

Dr Marcel Scheele  
marcel@mscheele.nl

## **Social facts from an analytical perspective**

### **The example of institutions as a unifying notion in the social sciences**

#### **1. Introduction**

In many social scientific disciplines the notion of institution plays a role. Textbooks often start out with a remark to the effect that social institutions are the central subject of investigation. Social sciences in general are concerned with the interaction between people; institutions are the structures that are the result of the many types of interactions between people. From this perspective the conclusion is warranted that institutions form an important part of the basic furniture of the social world, *qua* social world. They are an important type of system that the social sciences, in their quality of being a *social* science, investigate.

This might be most clear in fields like ‘institutional economics’ and so-called ‘new institutionalism’ in political science, but also in a field like cultural anthropology this is the case, because cultures or aspects of cultures are often regarded in terms of institutions. Legal theory is also said to deal with ‘legal institutions’. Even in a field like collective rational choice theory, which is an extremely individualist approach to collective action, the notion of institutions plays a role (e.g. in the way that the existence of institutions can be explained by a mechanism of rational choice) (cf. Scott 2001, 8).

In this article I investigate how the notion of institution can provide a perspective on the unification of the social sciences. Although unification is not necessarily a holy grail of scientific methodology, it is in so far interesting and important that it opens the possibility of theoretic overview and comparison across specialised disciplines. I regard unification at least as a potential useful tool for research and therefore the present investigation as worthwhile. The common usage of the term ‘institution’ indicates that

the term may provide a tool for such a unified view. ‘Social science is about institutions’, whether you call yourself a sociologist, an economist, a researcher in collective action theory, a social psychologist or a legal theorist: you investigate institutions from your particular perspective. There will be differences in approach and theory, to be sure, because different fields concentrate on different *aspects* of institutions, but there will be no difficulty in translating findings in those fields, one can imagine.

However, even if the picture I sketch is correct, we don’t get a unified view for free. Across different disciplines there are different uses of the term ‘institution’ and one may wonder whether there is one underlying notion of institution underlying the term. This is a difficult question, because despite the frequent use of the term it is often not used as a precise technical term, but rather as a broad covering notion defining a field of research. The notion is often defined rather loosely to indicate a field of investigation and to provide a general framework of investigation.<sup>1</sup> This needs not be a problem in itself. The notion of institution might be best used for a loose general framework, differently conceptualised in different disciplines, providing inspiration for different research questions and methodology.

In this article, however, I shall argue that the widespread use of the term ‘institutions’ provides an opportunity for unification of the social sciences. I will investigate whether there is some core notion of ‘institution’ that is maintained across disciplines, although with local variations. And, if this is the case indeed, can this serve some social scientific and/or philosophical goal? A social scientific goal might be found in the possibility of mapping the similarities and differences between the notion in different fields. This provides opportunity to adopt useful results and methods across disciplines in a relatively easy manner. A philosophical goal may be served from an ontological point of view: if institutions form an important part of the nature of the social realm, then what is the nature of this social realm?

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<sup>1</sup> The following observation is also of interest. Although the term is often used in textbooks and references in the social sciences, as often as not the notion of institution itself gets a separate entry in the index. Rapport & Overing (2000) contains the notion of ‘institution’ in its index, but has no separate lemma. Anthony Giddens’ textbook states that sociology investigates institutions (amongst others) and gives some examples, but the term does not show up in the glossary (Giddens 1992).

This article is written from the perspective of analytic philosophy. The basic philosophical interest is a sound conceptual analysis, which means that I will try to analyse the central concepts that constitute the notion under consideration. These concepts I take from several disciplines and discussions concerning the notion of ‘institution’. However, although I use material that is present in the social scientific literature this does not mean that the analysis is purely *descriptive*. A choice for a particular concept will exclude alternatives. Philosophical or conceptual arguments, rather than social scientific or empirical arguments will lead the analysis at that point. The resulting view (or ‘conceptualisation’) will act like a definition and be, in that sense, normative. Some (social scientific or philosophical) uses of the term ‘institution’ might differ from the analysis presented in this article, but that is to be expected. The assessment of such issues will depend on the strength of the philosophical argument. The philosophical point of departure here, in any case, will be the field of intentional action theory: social institutions have something to do with intentional actions of groups of agents. In other words: social institutions consist of intentional agents, together with their interrelations.<sup>2</sup>

The structure of the article is as follows. First I discuss the notion of institution from the perspective of different disciplines in the social sciences. I also investigate which methodological differences this results in across these disciplines (section 2). Then I propose a core definition of the notion of institution, departing from philosophical action theory (section 3). Then I see what consequences this proposal for a core definition might have for the possibility of unifying the social sciences (section 4).

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<sup>2</sup> I will not treat the question whether or not this is a reductionist view of the social sciences. It is *not* reductionist in the sense that social facts can be reduced to facts about individuals, because the relations between individuals are essential to social facts. It is also *not* reductionist in the sense that social facts do not ‘really’ exist. It is (more or less) reductionist in the sense that it denies an *independent* reality to social facts. My favoured approach would be in terms of the supervenience of institutions on individuals and their interrelations. This is a non-reductionist approach, but does not make institutions having an existence independently from individual agents.

## 2. The notion of institution in the social sciences

In this section I review what kind of work the notion of institution normally is supposed to do in the social sciences and what problems and opportunities this provides. I present a view from an ontological perspective, because I am mainly interested in the notion of institution as a general term indicating the basic furniture of the social world.

Up to a certain extent institutions are a kind of ‘social substances’, because they are social entities that keep their identity over time. Providing a recognisable identity, despite changes, is often exactly their function in social scientific research.<sup>3</sup> But if we take this ontological perspective, the notion of institution seems to be somewhat stuck between a rock and a hard place. On the one hand, it is used to denote enduring social *structures*, which point our intuitions toward *objects* – institutions are a kind of objects analogous to physical entities, they are identifiable, and persistent through time.<sup>4</sup> On the other hand, the notion is used to denote enduring *social* structures, which point our intuitions towards the, often volatile, relations between humans: volatile relations are not enduring entities.

