

Chapter 5

Social Ontology and Documentality

Maurizio Ferraris

5.1 Introduction

Encyclopedia entries, bets, gains and losses, research projects, books, lessons, relationships, votes, credits, exams certificates, exams, records, academic degrees, students, professors, art works and consumerist literature, cathedrae, aulas, application forms, hiring, revolutions, workshops, conferences, dismissals, unions, parliaments, stock societies, laws, restaurants, money, property, governments, marriages, elections, games, cocktail parties, tribunals, lawyers, wars, humanitarian missions, voting, promises, buying and selling, prosecutors, physicians, perpetrators, taxes, vacation, medieval soldiers, presidents. What are all those objects made of? And, first of all, are they objects? Some philosophers would say they are not, since—according to them—only physical objects exist. Other philosophers would dare say that even physical objects are socially constructed, since they are the result of our theories. For real, thus, the world would be Prospero's world: *We are such stuff/As dreams are made on and our little life/Is rounded with a sleep*. That is not the case, though: social objects exist indeed, the proof being the difference between thinking to promise something, and actually promising something: once you give your word, the promise keeps on existing, even in case you forget about it, or—as more frequently happens—you change your mind.

The first aim of this article is to expand on the nature of social objects, as contrasted with physical and ideal objects, and to spell out the steps that lead to their discovery. Secondly, I will illustrate and criticize the major contemporary theory on social objects, John Searle's theory, and compare it with another theory, according to which social objects are a kind of inscription. Lastly, I want show how, from this standpoint, a social ontology evolves naturally into a theory of documents, which I propose to name "documentality".

M. Ferraris (✉)
Department of Philosophy, University of Torino, Turin, Italy
e-mail: maurizio.ferraris@labont.it

I would like to thank Giuliano Torrenzo for important comments on the theses contained in this article.

5.2 Physical, Ideal and Social Objects

For a long time philosophers have underestimated the dimension of social objects, focusing exclusively on physical and ideal objects. This fact, probably is a consequence of an ambiguity concerning the nature of social objects, which is apparent as soon as we confront them with two other classes of objects into which reality can be divided. Physical objects, such as tables, lakes, occupy a place in space and in time, and exist even if we do not think about them; ideal objects, such as numbers, relations or theorems, differently from physical objects, do not occupy any place in space and in time, but, as much as physical objects, exist even if we do not think about them. Social objects, on the other hand, such as marriages and graduations, occupy a modest amount of space (more on this later: it is, roughly, the amount of space a document occupies) and a more or less extended portion of time—they cannot be eternal though (differently from ideal objects, social objects seem to tend towards their own end: the theorem of Pythagoras is meaningful exactly because it is eternal, a promissory note for the opposite reason, i.e. because it will expire sooner or later; although there may be social objects, such as the Roman Empire or the Egyptian Dynasties, that last longer than the life of an individual). Thus, social objects looks like being somewhere in between the materiality of physical objects and the immateriality of ideal objects. I explain in details this point later. What I would like to underline in the first place, both in order to explicate why philosophers, and common people with them, have discovered social objects so late, and to draw attention to the most peculiar aspect of social objects, is the following: *differently from physical and ideal objects, social objects exist only in so far as there are men thinking that they exist*. Without men, mountains would remain what they are, and numbers would have the same properties they actually have—but it would be complete nonsense to talk about offences and loans, Nobel prizes and years in jail, art works or pornography. This feature has been misconstrued, and this fact has lead to the spreading out, in various ways, of a conceptual ambiguity. That is, the idea to the effect that social objects are utterly relative, or that they are nothing over and above a manifestation of the will. What is denied to social objects here is their object-like nature: they are reduced either to something indefinitely interpretable or to a bare psychological act.

We can find out how little true this reduction is thanks to a simple experience. I can decide to go to the cinema; if, eventually, I change my mind, this decision does not constrain me in any way. It is really just an expression of the will, which, since it has no outward manifestation, has a purely psychological dimension. Things are different if I propose to someone to come along with me to the cinema; if I change my mind, I have to tell her or him and provide a justification. What I have constructed, then, is an object that is not nullified by a bare change of my will. Let us further assume that my invitation had the form of a promise; for instance, I have told my son: “I promise you that, if you keep on being a good boy, I take you to the movie tonight”. Now, if I had told him only “I promise that”, I would have not promised; a promise has a beginning only when there is an object of reference, and a time limit, if only a vague one (“I promise you that sooner or later I quit smoking”).

If, on the other hand, social objects were utterly relative constructions, they would not carry within them any necessity, and it should be possible for “I promise” to be a promise, but “I promise” is just the first singular person of the indicative present tense form of the verb “to promise”.

