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COVERT INSTITUTIONALITY: SACRED MOUNTAINS, WITCHES AND EXORCISTS

abstract

I develop an account of covert institutional facts by examining sacred objects, witches, shamans and exorcists. I present an account of sacred objects as covert institutional entities, and distinguish between true beliefs that help create the institutional facts and false beliefs about their origin and/or their physical powers.

keywords

Sacred objects, institutions, error theories, covert institutional facts, witchcraft, John Searle

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While religions as such are not institutions (Searle 2010, 92, 161), all religions contain "a system of symbols which acts to establish powerful, pervasive and long-lasting moods and motivations in men" (Geertz 1973, 90). The capacity of institutional facts to create deontic powers and desire-independent reasons for action is a central claim in Searle's theory of institutions and will not be discussed in this paper. The deontic aura of sacred objects was brilliantly captured by Clifford Geertz. "Religion", he writes, "is never merely metaphysics. For all peoples the forms, vehicles, and objects of worship are suffused with an aura of moral seriousness. The holy bears within it everywhere a sense of intrinsic obligation; it not only encourages devotion, it demands it; it not only induces intellectual assent, it enforces emotional commitment [...]. The powerfully coercive 'ought' is felt to grow out of a comprehensive factual 'is' [...]."(Geertz 1973, 126). Geertz' description brilliantly illuminates how rituals, rights and obligations are attached to, and engendered by, symbols and symbolic objects and how they create, in Searle's apt terminology, desire-independent reasons for the participants involved in the practice. Moreover, it seems to be a universal feature of sacred objects that they impose commitments upon those who *accept* and/or *recognize* them (a second Searlean feature of institutional facts). The determination of the hours of worship or the offering of sacrifices presupposes a realm of concrete objects (places, times, etc.) that *count as* sacred. These considerations should not be confused with the function of calling something "sacred". The use of the *predicate* "is sacred" often carries a *colour* that expresses reverence and awe (Frege 1918). The Fregean approach acknowledges that meaning and colour can come apart in systematic ways: you, *qua* outsider, can grant that an object is believed to be sacred (in a community C) without thereby expressing any (positive or negative) attitude towards it. What follows is a theory about sacredness as an institutional property of objects, not a theory about what is expressed by when the predicate is used.

Consider a fictitious case. *Mount Popzatetl* is, according to a collective G ("the tribe") a sacred mountain. Call the proposition members of G believe to be true (the proposition *that Mount Popzatetl is sacred*) H. Let G designate a collective whose members recognize/accept H, which is essential for Mount Popzatetl's (designated by the X-term in the constitutive rule) being holy (its

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agentive function, designated by the Y-term). Because a god born on Mount Popzatetl's summit explains, for members of G, why it is a sacred mountain, members of G will deny that its holiness is an institutional property, even if more theoretically-minded members of G (perhaps those who were graduate students at Berkeley but returned to their community) are willing to accept Searle's theory as a sensible account of *bona fide* institutional facts (e.g., money or borders). Depending on their tolerance for other religious practices (and articulating their view in Searlean terms), they could maintain the sacredness of another mountain (recognized by members of a different community G*) to be merely a covert institutional fact (members of G believe their gods are the only ones that really exist). Members of G could also hold that the beliefs of community G* are *false*. Members of G accept deontic powers that emerge from, or are associated with, the sacred mountain. They know that it is impermissible for children to climb Mount Popzatetl, and that senior members of the collective must be buried on a day the full moon appears behind its summit. These deontic properties – a complex system of permissions, obligations, rights and duties that relate Mt Popzatetl to individuals in G and actions they may or may not perform – have their origin in a natural fact, not in an acknowledged institution, although they may agree that rituals involving the mountain may have arbitrary or even conventional features. Members of G *deny* that what Searle presents as the key function of creating institutional facts, applies to deontic powers derived from *H*'s truth:

> *[...] the whole point of the creation of institutional reality is not to invest objects or people with some special status valuable in itself, but to create and regulate power relationships between people(Searle 2010, 106).*

For members of G, Mount Popzatetl's intrinsic value is conferred upon it via a relational property: a supernatural event that imposed a sacred character on it.

