers whose source is a certain kind of mutual belief. I now regard my original example somewhat unclear, and this may have led Searle to misunderstand me. Let me therefore present my point in terms of another example. Suppose that in a collective there is a procedure based on some kind of official rules (*e.g.*, laws, statutes, or less formal rules) for electing a leader. On the other hand, the members may arrive at informal consensus concerning who qualifies as their leader and whom they ought to obey. I take it that we here have two different ways of creating institutional status functions in Searle's sense. We have one based on rules and another one based on normative mutual belief of the kind involving collective commitment to the content of the normative belief. Accordingly, we see that there can

Collective Acceptance, Social Institutions, and Social Reality 155

be two or more potentially or actually different ways in which collective acceptance yields a new status function. Searle may or may not accept that a) "leader" is the right kind of institutional status label but it seems that he cannot accept that also b) a leader based informal consensus has an institutional status. My account can of course accept both a) and b).

Let me still discuss another example. The old Finnish rural tradition of going to sauna on Saturdays and of behaving in certain ritualized way in this context can be regarded as an institutionalized normative social practice. The sauna practice in an important sense concerns not only what to do but how to do what is to be done and is thus a convention or something convention-like (in Searle's terminology). "Saturday sauna" can be regarded as the new institutional concept that the practice defines. Unless Searle admits that proper social norms such as (normative) conventions can be constitutive rules in his sense here, his account cannot deal with this kind of social institution.

I claim that not only are there social institutions based on proper social norms but they are at least in some cases based on a kind of constitutive norms (in my language "conceptually central" proper social norms). For instance, there can well be proper social norms "defining" leaders, scapegoats, and heroes. (Note that these norms are not mere linguistic norms concerning the use of words.) Searle's view seems to be that in the case of proper social norms—such as in the above examples or in the sauna case—no new deontic statuses and accompanying functions can be created, and this claim I have been busy arguing against. Searle can try to answer the present charge of there being a large *lacuna* in his theory by saying that there are and can be no social institutions based on proper social norms, or he can claim that conventions (in his meant sense) are not normative or he can, of course, change his theory vis-à-vis the nature and role of conventions. Finally, in principle he can also expand his theory and make proper social norms a species of constitutive rules.

My CA account (*SI*), relying on *normativity* and (a substantive amount of) *collective commitment*, gives not only a necessary but also a sufficient condition for creating and upholding a conceptual and social status function provided that the collective commitment (assumed for at least the majority of the members) in question is

indeed overtly manifested in a social practice. Thus, if there is collective acceptance in this sense either a new status is created or an old one is renewed and maintained (or perhaps abolished). My account entails that the people who have collectively accepted something p take it to be correctly assertable and are collectively committed to bringing about the correct assertability of p or to upholding it, as the case may be. This means that they in a suitable sense ought to see to it that p will be correctly assertable. They may also use p in suitable contexts (related to inference and action).

I wish to emphasize that there are several, increasingly stronger elements of institutionality operating even in the case of social institutions satisfying (*SI*). Because of the presence of at least a shared we-attitude (which is minimally required) and (extensive) collective commitment to its content there is action as a group member. In my account this feature of institutionality amounts to saying that full-blown institutional action amounts to acting in the we-mode (at least in the creation phase of the institution in question). Furthermore, there is the normativity related to the notion of collective commitment that we are operating with here. If this normativity is not merely private but interpersonal (or, what is more, objective normativity in the public sphere), social sanctions (approval, disapproval) will be included, and the result is social control over people's activities concerning a relevant content or idea, which has been given a new action-guiding status. For my notion of standard institution and for the minimal notion of a social institution, viz. case a) in Section IV, we must, in addition, require that there is a relevant actual social practice for realizing and carrying out the collective commitment. This is in a way built into the full interpersonal, obligation-involving notion of commitment, for if the people are thus collectively bound to something they are entitled to expect that the others will conform and are accordingly ready to sanction disobedient people.⁶

VI

On the Ontology of the Social World

What is the precise class of sentences s to which (*CAT*) is claimed to apply? Underlying my Collective Acceptance model is the general