5.3 The Discovery of Social Objects

This phenomenology of social objects should enable us to detect the features of social objects (Di Lucia 2003; Ferraris 2003b; Gilbert 1989 and 1993; Johansson 1989; Kim-Sosa 1999; Moore 2002; Smith 1998, 1999, 2002; Tuomela 2002) that motivated their discovery. We are not dealing here, strictly speaking, with a historical progression (none of the following authors is likely to have ever read any of the others), but rather with a theoretical progression.

The first stage of the history consists in recognizing the specificity of social objects, and the first one who did this is the Italian Giambattista Vico (1668–1744) (Vico 1744), who—quarreling with Cartesian rationalism and naturalism—defended the original character of the sphere of human interaction. In order to individuate this sphere, which identifies the passage from animal to man, and from nature to culture (the latter, thus, is essentially meant to be social progress), Vico points towards marriages, tribunals and burials. Those are social acts, that do not describe anything nor add anything new to the physical or ideal world, nonetheless they trace the change from the animal to the man, and from nature to culture.

The second stage of the history concerns the Scottish philosopher Thomas Reid (1710–1796) (Reid 1785), who underlines the autonomy of social objects, distinguishing them from mere psychological constructions or manifestations of the will. Reid claims that the premise for the constitution of a social object is an act concerning at least two people. As in the previous example, thinking about going to the cinema is not, whereas proposing someone to go to the cinema is, a social act.

The third stage, in the middle of the Nineteen hundred, amounts to the theory of linguistic acts, by the English philosopher John L. Austin (1911–1960) (Austin 1962). Linguistic acts are somehow an explication of the specific character of social acts. Social acts, insofar as they require to be expressed, are linguistic acts (we will see how this conclusion is partly misleading); and since they are not just a description of something (think in the “yes” said at a wedding ceremony, a paradigmatic example), but they produce something, they possess an original feature with respect to other parts of language. While saying “this is a chair” does not amount to acting upon the chair in any way, saying “the meeting is open” or “I hereby declare you doctor in philosophy” produces an object that was not there before.

The fourth stage of our history, relatively eccentric if compared with the previous ones, is provided by the German philosopher and law theorist Adolf Reinach (1883–1917) (Reinach 1913; see Mulligan 1987), who proposes a typology of social objects, described as *a priori* derivable (namely as endowed with a logical form, roughly what I was underlining when I made you notice that “I promise” is not a promise), and insists upon the fact that what is produced by social acts is not

a self-contained *praxis*, but it is a *poiesis*, the construction of an enduring object (a graduation or a marriage, with respect to other social events, such as a party or a ruffle in which nobody gets seriously injured, have consequences that reach farther than the event).

5.4 X Counts as Y in C

In the contemporary debate, the standard theory of social objects has been proposed in the nineties by the American philosopher John R. Searle (n. 1932) (Koepsell–Moss 2003; Smith 2003a.). The building up of this ontology can be described as a strategy in four steps.

The first step is set at Oxford, during the fifties, at the school of—among the others—John Austin, and continues at Berkeley during the sixties and seventies. Here Searle’s activity focused on linguistic acts, an especially subtle part of language. When I say “yes” at a wedding ceremony, I am not describing anything that is already there, I am constructing something that is born in that very instant.

The rhapsodic analyses of Austin get a systematic dimension in Searle’s work. Searle offers a complete classification of them (Searle 1969, 1975), but this is not the only thing he is doing. On the one hand (and the upshots in social ontology derive from here), Searle does not limit himself to a classification of linguistic acts, but he acknowledges also the existence of objects that may be borne to life by performative acts—a particular kind of linguistic acts. A marriage and a conviction, for instance, understood as rites, may last just a few minutes in their culminating moment. The corresponding social objects may last years though, and it is the philosopher’s task to account for those objects’ existence. By doing this, however, a philosopher should deliver a theory of mind too (Searle 1980, 1983, 1992), since the peculiar feature of objects such as marriages or penal convictions, differently from cows or mountains, is that they exist only if there are minds believing that they exist.

And here it is Searle’s second step, set in Berkeley, during the Eighties. Austin was exclusively concerned with language (and perception), Searle, I have just suggested, was seeking a theory of mind. Could a computer passing the Turing test get married? Is a computer used in a betting shop really betting? Can it christen a boat? Can it bequest something to another computer? The obvious answer to all these questions is “no”. And this depends on the fact that human mind has something that computers do not have: intentionality. Intentionality is the capacity to refer to things in the world, by using the representations we have at our disposal here, roughly, under the hair, beyond the eyes, and between the ears—namely in our minds. Intentionality, however, is not a ghost, a feeble mist descending on the world as postmodernists uphold, when they claim that Being is reducible to Language. Not at all, it is something as real as photosynthesis or digestion is. We should not misunderstand this point, because one thing is maintaining that human mind is not a computer, and quite another maintaining that Darwin was wrong. This is a very delicate knot, because claiming that the *individual I* is in many cases the result of a collective intentionality does not mean that reality is constituted in an

inter-subjective way. Not at all, there are pieces of reality perfectly capable of staying by themselves, and they do not depend on language or conscience. Other pieces, surely, do depend on them. Still, we should not mix up those two cases, if we do not want every honest philosophy to come to an end.

