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INSTITUTIONAL ONTOLOGY
AS AN ONTOLOGY OF TYPES

abstract

In present paper I investigate the relation between types and tokens, and its peculiar relevance for the ontology of institutional phenomena. I distinguish cognitive *(or* analogical*) types and* normative *(or* katalogical*) types: while cognitive types are constructed* a posteriori *from analogies among pre-existing tokens, normative types are the prius of their tokens, tokens whose identity and effects are determined in the type. Direction of fit, essential effects, and atypicalness in relation to normative types are investigated, and the hypothesis is ventured that the ontology of institutional phenomena (contrary to the ontology of natural phenomena) is primarily an ontology of types.*

INSTITUTIONAL ONTOLOGY AS AN ONTOLOGY OF TYPES

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> *The multiple impressions [ἐκτυπώματα ektypōmata] of a seal [σφραγίς sphragis] participate of their archetype seal [ἀρχέτυπος σφραγίς archetypos sphragis], and in every single impression the seal is present in its entirety and identity, without being part of any of its impressions.*
>
> Dionysius the Areopagite, De Divinis N ominibus, 644a, 7-9.

0. What are the Characteristic Circumstances in which We Postulate a Type?

In *Art and Its Object*, 1968, the British philosopher Richard Wollheim [London, 1923-2003] poses the following question: "What are the characteristic circumstances in which we postulate a type?" and he gives the following answer:

> *A very important set of circumstances in which we postulate types [...] is where we can correlate a class of particulars with a piece of human invention: these particulars may then be regarded as tokens of a certain type. (Wollheim 1968, 94)*[1]

Wollheim employs the "type *vs.* token" paradigm in his investigations on the ontology of works of art, so he thinks notably of some kinds of works of art, such as operas, ballets, poems, etchings, *etc.*

Another important context in which we postulate types surely is the context of institutional phenomena, one of the main fields of investigation in social ontology.

In present paper, I shall investigate some important aspects of the role of the "type *vs.* token" paradigm in social ontology and in the philosophy of institutional phenomena.

1. Types and Tokens

Investigations in social ontology and on the nature of institutional phenomena often resort to the "type *vs.* token" paradigm.

It is, indeed, a fundamental cognitive process of the intellect to sort phenomena into different types; a process which is common to every field of knowledge.

In social ontology, though, and particularly in the ontology of institutional phenomena, the type-token relation may play a different role from the mere

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[1]   Wollheim sets here types against other generic entities, like classes and universals. For an analysis of the peculiarities of the concept of "type" as opposed to other generic concepts in categorization, see (Passerini Glazel 2005).

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cognitive one: it can play a specific *normative* role, which has a fundamental import not only at the *epistemological* level, but also (and maybe primarily) at the *ontological* level.

1.1.
The "type vs. token"
paradigm in Charles
Sanders Peirce

In *Prolegomena to an Apology for Pragmaticism*, 1906, the American philosopher and semioticist Charles Sanders Peirce [Cambridge (Massachusetts), 1839-Milford (Pennsylvania), 1914] introduced a conceptual paradigm doomed to have a great relevance in semiotics and in investigations on social and institutional phenomena: the dyadic "*type vs. token*" paradigm. Peirce elucidates the paradigm "type *vs.* token" through the example of word count:

> *A common mode of estimating the amount of matter in a manuscript or printed book is to count the number of words. There will ordinarily be about twenty the's on a page, and of course they count as twenty words.*
> *In another sense of the word "word," however, there is but one word "the" in the English language; and it is impossible that this word should lie visibly on a page or be heard in any voice, for the reason that it is not a Single thing or Single event. It does not exist; it only determines things that do exist. Such a definitely significant Form, I propose to term a Type. (Peirce 1960, 4.537, vol. IV, 423)*

A "*Type*" thus, in Peirce's definition, is a significant "Form" that "determines things that do exist", though it doesn't itself exist as a single thing, as an *ídion*[2].
The single actual concrete occurrences of a Type are named "*Tokens*" by Peirce:

> *A single event which happens once and whose identity is limited to that one happening or a Single object or thing which is in some single place at any one instant of time, such event or thing being significant only as occurring just when and where it does, such as this or that word on a single line of a single page of a single copy of a book, I will venture to call a Token. (Peirce 1960, 4.537, vol. IV, 423)*

The relation between a type and its tokens is a relation of *instantiation*:

> *In order that a Type may be used, it has to be embodied in a Token which shall be a sign of the Type, and thereby of the object the Type signifies. I propose to*

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2   The adjective ἴδιος idios in ancient Greek means "proper, peculiar, particular, singular".