Error theories assume that talk about institutional facts is "a mere collection of roundabout ways of talking about other things" (Smith 2007, 11). The error theorist holds that the extension of the concept expressed by the predicate "is holy" is empty; talk purportedly referring to sacredness is therefore false or misguided, a bit in the same way that talk about witches is misguided (Searle tentatively defends an error theory about witches in Searle 2006, and we'll return to his arguments in sections 3 and 4).[1] Two

1 Error theories about race have been defended by Appiah (1996). Musgrave (1999) and Searle (2006a) defend anti-realism about witches (See infra).

important considerations of John Mackie (1977) can be applied in this context: predicates like "is sacred" (and the concept of sacredness) share with moral predicates both *relativity* and *queerness*. The argument from relativity points to the empirical observation that moral views can vary enormously and moral disagreements are very often characterized by a high degree of intractability. Mackie concluded that moral judgments merely "reflect adherence to and participation in different ways of life" (Mackie 1977, 36). There are strong disagreements about what is and what isn't sacred and wars are fought over who "owns" a sacred place. Such disagreements and disputes are clearly not empirically decidable. Should we not therefore conclude that sacredness fails to designate a property and that talk of sacred mountains is purely expressive?

The argument from queerness has a metaphysical and an epistemological reading. The metaphysical reading holds that sacredness, like moral concepts, would designate "qualities or relations of a very strange sort, utterly different from anything else in the universe" (Mackie 1977, 38). The epistemological reading adds that in order to track such properties we would need some special faculty of moral perception or intuition which, when applied to sacred objects, would amount to an even stranger faculty, one that would allow us to discern instantiations of sacredness. Under an epistemological reading, the queerness argument holds that being sacred is not an objective fact to which some people or cultures (but not all) have superior epistemic access (as Joyce 2010, xvii puts it). Sacredness shares non-factuality with other concepts that have no application, like *phlogiston* or *witchcraft*. However, assimilating the property of being sacred to a phlogiston-type error begs the question: the latter was always intended to be an empirical predicate. Moreover, the analogous claim that money doesn't exist is implausible (and sound naive). Money and borders are *bona fide* institutional entities.[2] There is no reason to assume that because people have false supernatural beliefs about the origin of relational properties of certain institutions or institutional entities, this is sufficient to deny them existence.

Moreover, error theories cannot explain how and why mistakes are corrected. Suppose a member of G observes Mount Popzatetl from an unusual angle and denies that *that* mountain is holy. His mistake will be corrected by others members of G, or even by outsiders: "No, that mountain is holy" is the sensible thing to reply. "You are pointing at Mount Popzatetl'. Error theories deprive not only members of G, but also outsiders, of

2 I owe this suggestion to an anonymous referee.

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knowledge, *i.e.* true justified beliefs which can be shared with non-believers and be passed on to future generations.

And yet, the error theory suggests an important objection to the institutional theory. Suppose you grant that a member of G *knows* that H.[3] Knowledge requires that no false belief enter into the justification for the belief that H (if a false belief *q* enters the justification of one's belief *p*, then the latter belief, even if true, cannot be counted as knowledge – this is an important lesson drawn from the famous "no false lemma" requirement on knowledge, see Lehrer 1965). But isn't this the case when the belief that a god was born on Mount Popzatetl figures in the justification of the belief that H?

I suggest the correct answer should be that members of G may be ignorant of, or have false beliefs about, the social *explanation* of what enabled them to know that H: they lack knowledge (or have false beliefs) about the social aetiology of their belief. Members of G need not know the exact nature of what enabled them to know that H, in order to know that H. The false belief helps to provide justification for the (false) belief *that* H *is a natural fact*, a belief whose content differs from the unqualified belief that H. There is a difference between knowing that H (a justified true belief) and believing (falsely) that the proposition that H describes (is true about) a natural fact. The mistake is not in the belief that H, but in the belief *that the mountain's being sacred has its origin in a natural (or supernatural) fact*, which justifies the further, and false, belief that Mount Popzatetl's holiness was not the result of collective acceptance among members of G of (the proposition that) H. Outsiders know that Mount Popzatetl is sacred because they are told so by a reliable source (a senior member of G, say), and, if you follow Searle's account of institutional facts, we outsiders also know in virtue of what that belief is true (it is true in virtue of an institutional property, created and maintained by a collective). Similarly, the belief of members of G - that Mount Popzatetl is holy - is justified by their belief *that they were told so - that the scriptures, or the tradition says so, which,* for them, should be (and often is) the end of the story.[4]

Externalists or reliabilists about knowledge hold that at least some privileged members of G (but not necessarily outsiders) will be reliable

3 Note that members of G may have false beliefs about other communities. If they hold that their mountain is the only holy mountain in the universe, they are mistaken.