The third step is set here and there around the world between the seventies and the eighties (Searle 1993a, b, 1998). Searle assists—not inert, but astonished—to postmodernists spreading through the departments of comparative literature, under the risk that sooner or later they would get to philosophy departments too. Here is the crowd: who says that the Being that can be understood is language, and who says that nothing exists outside texts, and you would eventually meet a fun-loving person maintaining that there are no facts, but only interpretations. In conclusion, the moral seems to be that—quite paradoxically—words, but not things, exist; concepts exist, but not the objects they refer to.

We would be mistaken in seeing in this reaction to the postmodern idealism simply a polemical phase, since it is in this framework that Searle elaborates the theory of reality as “background” (Searle 1999). Reality is something that does not require to be demonstrated, because it is at the ground of our demonstrations. Reality constitutes the basic element of Searle’s general ontology, it delivers us the deep sense of his realism—and, at the same time, the deep sense of the non-realism of the postmodern speaker who, with their laptop, on the plane, polishes the talk s/he will give at a conference in an American University, on the topic of the non-existence of the external world.

And here the last step comes (Searle 1995), which is set in Paris. During the nineties Searle enters in a Café, and pronounces a French sentence “*Un demi, Munich, à pression, s’il vous plaît*”. Searle makes us notice that this very simple sentence triggers a huge invisible ontology: the social exchange between he and the waiter, a lattice of norms, prices, fares, rules, passports and nationalities, an universe of such a complexity that would have had Kant shivering, if only Kant had thought about it. We are at the postmodernists’ antipodes. If postmodernists dissolve tables and seats by reducing them to interpretations, Searle’s ontology asserts that also things such as promises and bets, shares and debts, medieval knights and Californian Professors, tenures and symphonies possess their own specific reality. They are neither ghosts, nor movements of the consciousness or of the will (given that promises exist when we sleep, and in case we change our mind too, and contracts can bind institutions independently from the people who run them), they are higher order objects with respect to physical objects, in accordance with the rule “*X counts as Y in C*”—meaning that the physical object *X*, for instance a colored piece of paper, count as *Y*, a 10 euro banknote, in *C*, the Europe of the year 2006.

It is not hard to see how here we are approaching the closure of a system. The philosopher of language who has studied linguistic acts comes across performative acts, and notices that with them we can construct social objects; the philosopher of mind, who has studied intentionality, understands intentionality’s role in the construction of social reality; the anti-postmodern polemist, in turn, elaborates a realist ontology that enables us to understand that—for some reasons and our intentions and hopes notwithstanding—it is useless to try to avoid paying the beer by saying

that reality (social and maybe physical reality as well) is socially constructed. The last move was left for the social ontologist: discovering this new reign of objects that—please notice—cannot be defined as “mental” just because they need human minds.

5.5 No (Social) Thing Exists Outside Texts

Very well. Now, we know that this theory (and Searle knows it very well too) has counterexamples, together with the general difficulty of clarifying the key notion of “collective intentionality”.¹ Even if we limit ourselves to considerations concerning the object, the problem is twofold: it is not obvious at all how, from the physical object, we manage to get to the social object; and it is not clear at all how, given the social object, we should individuate a corresponding physical object.

In order to explain the shift from the physical to the social, Searle makes the example of the transformation of a wall into a boundary. The idea is the following: firstly, there is a physical object, a wall that divides the inside from the outside, and defends a community. Then, step by step, the wall deteriorates, and only a line of stones is left—unhelpful as a physical shelter—to identify a social object, namely a boundary: the very same that, later on, will be the yellow line that in the post-offices and airports allocates an insuperable threshold. Now, we can understand how a wall, by falling apart slowly, can, in certain circumstances, turn into a boundary. But it is not at all evident how, on the ground of this simple analogy—a lucky chance that who knows how few times occurred—the yellow line or the center line of the road are born. The question is further complicated by the following consideration: if really a physical object can constitute the origin of a social object, then *every* physical object would turn into a social object, every wall would signify a prohibition. But clearly this is not the case, as everyone who decides to tear down a wall in their house can verify, provided that the demolition would not contradict certain norms—which not necessarily concern the physical solidity of the wall. And, lastly, we should not forget that one of the most famous walls in contemporary history, the Berlin Wall, was begot by a boundary—the opposite of what should have happened according to Searle’s explanation.