Also, on the one hand they seem to indicate observable entities. Not entities like *physical objects*, but rather like observable *systems* and *processes*. In our society we can quite easily indicate institutions like the institution of marriage, education, industrial manufacture, religion, politics and so on. We can observe individual instantiations of these institutions and their general patterns. On the other hand, it may be wondered whether these observations are observations of institutions *as such*. Aren’t we rather observing individual agents, relations between agents and the artefacts they use? Aren’t institutions additional theoretical constructs rather than observed systems?

Finally, on the one hand the term ‘institution’ is used profitably in discussions in- and outside the social sciences. On the other hand, this also causes confusion, for instance because there is a distinction between uses of the term that indicate something that we

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<sup>3</sup> This is especially clear in the functionalist approach to social scientific research. The function of some institution is often the central explanandum within such a theory. E.g.: ‘An institution or a behavioural pattern X is explained by its function Y for group Z (...)’ (Elster 1994, 404). Also (Turner 1997, 4).

<sup>4</sup> E.g. ‘(...) institution in sociology, meaning established aspects of society (...)’ (Marshall 1994, 250).

also call *organisations* (such as banks, political parties and mental institutes)<sup>5</sup> and uses of the term that indicate something we would also comfortably call *social rules* rather than institutions or organisations (such as the institution of monetary economy and democracy, where ‘democracy’ is interpreted as a set of rules for making political decisions) (e.g. Congalton & Daniel 1976, 33).<sup>6</sup>

Next to the conceptual differences between the various uses of the term ‘institution’ that can be found in the literature, there are also methodological differences amongst disciplines in the social sciences that are associated with these different notions of institution. Differences concerning the notion of institution are not the sole cause of these methodological differences, but they do contribute to them. The following examples serve as an illustration.

In the first place there is a difference between quantitative and qualitative approaches in the social sciences.<sup>7</sup> In political theory, for instance, qualitative approaches prevail under the assumption, amongst others, that political processes can only be understood against the background of particular social structures with specific meanings. Institutions are ‘infested with meaning’ and ‘meaning’ is not a category that can be quantified.<sup>8</sup> Similar ideas are current in anthropology, which concentrates on the *interpretation* of (sub)cultures. This is not to say that quantification does not exist in, for example, political sciences (as testified by the large market for election polls), but this approach does seldom concentrate on institutions.

In institutional economics on the other hand, quantitative approaches are common under the assumption that intentional agents can be uniformly analysed: particular meanings in different cultures apparently are less relevant, but the assumption of

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<sup>5</sup> E.g. Ultee, Arts et al. 1992, 146; Red Feather Institute 1977, 63; Geense 2002, 9.

<sup>6</sup> In this area we encounter other difficulties as well, because what some particular institution exactly *is* that makes up some phenomenon under discussion is often unclear and hotly debated. Concepts in this domain are often supposed to be so-called ‘essentially contested concepts’, a term coined by W.B. Gallie (1956) and adopted in political theory in studies of institutions, such as democracy, power and freedom (Lukes 1974; Connolly 1974). Whether the adjective of ‘essentially’ is correct or not, the concepts are in fact subject to intense debate.

<sup>7</sup> To some extent this difference is related to the question whether the social scientific methodology can and/or should be similar to methodology in the natural sciences (cf. Winch 1988).

<sup>8</sup> Some theorists equal a process of institutionalisation with ‘value infusion’, for instance (cf. Selznick 1957).

instrumental rationality as a driving force for agents is common in many investigations (cf. Scott 2001, 28-37).

In the second place there is a difference that has to do with a distinction between formal and material approaches to the subject matter. According to legal theory, the main area of study concerns formal rules of legal conduct. These formal rules constrain the legal behaviour of individuals. A code of law may be interpreted to some extent in terms of institutions; the term 'legal institutions' testifies this.<sup>9</sup>

Other approaches, for instance in social psychology, conceive of institutions from a material or substantial point of view. Social norms or institutions are analysed in a substantial sense, for example by investigating how purported rules are internalised psychologically by individuals and how social institutions arise out of individual psychological facts, e.g. in evolutionary explanations of marriage patterns. However, such research does not necessarily take into account, for instance, that on the one hand the biological makeup of humans over the world is relatively uniform, while on the other hand, institutions of marriage are quite different across cultures. The notion of 'marriage' that is used in evolutionary theories can differ from what a marriage actually consists in amongst different societies. This needs not be a problem for that research (depending on its specific goals), but recognition of a point like this might serve interdisciplinary purposes.<sup>10</sup>

In the third place there are approaches that consider institutions to be explicit social structures that can be designed, built, and revised in some objective way, using the right tools. Institutions then are perceived as explicit structures of rules that guide behaviour for a particular, well-defined goal (cf. Goodin 1996; Swanson 2002).

Other approaches deny that institutions are rules that are explicitly formed and followed. They view rules as growing organically and/or being followed unconsciously

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<sup>9</sup> Cf. MacCormick and Weinberger (1986, 24-25) for a view on legal institutions that is similar, but not identical to the general idea of social institutions: 'The sociology of institutions is a next-door neighbour of [our] ITL [Institutional Theory of Law] in theoretical terms, not the same theory.' (p. 25).

<sup>10</sup> Cf. Thornhill (1991), and Hewstone and Stroebe (2001, 197-238) for evolutionary approaches to marriage institutions.

by the participants of the institution. This is true, for instance, of some approaches in anthropology (Elster 1994, 404).

This diversity in conceptualisation and in method might indicate that the term 'institution' is used to refer to many different things. The term might hide an underlying diversity. It is my conviction, however, that next to this admitted diversity there is also a common core to many of these notions, which binds them together (for instance by forming a common intersection of the several uses). Identifying this common core is one useful way to identify possibilities for unification of different disciplines in the social sciences. Not by turning them into one discipline, but rather by showing possibilities for building interdisciplinary bridges.

