

The Ontology of Human Civilization

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ABSTRACT: The basic elements in the ontology of human civilization are status functions. Those are functions that can be performed not in virtue of physical structure alone but only in virtue of collective acceptance by the community of a certain status. Money, property, government and marriage are all examples of status functions. Status functions are all created by repeated applications of the same logical operation, in a preliminary formulation: X counts as Y in context C.

On examination it emerges that all status functions are created by a certain kind of representation that has a logical form of a speech act that I call a “Status Function Declaration.” These are explained.

This lecture was delivered without notes and the current publication is very informal. I hope the reader will forgive the informality.

KEY WORDS: status function, constitutive rules, institutional facts, deontic powers, Status Function Declaration

I am going to talk about one aspect of an overridingly important question, what I consider to be the number one question in contemporary philosophy and, in a way, in contemporary intellectual life. And here is how the question goes: We have pretty good knowledge of how the world works on a fundamental level, on the level of physics and chemistry. We know that it consists entirely of entities that we call particles—they are probably not particles, but it’s convenient to have a word. These particles are organized into systems, where the boundaries of each system are set by causal relations. Galaxies and babies and organic molecules are all examples of systems. Now, here is the problem. If that is the basic reality, how about the human reality? The human reality consists of

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consciousness, rationality, politics, aesthetics, and freedom of the will, among lots of other phenomena. Now here is the question in its most broad form: How do you square the human reality with the basic reality? How does the human reality coexist with the basic reality? And it's not enough to show that they are just consistent. You have got to show that the human reality is a natural consequence of the basic reality; that once you have got electrons and protons, you are eventually going to get elections and presidents. That human reality is part of the same reality as the basic reality. I am going to talk about one aspect of that question: certain features of social reality, namely those we think of as distinctive of human civilization.

You might think, why do we not just get busy and do it—start with the molecules and work up to national elections. I think that is the right approach, but there are a number of obstacles. One of the obstacles is that there are a number of absolutely systematic mistakes repeated in philosophy over and over. I am thinking of writing a book called “Ten Outrageous Mistakes in Philosophy and How to Avoid Them,” because these really are outrageous mistakes, and yet we repeat them to our undergraduate and graduate students and memorize them when we get to graduate school. I will not go through all ten, but let me give you a couple that are relevant to this discussion.

The first really dumb mistake is to say: Well, you do not live in one world, you live in at least two, God knows some people think now we are up to three or four, but in any case you do not live in one world *because*—and here is the mistake—if consciousness is not reducible to physical third-person processes, then it must exist in a separate ontological realm. And some version of dualism must be true. That view, so stated, does not sound very intelligent. But it's widespread and leads to a lot of falsehoods. That is mistake number one.

Mistake number two is about perception. And I got so annoyed with this I wrote a book about it: *Seeing Things as They Are*. Here is the mistake: the mistake is to suppose that you never really see objects in the world; instead, all you can ever see is the impact of the objects on your nervous system. What you see is a visual experience going on in the head. And this is not only a mistake in philosophy—even some very smart scientists adhere to this. Francis Crick (I used to argue with him about this) thought you have got to suppose that visual experience is seen inside your head. And he even thought you have got a homunculus in there looking at it. And that is a double mistake. You do not see visual experience. You have visual experience, but you do not see it. Not because it's invisible, but because the visual experience is the seeing of the object, it is not what is seen. Visual experience is the seeing of the hand, and you cannot see the seeing of the hand any more than, if you hit the table, you can hit the hitting of the table. I resist the temptation to go on about this mistake, because there are so many others out there.

Another mistake, equally famous, is about causation. “It turns out causation is not a real relation, in the real world. The only relation is the constant conjunction of resembling instances.” You all had a course in philosophy so you know that comes from Hume. And then it turns out what makes causal statements true is not facts of the matter on the spot but that they instantiate a law. That is so obviously mistaken that I am embarrassed to repeat it in polite company; contrary to that, I want to say that causation is not just a relation among events, it's everywhere. The universe is held together by causal glue: gravity, electromagnetism, weak and strong nuclear forces. Right now my body is exerting pressure on the floor, and there is a constant cause that is operating, namely the force of gravity.