As for the second aspect of the problem—the aspect concerning the reversibility from the social to the physical sphere—it is rather intuitive to assert that a banknote is also a piece of paper, or that a president is also a person. As much as it is true that when Searle is alone in a hotel room there is only a physical object, but many social objects (a husband, an employee of the state of California, an American citizen, a driving license holder. . .). In this case, the passage back from Y (the social) to X (the physical) goes smoothly. However, things change in different, although not very peculiar, situations. How should we deal with vague (Williamson 1994, 1998) or

¹I have criticized at length this aspect of Searle’s theory in Ferraris (2005). Collective intentionality has been originally elaborated by the Finnish philosopher Raimo Tomela (1995), whereas the psychologist M.E. Bratman (1992) was concerned with “shared intentionality”.

vast entities, such as a State, a battle, a university? And how about negative entities, such as debts?

The English philosopher Barry Smith (born 1952) (Smith 2003b) has rightly pointed out that in many cases we have to acknowledge the existence of Y independent entities, namely entities that do not ontologically coincide with any part of physical reality. Here, according to Smith, we are dealing with “representations”. In order to better define the notion of “representation”, Smith qualifies it as a “quasi-abstract entity”, providing as an example, a chess match played at random. The idea is that chess may be played independently from any physical support. You can play in Internet, where the chessboard is not “present” as a physical chessboard is (for instance, it has two localizations, corresponding to the two computers). Moreover, two experts can play by heart, without there being even a chessboard represented on a screen, but rather through two barely thought chessboards. Smith expands the model to the paradigm of money. Also in this case, from a certain moment on (and more and more as technology develops), we lose the physical counterparts, substituted by traces on the computer. Also in this case there is a social object to which it does not correspond any physical object, but rather a representation.

This is all fine, but really the computer *blips* are not physical at all? Are they really a *res cogitans* utterly detached from a *res extensa*? It takes only visiting a technological cemetery (a huge Chinese landfill, or the corridor of a Department where out of order computers have been stored) to realize how much plastic and silicon is necessary for magnetic traces to exist. And, unless we want to say that computers have souls, separated from their bodies, the *blips* will be material things as well. Indeed, it is difficult—nay, impossible—to uphold that, in the case of money that is transformed into traces on a computer, there are only representations, and not a physical thing sustaining them, although something endowed with a rather light physicality. But let us suppose that this is indeed the case, that representations do not need anything physical. Then, there would be no way to answer the question: *how should we distinguish in principle 100 real thalers from 100 ideal thalers?* How are we to distinguish the representation of 100 thalers from 100 merely imagined, or dreamed of, thalers?²

The difficulties emerging both out of Searle’s theory and Smith’s correction help us to spot the way to the solution of the problem of social objects, which I propose to develop after the theory of the French philosopher Jacques Derrida

²If one maintains that it is false that a social object depends on a particular physical substrate, but it is true that every social object generically depends on some physical substrate (namely an inscription of some sort), one can keep on criticizing Searle’s position (that concerns rather the fact that Searle points to the “wrong” physical substrate, somehow), and at the same time avoid Smith’s “representational” conclusions. The chess match does not depend on a particular chessboard, neither does it depend on two particular computers, or some particular neurons. Still, if a match is there, then some physical substrate is also there, and therefore the match generically depends on some physical substrate. On the distinction between particular and generic dependence see (Simon 1987: 296–307).

(1930–2004) (Derrida 1967; see Ferraris 2003a, 2006. On the social role of writing see Ong 1982). Derrida has elaborated a philosophy of writing that finds its most correct application in the social sphere. What is more interesting is that Searle knew this theory, but the alliance was rendered impossible by a reciprocal misunderstanding. Actually, Derrida dedicated an essay to Austin's linguistic acts (Derrida 1971). Those acts, Derrida observed, are mostly inscribed acts, since without records of some sort the performatives would not produce social objects such as conferences, marriages, graduation ceremonies, or constitutions. The point is simple, if we imagine a graduation or a wedding ceremony in which there are no registers and testimonies, it is difficult to maintain that a husband, a wife, a graduated person has been produced. This amounts to saying that social objects turn out to be (as much as the ideal ones) closely linked to the forms of their inscription and recording. That article irritated Searle, who few years after replied (Searle 1977) (the reply was followed by an exceedingly long response by Derrida (1988)) against what to him was nothing but a misunderstanding of Austin. Thus, the meeting seemed not to bring anything to the point. Still, we can see in it the solution of Searle's puzzle.

Indeed, the problem in Searle's social ontology depends on not having investigated the hypothesis that the physical counterpart of a social object is a trace, namely exactly what Derrida has brought attention to during all his career—be it a trace on the paper, or a trace in the brain, an inscription in the memory that remind us a promise, a debt, a duty or a fault. Derrida, having at hand the evidence to the effect that money has turned into inscribed paper, although not yet the (more striking) evidence to the effect that it would have turned into computer bytes, provided as soon as 1967, through his hypothesis on the nature of writing, the ground of an extremely powerful ontology. However, Derrida was wrong in claiming that “nothing exists outside texts” (and Searle was entitled to reproach him on this). Actually, as we have seen, physical and ideal objects exist independently from every recording, as much as independently from there being a humanity. This is not the case for social objects, which depend tightly on records and the existence of humanity. It is in this sense that, by weakening Derrida's thesis, I propose to develop a social ontology starting from the intuition that no *social* thing exists outside texts.