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> call such a Token of a Type an Instance of the Type. Thus, there may be twenty Instances of the Type "the" on a page. (Peirce 1960, 4.537, vol. IV, 424)

1.2.
Eidographic vs. Idiographic **Predicates**

It is quite obvious that, in attributing a predicate to an object, to an act, or to an event, we may refer *either* to the *type* of object (of act, of event), *or* to a single, concrete occurrence of that type of object (of act, of event), to a single *token* in its individuality.

To distinguish the attribution of a predicate to a *type* from the attribution of a predicate to a *token*, I propose to adopt Amedeo Giovanni Conte's [*Pavia, 1934] "eidographic *vs.* idiographic" paradigm.

A predicate which is attributed to a *type qua type* (to a *type* as an *eîdos* in Conte's terms) is an *eidographic* predicate[3].

A predicate which is attributed to a *token qua token* (to a *token* as an *ídion*) is an *idiographic* predicate[4].

When I say, for instance:

[1] Dog is man's best friend,

I am making reference to the *type* of animal "dog" in general (in comparison to other types of animals): this is an *eidographic* predication.
But when I say:

[2] The dog Jack is John's best friend,

I am making reference to a single dog, Jack (in comparison to other dogs, or to other John's friends): this is an *idiographic* predication.
Similarly, when I say:

[3] In the game of rugby, a try is worth five points,

I am making reference to the (institutional) *type* of event "try": this is an *eidographic* predication.
But when I say:

[4] In last rugby match England v. Ireland, the try scored by Ireland at the beginning of second half turned the tide of the game,

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3   The Greek word εἶδος eidos means "idea, form, species, type".
4   "Eidographic" is a neologism of Conte's; "idiographic" is borrowed by Conte from the German philosopher Wilhelm Windelband ("idiographisch").

I am making reference to a single event, to a single *token* of the type of event "try": this is an *idiographic* predication.

Again, when I say:

> [5] In Italian law, in the absence of contrary stipulation, from marriage derives the community of property between the spouses,

I am making reference to the (institutional) *type* of act "marriage": this is an *eidographic* predication.

But when I say:

> [6] Andrea and Francesca's marriage took place on September 29th, 2012,

I am making reference to a single marriage, to a single *token* of the type "marriage": this is an *idiographic* predication.

1.3. An Asymmetry Between *Eidographic* and *Idiographic* Predicates

Between *eidographic* and *idiographic* predicates there is an asymmetry. Let's consider examples [3], [4], and [5], [6], which are examples of institutional phenomena.

What is (eidographically) predicated of the *type* "try" in example [3] (the fact that a try is worth five points) can be predicated *salva veritate* of the *token* "try scored by Ireland *etc.*" (Ireland's try surely was worth five points).

But the contrary doesn't hold: what is (idiographically) predicated of the *token* "try scored by Ireland *etc.*" in example [4] (the fact that *that* particular try turned the tide of the game) cannot be predicated *salva veritate* of the *type* "try".

Similarly, what is (eidographically) predicated of the *type* "marriage" in example [5] (the fact that from marriage derives the community of property in the absence of a contrary stipulation) can be predicated *salva veritate* of the *token* "Andrea and Francesca's marriage".

Again, the contrary doesn't hold: what is (idiographically) predicated of the *token* "Andrea and Francesca's marriage" in example [6] (that it took place on September 29th, 2012) cannot be predicated *salva veritate* of the *type* "marriage".