There are a couple distinctions we need to make that are not commonly made. First of all, we are going to be talking about objectivity and subjectivity. This is a big deal distinction in our culture, and we strive for something called objectivity. The problem is that the distinction is systematically ambiguous between an epistemic sense and an ontological sense. In the epistemic sense, the distinction is between types of claims. A proposition is epistemically objective if you can settle its truth as a matter of fact. So, if I say “Rembrandt was born in 1606,” that is, as they say, a matter of objective fact, that is epistemically objective. If I say “Rembrandt was the greatest Dutch painter that ever lived,” it’s a matter of opinion. I think it’s probably true, but opinions differ on that. That is epistemically subjective. Now underlying that distinction is a distinction in modes of existence. Some things have an existence that does not depend on being experienced. Think of mountains and molecules and tectonic plates. They are ontologically objective. But some things exist only insofar as they are experienced. Think of pains and tickles and itches. All of those are ontologically subjective. Now, why is this such a big deal? It turns out that a lot of things that are ontologically subjective nonetheless admit of claims that are epistemically objective. And the failure to see that has led to a lot of bad philosophy and bad science.

When I first got interested in consciousness, I went over to the neurobiologists at UCSF and told them: “Get busy and figure out how the brain does it. What am I paying you to do? Get busy and solve the problem of consciousness.” And a standard answer I got, including from a famous neurobiologist, was: “Look, on your own admission, consciousness is subjective. But science is objective. So you cannot have a science of consciousness.” One guy even said, “Look, in neurobiology it’s okay to be interested in consciousness. But get tenure first!” Now there is been an improvement. You can get tenure by doing good work on consciousness. But in any case, the mistake is to suppose that the ontological subjectivity of consciousness implies that there cannot be an epistemically objective science of consciousness. And you all know that is a simple fallacy of ambiguity. Objectivity and subjectivity are used in two different senses.

Underlying *that* distinction between the epistemic and the ontological sense of objective and subjective is another distinction that is not the same, but that is importantly related. And that is the distinction between those features of the world that exist regardless of what anybody thinks—you might say they are observer-independent—and those features of the world that really are what they are because we have certain attitudes about them. So, again, mountains and molecules and tectonic plates are observer independent. But money and private property and marriage and government and national elections—all of those are observer-relative.

Now, why is this such a big deal? Well, it’s going to turn out that the phenomena that we are talking about, the distinctive features of human civilization, are themselves observer-relative, and thus they contain an element of ontological subjectivity in their very existence, because they are created by human consciousness and only exist relative to human consciousness. But that does not mean that we cannot make epistemically objective claims about money, property, government, marriage, and all of those other things. And I am going to come back to this at some length, so I want you to keep those distinctions in mind, between the epistemic and the ontological sense of the distinctions between objectivity and subjectivity. And I also want you to keep in mind the distinction between those features of reality that are what they are only because we think that is what they are—they are (and ‘observer’ is probably not the right word because it implies some outside observer,

and often it's the inner participants that matter) intentionality-relative or attitude-relative. And the point for the present discussion is that all elements of civilization that we will be interested in, such as nation states, money, private property, government, cocktail parties, summer vacations, meetings of the *Harvard Review of Philosophy*, and so on, all of those are observer-relative phenomena, but all of those admit of claims that are epistemically objective. The fact that makes them observer-relative is that they contain ontological subjectivity, they contain human consciousness, as part of their existence. All of them are created by human consciousness, but the human consciousness that creates them, though it creates observer-relative phenomena, is not itself observer-relative. If you got all those distinctions, you are way ahead of the philosophy profession. But I am going to use them, and some of them will become clearer as we go along.