Collective Acceptance, Social Institutions, and Social Reality 157

assumption that in each context of application one can distinguish between sentences whose objective correct assertability—collectively taken—is entirely up to the members of the group (or up to their conceptual activities, especially to what they on metaphysical grounds can accept as true) and sentences whose truth is at least in part up to nature, to the way the world is, and thus in part dependent on the causal processes occurring in the external world. (This is an assumption that at least a realist like myself can reasonably make.) The sentence “Squirrel fur is money” belongs to the first class of sentences and “Stars determine our fate” to the second. Thus, the first sentence will be correctly assertable for the group due to collective acceptance and no external, objective truth standard applies to it. The second sentence can only be correctly assertable for the group as a kind of stereotypical belief. It cannot be true in the standard objective sense, as it is not up to the group members to determine whether stars indeed determine our fate. The present point gives an argument for the employment of the “forgroupness” concept. Note that in principle any sentence can be collectively accepted as correctly assertable for the group, but a central assumption here is that far from all sentences thus accepted count as objectively true—to the extent one can even speak of objective correspondence truth here. In other words, both class one and class two sentences can be collectively accepted as correctly assertable for a group, but only in the case of the latter kinds of sentences can the question of objective correspondence truth meaningfully be raised. Also note that while objectively false sentences collectively accepted for the group can be called “groupjective” (to coin a neologism) they need not be subjective in the standard sense, for their truth or correct assertability typically does not strictly depend on a single subject’s (group member’s) acceptance.

As seen, the Collective Acceptance account basically says that the parts of the social world it applies to are collectively constructed and man-made. However, this needs further discussion (in part I will draw on Tuomela and Balzer, 2002, below).

One can argue that reality is criterially connected to causality in the sense that an entity cannot be real unless capable of occurring in singular causal inquirer-independent contexts (*viz.*, in claims of the form $C(f, f')$, C standing for causation and f, f' being facts related to

the entity in question). Here inquirer-independence is independence of an inquirer's mind or, put somewhat differently, the "ideally rational" scientific community's "mind" (attitudes, views). Roughly speaking, the inquirer-independence of causation here can be understood in the sense of causation in a world similar to ours but in which there are no (mind-possessing) inquirers. Note that our present criterion for a mind-independent world "out there" of course allows that there are creatures possessing minds (*e.g.*, intentions and beliefs) "out there" and thus mind-dependent things in that sense. It also allows that the things out there be describable and conceptualizable in various different ways. In addition to the two "levels" of a) inquirer-independent reality out there and b) the (ideal) scientific community's view or, put differently, the standpoint of the ideal best-explaining theory, we must also deal with c) a group's (any group's, large or small) point of view. From a group's point of view the social institutions and other collectively constructed and upheld things in that group are collectively mind-dependent in the sense of being dependent on the group's acceptance and thus its attitudes. Such group-dependent things can nevertheless be said to be "socially real" in the group (*viz.*, intersubjectively real and belong to the group's posited "public space"), and they are also real in the sense of being independent of an external inquirer's or best-explaining theory's point of view.

Criterion a) of independence may be argued to be coextensive with b), but one may still want to keep these criteria conceptually distinct. It can be noted that although group-dependent items can be regarded as as "groupjective", *viz.*, dependent on the "group's mind", as it were, and hence group members' minds) an item can still be group-dependent without in fact being dependent on any particular member's mind, because collective acceptance is compatible with such "exceptions". Thus ontological groupjectivity is distinct from ontological subjectivity. Let me emphasize that group-dependent things are still objectively investigatable in the sense that they are inquirer-independent (see below). This is the case even if we, as a thought experiment, let the group grow in size and become the class of actual and possible human beings. The inquirer's reflective stance towards an external, inquirer-independent world, which now includes also the class of all human beings, is still at least conceptually and

Collective Acceptance, Social Institutions, and Social Reality 159

metaphysically possible—at least if we are allowed to assume (scientific) realism. One underlying reason for this is that the method of investigation used, *viz.*, the scientific method, is idealized and normative and thus transcends the limitations of human beings.

