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Alessandro Salice
Hans Bernhard Schmid *Editors*

The Phenomenological Approach to Social Reality

History, Concepts, Problems

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The Phenomenological Approach to Social Reality

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Editors
Alessandro Salice
Center for Subjectivity Research
University of Copenhagen
Copenhagen, Denmark

Hans Bernhard Schmid
Department of Philosophy
University of Vienna
Vienna, Austria

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Chapter 1
Social Reality – The Phenomenological Approach

Alessandro Salice and Hans Bernhard Schmid

Abstract Phenomenological investigations about social reality could be argued to center around three general concepts: Social and Institutional Facts, Collective Intentionality and Values. Even though it is certainly not possible to speak of one unified theory that phenomenology as such puts forward about social reality, the systematic interconnections between these concepts make the single contributions of phenomenologists tesserae of a larger mosaic. This introduction is an attempt to sketch this mosaic by situating these notions within the debate about social ontology as conducted by phenomenologists roughly from 1910 to 1927. It also highlights the systematic connections between phenomenological insights and contemporary discussions on social ontology.

Keywords Phenomenology • Social ontology • Collective intentionality • Social facts • Values

1.1 Introduction

Social science has been more favorable to the phenomenological tradition than social philosophy. Phenomenological sociology and its offspring, such as ethnomethodology and framework analysis, have always maintained some reputation for phenomenology in social science, especially in qualitative social research. Philosophers, however, have tended to be rather skeptical concerning the phenomenological tradition, and have often flatly denied the suitability of phenomenology as an approach to the nature, structure and perhaps essence of social reality. Particularly in the second half of the twentieth century, and especially in the German speaking world – the home of large parts of the early phenomenological tradition in

A. Salice (✉)
Center for Subjectivity Research, University of Copenhagen, Copenhagen, Denmark
e-mail: alessandro.salice@hum.ku.dk

H.B. Schmid
Department of Philosophy, University of Vienna, Vienna, Austria
e-mail: hans.bernhard.schmid@univie.ac.at

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the first decades of the century – it was almost routinely claimed that phenomenological analysis of intentionality and consciousness commits to a basically solipsistic position, and that the philosophy of the social world needs to be based on an analysis of the pragmatics of linguistic communication (cf., e.g., Habermas 1981). Together with other factors, this "paradigm shift" away from intentional analysis largely condemned the wealth of early phenomenological approaches to social reality to oblivion.

The suggestion to revise this attitude came from a rather unexpected source. About a quarter of a century ago, some philosophers from the analytical tradition (where intentional analysis and the philosophy of mind had an astounding revival) started to extend their focus from individual minds and actions to the domain of the social world. A central idea that drove much of this development is that, in order to understand the nature of such entities as groups, social norms, and institutions, it is necessary to understand how individuals can think and act together. Labels such as joint intentions, we-intentions, and collective intentionality thus became the key terms of a renewed interest in the construction of the social world. The basic view was that intentionality – the power of mind to be directed at objects, matters of fact, states of affairs, or values – can be shared, and that any understanding of the way in which institutions are real should account for their being collectively accepted or recognized as such.

The sharing of intentional attitudes such as intentions, beliefs, desires and perhaps emotions quickly became the focus of intense debate, which attracted the interest of a great number of neighboring disciplines such as economics, linguistics, and developmental psychology. Part of what made this topic so fascinating is that the debate oscillates between two extremes delimiting the spectrum of the many different positions in between. On one end, one can observe the attempt to reduce shared intentional attitudes to individual intentional attitudes with some structure of social cognition (or common knowledge). On the other is the idea that collective intentionality is basic, primitive and hence irreducible to a structure of interlocked individual attitudes.

To those philosophers who had not forgotten about the phenomenological tradition, this debate sounded eerily familiar, and it was pointed out that there is much to learn about collective intentionality from those early phenomenologists who had developed their accounts of collective intentionality almost a century ago (Mulligan 2001). A closer survey of the relevant phenomenological literature unearthed a surprisingly rich quarry of insights. It is certainly wrong to speak of "the" ready-made phenomenological conception of collective intentionality. But it is equally obvious that the systematic analysis of collective intentionality profits a great deal from taking the debates among phenomenological philosophers into account (cf. Schmid 2005, 2009).