So here is our question: What is the mode of existence of the distinctive elements of human civilization? And pick your favorites. If the Republican party is your favorite, that is fine. If you have some other favorite—political parties, governments, nation states, cocktail parties, summer vacations, universities, advanced courses in philosophy—it too is part of human civilization. Why? Well, we have now come to accept that animal life is continuous with human life. That is one of the great messages of a friend of mine who taught at this university—we ought to think of humans as continuous with animals. All the same, there are some important differences. My dogs are my domestic laboratory in animal cognition. And they are great doggies. Frege, Russell, Ludwig, and now Tarski. Why Tarski, you ask? Poor Alfred was flown in as a three-month-old puppy from Warsaw. He has to have a Polish philosopher's name. Well, nobody is going to run around the neighborhood shouting "Kotarbiński," "Lukasiewicz," or "Kolakowski," so Alfred got stuck with the name. In any case, I am trying to explain animal cognition. My doggies are very intelligent, and I learn a lot from them about animal cognition. It drives professional ecologists crazy when philosophers talk about their household pets instead of talking about all the serious research done on animal cognition. Well, okay, I will talk about some of that research. But the truth is I would much rather trust Tarski, not to mention Frege, Russell, and Ludwig, than the standard texts in animal cognition. Here is the point of this: though my doggies have very great intelligence, and no doubt engage in deep thought—after all, Plato said the dog is the most philosophical of animals—all the same I know that when Tarski is lying there thinking, he is not thinking about what he is going to do in the summer vacation, about income tax, about the lecture he has to give at Harvard; all those worries are worries I have, but he does not have any of those worries.

What I am interested in, for this talk, is what are the distinctive features of human life that are not shared by animal life. And I somewhat tendentiously call those features human civilization. But, in any case, there are features of human social life that are not features of animal life, and that is what I will be talking about. Now, philosophers like paradoxes, so here is the paradox. All of these features that I will be talking about, cocktail parties and summer vacations and courses in philosophy and tenure, all of those features are what they are only because that is what we think they are, only because of our attitudes. But all the same, we can have objective knowledge of those features. Well, you know the answer to that paradox. The features are created by us, and thus are ontologically subjective, or have a feature of ontological subjectivity in their existence, but the presence of ontological subjectivity does not prevent us from having an epistemically objective account of the phenomena. It's a plain matter of fact that Barack Obama is president of the United States, but

that matter of fact is created by ontologically subjective attitudes. It's not a feature of his DNA, it's not a brute fact about him, it's rather an observer-relative fact, and consequently it has ontological subjectivity in its very existence, but all the same it's epistemically objective, it's not just my opinion. That is the puzzle, and that is the set of questions that we are going to be addressing: What are the distinctive features of human civilization? And I will be talking about those features that, just to have a label, I will call institutional facts. Facts about money and property and government and marriage, and not about pains and tickles and itches. And our initial question is: How are those facts created, and what are the elements in their ontology? What are the features of their ontology?

So we are going to talk about human institutional reality. And remember that the project is to get from molecules to mass movements. From protons to politics. And, the claim that I will be making is that there is a continuous progression. If you understand the atomic structure right, you will be able to see how civilization is a natural consequence. Now, there are several steps on the way that we do not fully understand. We know that life began on this planet. Where, and how, it began exactly—it's a scandal: we do not know the answer to that question. One of the things I resent about my education is that the professors never told me "we do not know the answers to these questions." A friend of mine wrote one of the best books on neurobiology. It's a great book, costs a hundred bucks, but I got a free copy because I contributed something to it. And I said to him: "Eric, why don't you say on page one, 'we do not know how the brain works?'" And he said, "John, you do not understand how to sell books." And I am sure he is right. But, in any case, we do not understand how life began. We know that it did begin. And we do not understand how the brain creates consciousness. We know that it does create consciousness. But I am going to assume that those questions are answered naturalistically, that is, that you do not have to posit anything supernatural to account for how life began, how we evolved, and how, in the course of evolution, we had animal evolution, including the evolution of nervous systems, and that the evolution of nervous systems included the evolution of human and animal consciousness. So I am going to take all of that as a given. Not because I think we know the answers—we do not. But we do know at least this much: these are natural phenomena. And I am going to try to show that human civilization is, in this sense, a natural phenomenon. It's part of nature.