Let us concentrate on social matters and reconsider the claim that squirrel fur is money in a certain social group. What this amounts to is that the group accepts that squirrel fur is money. In other words, “money” can be taken to refer to something real (*viz.*, squirrel furs with a certain social use in exchange, etc.) if it satisfies the acceptance criterion. Ultimately I would like to cash out all this in terms of the participants’ activities and thus move to a kind of social practice ontology. In any case, if the acceptance criterion is satisfied we are dealing with a real social fact. (If squirrel fur is not accepted as money in the group, this is also a social fact of course, but it does not make money real.)

All this leaves us with such questions as whether groups and their activities are real or only fictional. Provided that one is prepared to use the predicates “social group” and “collective acceptance” and, more generally, “group action” at all, it does not matter so much for our present purposes what specific ontic content one gives them. Thus, for instance, a tough individualist may treat groups just as certain individuals “acting groupishly” or a somewhat holistically disposed theoretician may treat them as entities supervenient on certain individuals. In all such cases groups and group actions may be regarded real (in the specified sense). What is at stake here is the (or an) ontological individualism-holism issue, which, however, I will not discuss in detail here.

From a group’s point of view there can in accordance with our discussion then be things which depend for their existence (creation, re-creation, and maintenance) on intentional group activities, depending thus on the underlying intentions and beliefs of the group members (*cf.* the “duality models” of Giddens, 1984, Bhaskar, 1989, Tuomela, 2002a, Chapter 7). Note that the group members generally need to have correct beliefs about, *e.g.*, money and school, etc., when they act, but they need not think that by so acting they contribute to the maintenance and renewal of the institutions involved. Of course, there are also things, which are independent of collective acceptance.

I wish to emphasize that the central thesis (*CAT*) has ontic import in the sense of connecting with the mind-independent causal order. This is because it serves to give the participating group members rights and duties in a sense having naturalistic content, their having rights and duties entailing their being (conditionally) disposed to act in certain specific ways. This is an entailment of ontic content within the realm of facts, which are up to us to create. To be more specific, according to the Collective Acceptance account social institutions, *qua* some kind of collections of position-involving normative structures, can be causally effective ultimately only via the group members' minds and actions. Accordingly, we need not assume that they ontically include other, more "holistic" elements (although the social institution concepts seem to be irreducible primitives). Thus, social institutions have causal impact via the participants' (in collective acceptance) thoughts and thus subjectively (in the group members' beliefs) *qua* social institutions, or at least their central nervous systems (in non-intentional cases). The "internalized" rights and duties related to, *e.g.*, institutional entities like money or institutional positions (*e.g.*, teacher) can, accordingly, in this embedding involve causal connections independent also of the group members' minds.

In "non-normative" cases (*cf.* leader, esteem, status) based on collective acceptance in the sense of mutual acceptance belief (*viz.*, the acceptance of something as true for the group) the analogous observation holds, for collective acceptance always is group-relative, *viz.*, it relates the constructed and recreated things to the group (thus to the mental life of the group members; *cf.* Tom is our leader only in so far as he is accepted by us as our leader).

Considering the group-dependent part of the social world, we can make the conceptual-epistemic point that in order to be intelligible (in the sense of being correctly explainable) at least this part of the social world must be conceptualized largely as its inhabitants conceptualize it (squirrel fur may have been money for medieval Finns but perhaps not for others). This is because otherwise the contents of the created social facts here do not depend on the group-members' thoughts and cannot be made sense of as facts with social meaning. (This does not exclude the possibility that people have false beliefs

Collective Acceptance, Social Institutions, and Social Reality 161

about their physical and social environment, as long as the errors are not grave enough to result in chaotic activities.)

Clearly, for every intentionally described singular social fact there is an equally true non-intentional description in a specified vocabulary of this fact (a suitable definite description will do the trick). Thus corresponding to the singular fact (a token event) that Matti today used squirrel fur as money at the local market, there is a complex description of this fact in physical and biological terms. This does not, however, suffice for the reduction of the corresponding type of event (*viz.*, the event type of using squirrel fur as money).