The foregoing examples show that, on the one side, some essential *eidographic* properties of institutional types are necessarily "transmitted" to its tokens: a token of a try is necessarily worth five points, because the type "try" is conventionally stipulated to be worth five points; a token of marriage necessarily constitutes the community of property in the absence

of a contrary stipulation, because that is stipulated for the type "marriage" in Italian law.

On the other side, *idiographic* properties of the tokens (some properties which belong to the tokens as *ídia*) cannot (by definition) be transmitted to the type[5].

The same doesn't necessarily hold for natural types: the fact that we say that "Dog is man's best friend" depends on the fact that most dogs (most tokens of the type "dog") are friendly and useful to humans, and not vice versa.

2.

Two Opposite Directions of Fit Between a *Type* and its *Tokens*: *Cognitive* Types *vs* *Normative* Types

Sub 1.2. (*Eidographic* vs. *idiographic predicates*) I have drawn a distinction between predicates which are attributed to a *type qua type* (to a type as an *eîdos*) and predicates which are attributed to a *token qua token* (to a token as an *ídion*).

But what is the relation existing between a *type* and its *tokens*?

Generally speaking, the relation existing between a type and its tokens is a relation of *conformity*: a *type* and its *tokens* must correspond one to the others, they must *fit* each other, to be, respectively, the *first*, the type of those tokens, the *second*, the tokens of that type.

But this relation of conformity may take up one of two opposite directions. In some cases, it is the *type* that has to fit the tokens; in other cases, on the contrary, it is the *tokens* that have to fit the type.

To the relation existing between types and tokens, thus, applies the concept of "direction of fit", introduced by the American philosopher John R. Searle [*Denver, 1932] (and inspired to him by British philosopher G.E.M. Anscombe [Limerick, 1919-Cambridge, 2001])[6].

Searle in (Searle 1975) distinguishes two directions of fit:

    (i) a "word-to-world" direction of fit,
    (ii) the opposite "world-to-word" direction of fit[7].

A prefiguration of the concept of "direction of fit" is in Thomas Aquinas' [Roccasecca, 1225-Fossanova, 1274] *Summa Theologiae*:

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5   An investigation on what kind of properties are necessarily transmitted, what kind of properties can be transmitted, what kind of properties cannot be transmitted between types and tokes (and in which direction) is beyond the purposes of this paper. A first investigation on this subject has been carried out by British philosopher Richard Wollheim: see (Wollheim 1968).

6   See (Anscombe 1957), (Searle 1975), (Searle 1985).

7   More recently, (Searle and Vanderveken 1985) considered cases (such as the case of declarations) in which there is a double direction of fit ("world-to-word-to-world"), and cases in which there is a "null or empty" direction of fit.

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Veritas consistit in adaequatione intellectus et rei [...]. Intellectus autem qui est causa rei, comparatur ad ipsam sicut regula et mensura, e converso autem est de intellectu qui accipit scientiam a rebus.

Quando igitur res sunt mensura et regula intellectus, veritas consistit in hoc, quod intellectus adaequatur rei, ut in nobis accidit, ex eo enim quod res est vel non est, opinio nostra et oratio vera vel falsa est.

Sed quando intellectus est regula vel mensura rerum, veritas consistit in hoc, quod res adaequantur intellectui, sicut dicitur artifex facere verum opus, quando concordat arti. Sicut autem se habent artificiata ad artem, ita se habent opera iusta ad legem cui concordant. Iustitia igitur Dei, quae constituit ordinem in rebus conformem rationi sapientiae suae, quae est lex eius, convenienter veritas nominatur. Et sic etiam dicitur in nobis veritas iustitiae. (Aquinas, Summa Theologiae, part I, Question 21, art. 2)[8]

This passage from *Summa Theologiae* suggests promising connections between the idea of two opposite directions of fit and investigations on the type-token relation, on *de dicto* and *de re* truth, on "normative truth" and "truth of norms".

I'm not going to pursue all of these inspiring connections in present paper. I shall restrict here to the distinction of two kinds of types (*cognitive* types, *normative* types) according to their respective direction of fit.