What do you need then to get from these living animals to national elections, political parties, universities? Well, it seems to me that you need at least the following: that consciousness has to have *intentionality*. It's an unfortunate word, but like a lot of unfortunate words we got it from the Germans, and everybody in this room knows that it does not just mean intending, but belief and hope and fear and desire and perception and all the emotions, all of those are cases of intentionality. It just is *directedness*. Now, it's not a problem for the Germans because "Intentionalität" does not sound at all like "Absicht," which is the German for intention. But by "intentionality" we are just going to mean directedness. An important development in human civilization is that you get shared intentionality of more than one animal. You get *collective intentionality*. And collective intentionality is manifest whenever there is any kind of cooperation. And the capacity for cooperation is just biologically basic. Look at those movies of mothers and their newborn infants. You see immediately communication. They have this dreadful word: *neonates*. They communicate with the neonates. They have this collective intentionality. Now, humans have a remarkable capacity, again, which a lot animals have, and that is: they can impose functions, where

functions are always observer-relative. So this water bottle has one function, it holds water. This piece of chalk has another function, it enables me to write on the blackboard. All of these functions are imposed, and, consequently, are observer-relative. Now, that is hard for us to grasp because a lot of times we discover functions. In the seventeenth century we discovered that the function of the heart was to pump blood. But remember, when you say “the function of the heart is to pump blood,” you are saying more than “the heart causes the pumping of blood.” You are introducing normativity. There is an axiology implicit, because now it makes sense to talk about good and bad hearts, well-functioning and malfunctioning hearts, heart disease. What is the source of all of those evaluative components? The source is the imposition of the function, which is observer-relative. To say the heart *causes* the pumping of blood is not observer-relative. To say the heart *functions* to pump blood is observer-relative.

Okay, but animals do this as well. They impose functions. Birds’ nests, or beavers’ dams, or a chimpanzee using a stick to dig out ants that he is going to eat: all of those are the imposition of functions. Here comes the decisive shift when you get to human beings. Human beings have the capacity to impose functions on objects and on people where the function is performed not in virtue of the physical structure, or not in virtue of physical structure alone, but in virtue of the fact that there is a collective acceptance of the person or object having a certain status. It’s money, or it’s a president, or it’s a professor in a university, or it’s a policeman. It has a certain status, and the function can only be performed because there is a collective intentionality, there is collective acceptance of the existence and the maintenance of that status. And I call those status functions. They are functions where the object or the person has to have a certain status, and with that status comes a function which can only be performed in virtue of that collective acceptance. I always show off twenty dollar bills all over the world as a good example of a status function. It’s not in virtue of the physics that this bill is valuable, it’s in virtue of the fact that we have imposed on it the status of being money, and with that status money has the functions it does, provided that there is a collective recognition of the object as having that status. That, I think, is the fundamental notion.

Now, the next question is, how do you do it? How does it work? And my gut feeling is that humans are not smart enough to have a whole lot of different ways of doing it. There are likely to be just a few ways of creating and maintaining status functions. Let us do the simplest version first. It seems to be that the simplest method for creating status functions is to take something like a piece of paper and count it as having a certain status. It’s a piece of paper issued by the Bureau of Engraving and Printing, and it’s got certain kind of marks on it, but it’s because you count it as having the status that it acquires the status. The general form, by which we create civilization, is X counts as Y in context C. Philosophers always like to take chess as an example, because it’s very clear. In the case of chess, such-and-such a move counts as a legal knight move. Such-and-such a position counts as white being in check. Such-and-such a form of check counts as check mate. X1 counts as Y1, but Y1 of such-and-such a position counts as Y2. So this is how we create status functions. We count something as having a status that it does not have intrinsically. And roughly speaking, if you can get people to go along with it, it will work. Why the hell they accept bitcoins is a mystery to me, but they do, and that means it’s going to work. Or, to take a more spectacular example, a bunch of people, who had no qualification legally to do this, got together in Philadelphia and said, “We are a new nation, we count ourselves as a new nation.” That

was the Declaration of Independence, and they succeeded because they got people to go along with it. This is the mechanism by which we create civilization. And you might think, “that is pathetic. You just count something as something it isn’t?” Okay, well, this mechanism has two formal properties, which give it remarkable power.