5.6 Object = Inscribed Act

Keeping this in mind, my thesis (Ferraris 2005) is that, contrary to Searle's idea, the constituting rule of a social object is not *X counts as Y in C* (social objects are higher order objects with respect to the underlying physical objects), but *Object = Inscribed Act*: social objects are social acts (concerning at least two people) characterized by the fact of being inscribed, in a document, in a computer file, or simply in people's heads. With respect to Searle, we solve all the problems of the shift from the physical to the social; with respect to Smith, we have a way to distinguish an actual social object from a purely thought one; with respect to Derrida, we acknowledge a

specific sphere of social objects, separated by physical and ideal objects. The essential lines of this theory are the following: in the world there are subjects and there are objects. The subjects refer to objects (the former represent, think about, somehow deal, with the latter), namely they possess intentionality; objects do not refer to subjects.

Objects come in three kinds: (1) physical objects (mountains, rivers, human bodies, and animals) that exist in space and in time, and are independent from subjects knowing them, even though they may have built them, as for artifacts (chairs, screwdrivers); (2) ideal objects (numbers, theorems, relations) that exist outside of space and time, and are independent from the subjects knowing them, but which, after having been discovered, can be socialized (for instance, a theorem can be published: still, it is the publication, not the theorem, that has a beginning in time); (3) social objects, that do not exist *as such* in space, since their physical presence is limited to the inscription (money is such because of what is written on the coin, on the banknote, on the memory of the credit card), but last in time, and whose existence depends on the subjects who know, or at least can use, them and who, in certain cases, have constituted them. This latter circumstance displays to us the fact that social objects, for which construction is necessary, depend on social *acts*, whose *inscription* constitutes the *object*.

As I have indicated through the law Object = Inscribed Act, social objects consist in the recording of acts that encompass at least two people, and are characterized by being inscribed, on a physical substrate whatsoever, from marble to neurons, passing through paper and computers. I do not consider obnoxious the idea that also brain processes are to be described in terms of a sort of writing, since they manifest to us exactly in those terms, as it is revealed also by the fact that the mind has always been described as a *tabula rasa*, i.e. a writing table.

From this standpoint, and weakening Derrida's axiom, one can state that "no social thing exists outside texts". Physical as much as ideal objects exist independently from inscription and records, but this is not the case for social objects. Without some sort of recording it is impossible to conceive any kind of society, and—even more so—any social object. However, the recording is a necessary but not sufficient condition for the existence of social objects: without recordings there are no social objects, but not necessarily a recording (for instance a recollection of mine) constitutes a social object

Social objects are constituted by inscribed acts, but not every inscription is a social object. Fingerprints become social object when they are registered by the police and used as evidence in a trial, and in this case they are actually part and parcel of an inquiring procedure. And when fingerprints are taken on a passport, they become part of a document, which is endowed with an even more evident social character, since it incorporates this social character—so to speak. From this standpoint, the document has to be conceived, rather than as something which is done once for all, and constituting a class of stable objects, as a teleological end of a theory of social objects. Not all inscriptions are documents, but there is no inscription that, in certain conditions and once it has acquired a certain social power, cannot become such.

5.7 Documentality

If all this is true, then a theory of social objects develops naturally into a theory of the document, understood as an inquiry centered on the definition of what I call “documentality”, namely the properties that constitute, in each case, the necessary and sufficient conditions (starting from two very general conditions: being an inscription and being a document or a “documental” thing) to be a social object. At last, there is no society if there are no documents, and documents are records with a particular social value. On this ground, a theory of documentality can develop along three directions. The ontological dimension, answering the question: what is a document? The technological dimension, concerning the means through which documentality can be spread in a complex society. The pragmatic (and forensic) dimension, which concerns the care of documents in a society characterized by the explosion of writing, and in world dominated by information technology (Koepsell 2000, 2003).

1. As for the first question—what is a document?—we need to articulate the law Object = Inscribed Act. Documentality comprises a sphere encompassing so different things as memories, notes (a memo can, although not necessarily must, acquire social value), and international treaties; all such things can be realized through the most different media (paper writing, electronic writing, pictures . . .); they can refer to the most different activities (borrowing a book, getting married, being named, declaring war. . .). In the vast majority of those realizations it is possible to spot the structure of documentality: first of all, a physical substrate; then, an inscription, which obviously is smaller than the substrate and which defines its social value; finally, an idiomatic thing, typically a sign (and its variation, such as the electronic signature, the debit card’s or mobile’s PIN, . . .), which guarantees its authenticity.