2.
Two Opposite Directions of Fit Between a *Type* and its *Tokens*: *Cognitive* Types *vs Normative* Types

2.1.1. In some cases, I said, it is the *type* that has to fit the tokens. This is the case, for instance, with zoological types (such as "dog", or "*canis lupus familiaris*") and botanical types (such as "apple tree", or "*malus domestica*"): more generally, this is the case with what I propose to call "*cognitive types*".

Cognitive types have the function of reproducing (in the sense of representing) and synthesizing what the (typical) properties of the tokens of that type *are*.

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8   "Truth consists in a correspondence between the intellect and reality. Now, an intellect that is a cause of the relevant real thing is related to it as a rule and measure, whereas the converse holds in the case of an intellect that takes its knowledge from the thing. Thus, when, as happens with us, the things are the measure and rule of the intellect, then truth consists in the intellect's correspondence to the thing. For, it is because reality is (or, respectively, is not) such-and-such that our beliefs and statements are true (or, respectively, false). By contrast, when the intellect is the rule or measure of the things, then truth consists in the thing's correspondence to the intellect. So, for instance, the craftsman is said to produce a true work when that work agrees with his craft. Now just actions are related to the law with which they accord as artifacts are related to their craft. Therefore, God's justice, which establishes among things the order that conforms to the measure of His wisdom, i.e., His law, is appropriately called "truth". And this is why, even among us, one speaks of the truth of justice".

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It is because most singular tokens of the type "dog" are friendly and useful to men, that we use to say that "Dog is man's best friend" (not the opposite). *Cognitive types* thus have a "*type-to-world*" direction of fit: the type has to reproduce and reflect the world as it is, and so it is the *type* that has to fit the tokens.

2.1.2. If there is no conformity between type and tokens, it is the *type* that is *inadequate*.
Here is an example (a well-known example in modern and contemporary epistemology): a predicate of the type "swan" used to be, up to the end of XVII century: "Swan has white plumage"[9].
The discovery of black swans in Australia at the end of XVII century led to rectify the type: now we know that "Swan can have white or black plumage". (I guess nobody tried to "rectify" the colour of Australian swans.)[10]

2.1.3. As the examples of black swans shows, with regard to *cognitive types* we usually have what the Norwegian sociologist Johan Galtung [*Oslo, 1930] called *cognitive expectations*: i.e. expectations that we are prepared to revise in case of dissonance between our expectations and reality[11].

2.1.4. Another term I propose for cognitive types is "*analogical types*": the type, indeed, is here (*a posteriori*) constructed through the recognition of the analogies existing among the tokens; the tokens are the *prius*, the type is the *posterius*[12].

2.
Two Opposite Directions of Fit Between a *Type* and its *Tokens*: *Cognitive* Types vs *Normative* Types

2.2.1. In other cases, it is the *tokens* that have to fit the type.
This is the case, for instance, with conventional and institutional types (such as "try" in rugby, "marriage" in law, "10 euros banknote", the word "the" in English), and, more generally, with what I propose to call *normative types*.
Normative types have the function of determining what something in the world *shall* be like to have a certain conventional or institutional value.
Through a normative type we do not *reproduce* what the properties of the tokens of the type *are*; on the contrary, we *determine* what the properties of the tokens *shall be*.

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9   Cfr. Juvenal's famous verse: "*Rara avis in terris, nigroque simillima cygno*" (Iuvenalis, *Saturae*, VI, 165).
10   I remind that in the gender *Cygnus*, besides white and black species, there is also a black-necked species, native to South-America.
11   See (Galtung 1959).
12   I set *analogical* types against *katalogical types*: see infra § 2.2.5.; my paradigm "*analogical* types vs. *katalogical* types" is inspired by the distinction between *ana-logical* and *kata-logical* in the thology of Hans Urs von Balthasar [Luzern, 1905-Basel, 1988]: see (von Balthasar 1985).