One is that it iterates upward indefinitely. So, a hole opens in the bottom of my face, out come noises. That is a brute fact. However, those noises count as sentences of English. Furthermore, those sentences of English count as the performance of certain sort of speech acts, such as making a promise. Some promises, in the state of California, count as getting married. See what is happening? $X1$ counts as $Y1$, $Y1 = X2$, that counts as $Y2$, but $Y2 = X3$, and you can keep going indefinitely. So that is the first formal property. It iterates upward indefinitely.

The second formal property is that it interacts laterally with other institutional facts—with other status functions. So I can talk about money. I do not just have money in my wallet, but I have money in my bank account, at the Bank of America, in Berkeley, California. It’s put there by my employer, the Regents of the University of California, and I use it to pay my state and federal income taxes, as well as all my credit card bills. Now, all of the noun phrases in the sentences I just uttered, every single one of them, names a status function—the Bank of America, the Regents of the University of California, etc.—so you get a remarkable formal power to this, that it iterates upward indefinitely and it spreads out laterally.

However, what is the point of doing this, what is the big deal, why do we do this? The answer is that status functions, without exception, are matters of power. We create power with status functions. These powers have interesting names in languages like English, they are called rights, duties, obligations, requirements, permission, authorizations, entitlements, and so on. All of those I call “deontic powers,” using the Greek word for duty. So, we are starting to get an equation. Status functions create deontic powers, and deontic powers are that list I gave you (including rights), and the reason that they are the glue that holds human civilization together is that they provide us with reasons for action that are independent of our immediate inclinations.

I will give you a real life example. I woke up in my warm bed in Berkeley California, and I thought, “Who the hell wants to go to San Francisco airport before dawn and stand in line and do all those horrible things you have to do.” I will have to eat airplane food, I will try to put my elbow where somebody else wants to put his elbow. You all know the horrors of airplane travel. But I did it. And here I am. And the answer is, because I made a promise, I created a reason for action which was desire-independent.

I gave a lecture on this once in Chicago in front of famous right-wing Chicago-school economists, and they said, “Well, no, you did not get up out of your bed and come to Chicago just because you were feeling a sense of obligation; think what we would think of you if you did not show up for your lecture.” And I did not have the heart to say, “I do not give a damn what you think of me.” But in any case, you do create reasons for action which are independent of your immediate inclinations, and that seems to me to be the basic feature of human civilization.

Tarski, when he is lying there in his deep, canine reflections, is not thinking “under what obligations do I find myself at present, and how will I reconcile all of my conflicting obligations?” I know Tarski has a lot of worries; that is not one of them. It is a distinctive human trait. And, for reasons I am going to tell you, it depends crucially on language.

So that is a sort of bare bones of a simple theory of human civilization. It's created by the repeated application of a certain formal structure. X counts as Y in C, and just to introduce one other item of jargon, rules like this I call "Constitutive Rules," as opposed to "Regulative Rules," that regulate antecedently existing forms of behavior. So the rule "drive on the right," that is regulative, that regulates driving behavior, which can exist without the rule. But the rules of chess do not just regulate the moving of the pieces, they constitute playing chess. The constitutive rules create the possibility of new forms of activity, because they always have this form, "X counts as Y in C."

Now I think that is a pretty good start on a theory, but it's got some problems, so now I am going to go to the next level and tell you some objections, counterexamples to this theory. Well, one counterexample is this: What happens when you create a status function out of nothing, when there is no X-term? My favorite example was always money: I can reach into my wallet and pull out actual currency. But most of the money in the world, and most of the money you have, has no physical existence at all. There are magnetic traces on computer disks in banks that represent the amount of money you have in your account. But those magnetic traces—those are not money. You cannot spend the magnetism. What you spend is the money, but the money is represented—now watch this vocabulary, it's crucial here—the magnetic traces represent the amount of money, but the money itself has no physical existence at all. The amount of money is represented, and you can spend the money by changing the amount of money in your representation in favor of somebody else's representation, that is called a debit card, and maybe that is what we are moving toward: money need have no physical existence.