It is important here to single out a point. Sounds, signs, and thoughts are not physical objects as hefty as States or persons. They possess far less molecules. Still, they are not completely void of physical bulk: a sound needs vibrations, a thought requires electric activity in the brain, and this, obviously holds for signs over a piece of paper too (even more manifestly so). This last circumstance, if one thinks over it a while, is more relevant than it is generally believed, since paradigmatic social objects such as banknotes are “signs over a piece of paper”: banknotes qualify as social, and not only physical, objects because of few molecules, those in the inscription and possibly in the thread-mark too. Actually, the really important aspect of a banknote, what turns it from a physical object—a drawing, let us say—into a social object, are the few molecules of the inscription that declare its value, along with the ones of the signature of the governor who states its validity—and not the bunch of molecules constituting its form and matter—proof being that a very big banknote may have lesser value than a much smaller one. Those few molecules, moreover, are not very different from the *blips* in the computer of a bank: they are objects of the same sort, showing similar characteristics; and this holds also for what Searle calls “status indicators”, such as, for instance, passports and driving licenses. At the same time, those molecules are *something*, although there is only a little amount of them, and not just a representation. Those few molecules account for Smith’s expression

“quasi-abstract entity”: the entity must be recorded somewhere in space. At the ontological level, my proposal is to spot in documentality five ascending degrees (from physical to social): traces, recordings, inscriptions, documents, idioms.

I call a “trace” what, endowed with a rather small number of molecules, serves as the physical substrate of a record. Only for social objects the trace has a constitutive value. In the world of physical objects, there are traces only for minds that are able to recognize them. In the world of ideal objects, traces operate only in the socialization of an entity that does not depend on an inscription. Things are different for the constitution of a social object, since the trace openly indicates a beginning in time, and moreover it motivates the chronology of the object also beyond the intentions of the people involved in its constitution, and the length of their life.

A trace, in a mind or for a mind, becomes a record; this record can, in certain circumstances, acquire social value, for instance when the agents of the scientific police transform a piece of DNA attached to a cigarette butt into a proof. But, indeed, the mere recording is not, as such, a social thing.

An “inscription” is a record with a social value. Within a society, spoken or written words, as much as hand-shakings, can be relevant things. The inscription possesses the following laws of essence: it is the necessary but not sufficient condition of the social object; it is smaller than its substrate; its size has no bearing on the size of the corresponding social object; the inscription is true if it is idiomatic.

Inscriptions that can acquire a legal value are documents, which are, along with Smith’s perspective (Smith 2006), acts fixing.³ And here it is the last ingredient of our ascending hierarchy: the idiom. With “idiom” I mean a specific way of presentation of an inscription that links a particular inscription to an individual. Its more evident model is the signature (on a document, a check, a banknote: an element that is almost everywhere in social reality, although it is often unobserved), but it can also be a specific way in which someone expresses themselves, for instance their normal tone of voice. Its aim is the object’s individuation, and exactly in so far as it individuates an object it can play the role in the validation of social objects, which, thanks to the signature, emerge as the expression of the intentionality of someone.

³According to Smith (2006), thus, it is possible to develop a theory of what he calls “document acts”, i.e. a theory “1. of the different types of document, ranging from free-text memos to standardized forms and templates, and from single documents as self-contained collections of information to bodies of documents incorporating various sorts of riders, codicils, protocols, addenda, amendments, endorsements and other attachments, including maps, photographs, diagrams, signatures and other marks, 2. of the different types of physical medium or bearer for a document’s content (most important here is the distinction between paper and electronic documents), 3. of the different sorts of things we can do to documents (fill in, sign, countersign, stamp, copy, notarize, transfer, invalidate, destroy), 4. of the different sorts of things we can do (achieve, effect) with documents (establish collateral, create organizations, record the deliberations of a committee, initiate legal or military actions), and of the different ways in which, in performing such acts, we may succeed or fail to achieve the corresponding ends, 5. of the institutional systems to which documents belong (marriage, property, law, commerce, trade, credentialing, identification, movement of goods and people), and of the different positional roles within such systems which are occupied by those involved in the performance of the corresponding acts, 6. of the provenance of documents (of what distinguishes an original, authentic document from a mere copy or forgery).”

2. As to the second question—how documentality can be spread in a complex society?—if it is true that in our developed society the demand for documentality is growing at a fast pace, it is also true that our society is provided growing resources from the electronic supports, which enhance and multiply the law Object = Inscribed Act.

This element is apparent in financial transactions, and in all that can be done through them. On a financial level, and already in an economy based on paper supports, documents are what fix the values, compose different values within a single system, stir resources and energies, relate people, protect transactions (De Soto 2000). On this ground, a shift from the paper support to the electronic support de-locates the operations by extending the capacity of writing. It becomes, thus, possible to accomplish differently natured operations: paying taxes, fines, bills (also those that, differently from power and gas bills, cannot be domiciled in a bank, such as the garbage tax) and union fees (for every kind of employee); booking medical visit, lawyers, public office; obtaining certificates (family state, identity documents, house certificates); doing bank transactions; obtaining postal services (at a virtual counter you can send a registered letter, a telegram, and, in general, a letter that will be delivered in a paper form); and purchasing on line (in this case, physical commodities—we are delivered our shopping on line—, as much as events or social objects: plane tickets, museum tickets, concert tickets).