### **3. A core notion of institution**

In this section I propose a core definition of institutions that may serve a useful role in the unification and cross-fertilisation of the social sciences. This definition was inspired by my research on the social aspects of the use of technical artefacts (Scheele 2005; 2006). This research is in the field of analytic philosophical *action theory*. Use of artefacts is a type of action, subject to philosophical analysis. Social institutions are constituted by the actions of collectives or groups of individuals. For the purposes of my analysis, it is sufficient to consider the elements of action and collectivity as *necessary* conditions of the social realm. What needs to be added in order to formulate sufficient conditions will not be investigated here.

The core of the definition I propose is that institutions consist of actions of collections of intentional agents. Furthermore, these actions are performed in a social setting in a sense that they are subject to social criticism and sanctions, in other words, they are socially enforced. Finally, they exhibit some measure of stability, which makes it possible to be identified by researchers and participants alike. The definition that I use then is the following: An institution is a collective pattern of action that is socially enforced with a measure of stability. However, the interesting conceptual work does not

lie in this definition, but rather in an analysis of what this definition precisely means. For that, we need an analysis of the constitutive components of the definition. I distinguish four constituents in this notion, which I discuss in turn. They are actions (or intentional actions), collective patterns (or systems), social enforcement (or normativity) and measure of stability.

### 3.1. Action

I start with the idea of action, because that is the central distinguishing feature that makes ‘patterns’ a psychological and not natural scientific phenomenon. ‘Action’ is a term that is used to help distinguish two types of events: purely natural events and events that involve some form of intentionality. ‘Behaviour’ is used to denote natural events or processes and ‘action’ is used to denote events that involve intentionality (e.g. in their causal history). In the present context we should conceive of the notion of ‘action’ as a psychological term, whereas ‘behaviour’ is a physical (or natural scientific) term. Rocks exhibit behaviour, trees exhibit behaviour, computers exhibit behaviour. Action, on the other hand, is behaviour that is intentional under some relevant description. That means that within the causal chain leading to the behaviour ‘intentionality’ played some (relevant) role – although some behaviour might be an accidental effect of some other intentional state.

The notion of ‘intentionality’ is a term that indicates mental states and processes that (potentially) lead to (observable) behaviour of agents and is generally neutral on the details of the psychology. The main elements of intentions are captured by analysing intentions as functional states of beliefs and desires leading to action (where both are not necessarily *conscious*). My action of drinking a beer might be explained in terms of a belief that the glass I took contained beer and of my desire to drink beer. Beliefs and desires I need not be explicitly conscious of.

The distinction between behaviour and action can be put in the following terms. Two *physically* identical movements or behaviours of agents are not necessarily described correctly in *fully* identical terms. If an agent takes a step and thereby accidentally falls off a high cliff, this falling down would be called behaviour and not

action. If an agent walks intentionally off a cliff, this (behaviour or movement) would be called an action. Actions are intentional under some relevant description. The distinction is present in the causal history (either fully natural/physical or partly intentional). Although the basic distinction is not difficult to grasp, there are very many conceptual problems connected to intentional actions, which need not bother us in detail here.<sup>11</sup> These difficulties, about the relation between intentions and actions and the criteria of relevance are the main topics of action theory.

Within the social sciences, the relevant description needs some reference to the social realm (in such a way that the role of institutions becomes clear). The question is where and how exactly do those relevant intentions come into play. In order to answer this question, we need to know how the idea of 'intentions under some relevant description' works and this is best done by way of an example.<sup>12</sup>

1) Agent *a* exhibits behaviour *x*.

Suppose that agent *a* exhibits the following motor-behaviour. His arm stretches and his hand opens. A handful of *sodium fluoroacetate* falls into the well, above which his hand was hanging.<sup>13</sup> From this description it cannot be said whether this was an action or behaviour and if it were an action *what* action it exactly was. We need to supply the description with some information about the intentionality of the agent.

2) Agent *a* acts in way *y*.

Agent *a* throws rat poison in the well. From this description we discover that the agent knows what *sodium fluoracetate* is and that he intended to throw it into the well. We do not know whether this was the full extent of his intention (possibly only wanting to get rid of the stuff) or whether he intended more effects.

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<sup>11</sup> Some central philosophical problems concern the status of unintended side effects or consequences and the possibility of 'weakness of will'.

<sup>12</sup> The example is a modified version of the famous example in Anscombe (1963).

<sup>13</sup> Sodium fluoroacetate or sodium monofluoroacetate. Also known as 'compound 1080'.

- 3) Agent *a* acts in way *y* in order to obtain goal *g*.

Agent *a* throws rat poison in the well in order to kill many inhabitants of the village. From this description we know that *a* is not merely someone who had a handful of stuff which fell into the well, neither did he want to get rid of it and thought this a handy way; no, he is a murderer who intended to kill people by this method.

- 4) Agent *a* acts in way *y* in order to obtain goal *h*, but (accidentally) obtains goal *g*.

Suppose that the situation is identical, but the agent *believes* that the stuff he holds in his hand is a life enhancing potion and *desires* to benefit the people in the village. This would make his action different in so far, that he did not *intend* to murder the people in the village: he might be termed a murderer *de facto*, but not *de jure*.

These four situations describe four events that are physically indistinguishable. Exactly the same behaviour occurs. The difference between these situations (or descriptions of the situations) is present in the intentions (i.e. beliefs and desires) of the agent. Furthermore, it is possible that only two actually different events were described: the event that can be described by formulations 1-3 and the event that can be described by 1-2 and 4. For a given event it is hard to say whether one of those descriptions is *the* correct description. This might very well depend on the particular question someone wants to get answered (e.g. 'How did rat poison get into the well?' - 'Because *a* threw it into the well.' or: 'Why did so many people die last year in that village?' - 'Because *a* threw rat poison the well in order to murder them.' etc.).

This kind of difference in description is what is meant, when one says that actions are intentional under some description; the intention makes that difference. *That* it is an action and not mere behaviour is established by the presence of *some* intention. *What* action it is, is (partly) determined by *what* intention is actually present.

I will give a second example in which the relevant intentions are directed at social facts. This does not provide an analysis of institutions yet, but it shows how social facts can be relevant to agent-actions and vice versa.