4 There is a difference between explaining why Mount Popzatetl is holy, and justifying one's belief that it is holy. The latter is justified by evidence, and the only legitimate evidence is that "one is being told so" (it is essentially knowledge by testimony). Their own explanation of its sacred nature is of course mistaken.

sources of knowledge about what is and what isn't sacred in their community. Reliabilists should therefore have even less problems with the fact that Mount Popzatetl is known to be holy than their internalist counterparts. And perhaps interpretive charity also plays a role here: while one may deplore the existence of a sacred object - perhaps because its deontic aura directly or indirectly legitimizes a particularly cruel treatment of women, for example - one shouldn't neglect that making members of G's beliefs and actions intelligible *to themselves and to us* is crucial. In order to eventually enlighten them about the institutional nature of their sacred mountain, part of what it takes to make them intelligible is to ascribe true and false beliefs to them. The institutional account suggests *which* truths and which falsehoods make their actions intelligible.

Insider concepts and descriptions can be understood by outsiders (*pace* cultural relativists, see Davidson 1974, 2001), but such understanding does not require joining members of G, to the extent that one thereby becomes co-responsible for maintaining H, let alone that they will maintain that H is (expresses) a non-institutional fact. This would conflate understanding with conversion. There is a distinction between collectives that are responsible for (unintentionally) maintaining an institutional fact, and an "enlightened" community that has a full understanding of its institutional aetiology. Note again, that in this respect too, the institutional approach cannot be extended to cases like phlogiston ("Before Lavoisier, phlogiston existed as an unintended institutional fact'). Those who believed phlogiston existed were self-consciously involved in empirical research and, at least in principle, open to falsifying evidence. Moreover, they could, independently of a falsification of the theory, accept the distinction between natural and institutional facts, and they would classify phlogiston, even on their own (false) account, correctly as a natural phenomenon ("If it exists, it is a natural phenomenon'). All parties involved in the phlogiston-controversy during the 18th century agreed that the concept, if it had an extension, designated a natural phenomenon that afforded empirical investigation. Neither did phlogiston's existence create specific deontic powers; there should therefore not be a temptation to hold that now, for us, the existence of phlogiston is an institutional (and not natural) fact. No rights and duties are created by letting some substance count as phlogiston.

An error theory about sacredness is therefore not *a priori* entailed by the very plausible belief that gods don't exist and can't be born on top of mountains. On this point, atheists and reluctant outsiders are sometimes

in a position where they should grudgingly acknowledge the existence of sacred mountains, a bit like the anti-Nazi had to acknowledge that Hitler had a government (Searle 2010, 8, 57). As pointed out earlier, meaning and colour of the predicate "is sacred" come apart when *outsiders* speak about Mount Popzatetl's sacredness from their spectatorial point of view.

My claim is now that sacred objects can be *covert* institutional facts and in our toy example they do function like that. Members of G do create a sacred object, but they would not acknowledge that "creating Mount Popzatetl's sacredness" correctly specifies what they do (they certainly wouldn't acknowledge that they *declared* that Mount Popzatetl was a sacred mountain). Similarly, they would not believe any presentation of facts about their mountain which explicitly or implicitly presents the target property to be an institutional one. Searle explicitly accepts that people may have mistaken beliefs about the nature of specific institutional facts, objects or properties:

> *Most of these things (the creation of institutional facts, FB) develop quite unconsciously, and indeed people typically are not even aware of the structure of institutional reality. It often works best when they have false beliefs about it. So there are a lot of people in the United States who still believe that a dollar is only really money because it is backed by all that gold in Fort Knox. This is total fantasy, of course. The gold has nothing to do with it. And people hold other false beliefs. They believe someone is king only because he is divinely inspired, or even believe that marriages have been made by God in heaven, and so on (Searle 2001, 37-38)* [5].