Furthermore, a lot of these institutions that mean so much to us have no physical existence. We are told that Apple Computer is the richest corporation in the world. Well how much does Apple Computer weigh? The answer is, it has no physical existence. It owns buildings, but the buildings are not the corporation. The corporation has no physical existence. And I looked it up: How do you create a corporation? It's absolute magic. You can create a corporation by performing a speech-act. It's called "filing articles of incorporation." So, if we felt like it, all of us in this room could get together and form a corporation. Call it "the corporation to form a corporation." We will not do it, because it costs ten thousand dollars. It's not worth it, even to prove a philosophical point. But the corporation is the ingenuity of the human serpent at work. How to get rich without risking all your money? The limited liability corporation is the device—now most of them fail, of course, but not all of them fail. And this is a great source of human motivation.

So that is what the worry is: how about X counts as Y in C when there is no X?

Now another case is when you do not need antecedent rules. Kids get together and select the captain of the softball team. But they did not have pre-existing rules. They just got together on an ad hoc basis and counted this person as the captain of the team. So what is going on? How do we deal with all these cases?

Okay, now, with more pretentious jargon, so far what I have given you is a special theory, and now we are going to go on to the general theory.

There is a question I should have asked myself, and that is: What kind of a speech act is that anyway, counting something as something that it isn't intrinsically? I mean, if I do not ask that question, who is going to do it? But I did not ask that question for a long time, and now I am going to tell you the answer to that question, because it's crucial for the account I am giving you.

We need to distinguish different ways that language relates to reality. And Wittgenstein famously said, “well, there are just countless kinds of language games.” I do not think so. There is a very limited number. Limited by our biology. You have one class of speech acts where you tell people how things are—those are called assertives, and their characteristic feature is that they can be true or false because they represent reality with this word-to-world direction of fit. And a mark of whether something has that direction of fit is: Can you literally say whether it’s true or false?

Now, our second class is directives—those like orders, requests, commands, requirements—and the third class is commissives—promises, vows, threats, and pledges—and they have the uphill direction of fit, and that is why members of this class are not said to be true or false, they are said to be “obeyed or disobeyed.”

So, assertives, for example, are statements; directives are orders or commands; commissives are promises, vows, threats, and pledges, and they have the other direction of fit. They do not set out to be true or false, but they try to change reality by getting reality to match the words. They have the world-to-word direction of fit, not the word-to-world direction of fit.

There is another class that is kind of a mess, and I do not want to talk about it, but I will just mention it in passing. This is the class of speech acts where you just take something for granted and express some attitude about it. “I apologize for stepping on your face”; “thanks for giving me the money”; “I congratulate you on winning the race”—all of these you take something for granted, and that is shown by this gerundic form. You do not say “thanks to give me the money,” you say, “thanks for giving me the money.” You do not say “I apologize to step on your face,” you say, “I apologize for stepping on your face.” When I first learned French I had an instructor who always came in and said, “excuse me to be late.” Now, that is good French, but it’s terrible English. You see, in English you have to say “excuse me *for being* late.” Why? Well, because there is no direction of fit. The fit is presupposed.

But we will just rush on to what I am really getting to, and that is that human beings in their ingenuity have created a class of speech acts where you change reality just by saying it’s changed. And, just to have an ugly expression, I call those declarations. In the case of declarations, you make something the case, and thus change reality to match the words. You achieve the world-to-word direction of fit, but you do it by representing reality as being so changed by the word-to-world direction of fit.

How do you get away with that? You make something the case, you change reality, just by saying it’s changed, just by a sort of word magic. And Austin’s example of performative utterances are classics of this. The chairman says “the meeting is adjourned,” and that makes it the case that the meeting is adjourned. Why? Well, he said it’s adjourned. That is, he changed reality, and thus achieved the world-to-word direction of fit, but he changed reality by representing it as being so changed.