A similar story can be told about the idea of group agents and group persons. Many phenomenologists have endorsed some such conception, and they have developed rich taxonomies and intentional analyses of the ways in which collective subjects are constituted. Postwar German social philosophy has dismissed any such notion as overly collectivist and simply unacceptable. Yet recent analytical social

ontology has put this idea back on the map as a key issue in current research (List and Pettit 2011). Again, the current debate seems to return to issues that had already been taken up and treated with great intensity by the philosophical tradition that was then interrupted by the adversities of the political history of the twentieth century. As an epitome of the potential relevance of the phenomenological tradition to current social ontology, it deserves to be mentioned that, to our knowledge, it was Edmund Husserl himself who coined the term 'social ontology' in 1910.[1]

The obvious affinities between early phenomenology and issues in current social ontology were among the key topics of two large consecutive research projects by the titles of "Collective Intentionality – Phenomenological Perspectives" (2006–2010) and "Objective Mind – Metaphysics of the Social World" (2010–2012) that took place at the Universities of Basel (2006–2011) and Vienna (2011–2012) and were sponsored by the Swiss National Research Foundation. The contributions to this volume go back to papers presented at the concluding workshop of the Viennese project in March 2013. The idea was to invite philosophers from various backgrounds and traditions to investigate the history of phenomenological thought on the nature, structure and essence of the social world with an eye on current issues.

The tripartite structure of the present volume reflects the thematic orientation of its fourteen contributions. These crystallize around three general concepts that can be argued to be at the very core of social ontology: *Social and Institutional Facts*, *Collective Intentionality* and *Values*. Even though it is certainly not possible to speak of *one* unified theory that phenomenology as such puts forward about social reality, the systematic interconnections between these notions make the single contributions of phenomenologists *tesserae* of a larger mosaic. What follows is an attempt to sketch this mosaic by situating these notions, and the papers tackling them, within the debate about social ontology as conducted by phenomenologists roughly from 1910 to 1927.

1.2 1900–1910: The Phenomenological Pathway to Social Ontology

When in 1900–1901 Edmund Husserl publishes his *Logical Investigations* (cf. Husserl 1975, 1984), he sets what has to date been considered to be a philosophical benchmark. Like all classics, so can the *Logical Investigations* be

[1] This phrase appears in the title of a manuscript that in its complete form reads: "*Die Gegebenheit konkreter sozialer Gegenständlichkeiten und die Klärung auf sie bezüglicher Begriffe. Soziale Ontologie und descriptive Soziologie* [*The Giveness of Concrete Social Objectualities and the Clarification of the Concepts Related to Them. Social Ontology and Descriptive Sociology*]" (Husserl 1973: 98). Due to the fact that the editors of the Husserliana volumes have formulated some of the titles of Husserl's manuscripts, the authorship of this expression could have been – and has been – challenged. However, perusal of Husserl's handwritten manuscript has established that, indeed, the expression does stem from his hand (sincere thanks go to Thomas Vongehr, the archivist of the Husserl Archives in Leuven, who has checked this on our behalf).

subjected – as it has been – to a multitude of different interpretations. Questions about the ontology underlying the philosophical project initiated in that work, or about the adequate understanding of Husserl's anti-psychologism, are still intensively debated today and are far from being settled. Yet, *one* element seems to be rather uncontroversial: Husserl's six investigations appear to center around one adamantly formulated goal – this is the ambitious objective to develop a sound theory of intentionality. Said another way, Husserl's plan in the *Logical Investigations* seems to provide a conceptual framework able to explain how minds refer to objects and states of affairs. And there can be no doubt that the minds at stake are *individual* minds.

This, i.e., a sound theory of *singular* intentionality, is what Husserl – very much in tune with one of his most important philosophical inspirations, i.e., Franz Brentano – maintains to be the basis from which solutions to other philosophical problems would have to be tackled. Against this background, it would come as no surprise that this research agenda, in its attempt to locate Archimedes' Lever in the individual and in her mind, has been interpreted as in principle indifferent, if not eventually even hostile, to any genuine ontology of the social world, that is, any ontology that takes seriously the notions of groups, of collective experiences in their variegated multitude, of social and institutional facts, etc. And it is tempting to formulate the idea behind this interpretation in terms that resonate with methodological individualism: whatever explanation the social world deserves, eventually this dimension of reality would have to be traced back to individuals and to the way in which individuals think of, feel about or act upon the world. It is perhaps not too gross a simplification to argue that, for a large part of the previous century, this has been the received picture of the phenomenological (and specifically Husserlian) approach to social reality within the literature.

And, yet, this picture cannot withstand close scrutiny: it is simply wrong with respect to Husserl's phenomenology, and totally untenable if one tries to apply it to the phenomenological movement in its entirety. Not only was the very concept of an ontology of social objects and facts present and lively discussed within phenomenology but, as we have seen, even the very term "social ontology" was not alien to this tradition of thought. Although this expression might well be an ἅπαξ λεγόμενον, as it seems to appear only once within Husserl's entire *opus*, the concept that it captures finds a clear place within his philosophy, for it can plausibly be argued that, by this expression, Husserl refers to that "material" or "eidetic" ontology which is about the essences of *social* objects and facts (cf. Salice 2013). In other words, Husserl's main idea seems to be that at least *some* constituents of social reality exemplify essential properties – properties that the object at issue has to display in order to be the kind of object it is. One crucial conclusion could be drawn from this: if there are (certain) social objects and facts that exemplify essences, then these entities constitute an ontological realm that cannot be traced back to entities and facts that are not intrinsically social.