- 1) Agent *a* exhibits behaviour *x*.

Suppose that agent *a* exhibits the following motor-behaviour. His arm holds a pen and through a complex movement a complex ink-mark is created on paper. This is a description of *behaviour*.

- 2) Agent *a* acts in way *y*.

Agent *a* puts his signature on the bottom of a densely written paper. This is an action, whether this action stands on its own or it was an action within a particular context and for a certain goal is left open.

- 3) Agent *a* acts in way *y* in order to obtain goal *g*.

Agent *a* puts his signature on the bottom of a contract and thus closes the deal. This action was done with the intention to sign a contract and thus formalise a relationship with one or more agents.

- 4) Agent *a* acts in way *y* in order to obtain goal *h*, but (accidentally) obtains goal *g*.

Agent *a* puts his signature on the bottom of a paper of which he believes that it is a non-committal letter and his signature only confirms the receipt of something. Unbeknownst to him it was a contract and he has thus unintentionally signed a contract. *De facto* he has signed a contract but (hopefully to him) not *de jure*.<sup>14</sup>

Institutions are, at least in part, constituted by the actions of (collectives) of intentional agents. In order for an action to be part of some institution, the intentions of the individual should somehow be described with reference to that institution. How this should be done is a difficult question, because, as we have seen, an institution need not be *explicitly* recognized as such by the agent who does the acting. In order to understand the

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<sup>14</sup> The precise outcome of the case would depend on many factors, but in contract law, normally the 'intention' of signing a contract is needed for a contract to be valid, although it might be hard to prove that the contract was signed unintentionally. There is thus a distinction between the legal facts of the matter and the legal criteria of evidence.

notion of institution we should add additional concepts to the concept of intentional action.

However, we have a first way of distinguishing institutions or institutional action from mere behaviour, namely through the notion of action. Behaviour of individuals, whether or not they are (intentional) agents and whether or not they can be seen to behave as a group, is never institutionalised, because, by definition, it is not intentional under any description.

### 3.2. Pattern of action/system

The second constituent of this notion of institution involves the idea that we are talking not of individual actions, but of *patterns of action*. This is true in two senses. On the one hand the type of actions falling under an institution are not one-off actions, but are repeated: they take place regularly (this point is relevant under the heading of stability as well). On the other hand an institution is not a one-man show, but consists of collective actions.

Patterns of action of a collection of individuals make up a kind of system; or better: if they make up a system, we have reason to conclude that we can speak of an institution. Systems can be observed in a sense. Not in the same way that a (solid) physical object would be observed, but rather as we would observe a process.

In order to be able to set up a systematic method of research, we should define what we mean by the notion of a system. A classic definition of 'system' is the following: 'A complex of elements in interaction being of an ordered (non-random) nature.'<sup>15</sup> The point of this definition is to simultaneously address the point that we are talking of an agglomeration of individuals – intentional agents in our case – and their interrelations – social relations in our case. A second definition is useful as well: 'System. An organized whole made up of components that interact in a way distinct from their interaction with other entities, and which endures over some period of time.' (Anderson & Carter 1974, 164). This definition is useful because it gives us a natural way to distinguish the system we are interested in a certain case, because the 'distinct interaction' in this definition can

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<sup>15</sup> From Bertalanffy (1968) *General systems theory*. Quoted by Heifner (1999, ix).

be understood in terms of the agentic intentions that are relevant for a particular institution. This connects the notion of system to the notion of action.

This way of defining systems gives us opportunity to connect the notion of agentic action as discussed above to the wider social context, because the 'relevant description' of actions can and should involve this social context. So, now a provisional definition of institution would be something like 'A collective pattern of action', where this collective pattern is relevantly included in the intentions of the agents acting in that collective. This can be implicit or explicit, unconscious or conscious.

Possibly, this provides a characterisation of social groups from the perspective of agents that regard themselves as such and act accordingly. But does it actually fix a notion of social facts in general and institutions in particular? It seems that we need more than this, which will be made clear by way of an example. It may be a collective pattern of action that everyone – or a large portion of people – opens an umbrella when it rains. This activity might even be *coordinated* because it would be ill advised to do this unthinkingly and with no regard to people around you. As such, however, this is not a *social* activity and in that sense it does not fall under a social institution. The action, although intentional, can be explained in terms of individual intentions that may be somehow coordinated. This type of collective action might even be called a collective *habit*. Suppose now that, *if* someone opens his or her umbrella when it rains, this is supposed to be a black umbrella if he or she is in London. This latter example does introduce a social context and might be part of an institution. But first I will discuss what kind of additional elements are present in an institution; then we shall be able to see the distinction between what may be called social patterns of action and institutions.

The characterisation of social facts as conceived here goes back to the ideas of Max Weber. He characterises acts that are directed at other agents in a meaningful context as social acts (Weber 1968, 300-301). An example he gives concerns the difference between two bicycles colliding, which is (the result of) agentic action and also concerns several agents, but is, as such, not a social act, whereas the subsequent argument between the two agents in that accident is a social act.

This conception of social facts is quite minimal and might not be sufficient to account for all types of social acts, but it seems to be a necessary condition. This is, for our purposes, the most important, because the notion of social facts that concerns us here should be able to encompass many different kinds of social facts, acts and relations.<sup>16</sup>

### 3.3. Social enforcement

One way to put the difference between a notion like collective habit and institution is to say that the notion of institution is not merely a *descriptive* notion, but also a *prescriptive* notion. Within an institution you are *supposed* to act in a certain way and the norm that this supposition refers to is a social norm.<sup>17</sup> For institutions that are put down in terms of laws this is most easily seen. Legal institutions do not merely describe how people behave in certain societies in certain situations, but they prescribe (or forbid) actions as well.