Okay, now, you can do it without using a performative. Again, if you are a philosopher, all you have got to do is look around you and you will find astounding philosophical claims. On this, and all other American currency, it says, “This note is legal tender for all debts, public and private.” What a stunning empirical claim. How do they know? Has somebody done a survey? Is there a study to show it’s legal tender? And the answer is, of course, that they did not discover that it’s legal tender, they made it the case that it’s legal tender by saying that it’s legal tender.

So, declarations are everywhere, and now I am going to advance the next strongest claim in this lecture. The first was this: human civilization consists of status functions, and they are all created by a single operation, whereby we count something that it is not intrinsically. Okay, now comes a second claim which is a development of that, and that says: All status functions are created by a certain speech act, or by something that has the same logical structure as that speech act, and I call those "Status Function Declarations." So Status Function Declarations create status functions, according to constitutive rules, and those carry deontic powers. Furthermore, not only is institutional reality created by Status Function Declarations, but it is continued in its existence by representations that have the form of the Status Function Declaration.

Now, why do I have to use this qualification? Why do I say, "the representation that has the form"? Well, often you do not have to come out and say it explicitly. If you are conducting a love affair, you do not say, "I hereby declare that we are now lovers, that you are my girlfriend." That is an un-subtle approach. I do not recommend that approach! But, nonetheless, you reach a certain point in the affair where people recognize, "look, we now have a certain relationship." I love this terminology, "we are in a relationship." Well, hatred is a relationship too, but anyway that is not what they had in mind. There is a dreadful thing, which I do not recommend because it ruins the minds of my students, called "Facebook." People on Facebook are constantly declaring themselves to be in a relationship. And that is a status function. That means there are rights and duties and obligations. The key test is: Are there deontic powers? So the deontic powers are created by representations that have the logical form of the Status Function Declaration, where you make something the case by representing it as being the case.

Now I think that human civilization isn't just created in its initial institutional forms, but it's maintained by repeated application of these representations that have the form of Status Function Declarations. One way to look at that is to see how institutional structures change. Reformists and revolutionary movements are trying to negotiate those changes, and their first effort is to get control of the vocabulary. In the early days of feminism in this country, the feminists were anxious not to use words like "ladies and gentlemen," because those marked status functions that they wanted to overthrow. Again, when the Czarist regime was overthrown by the Bolshevik revolution, they got rid of all the traditional forms of address. You were no longer "Count Karenin," you were "Comrade Karenin." They wanted to get everybody to have the same label, because status functions only exist insofar as they are represented as existing, and the representation, crucially, requires a vocabulary. The vocabulary is never innocent. Vocabulary always varies with power relations, and those power relations are status functions.

So, I have not shown this part, but I want you to seriously consider the idea: civilization is created according to a certain formula, whereby you count something as having a certain status. But I want to say the continuation of the institutional facts, the continuation of the status function, requires continuous representation. So it's the continuous representation of this as a five-dollar bill which constitutes the maintenance of its status as a five-dollar bill.

Philosophers among you will have seen that there is a potential for infinite regress here, if you say "all institutional facts are status functions, and all status functions are created by a single type of speech acts, by the imposition of a status function by a Status Function Declaration," you have got a problem. What about language itself? Language

consists of institutional facts; if they are created as status functions, you get an infinite regress. Because if you have to have language to create a status function, and language is a status function, then you have to have language to create language, and language to create the creation of language—you will immediately see the regress. What is a way out of that? Language is different from other institutions in that it is absolutely the fundamental institution. On the account I have been giving you, people cannot have institutional facts unless they have some way of representing those facts, and broadly speaking that means language. They need not have something as fancy as English or French, but they need to have some system of representation.