There are interesting ambiguities in Searle's claims. Is the belief that certain institutions are consequences of a divine will conceptually coherent, given the theory of institutions just developed? Members of G lack beliefs, or have false beliefs about the social enabling conditions of what they believe or know, but those false beliefs need not be part of their justification of their belief that H. Recall that even though X (a member of G) has a false belief about what determines the extension of the concept of being sacred, this need not entail that X does not know that Mount Popzatetl is holy, just as the false belief that Elisabeth II is the Queen because she was divinely elected ("Elisabeth II, by the grace of God" is part of the Queen's official title) does not entail that UK citizens do not know that Elisabeth II is the queen or that queens don't exist. The false belief is about the divine origin of her

5 Compare (Searle 2010, 107)

monarchic powers, and there may be further ignorance or even patently false beliefs about the social enabling conditions of that belief. In this sense, false beliefs can contribute to the maintenance of covert institutional facts and even covert institutions.[6]

A theory that holds that the institutional character of a fact or object can be hidden or covert for a community C acknowledges the error theorist's point, made earlier, that institutional properties are in some sense *relative* and *queer*: their assignation is relative to a practice and within a community; they are queer because institutional properties are by definition not natural ones. Although an institutional account is in principle purely descriptive (See *supra*), there is an aspect of the institutional account that allows its proponents to be "critical of the status quo" (as Hacking 1999 puts it): since members of a collective are *de facto* responsible for the creation and maintenance of an institutional fact, but can be ignorant about its institutional nature, uncovering its institutional nature to them may in fact lead to a critical re-examination of the practice. Criticizing, perhaps abolishing certain deontic powers attached to sacred objects can best be initiated by explicitly and publicly exposing the object in the X-position as having an institutional property Y.[7] Once you come to believe there are no gods born on top of Mount Popzatetl, you are open to the fact that its sacred character was *merely* due to collective acceptance. Once it is fully appreciated by members of G that collective acceptance is responsible for the creation and maintenance of the sacred nature of Mount Popzatetl, they *eo ipso* discover that the deontic powers attached to it have sublunar origins, and that insight might be the beginning of a thorough revision of those powers, perhaps leading to their gradual erosion and eventual disappearance (Compare the gradual reduction of the monarch's real powers to the purely ceremonial role of kings in modern constitutional democracies).z Various moves and options that come with the insight that a practice is based not on natural facts but on institutional ones can be described within John Searle's theory of institutional facts: one starts seeing the holiness of Mount Popzatetl as an observer-dependent fact that obtains its status due to collective intentionality. One thereby comes to see that acceptance/recognition of Mount Popzatetl's holiness is a necessary conditions for its function to surpass the physical features of the object.

6 Bruno Celano argues that "[...] *pace* Searle, institutional facts being belief dependent is not compatible with people having false beliefs about them" (Celano 1999, 249, also quoted (and rejected) in Lagerspetz 2006, 302).

7 Compare the child who pointed out that the emperor has no clothes.

And one starts to accept that H does not exclude that other mountains can be sacred too (and that this requires different contexts). It is recognized that a socially determined enabling condition for the emergence of knowing that Mount Popzatetl is sacred was key to the emergence of that belief. They will accept that it was human agency that did the imposition of holiness. Once this insight transpires, H can continue to exist or disintegrate, and be studied, perhaps in the context of a Foucauldian "archaeology" of now fully disintegrated institutions, forgotten institutional properties and eroded or merely symbolic deontic powers. To avoid expressing reverence and awe, an outsider can assert the proposition that *Mount Popzatetl is sacred because they, members of G, collectively accept it as holy.*
This avoids the relativism implicit in "According to them, Mount Popzatetl is holy', which should be avoided (recall that outsiders too know that Mount Popzatetl is holy). Ex-members of G who come to believe that H is true in virtue of collective acceptance of H continue to grasp the concept of holiness.

What about witches, shamans, and exorcists? I will argue that the existence of witches, shamans and exorcists should be acknowledged, as these status functions are associated with, and known to be associated with certain deontic powers. Nevertheless, those who accept that they exist and who recognize their deontic powers, may have many false beliefs, perhaps not about the cover or over institution that assigns these statuses, but about the supernatural powers of the persons that have a specific. Consider witches. Searle holds the following view about witches:

> *Many people believe in the existence of witches and they act on that belief even to the extent of executing people for witchcraft. All the same, on the standard supernatural definition of witches there are no witches and there never have been any (Searle 2006, 115).*

Searle judges here in view of the standard supernatural definition of witches ("women who had intercourse with the devil") and on that account there could not be witches. I take this to be part of what *fixes the reference* of the concept of being a witch. An alternative account allows for the consistency of the following set of claims (applied to witches): witches once existed and are known to have existed, but there was never such a thing as witchcraft. Witchcraft is based on false empirical beliefs. Witches existed because they were created by (implicit, covert) collective acceptance that there are witches, and their social role can be defined in terms of a set of

interconnected rights and obligations, implicitly or explicitly conferred upon them by the community. This is even more evident in the case of *shamans*, whose social role in a community is precisely defined: they are respected, must be consulted at certain occasions, and have various rights and obligations. They create and are owners of desire-independent reasons.