Again we should take the intentional aspect of action into account. The actions that we want to call social and, in that sense, fall under an institution, are not merely (collective) habits, but are 'normative' in some sense. In the following definition of institutions this is very explicit: '(...) social practices that are regularly and continuously repeated, are sanctioned and maintained by social norms, (...) (Abercrombie, Hill et al. 2000, 180). So, the 'relevant intention' is directed at some norm or rule. The point is that actions that are part of an institution are *enforced* in some way, or even the institution itself is enforced. The normative force of the institution is essential to it, because satisfying some norm or rule is part of the action that falls within it. The point is that from the collective or social point of view non-rule following (or non-normative) behaviour would be individual action and not social action.

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<sup>16</sup> This minimal view can be elaborated in different ways. Current important philosophical views on this topic are held by John Searle (1990; 1995), Michael Bratman (1993; 1999), Raimo Tuomela (1995) and Margaret Gilbert (1989). Some of these views stick as much as possible to the mentioned minimal view, others argue that more is needed for full blown 'social-acts'. For purposes of this article I limit myself to the minimal view.

<sup>17</sup> In other words, it is a hypothetical imperative where the antecedent refers to a social context. This is different from a hypothetical imperative where that antecedent refers to a goal some agent might have; the latter would be a norm of rationality or means ends coherence. This is reflected in the following characterisation of institutions: 'Institutions impose social constraints on individual behaviour. They are shared rules that are supported by various enforcement mechanisms' (Kiwit, Mummert et al. 2000,1).

Again the distinction with physical facts is instructive. The physics of a situation constrain my actions in various ways. For example, if an agent wants to cross the street he can only do this if he is physiologically able to walk, there are no large obstacles blocking the way and if there are no speeding cars close enough that might run him over. These are physical facts. The constraints they pose for behaviour are *objective*, in the sense that they cannot be avoided by only using the intentional capacities of an agent.

Social facts also pose constraints for action, but in a different way. In a sense their constraining force is subjective. The point is as follows. If an agent stands at a crossing with traffic lights and the pedestrian lights are red he is constrained in his actions. The constraint is, however, *not* similar to the physical constraints. A red light *means* that he *should* stop there, but there is nothing that (physically) stops him from ignoring the traffic light. In fact, red traffic lights are often ignored.

But there are two ways in which an agent cannot ignore these (social) constraints. In the first place an agent's individual set of reasons for (not) doing something is partly formed by social facts: Someone's upbringing might cause him to hesitate psychologically before ignoring rules like this; the (social) rule has been imprinted, as it were.<sup>18</sup> In the second place there are social sanctions associated with ignoring such social facts. These may range from 'raised eyebrows' and being reprimanded (which have indirect, psychological effects) up to up till being fined (or worse) for a breach of rules. But, one must realise, these social sanctions are not necessary consequences in the same sense as physical results are necessary consequences. They are mediated by the intentions of one's fellow social beings (people *need not* reprimand someone for walking a red light and police officers *need not* fine him –and in practice not all breaches of rules are sanctioned).<sup>19</sup> Physical facts are not that 'forgiving': If someone crosses a road the moment a car is driving 50 km/h at that very place, there is no intentional mediation whatsoever concerning the result.

Social sanctions introduce a *rule* into behaviour. This makes the fact that a line of behaviour is followed intentional with regard to that rule. So the actions of agents within

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<sup>18</sup> The precise mechanism of which is also studied in social psychology.

<sup>19</sup> It may be the case, of course, that some consequence of a physical event does not occur *necessarily*, but rather *probabilistically*. However, in this case the event would still not be intentionally mediated.

an institution are *intentional under the right description* (i.e. containing reference to a rule). This description may or may not be explicitly and in every detail known to the acting agent, as long as the action can be (correctly) described as being part of the institution. We may make this ‘unconsciously being part of an institution’ explicit in the following way. The person in question might behave in general according to the institution, but not (explicitly) know this. But there may be evidence that a rule is being followed, because the agent does allow himself to stand corrected at occasions when the rule was not (or incorrectly) followed. The fact that he accepts correction may be seen as evidence for the fact that there was implicit knowledge of the institution. A well-known example are the rules of grammar. Many people cannot reproduce those rules, but do follow them. This can be seen by the fact that many people do accept correction when they make a mistake.

It should be realised that the notion of social enforcement is no simple notion to handle and involves several parameters; it is therefore hard to operationalise in practice. What is meant by the strength of enforcement can differ in several ways. In the first place an institution can be more or less strongly enforced by being *always* enforced. Every breach of the rules is sanctioned somehow. The less percentage of cases in which this is done, the less strong an institution will be, up to a point where we would cease to speak of an institution at all. This, in turn, can be understood in two ways. In the first way this may be the case absolutely. In the second way this may count only with respect to cases that are observed by some agent. If we think of the example of the rules of traffic these points come down to the following. The higher percentage of violations of traffic rules is sanctioned, the stronger this institution is enforced. But this can be understood in two ways. The percentage may be taken to indicate the absolute chance that some offender is sanctioned, but also the chance that, on some observation of an offence (say, by an authority), the offender actually is sanctioned.

In the second place, an institution can be more or less strongly enforced through the severity of its sanction. The more severe the sanction is, the more strongly enforced an institution may be said to be. I won’t give an example of this. It will be clear that these features have a complex interaction together that might defy quantitative analysis of *the*

strength of institutional enforcement. However, they should be reckoned with within an analysis of some particular institution.

The third aspect of our discussion shows how to connect the patterns of action to the idea that institutions are not merely descriptive, but also prescriptive. A *rule* needs to be followed, a social rule. Now we have a definition that reads: An institution is a (collective) pattern of action that is socially enforced.

### 3.4. Stability

Finally some pattern of action needs to be in place for some time in order to call it an institution: it needs to be recognisable as such. How long this will take is not definite and will differ from case to case. The main reason that we need some reference to stability is that we need some reference to the idea that an institution is an observable social structure that can be identified through time and is persistent through time. Up to a certain extent, this idea is expressed by the idea of a pattern or a system earlier, but explicit reference to a *measure* of stability is useful for the following purpose.

Institutions, although they need to be recognisable through time, can also change; they are not rigid. Change can come from without or within, but in either case it is implausible to say that in all cases of change the institution goes fully out of existence and a new institution comes into existence.