Next, physical social artifacts such as church buildings, cars, chairs, books, and generally much of at least a city-dweller's environment and "public social space" and "social geography" should be mentioned. All these exist as causally effective entities. They can enter causal connections not only *qua* having suitable physical features but also, and in the present context in an important sense, *qua* being artifacts expressing normative or non-normative collective practices (see Tuomela, 1998, for *qua*-causation).

Various unintended and unanticipated consequences (*cf.* the states of high inflation and unemployment, pollution of the environment) also belong to social artifacts broadly understood. It seems that they generally fall outside the scope of primary social things. Nevertheless, they are often, if not in general, collective-social in the derived sense, being based on things social in the primary sense.

Finally, there are social properties and relations which can be regarded as real in a more naturalistic sense and which correctly fall outside the scope of the CA-model. For instance, as seen in Section II, Tom's envying John for the latter's new car can be offered as an example of such a non-constructed social fact, one, which correctly falls outside the scope of (*CAT*). Another example is provided by some shared collective attitudes (or we-attitudes) in the I-mode (but not those in the we-mode) in the sense of Tuomela (1995). Our shared we-fear that a lion will attack us can at least in some cases be a relevant example of a non-constructed social fact.*

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Notes

1. A we-attitude in its *core* sense is defined as follows relative to an attitude ATT: A person has the we-attitude relative to ATT and a content *s* if and only if the person a) has ATT (*s*) and b) believes that also the others in the group have ATT (*s*) and also c) believes (or at least is disposed to believe) that it is mutually believed (or in a weaker case plainly believed) that the members have ATT (*s*).

2. In this paper I concentrate on such egalitarian groups and the notion of collective acceptance. Groups are here to be understood merely as collections of people, of which nothing more need to be antecedently assumed. The central notion of acceptance is that of a number of persons—those constituting the group in question—collectively accepting a proposition. Collective many-person acceptance in this sense obviously supervenes on the participants' acceptances, because it is constituted by them. I will accordingly assume in this paper that in the case of collective acceptance of a proposition all the participants will accept it. Note, however, that this assumption can be relaxed even in the cases of the present kind of loose collections of people. The individuals might share a we-belief and be collectively committed to the believed proposition. Assume, however, that the sharing is not full sharing but that still almost all share the we-attitude (while the others fail to have the belief or even disagree with it). Then it still is true that this collection of individuals (say the Finns, the Londoners) can be taken to collectively accept the proposition. Another possibility for having disagreement is that there is the kind of spontaneous power structure in the collective that one individual or a clique of individuals is able to determine the collective' view.

There are other, important cases of collective acceptance in which proper social groups are involved. In such cases we speak of a social group's acceptance of a proposition. Here the members acceptances must also be involved, but in many cases only the so-called "operative" members will jointly accept the proposition in question, while the others in some weak sense must tacitly accept it or go along with the operative members' collective acceptance of the proposition. Not only the non-operative but also the operative members may in principle privately accept the negation of the proposition accepted by the group. (See the treatment in Tuomela, 1995, Chapters 5–7.)

3. The assumption here, more accurately, is that \rightarrow stands for a conceptually *necessary* implication deriving its necessity from the concept of collective acceptance (CA). As the collective acceptance is for the group, also the converse implication \leftarrow in this context is a necessary, necessity concerning all specific group contexts, *viz.*, all the "possible worlds" belonging to the group's "intentional horizon" in which the members act *qua* group members (*cf.* Section III). (*Cf.* the treatment in Tuomela and Balzer (1999), where the equivalence is the normal truth-functional one to begin with.) My

present suggestion means in formal terms that the analysans of (CAT*) can be formulated as:

$$\text{Forgroup}(\text{CA}(\text{G},\text{s}) \ \& \ \text{N}(\text{CA}(\text{G},\text{s}) \rightarrow \text{s}) \ \& \ (\text{s} \rightarrow \text{CA}(\text{G},\text{s}))),$$

where N stands for the conceptual necessity in question. The latter implication is an ordinary implication but one which occurs within the scope of the intensional operator "Forgroup".