It is because the type "try" in rugby is conventionally and normatively stipulated to be worth five points, that we can say that the particular try scored by Ireland, was worth five points (and not the opposite).

The direction of fit of *normative types*, thus, is a *world-to-type* direction of fit: it is the tokens that have to fit the type, it is the tokens that have to reproduce (in the sense of replicating), to reflect the type.

2.2.2. If there is no conformity between type and tokens, it is the *tokens* that are *inadequate*.

A try scored during half-time in a rugby match, or a try scored by a player in his own in-goal area, are no try at all, and no point will be awarded to any team.

2.2.3. With regard to *normative types* we usually have what Galtung called *normative expectations*: i.e. expectations that we are *not* prepared to revise in case of dissonance between our expectations and reality[13].

2.2.4. That types (may) have a *normative* function with regard to tokens is an idea which is not alien to Peirce's semiotics. In a former formulation of the "type *vs.* token" paradigm, Peirce used, for "type", the term "*Legisign*" (defined as "a law that is a sign"), and, for "token", the term "*Replica*". Here is Peirce's passage from *A Syllabus of Certain Topics of Logic*, 1903:

> *A Legisign is a law that is a Sign. This law is usually established by men. Every conventional sign is a legisign. It is not a single object, but a general type which, it has been agreed, shall be significant. Every legisign signifies through an instance of its application, which may be termed a Replica of it. Thus, the word "the" will usually occur from fifteen to twenty-five times on a page. It is in all these occurrences one and the same word, the same legisign. Each single instance of it is a replica. The replica is a sinsign. Thus, every legisign requires sinsigns. But these are not ordinary sinsigns, such as are peculiar occurrences that are regarded as significant. Nor would the replica be significant if it were not for the law which renders it so. (Peirce 1998, 2, 291)*

2.2.5. Another term I propose for normative types is "*katalogical types*": the tokens are derived (they descend) from the type; the type is the *prius*, the tokens are the *posterius*.

In § 2. (*Two opposite directions of fit between a* type *and its* tokens: cognitive

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types vs. normative *types*) I distinguished *normative* types (*katalogical* types) from *cognitive* types (*analogical* types), and I adduced as examples of normative types some *conventional* and *institutional* types.

Conventional and institutional types of objects, of acts, of events, are among the main subjects of investigation in social ontology.

In present § 3., I shall focus on institutional types of acts, and I will underline a peculiarity of institutional types of acts, as opposed to non-institutional types of acts[14].

Baptizing, entering into a sale contract, marrying, scoring a try, are all examples of institutional acts: acts that can be performed only within, and in virtue of, a particular institutional frame.

Running, opening a window, felling a tree are non-institutional actions: actions that can be performed independently of any institutional frame.

In following § 3.1. (Extrinsic consequences *of non-institutional acts*) and § 3.2. (Intrinsic effects *of institutional acts*), I will show an important difference existing between

> (i)   the relation between the tokens of a non-institutional action and the type they are tokens of

and

> (ii)   the relation between the tokens of an institutional act and the type they are tokens of.

3.
Intrinsic Effects **of Institutional Acts *vs. Extrinsic Consequences* of Non-Institutional Acts**
3.1.
Extrinsic Consequences **of Non-Institutional Actions**

3.1.1. *Non-institutional actions* like running, opening a window, felling a tree, may produce some *consequences*: whenever one runs, a translation of his body in space takes place; whenever one opens a window, the window gets open, and fresh air gets in; whenever one fells a tree, the tree falls on the ground.

All of these consequences are produced by every particular action in its individual singularity, by virtue of mechanical cause-effect relations: all of these consequences are produced by every action in its *ídion*, independently of the fact that anybody recognizes them as *tokens* of a particular *type* of action.

3.1.2. All of these cause-effect consequences of non-institutional types of actions are *extrinsic consequences*: they are not inscribed in the *essence* of a type, or at least they are not *determined by the type*: they are merely and immediately actual at a token-level.