The problems concerning identification are tougher. Electronic documents are not localized, or, at least, they are far less localized than paper documents. If I fill on line an application form in a public administration site, the form will be the same whether I fill it at a computer in Italy or in Mexico, but, then, where exactly is the form? Moreover, who answers me is not a person (someone will read the form only later, if anyone), but a program. And a program cannot talk, unless it has been enabled to do so through another program, that is a written thing. The document is not any longer the transcription of a voice localized in a physical person, it is a written thing de-localized in each computer through which we can access it. In this framework, we find the issue of the digital signature, which constitutes a remedy to the impersonality and de-location of the digital, and which sums up within itself exactly two fundamental features of the document: individual reference (idiomaticity) and deontic power.⁴

⁴See the characterization of the digital signature to be found in the Italian Legislation (Art. 24, March 5th 2005, n. 82, Digital Administration Code). The digital signature ought to univocally refer to one and only subject and to the document or set thereof to which it is affixed or associated. The affixing of a digital signature integrates and substitutes the affixing of seals, stamps, and marks of whatever kind, and used to every aim to which the current normative applies. For the generation of the digital signature, a qualified certificate has to be used, whose validity, at the time of the subscription, is not expired, revoked, or suspended. The validity of the certificate, along with the identifying elements of the titular, of the certifying officeholder, and possibly the constraints on its use has to be established through the qualified certificate itself, according to the technical rules established by article 71.

3. Finally, let us face the third question. How are we to take care of documents in a world characterized by the explosion of writing? The growing problems of privacy in the advanced societies are usually read from the stand point of a Big Brother, namely a big watching eye, in accordance with the model of Bentham's Panopticon, but this image is partly misleading. Actually, it is true that there are more and more cameras observing (also with an infra-red eye) our everyday life, in banks, stations, supermarkets, private buildings, and satellites. But the strength of this eye would be nothing, were it not accompanied with the capacity of recording,—which is exactly what turns an act of vision into a document. In this case too, the debates on the interceptions are just the tip of the iceberg: democracy requires to be investigated through the central questions rising within the category of “documentality”.

All this suggests two complementary, although contrasting, considerations. On the one hand, the growing role of documentality shows undoubtedly why it is so bad being “sans papier”; it is exactly the lack of those paper—which are more and more turning into computer blips—the starting point of the process leading to the bare life, namely the offended life, a life liable to anyone's offence. In this sense, then, documentality looks like a safeguard. On the other hand, obviously enough, documentality deprives us of the right to a secret and private sphere, it creates a sort of universal control. Therefore, what has been called the *habeas data*, namely the acknowledgement of the privacy of the records concerning us (Rodotà 2006), turns out to be not less important than the acknowledgement of the *habeas corpus* that was ratified 800 years ago.

5.8 Conclusions

I maintain to have demonstrated that the critical category for social ontology is the category of “documentality”, in accordance with the constitution law Object = Inscribed Act. Through this category it is possible to develop a unified theory of social objects, going over the difficulties found in the previous theories.

References

- Austin, J.L. (1962). *How to do Things with Words*. Oxford University Press, Oxford.
- Bratman, M.E. (1992). Shared Cooperative Activity. *The Philosophical Review*, 101: 327–341.
- Derrida, J. (1967). *De la grammatologie*, Ed. de Minuit, Paris.
- Derrida, J. (1971). Signature, événement, contexte. Communication au Congrès international des Sociétés de philosophie de langue française (Montréal, août 1971). Then, in (1972) *Marges de la philosophie*, Paris, Ed. de Minuit.
- Derrida, J. (1977). *Limited Inc.: Abc*. Johns Hopkins University Press, Baltimore, MD.
- De Soto, H. (2000). *The Mystery of Capital. Why Capitalism Triumphs in the West and Fails Every Where Else*. Basic Books, New York, NY.
- Di Lucia, P. (Ed.) (2003). *Ontologia Sociale. Potere deontico e regole costitutive*. Quodlibet, Macerata.