In addition to this, introducing a measure of stability helps delimit an array of types of institutions, from the very stable to the unstable. Of course, the boundary between extremely unstable institutions and not-an-institution (anymore) may be hard to draw, because of the vagueness of the notion of stability. It is useful, though, to be able to refer to such an array, because this can bring together very different types of social structures in the category of institutions, while simultaneously having an account of differences between institutions.

Our complete definition of 'institution' thus becomes: An institution is a collective pattern of action that is socially enforced and has some measure of stability.

### 3.5. A range of institution-types

Before I apply this notion to several different social sciences I need to make one thing clear. The definition introduced here allows for a (quite broad) range of institution types. Types of institutions can be distinguished in many ways; I have indicated two central variables above. One might also think of the number of participants/members or the goal of an institution as additional distinguishing factors.<sup>20</sup> For our purposes it is enough to realise that these distinctions define a concept that has several dimensions of determination, which make it a multidimensional concept.<sup>21</sup>

In this chapter I stick to the two mentioned variables. On the one hand there is the point that institutions have different measures of stability. The measure of stability can differ from institution to institution with extremes on either side (the boundary between a very low stability and no institution at all will be vague, as was remarked earlier). On the other hand, the measure of enforcement can differ as well with extremes on either side (and again, the boundary between very weak enforcement and no institution at all will be vague).

Examples of very stable and strongly enforced institutions are often the (formal) laws of a country. Many laws don't change often and are enforced quite explicitly.

There are also, however, relatively *unstable*, yet strongly enforced institutions. Think of a newly created organisation with very strict by-laws that are immediately and fully enforced. After a day or two, for some reason or other (not necessarily this strict enforcement), the organisation is disbanded. Examples can be found in newly formed

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<sup>20</sup> Cf. Scott (2001, 51-52) for a delineation of functions along 'three pillars': regulative, normative and cultural-cognitive. Another distinction that is often made is between explicit (codified) and implicit norms or rules, which is somewhat similar to the distinction between formal and material approaches to the subject matter mentioned in section two. There is no absolute better or worse distinction, this rather depends on the particular goal of some analysis.

<sup>21</sup> Which is a very natural way to analyse concepts if you accept a version of the statistical theory of meaning. Meaning can then be analysed in terms of general conceptual spaces (modelled by, e.g. attractors in cellular automata). This idea has its roots in Quine (1961), Wittgenstein (1984) and was developed popularly in philosophy, for instance in Churchland (1979), Churchland (1995).

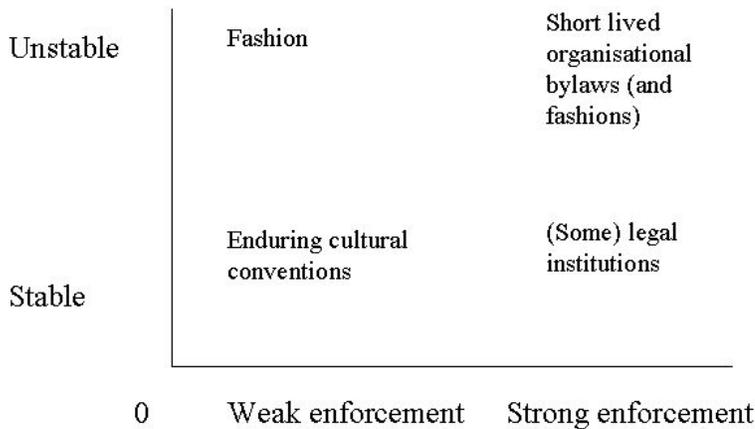
political parties. Many of them are formally created and created with strict rules, but many of them also cease to exist very quickly.<sup>22</sup>

Social or cultural institutions can be very stable. Think of the conventions about addressing people or about the way you eat. Not all of those conventions are enforced strongly though, some are, some are not (this also differs across different social groups and contexts).

Some cultural institutions can be unstable, such as momentary fashions. Again, such conventions or institutions can, but need not be strongly enforced.

It may be said that institutions can be of many different types and kinds and the examples given here by no means exhaust the possibilities. Also similar institutions may differ in kind from society to society and group to group, as the diversity in the institutions of marriage and fashion possibly best illustrate.

Very schematically we can put this in a graph:



<sup>22</sup> Political parties in the Netherlands often start up in this way, by writing formal statutes, which then are regarded as the act of forming the party. However, the far majority of (new) political parties hardly survive their first year (cf. Schikhof, forthcoming).

#### **4. Institutions: Unification and bridges between disciplines in the social sciences**

In this final section, I present some ways in which several different approaches to the idea of institutions, discussed in section two, can be brought together by departing from the core notion presented in the last section (e.g. because it is the intersection of the different notions of institution). This exercise shows that the definition presented above is a useful, albeit not the only possible, way to think of the notion of institution. Then I will show how this core notion can be useful in solving some of the methodological problems also mentioned in section two.

I talked about the opposition between institutions as enduring social *structures* versus relatively fluid social *relations*. Sometimes institutions are seen as the ‘entities’ that keep a society together, they are explained by and explain in turn enduring features within society. These stable and enduring aspects are mainly represented by the idea of stability in my definition. Stable patterns of action are structures of sorts. Explanations of institutions and using institutions can be connected to the idea that in my view much partaking in institutions is implicit or tacit. If an institution is in place, agents will often unconsciously follow the rule and such patterns of action are (psychologically) hard to break. On the other hand, institutions are not analogues of physical objects, but are *social* structures. Institutions still consist of *agents* acting under some description; the description involves inter-agent relations.

Also I pointed to an ambiguity in, or a difference between, notions of ‘institution’ that refer to something like ‘organisations’ and institutions that refer to ‘rules’. Both types of use can be understood within the framework of the present definition. Organisational structures like ‘a factory’ or ‘an institute’ or ‘political party’ do not fall under this definition, because they are not (purely) ‘patterns of actions etc.’ of people. However, if we think of the work that the notion of institution is supposed to do, we see that the actions of agents and the constraints posed by (social) rules are invoked in explanations that refer to institutions, while organisational structures and the physical properties that are invoked relevantly to such descriptions can be fruitfully described as ‘factual’ boundary conditions for which the notion of ‘institution’ needs not be invoked.