Cause-effect relations exist between *tokens*, between *ídia*, not between types:

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14   In philosophy of institutional phenomena, *institutional facts* are usually opposed to *brute facts*. Brute facts are facts that, in Searle's words, "can exist without human institutions"; on the contrary, *institutional facts* are facts that "require human institutions for their very existence".

despite their universalization by induction in natural sciences, causal laws of nature "operate" at *token-level*, not at type-level.

3.2. *Intrinsic Effects* of Institutional Acts

3.2.1. *Institutional acts* like baptizing, entering into a sale contract, marrying, scoring a try, produce some specific *institutional effects.*

Whenever one baptizes somebody, whenever one enters into a sale contract with somebody, whenever one marries, whenever one scores a try, some institutional effects, specific to every type of act, are produced in the world. Whenever a player scores a try in a rugby match, for instance, his team is awarded five points. This effect isn't produced by virtue of mechanical cause-effect relations; it is produced by virtue of the fact that it is ascribed to (and inscribed into) the (normatively constituted) type of event "try" that it is worth five points.

Every token-try in rugby produces the effect of earning five points to the scoring team only by virtue of it being a token of the type "try" in rugby[15]. As Maria-Elisabeth Conte [Soest in Westfalen, 1935 -Pavia, 1998] suggests, a token of an institutional act merely *triggers* [*löst aus*] the effects of the type; but the triggered effects are effects of the type, they are effects which are *intrinsic* to the type.

In other words, the effects of an institutional act are produced *through the tokens*, but *in virtue of the type*.

3.2.2. Unlike the extrinsic consequences of non-institutional acts, thus, the effects of an institutional type of act are *intrinsic effects* specific to every type of institutional act: these effects are ascribed to (and inscribed into) the *type*, the *eîdos*, of every act.

In the world of institutional phenomena, institutional norms generally operate at a *type-level*, not at a token-level.

3.2.3. Adopting the lexicon of Scholasticism, the type of an institutional act is the (necessary) *causa prima* of the effects of its tokens, while the tokens are but a (contingent) *causa secunda* of those effects.

To the relation between type as *causa prima* and tokens as *causa secunda* of the effects of an institutional act suit the following words of Aquinas (Iᵃ-IIᵃᵉ q. 19 a. 4 co):

> *Effectus plus dependet a causa prima quam a causa secunda, quia causa secunda non agit nisi in virtute primae causae.*

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15   See (Peirce 1903, 291): "Nor would the replica be significant if it were not for the [Legisign] law which renders it so."

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> *The effect depends more on the first cause than on a secondary cause, since a secondary cause acts only in the power of the first cause.*

4.
Two Kinds of
Atypicalness:
Privative
Atypicalness
vs. Negative
Atypicalness

In § 3. (Intrinsic effects of institutional acts vs. extrinsic consequences of non-institutional acts) I pointed out that (unlike non-insitutional acts) institutional acts produce their specific effects by virtue of their correspondence to a type.

Let's now focus on cases of dissonance, of non-conformity between type and tokens. I propose to distinguish two different kinds of "non-conformity to a type", modelled on Aristotle logical distinction between *negation* (ἀπόφασις *apophasis*) and *privation* (στέρησις *steresis*)[16]:

(i) a relative, and privative, non-conformity to a type, which I call "privative (or steretic) atypicalness";
(ii) an absolute, and negative, non-conformity to a type, which I call "negative (or apophatic) atypicalness"[17].

4.1.
Privative
Atypicalness

I call "*privative* (or "*steretic*", from Greek στερητικός *steretikos*, "privative") *atypicalness*" the atypicalness which consists in a *partial non-conformity* of a token to a type.

Two examples:

[7] The atypicalness of a lease contract in which something else from money is the consideration for lease, is *privative atypicalness.*

[8] The atypicalness of a counterfeit ten euros banknote, is *privative atypicalness.*

Both the lease contract and the counterfeit banknote are atypical (not because they are completely alien to a type, not because they don't have any type, but) because they partially deviate from their type, because they don't fully fit the type of which they are (atypical) tokens.

I call "*privative*" this kind of atypicalness because it consists in a (scalar, progressive) deficiency of typicalness (of conformity) to a type[18].