- Ferraris, M. (2003a). *Introduzione a Derrida*. Roma-Bari, Laterza.
- Ferraris, M. (2003b). Oggetti Sociali. *Sistemi Intelligenti*, XV(3): 441–466.
- Ferraris, M. (2005) *Dove sei? Ontologia del telefonino*. Bompiani, Milano.
- Ferraris, M. (2006). *Jackie Derrida*. Bollati Boringhieri, Torino.
- Gilbert, M. (1989). *On Social Facts*. Routledge, New York, NY.
- Gilbert, M. (1993). Group Membership and Political Obligation. *The Monist*, 76: 119–131.
- Johansson, I. (1989). *Ontological Investigations. An Inquiry into the Categories of Nature, Man and Society*. Routledge, London; 2a ed. Frankfurt: M. Ontos-Verlag 2004.
- Kim, J., E. Sosa (1999). (Eds.) *Metaphysics: An Anthology*. Blackwell, Oxford.
- Koepsell, D.R. (2000). *The Ontology of Cyberspace*. La Salle, Open Court.
- Koepsell, D.R. (2003). Libri e altre macchine: artificio ed espressione. In R. Casati (Ed.) *Sistemi Intelligenti*, 3: 429–440.
- Koepsell, D.R., L.S. Moss (Eds.) (2003). John Searle's Ideas About Social Reality, monography. *American Journal of Economics and Sociology*, 62: 285–309.
- Moore, M.S. (2002). Legal Reality: A Naturalist Approach To Legal Ontology. *Law and Philosophy*, 21: 619–705.
- Mulligan, K. (1987). (Ed.) *Speech Act and Sachverhalt. Reinach and the Foundations of Realist Phenomenology*, Nijhoff, The Hague.
- Ong, W.J. (1982). *Orality and Literacy. The Technologizing of the Word*. Methuen, London/New York, NY.
- Reid, Th. (1785), *Essays on the Active Powers of the Human Mind*, in Id., *Philosophical Works*, 1967. Olms, Hildesheim.
- Reinach, A. (1913). Die apriorischen Grundlagen des bürgerlichen Recht. *Jahrbuch für Philosophie und philosophische Forschung*, 1: 685–847.
- Rodotà, S. (2006). *La vita e le regole*. Hildesheim, Milano.
- Searle, J.R. (1969). *Speech Acts*. Cambridge University Press, Cambridge, MA.
- Searle, J.R. (1975). *A Taxonomy of Illocutionary Acts*. Cambridge University Press, Cambridge, MA.
- Searle, J.R. (1977). Reiterating the Differences: A Reply to Derrida, *Glyph*, I: 172–208.
- Searle, J.R. (1980). Minds, Brains and Programs. *Behavioral and Brain Sciences*, 3: 417–58.
- Searle, J.R. (1983). *Intentionality. An Essay in the Philosophy of Mind*. Cambridge University Press, New York, NY/Cambridge, MA.
- Searle, J.R. (1992). *The Rediscovery of the Mind*. Bradford Books, Montgomery, VT.
- Searle, J.R. (1993a). Rationality and Realism, What is at Stake ? *Daedalus*, 122(4): 55–83.
- Searle, J.R. (1993b). The World Turned Upside Down, and Reply to Mackey. In G.B. Madison (Ed.) *Working Through Derrida*. Northwestern University Press, Evanston, IL, 170–188 and 184–188.
- Searle, J.R. (1995). *The Construction of Social Reality*. New York, Free Press. The Free Press, New York, NY.
- Searle, J.R. (1998). *Postmodernism and Truth. TWP BE (a journal of ideas)*, 13: 85–87.
- Searle, J.R. (1999). *Mind, Language and Society. Philosophy in the Real World*. Basic Books, New York, NY.
- Smith, B. (1998). Ontologie des Mesokosmos: Soziale Objekte und Umwelten. *Zeitschrift für philosophische Forschung*, 52: 521–540.
- Smith, B. (1999). Les objets sociaux. *Philosophiques*, 26: 315–347. <http://www.erudit.org/erudit/philoso/v26n02/smith2/smith2.htm> English version: Social Objects <http://wings.buffalo.edu/philosophy/ontology/socobj.htm>.
- Smith, B. (2002). The Ontology of Social Reality. <http://ontology.buffalo.edu/smith/articles/searle.PDF>, 2002
- Smith, B. (2003a). John Searle: From Speech Acts to Social Reality. In J. Searle (Ed.) Id., Cambridge University Press, Cambridge, MA.
- Smith, B. (2003b). Un'aporia nella costruzione della realtà sociale. Naturalismo e realismo in John R. Searle. In P. Di Lucia (Ed.) *Ontologia Sociale, Potere deontico e regole costitutive*. Macerata: Quodlibet (2003): 137–152.

- Smith, B. (2006). "Document Acts". http://ontology.buffalo.edu/document_ontology/.
- Simons, P. (1987). *Parts. A Study in Ontology*. Clarendon Press, Oxford, MA.
- Tomela, R. (1995). *The Importance of Us*, Stanford University Press, Stanford, CA.
- Tomela, R. (2002). *The Philosophy of Social Practices*. Cambridge University Press, Cambridge, MA.
- Vico, G.B. (1744). *La scienza nuova*, in Id., ed., N. Abbagnano, *La scienza nuova e altri scritti*, Torino, Utet 1952, 247–748.
- Williamson, T. (1994). *Vagueness*. Routledge, London.
- Williamson, T. (1998). a c. di, *Vagueness*, fascicolo monografico. *The Monist*, 81: 193–348.