With respect to the activities of the people in the organisation that are directed at some goal, we can speak of an institution and of institutionalisation. The point is that an organisation is not itself an institution, but rather contains aspects of institutionalisation.<sup>23</sup> The present definition allows for the structural aspects that are directly relevant to actions *in* the notion of institution – i.e. the systemic aspect of organisations – while leaving out aspects that can best be investigated by other means. On the other hand, the present definition shows how the general idea of (social) rules can be incorporated into a more systematic view allowing for comparisons with views in other disciplines.

If we accept that the definition that was developed in this article is a useful *core concept* of institution, we can use it to derive some methodological benefits. Such methodological points were also mentioned in section two. The present discussion does not intend to solve all the differences noted there, but rather to show in what direction we may be thinking when approaching such problems.

In the first place this investigation suggests a relation between formal and material approaches to institutions in the social realm. If we consider the definition of institutions, there is nothing that says that the relevant rules of behaviour should be formal or formalised. Informal rules can be rules nevertheless. In legal theory, one of the interesting features of investigation is precisely the relation between legislation, which is often formal, and practice (e.g. in the form of jurisprudence and policy of governments).<sup>24</sup> The balance between these factors is of importance and much theory is devoted to their interrelations. Especially the limit of ‘interpretational freedom’ by judges is an important issue. Examples are questions such as whether laws can or cannot be interpreted teleologically and/or historically, instead of literally.

In organisation theory we find something similar. On the one hand, there is the fact that organisations are built up by creating it on paper: by writing up by-laws. On the other hand, organisations are not identical to their formal rules, but rather consist of

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<sup>23</sup> In some definitions of institution the idea of ‘goals’ is given a prominent place. E.g. ‘An institution is an enduring set of ideas about how to accomplish goals generally recognized as important in a society.’ (Johnson 2000, 157). My remarks above about implicit or tacit conforming to institutions indicate that I do not agree with this definition of institutions as valid in all cases.

<sup>24</sup> Systems of common law emphasize the role of jurisprudence even more.

individuals that act in cooperation. But what is the relation between the material behaviour and the formal rules? Are the formal rules *only* normative or do they contain descriptive elements as well? Here a comparison to interpretation methods in legal theory may be useful, because such questions are highly relevant in the interpretation of laws. In the legal domain such problems are discussed and the results of these discussions may be used in organisation theory. For one thing, investigators of organisation run the risk to fall into the mistake of only researching the formal aspects of organisations, such as the by-laws and the minutes of meetings. This is obviously too limited a research, as is immediately made clear by the comparison between formal laws and organisations.

A second example concerns views on the interpretation of social facts and processes. For instance, concerning the difference between collective action theory and cultural anthropology. In action theory a central heuristic principle is the principle of rationality. It states that an interpretation (and evaluation) of action should preserve the rationality of the actor as far as possible (cf. Quine 1960; Davidson 2001). The full extent of this principle can be subject to discussion, but that need not concern us here. The point here is that an interpretation and evaluation of action takes place within a framework of rational action, because that provides for a systematic method of action interpretation. A classic straightforward example in linguistics is the use of the double negation. Certain groups of English speaking persons habitually use the double negation in their speech. Assuming their language on a par with “high English” would render their speech totally meaningless and their behaviour irrational. Interpreting them rationally means to interpret them differently and not to interpret the double negation as a positive. This principle of rationality then is often used as a starting point for investigating institutionalised behaviour within and across various groups (and cultures).

In Cultural Anthropology it is often argued that cross-cultural generalisations cannot be made, because there is an important incommensurability between what activities (etc.) *mean* across cultures.<sup>25</sup> Under that assumption the ‘rationality-criterion’ cannot be applied at all, because that criterion presupposes some kind of *prior*

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<sup>25</sup> Whether this only is true for ‘radically differing’ cultures or also for ‘subcultures’ within a single society we may leave open.

understanding of the actions (institutions/cultures), which would render the interpretation circular. Some conclude from this that anthropological research should be approached in a particularistic manner, because broad generalisations are impossible in this domain. Intensive fieldwork is required to learn something of that culture and the results cannot be generalised or cannot be theorised about, but should be put down in individual narratives or stories.<sup>26</sup> Institutions thus are not seen as (social) structures that can be explicitly described but are shown in the meaningful behaviour of the participants of some culture. They are implicit, unconscious sets of basic rules defining the outlook of the participants of some community that cannot be described from the outside, but should be 'lived in' in order to be described correctly (however meagre).

Although cultural anthropology will remain a different discipline from collective action theory, I think that their view of societies and or collective behaviour can be brought closer together by taking my core definition into account. In both cases the interpretation of *intentional agentive action* is relevant. In both cases there is conformation to rules. Collective action theory tends to generalise too soon by concentrating on one *super rule*, namely a rule of rationality. One should also take into account the individual (or cultural) *meaning* of behaviour (and its outcomes). This is implied by my action-theoretic approach to institutions. Anthropology, on the other hand, tends to overemphasize the *differences* between 'meaningful actions'. The approach from action theory shows that there are many aspects about actions that can be generalised about, without having fully detailed knowledge about specific cultural peculiarities, which makes cross-cultural comparisons between institutions possible.

A third example is somewhat similar to the second and concerns the point, noted above, that on the one hand, cultural institutions are implicit behavioural structures and grow on a society, as it were, and on the other hand they can be explicitly and consciously designed. As was said in the discussion about intentionality, intentions may or may not be consciously held by an acting agent. The same can be said about collectively following a rule. An agent or group of agents may explicitly follow some

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<sup>26</sup> This point of view has also roots in metaphysical views on the nature of societies, but I disregard those aspects here.

norm or set of rules, but also implicitly. Evidence for this can be found in the possibility that an agent, or several agents accept to stand corrected for some breach of rules, without being able to give the rule explicitly and in detail.<sup>27</sup> Cultures and cultural rules may be said to ‘grow on a society’, which means that they are possibly (but not necessarily) implicit and unconscious.