4.2.
Negative
Atypicalness

I call "*negative* (or "*apophatic*", from Greek ἀποφατικός *apophatikos* "negative") *atypicalness*" the atypicalness which consists (not in a partial

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16   See Aristotle, *Metaphysica*, 1056a 29.
17   See also (Passerini Glazel 2005, 223-228) and (Passerini Glazel 2012).
18   Privative atypicalness is privative as well as privative is the gnostic and neoplatonic conception of evil: evil is an imperfection, a deficiency of being, a lack of good.

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non-conformity to a type, but) in *irreducibility to any type*, in the absence of a corresponding type.

Three examples:

> [9] The atypicalness of a 27 euros banknote is negative atypicalness.

> [10] The atypicalness of castling in draughts is negative atypicalness.

> [11] The atypicalness of scoring a try in football (soccer) is negative atypicalness[19].

A 27 euros banknote, castling in draughts, scoring a try in football are atypical not because they deviate from a type, nor because they don't fully fit a type: they are atypical because there is no corresponding type at all: there is no type "27 euros banknote" in European monetary system, there is no type "castling" in the game of draughts, there is no type "try" in the game of football.

They are not tokens of a type, because there is no type, because a corresponding type doesn't exist.

Example [10] (castling in draughts) is inspired by the famous Ludwig Wittgenstein's passage:

> Statt *"Man kann nicht im Damenspiel nicht rochieren", sage: "Es gibt im Damenspiel kein Rochieren". (Wittgenstein, 1967, § 134, 315)*[20]

I call "*negative*" this kind of atypicalness because it consists in a (non-scalar, binary) *absence* of typicalness: there is no typicalness because there is no type[21]. *Privative* atypicalness and *negative* atypicalness have opposite presuppositions.

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19   The game of rugby is quite provocative for philosophers of institutional phenomena: according to a tradition, indeed, the game of rugby originated on November 1st, 1823, on the grass of Rugby Public School, when, according to a memorial tablet that lays there, William Webb Ellis "with a fine disregard for the rules of football as played in his time, took the ball in his arms and ran with it, thus originating the distinctive feature of the rugby game". It was properly by not fitting the rules and types of the game he was playing, that Webb Ellis originated a new game, with its new rules and types. It was the (negative) atypicalness of Webb Ellis act that inspired the types of a new game: the game of rugby.

20   *Not: "One can't castle in draughts" but - "There is no castling in draughts".* Wittgenstein's example is quoted as an example of "absence-impossibility" (impossibility due to the absence of certain rules) by Amedeo Giovanni Conte and Paolo Di Lucia (in Conte and Di Lucia 2012, 138). I think that my paradigm "privative atypicalness vs. negative atypicalness" may be fruitfully confronted with Conte and Di Lucia's "presence-impossibility vs. absence-impossibility" paradigm, as well as with Conte and Di Lucia's "nomophoric impossibility vs. non-nomophoric impossibility" paradigm.

21   Negative atypicalness is negative as well as negative is the Manichean conception of evil: evil is other than good, it is absence of good.

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**4.3.
The Opposite
Presuppositions
of *Privative*
Atypicalness
and *Negative*
Atypicalness**

Privative atypicalness, consisting in a *partial deviation* of a token from a type, presupposes the *presence* of a reference type (with regard to which privative atypicalness of a token is predicated).

The type "ten euros banknote", for instance, is presupposed by a counterfeit ten euros banknote.

On the contrary, *negative* atypicalness, consisting in *irreducibility* to any type, presupposes the *absence* of a reference type.

**4.4.
Three Kinds
of Normative
Impossibility**

The paradigm "*privative* atypicalness *vs. negative* atypicalness" illuminates (and is itself illuminated by) the phenomenon of *normative impossibility*.

Normative impossibility is any form of rule-related impossibility (of *nomophoric* impossibility, in Amedeo Giovanni Conte's and Paolo Di Lucia's [*Milano, 1966] lexicon)[22].