So language is the fundamental institution in that all other institutions require language, and language does not require other institutions. And, intuitively, that sounds right. If an anthropologist comes back from the Amazon basin and she said, “I study a tribe that has a language, but they have no private property, government, or money,” well that makes sense to us. But, if she says, “they have an elaborate system of private property, government, and money, but they have no language,” that makes no sense. That cannot be right. You have got language as the fundamental social institution. How is it different? Consider an English sentence. My mastery of English is such that if I say “Snow is white,” that counts as making the statement that snow is white. Now, when the head of the Supreme Court says to Barack Obama, “I hereby declare you President of the United States” (or whatever it is they say exactly) he makes Barack Obama the president of the United States. What is the difference? That counts as making him president, just as I count as making a statement about snow. The answer is this: In the case of making the statement, all you have to have is the semantics of the sentence. The meaning of the sentence is such that, if you understand the meaning of the sentence, you understand that anybody who utters it with the appropriate intentions and so on is making a statement. You do not need any additional powers. But in the case of “you are now president of the United States,” you create powers that go beyond semantics. We use semantics to create powers that go beyond semantics: to create money and private property and marriage and universities, the power goes beyond the semantics. We use semantics to do that, but the power that is created goes beyond semantics. But in language itself, when we just say that two plus two is four, or that snow is white, we use the semantics to create a new institutional fact, but the institutional fact itself does not go beyond the semantics. So the semantics is sufficient. The way to avoid the infinite regress is, you see, that the type of language that is used to create status functions of a non-linguistic type—making somebody a president, or property owner, or chairman of the philosophy department, or a lover—all of those use semantics to create powers that go beyond semantics. But in language itself you do not get powers that go beyond the semantics.

So now we have solved our objection: How can you have status functions where there is no X-term? You just create a Y-term. You say, “let there be a corporation,” “let there be money,” and if you get people to accept it you can make it work. And then our other objection: How can you have status functions where there is no pre-existing institution? You do not have to have a pre-existing institution; you just count something as having a certain status. That is, the kids get together and decide so-and-so will be the captain of the softball team, in an ad hoc fashion, and they create it on the spot. The key always, since these are essentially collective, is that these require collective intentionality. The key is: Can you get other people to accept it? And if you can get other people to go along with it, you have got a state, or money, or private property.

Let me suggest some ways that you might use this apparatus to go further. One of the important notions, in our life, is a notion that in a sense was only really invented in the Enlightenment. And that is the notion of human rights. You see, traditionally the notion of a right attaches in virtue of a status. You have a right as a noble, or a property owner, or a husband. Some genius, and I do not know who it was, in the Enlightenment, got the idea that you have rights just in virtue of being a human. Now, the Y-term is being a human, and you have human rights. Where the hell did they get that idea? It seems crazy on the face of it.

Now, the actual texts usually make references to God. They are “endowed by their creator.” But the funny thing is, it was not a religious era—it was not like the Middle Ages in that respect. And I think it is a great idea that you have rights in virtue of just being a human. Now, what is going on? I think you will all recognize: human rights are status functions. That is a case where something is collectively accepted as being the case, and therefore it can function as being the case because it carries deontic powers. The peculiarity is that simply being human is the Y term in the formula X counts as Y in C.

Now then, you have a problem. How do you make an inventory of human rights? And I think I have given you the apparatus to think about that. I will not solve the problem for you, but first of all, you have to have a theory of what is innate in human beings: the urge for self-expression; the urge for a certain kind of independence, these are natural human phenomena. And some of these we think are valuable—so we need a certain set of values. But, given a theory of human nature, and given a set of values, it seems to me you can give an epistemically objective justification for the attribution of the ontologically subjective human rights. They are ontologically subjective because of the observer-relativity of the notion of human rights. I mention this as just one example of how this apparatus can be extended.

Okay, so let me now conclude. The basic assumption methodologically is that we are not all that smart. We do not have to do something fancy over and over to create human civilization. We have the same apparatus that we just apply over and over. And the apparatus enables you to create status functions. In some cases, you create them out of something that existed before, as we create “this is my property,” or “this is the chairman of the department,” but in other cases you create it out of nothing, as when you create money, or you create a corporation. And the power of this derives from the fact that the simple, formal structure can be used over and over to create extremely elaborate systems of status functions, and those work because they carry power. They carry deontic powers, and consequently are subject to rational assessment and rational constraints.