4. There is also a kind of "shadowy side" in collective acceptance in our present sense. A group can *collectively reject* (CR) ideas. For instance, let s = Human beings are a product of natural evolution. A group might reject s . I submit that this entails not only that it does not accept s but that it accepts the negation of s , *viz.*, $\neg s$. In other words, I claim that collective rejection is a subspecies of non-acceptance by which the group is able conceptually to construct notions. We do not, however, need to adopt a special technical notion of collective rejection for this job, for my present thesis reduces the task to collective acceptance, *viz.*, $\text{CR}(\text{G},\text{s})$ entails $\text{CA}(\text{G},\neg\text{s})$. It can be mentioned here that there is also another way of dealing with "negative items", although these two ways are complementary and do not compete. Briefly, a group may (and here must, if rational) accept also that it rejects s and accepts $\neg s$. Thus, in symbols, $\text{CA}(\text{G}, \text{CR}(\text{G},\text{s}))$ and $\text{CA}(\text{G}, \text{CA}(\text{G},\neg\text{s}))$ would be true in this case. For instance, a group may accept, *e.g.*, that the thought that human beings are a product of natural evolution is rejectable (this is of the kind $\text{CA}(\text{CR}(\text{G},\text{s}))$). In my account collective acceptance has as one of its intuitive source ideas that it concerns what the group members are licensed to write down and use as premises. In my example, $\text{CR}(\text{G},\text{s})$ is accordingly taken to entail that they may use $\neg s$ as a premise, and ought to use it in our example when the genesis of the human race is the object of inquiry.

5. Searle discusses the question whether the reflexivity or self-referentiality the concept of money is leads into circularity of infinite regress. He claims that it does not: "But the resolution of the paradox is quite simple. The word 'money' marks one node in a whole network of practices, the practices of owning, buying, selling, earning, paying for services, paying of debts, etc. As long as the object is regarded as having that role in the practices, we do not actually need the word 'money' in the definition of money, so there is no circularity or infinite regress. The word 'money' functions as a placeholder for the linguistic articulation of all these practices. To believe that something is money, one does not actually need the word 'money.' It is sufficient that one believes that the entities in question are media of exchange, repositories of value, payment for debts, salaries for services rendered, etc." (Searle, 1995, p. 52)

However, I think that this response will not do. The central point is that the use of money in all the mentioned practices requires precisely that money be thought of as money. Even if we know that, for instance, certain pieces

Collective Acceptance, Social Institutions, and Social Reality 165

of metal do the job in a shop (e.g. get one the newspaper), this presupposes that these pieces of metal be money and be thought of as money. There is no theoretical way of getting rid of this circularity. It is not of much interest to a philosopher to be told that in practice money can be made to work as it should even if the concept of money is circular. A better solution to the circularity problem is the solution which says that the use of money must be learned as a skill, at least in part.

My point above has been in part that Searle seems to confuse the reflexivity of a concept with the pragmatics of its use. A related remark can be made concerning what Searle says about types and tokens in the context of reflexive notions such as money (p. 33): "About particular tokens it is possible for people to be systematically mistaken. But where the *type* of thing is concerned, the belief that the type is a type of money is constitutive of its being money . . ." There are two factors relevant here. First, contrary to Searle, the reflexivity aspect concerns all tokens and not only some: every token of money must be collectively accepted as money (see Tuomela, 2002a, Chapter 6). The second thing is that one can perhaps use money without having the belief that any token of the money is money and get along with it quite far in one's life. This fact in no way speaks against my Collective Acceptance account. Searle seems not to be sufficiently clear about the distinction between theoretical situation (e.g. that money is a reflexive notion) and the down-to-earth functioning of a social institution (that one can live one's life without having theoretical knowledge about money or without having a very adequate concept of money).

6. In his response to me at the 1999 Bielefeld meeting "Speech Acts, Mind, and Social Reality" Searle, denied that my examples based on proper social norms are examples of social institutions involving status functions. In the absence of a clear prior definition of the notion of a status this denial can be taken to be an additional clarification of the notion or it can be regarded as a misapplication of his theory. Opting for the former alternative, my central claim then is that my examples show that he is operating with too strict a notion of a social institution—when judged by what both common sense and scholarly literature on the matter gives us.