On the proposed account of witches as *covert* institutional entities, it is (objectively, historically) *true* that the last witch in England was burned in 1736, and there is no need to tinker with the truth-conditions of the sentence (replacing "witch" by some description – "the last person convicted of witchcraft", for example). Even though the reference of the concept of a witch is, within a community responsible for their existence, fixed by "woman who had sexual intercourse with the devil" (or some such reference-fixing description that reflects how many or most believers stereotypically thought about witches), this need not determine its *extension*, as we saw earlier in the case of the concept of sacredness. What determines that there *are* witches (what determines the extension of the concept of a witch) is an aetiology in which someone (X) was declared to count as a witch (Y). But those who issued such declaratives may well have been wrong about what they did: rather than thereby *creating* witches, they thought they announced the *discovery* that this or that person turned out to be witch. Being a witch was, relative to them, a covert institutional property. They didn't realize they were involved in an institutional practice that created rather than discovered entities.

Neither does the fact that women confessed to certain deeds (flying on broomsticks, etc.) commonly or stereotypically associated with witchcraft or even consciously or unconsciously started behaving according to the reference-fixing description made it true that there were once witches. The fact that being a witch is an "interactive kind" (*à la* Hacking 1999) is neither sufficient nor necessary to explain the existence of witches. What *did* make it true that witches existed was collective acceptance of a real or virtual declarative, issued by some authority and accepted/recognized by others, that someone was a witch, and that in virtue of being a witch, certain deontic powers came into existence. We can therefore accept that witches existed, and simultaneously deny that witchcraft existed.
In the case of shamans and exorcists the case for their institutional nature is even more clearer: the role of a shaman within a community is clearly defined in terms of what do's and don'ts, rights and duties. Moreover, many cultures make a clear distinction between laity and the shaman, and merely

talking and acting like a shaman does not entail that one *is* a recognized shaman. In the Catholic religion a distinction is made between a formal exorcism which can only be conducted by a priest during a baptism or with permission of a bishop. The exorcist is an individual thought to be capable of expelling demons, using formulas, gestures, symbols and amulets. In Islam, *ruqya* is used to repair damage caused by witchcraft. In Judaism exorcism rituals are performed by a rabbi who has mastered practical *kabala*. Denying that they exist just because they are supposed to interact with supernatural entities does not seem to be an option, and it is not even correct to talk here, as in the case of the holy mountain, of covert institutional roles: an exorcist officially recognized by the Church has (real) deontic powers, but (contrary to what the Church thinks) none of the alleged supernatural powers.

One reason why the distinction between the existence of witches (they exist) and witchcraft (which doesn't exist) is not obvious is that in our understandable eagerness to deny that witchcraft exists, and our current moral outrage against witch-hunts (or slavery), we easily jump to the facile and consoling conclusion that *witches never existed, or that slavery was not an institution*. But what Searle himself acknowledges as true about *intended* or *overt* institutional facts (that correctly identifying them as such need not entail that one *endorses* the institution – See *supra*) can be extended to covert institutional facts. What one should have said to would-be witch-burners is something like this: "Yes, your collective acceptance of the declarative statement that these women are witches, has created the (non-empty) category of witches, but you are under an illusion about their alleged supernatural powers." Publicly reciting this fragment of an analysis is definitely not the most effective strategy to *persuade* members of the relevant collective that they shouldn't classify persons as witches. A public assertion that witches existed may carry the misleading implicature that witchcraft *also* exists, or perhaps even the more outrageous suggestion that it was after all right to burn them. The lesson seems to be that announcing a viable and conceptually kosher account of the ontology and epistemology of statements and beliefs about witches and the social enabling conditions for beliefs that they exist need not offer the most effective way to persuade people that certain women should not be treated as witches, and that what they took to be a natural phenomenon was in fact created by their beliefs. It takes a complex attitudinal shift within a community to instil such a conversion.

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