Other institutions on the other hand (such as legal institutions or organisational by-laws), could very well be designed and form explicit and conscious institutions. However, the distinction between ‘grown’ institutions and ‘designed’ institutions may not be as big as it seems. For instance, not all people participating in some designed institution may be conscious of those rules; just as some people participating in some ‘grown’ institution may be conscious of the rules. Also, a designed institution may look good on paper, but be different in practice, a practice that is not always made fully explicit. So, although the two types of institutions differ, there are also important similarities that make a comparison between them (and thus between fields of investigation) potentially fruitful.

This concludes my argument that a possible core definition of ‘institution’ – proposed and explained was the definition of a stable collective pattern of action that is socially enforced – not only provides an opportunity for interdisciplinary understanding across social sciences on a conceptual level, but also some opportunity for methodological bridges across disciplines.

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<sup>27</sup> Cf. section 3.3.

## References

- Abercrombie, N., S. Hill et al. (2000) *The Penguin dictionary of sociology*. London: Penguin books.
- Anderson, R.E. & I.E. Carter (1974) *Human behavior in the social environment*. Chicago: Aldine Publishing Company.
- Anscombe, G.E.M. (1963) *Intention*. Oxford: Blackwell publishers.
- Bratman, M.E. (1993) 'Shared Intention.' *Ethics*, 104: pp. 97-113.
- Bratman, M.E. (1999) *Faces of intention: Selected essays on intention and agency*. Cambridge: Cambridge University Press.
- Churchland, P.M. (1979) *Scientific realism and the plasticity of mind*. Cambridge: Cambridge University Press.
- Churchland, P.M. (1995) *The engine of reason, the seat of the soul: A philosophical journey into the brain*. Cambridge: MIT Press.
- Congalton, A.A. & A.E. Daniel (1976) *The individual in the making*. Sydney: John Wiley & Sons.
- Connolly, W.E. (1974) *The terms of political discourse*. Lexington: D.C. Heath and company.
- Davidson, D. (2001) *Inquiries into truth and interpretation*. Oxford: Oxford University Press.
- Elster, J. (1994) 'Functional Explanation: In Social Science.' In: M. Martin & L.C. McIntyre (eds.) *Readings in the Philosophy of Social Science*, pp. 403-414.
- Gallie, W.B. (1956) 'Essentially contested concepts.' *Proceedings of the Aristotelian Society*, 66: pp. 167-198.
- Geense, M. (2002) *Integration of environmental issues in port planning and design*.
- Giddens, A. (1992) *Sociology*. Cambridge: Polity press.
- Gilbert, M. (1989) *On Social Facts*. Princeton: Princeton University Press.
- Goodin, R.E. (ed.) (1996) *The theory of institutional design*. Cambridge: Cambridge University Press.

- Heifner, C.J.B. (1999) *An identification of the capacity for institution building within the civil society sector of Romania*.
- Hewstone, M. & W. Stroebe (2001) *Introduction to social psychology*. Oxford: Blackwell publishers.
- Johnson, A.G. (2000) *The blackwell dictionary of sociology*. Malden: Blackwell publishers.
- Kiwit, D., U. Mummert et al. (2000) 'Cognition, rationality, and institutions: Introduction and overview.' In: M.E. Streit, U. Mummert & D. Kiwit (eds.) *Cognition, rationality, and institutions*. Berlin: Springer verlag.
- Lukes, S. (1974) *Power*. London: Macmillan.
- MacCormick, N. & O. Weinberger (1986) *An institutional theory of the law*. Dordrecht: Reidel.
- Marshall, G. (1994) *The concise oxford dictionary of sociology*. Oxford: Oxford University Press.
- Quine, W.V.O. (1960) *Word and Object*. Cambridge: MIT Press.
- Quine, W.V.O. (1961) 'Two dogmas of empiricism.' In: W.V.O. Quine, *From a logical point of view*. Cambridge: Harvard university press, pp. 20-46.
- Rapport, N. & J. Overing (2000) *Social and cultural anthropology: The key concepts*. London: Routledge.
- Red Feather Institute (1977) *Red feather dictionary of socialist sociology*. Red Feather.
- Scheele, M. (2005) *The proper use of artefacts: A philosophical theory of the social constitution of artefact functions*. Leiden.
- Scheele, M. (2006) 'Function and use of technical artefacts: The social conditions of function ascription.' *Studies in the history and philosophy of science*, 37: Forthcoming.
- Schikhof, M. (forthcoming) *Reinventing politics: New parties in the Netherlands, 1966-1991*. Leiden.
- Scott, W.R. (2001) *Institutions and organizations*. London: Sage.
- Searle, J.R. (1990) 'Collective intentions and actions.' In: P.R. Cohen, J. Morgan & M.E. Pollack (eds.) *Intentions in communication*. Cambridge: MIT Press: pp. 401-415.
- Searle, J.R. (1995) *The construction of social reality*. London: Penguin Books.

- Selznick, P. (1957) *Leadership in administration*. New York: Harper & Row.
- Swanson, T. (ed.) (2002) *An introduction to the law and economics of environmental policy: Issues in institutional design*. Amsterdam: JAI.
- Thornhill, N.W. (1991) 'An evolutionary analysis of rules regulating human inbreeding and marriage.' *Behavioral and Brain Sciences*, 14: pp. 247-293.
- Tuomela, R. (1995) *The importance of us*. Stanford: Stanford University Press.
- Turner, J.H. (1997) *The institutional order*. New York: Longman.
- Ultee, W., W. Arts et al. (1992) *Sociologie: Vragen, uitspraken, bevindingen*. Groningen: Wolters-Noordhoff.
- Weber, M. (1968) *Methodologische Schriften*. Frankfurt-am-Main: S. Fischer Verlag.
- Winch, P. (1988) *The idea of a social science and its relation to philosophy*. London: Routledge.
- Wittgenstein, L. (1984) (1<sup>st</sup> 1953) *Philosophische Untersuchungen*. Frankfurt-am-Main: Suhrkamp.