

### **Faulty Institutional Objects. A threat for the Infallibilist (and the Fallibilist as well)**

That social reality, in some way, depends on us is a fairly trivial claim. Less trivial are the theoretical consequences of such statement, especially with respect to the role played by collective acceptance (Searle 2010). Infallibilists like Thomasson (2003) hold that, being human kinds (and among these institutional objects) a product of a stipulative act, at least some (relevant) members of the community that makes such stipulation cannot be wrong about them: “we have certain forms of epistemic privilege with regard to our own institutional and artifactual kinds, protecting us from certain possibilities of ignorance and error (p. 580)”. Fallibilists, like Guala (2010), challenge the apriorism of such position on the basis of the fact that the mechanisms of classification of a certain individual as belonging to that particular institutional kind are in many cases not the result of a stipulation, but rather causal, a posteriori and, thus, fallible. Nonetheless, the possibility of making predictions in the social sciences is granted by some sort of projectibility of institutions.

Our proposal amounts to three main contributions:

- i) there are faulty institutional objects;
- ii) these undermine in different degrees both the infallibilist and the fallibilist position;
- iii) finally, far from only having just a disruptive effect, they play a key role in social change.

By “faulty institutional objects” we refer to those social objects that, in their embodiment, display a *mistaken* behavior (different from the expected one); this can be due either by the fact that they are badly designed, or by the fact that the environment in which they act has evolved and they are no more efficacious. For instance, in recent times, junk bonds have played a dramatic role in “speculative” economy.

Infallibilists acknowledge that errors can affect collective acceptance in several ways: only sufficient - and not necessary - accepted conditions for stipulation are free from error, only some - and not all - principles guiding collective acceptance must be known, and only relevant members within a community (Tuomela 1995) - and neither outsiders, nor all members - must be aware of stipulations and their contents. However, this does not rule out the possibility that our institutional objects are flawed from the very beginning and that they reveal the failure in their inability to perform the function they were created for.

But fallibilists are not really better off: their need to maintain projectibility is problematic, as many among faulty institutional objects typically display *gruesome* (Goodman, 1955) properties (take for instance laws whose validity is temporally constrained). *Pace* Guala, the general issue of prediction in the social realm is far from being settled, as some economists (Latsis 2010) and game theorists (Sugden 1998) claim.

Properties like “being *grue*” are not projectable for several reasons: they are in some sense “artificial”, they hold only for constrained time-spans and they depend on observability; similarly, institutional objects, artificial by definition, have often a temporally constrained existence and depend on collective acceptance, an intentional attitude like observability. As a consequence, it might be the case that all institutional objects are *grue*, and inductive inference is not a safe way of reasoning in the social or, alternatively, that it is not possible to find clear-cut criteria to distinguish *grue* from non *grue* institutional objects. In both

cases, induction should pragmatically be used only when “reason gives out” (Sugden 1998).

We certainly agree with the fallibilist’s claim that social change is responsible for our errors in predictions. To hold such position is for us to take seriously the claim that the epistemic level affects the ontological one when we deal with social reality. It must be noticed that theorists as Tuomela and Searle have not focused on problematic situations such as these, staying more at an ideal level. We deem it as necessary to follow completely this path and consider errors as a part of the social ontology. The consequences of errors are something that has not yet been given the deserved attention. To start with, errors in the social realm tend to propagate in many directions; a first question one may pose is how rights and duties descending from an erroneous agreement has to be dealt with. Secondly, how should we consider agreements over faulty agreements? These are questions that cannot be addressed at the present moment, but that are fundamental to understand how the mechanisms of social construction and acceptance work in problematic situations.

But this is not the whole story: faulty institutional objects are in most situations what engenders the social change, what triggers the dynamics of the social realm. The fact that we build faulty objects, our ignorance of the conditions for the creation and acceptance of some institutional object (that can also be the result of deception) force us to continually re-stipulate and re-negotiate acceptance of institutional entities. The recognition of a situation of error and the necessity to prosecute in a regulated activity leads us to attempt a correction of the agreement or the creation of a new one.

## References

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