Normative impossibility (rule-related impossibility) may be the result of three different normative situations.

> (iii) A first kind of normative impossibility derives from the presence of deontic rule of prohibition: it is normatively impossible, in Italy, to smoke in public premises because there is a legal norm that prohibits to smoke in public premises.
>
> (iv) A second kind of normative impossibility derives from the presence of an anankastic-constitutive rule that poses a necessary condition that cannot be fulfilled: it is normatively impossible for a 40-year old person to participate to a competitive state exam if an anankastic-constitutive rule poses as a necessary condition to enter the state exam being younger than 35.
>
> (v) A third kind of normative impossibility derives from the absence of an eidetic-constitutive rule that constitutes a particular type of act or event: it is normatively impossible to castle in draughts because there is no constitutive rule of draughts game that constitutes the type of move "castling".

In the game of chess, it is *possible* to castle: it is possible in virtue of the rules of the game; the possibility of castling is thus a *normative possibility*.

On the contrary, in the game of draughts, it is *impossible* to castle: it is impossible

> (i) not because of the presence of a deontic rule that forbids it,
>
> (i) not because of the presence of an anankastic-constitutive rule that

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22   See (Conte and Di Lucia 2012, 136-137).

poses a necessary condition that cannot be fulfilled;
(i) but because of the absence of a rule: the absence of an eidetic-constitutive rule that constitutes the type of move "castling", and so makes it possible to instantiate an infinite number of tokens of "castling" in draughts. It is impossible, here, to produce a token of a type that doesn't exist.

The *third* kind of normative impossibility (the normative impossibility to castle in draughts), which is seemingly the most radical kind of normative impossibility, is a normative impossibility due to the *absence* of a type, due to *negative atypicalness*[23].
The impossibility due to the absence of a type recalls Stanisław Jerzy Lec's words:

> *Many things didn't come to existence due to the impossibility to give them a name.*

5. Ontologies of *Tokens vs.* Ontologies of *Types*

5.1. In the foregoing §§ 1., 2., 3., 4. of this paper I showed:

(ii) that some essential *eidographic properties* of institutional types *are necessarily transmitted* from a type to its tokens;
(iii) that conventional, institutional, and, in general, normative types have a *world-to-type direction of fit*;
(iv) that the effects of an institutional act are produced *through the tokens*, but *in virtue of the type*;
(v) that there are cases where some institutional phenomenon is *impossible due to the absence of a corresponding type*.

5.2. These considerations suggest the idea that *types* in social ontology, and notably with regard to institutional phenomena, do not play a merely *cognitive* role, but a *normative* one, and they arise a question: Can there exist institutional phenomena without types? In other terms: Can there exist an institutional reality at all without types?

5.3. This *normative* role of institutional types has an import not merely at the *epistemological* level, but chiefly at the *ontological* one.
While in natural phenomena a token is what it is independently of the type

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23   Conte and Di Lucia call this impossibility "*absence*-impossibility" (impossibility due to the *absence* of a certain rule), as opposed to "*presence*-impossibility" (which is due to the *presence* of a certain rule): see (Conte and Di Lucia 2012, 138).

it is ascribed to, in social ontology a token of an institutional phenomenon is what it is only in virtue of the type which it is an instance of.

Types, in social ontology and notably with regard to institutional phenomena, seem to be not only condition of *conceivability*, but also condition of *possibility* of their tokens.

Reformulating an idea formulated by the Italian legal philosopher Amedeo Giovanni Conte about norms, types are not merely *epistemologically* transcendental: they are also *ontologically* transcendental with regard to their tokens[24].

The hypothesis I formulate here is that the ontology of institutional phenomena is primarily an *ontology of types*, while the ontology of natural phenomena is primarily an *ontology of tokens*[25].

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24   See (Conte 1962) and (Conte and Di Lucia 2012).
25   A similar suggestion has been (provocatively) envisaged by the Scottish legal philosopher sir Neil MacCormick: MacCormick states that "at least the world of legal institutions is a world safe for Platonists" (MacCormick 1986, 55).

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