This idea allowed phenomenology to literally uncover an entire *terra incognita* of research. One of its regions is explored by Husserl himself: as Thomas Szanto illustrates in his paper, "Husserl on Collective Intentionality," some of the funda-

mental building blocks of social reality that Husserl describes are so-called "persons of higher order," that is, groups which are held to genuinely instantiate mental properties. Here, Husserl seems to be in line with other phenomenologists in arguing that there are different ways in which a mental state can be said to be "shared," and Szanto devotes his paper to sorting out these different kinds of jointness. Husserl's "alternative account of collective intentionality" opens up the question of how this account squares with the more general inclination towards transcendentalism that characterizes the later phase of his thought. Husserl's transcendentalism is still a matter of debate today and yet, however his trajectory of thought has to be assessed, his fine-grained analysis of forms of togetherness clearly shows that the received view of his philosophy of sociality is illegitimate.

A further confirmation of this can be seen in the fact that, as Szanto also points out, some of Husserl's most important manuscripts about collective intentionality are written over a long period of time, one that spans almost 20 years, stretching from 1910 to the 1930s. During these decades, Husserl's attempt to approach social reality from a transcendentalist angle seems to have substantially influenced other thinkers within the field of phenomenology. Among the philosophers for whom Husserl's specific approach played a more prominent role, Tomoo Otaka (Husserl's 'best Japanese student,' as Husserl himself describes him) surely represents one of the most original. In 1932, Otaka publishes a monograph study in German by the title of *Grundlegung der Lehre vom sozialen Verband* (*Foundations of the Theory of the Social Bond*) that represents the starting point of a long-standing investigation into the state as a peculiar kind of social group. In their contribution ("The Actuality of States and Other Social Groups. Tomoo Otaka's Transcendental Project?"), Genki Uemura and Toru Yaegashi tackle Otaka's unique attempt to square a form of transcendentalism directly inspired by Husserl with his own serious concern for the actual and legal reality of states. Uemura and Yaegashi's suggestion is to look at an alternative "but still Husserlian scheme of constitutive analysis" that puts the focus on the modality in which social and collective actions could be said to turn states into real or actual institutions.

1.3 1913: A Crucial Year

In the light of the considerations put forward in the previous section, it appears reasonable to argue that the *Logical Investigations* does settle a research paradigm centered around individual minds, but one that has the potential to accommodate forms of collectivity that go far beyond the mere aggregation or summation of individual minds. Despite the many unpublished manuscripts Husserl devotes to this topic, the event that could be said to literally mark the beginning of a phenomenological line of research focused on the ontological foundations of the social sciences is the publication of the first volume of the *Jahrbuch für Philosophie und Phänomenologische Forschung* (1913). It is arguably from this moment on that the philosophical movement that Husserl so forcefully contributed to initiating starts to generate extensive and insightful contributions to social ontology.

Among the main artificers of this quite literal explosion of studies one can find Adolf Reinach and Max Scheler who, in 1913, respectively publish *The A priori Foundations of the Civil Law* and the first volume of *The Formalism in Ethics and the Non-Formal Ethics of Values.* These two studies soon become points of reference especially for the phenomenologists of the so-called Munich and Göttingen circles (cf. Salice 2015). Just by browsing the titles of phenomenological publications of that period, one can easily detect that many (if not even the majority) of them either explicitly or implicitly refer to problems or issues of direct relevance to the philosophy of sociality. But what makes these publications so influential?

1.3.1 How to Make a Social World with Social Acts

In the first book, Reinach tackles an admittedly limited domain of investigation. This domain, as the title of the first book suggests, is about those elements that he believes to be at the basis of the *Civil Law*. Reinach's idea is that positive law (as well as other social sciences, like sociology, the theory of the state, etc.) takes for granted certain concepts that, insofar as they are about genuinely primitive constituents of social reality, cannot be logically analyzed in terms of more basic concepts. Especially when it comes to the *Civil Law*, Reinach argues that this discipline must be supplemented by an ontology (an "a priori theory of objects," cf. 2012: 6) of such fundamental entities as promises, commitments, rights, enactments, etc. More particularly, he stresses that both "social acts" (this notion broadly encompassing what today falls under the category of "speech acts," i.e., promises, orders, bets, etc.) and their effects (most notably, deontic states of affairs such as commitments and claims, rights and duties, etc.), have an ontological status of their own and deserve an investigation which lies outside the perimeter of positive law itself (given that positive law presupposes their ontology).

Reinach describes social acts as intentional acts characterized by an intrinsic "need of being heard" by their addresses. That is, such acts are successful or unsuccessful depending on (among other factors) whether or not they are understood by their addressees. The idea that the requirement for securing uptake is grounded in the essence of these acts has to be understood in the sense that, without this property, the corresponding experiences would not be of the kind that they are. In particular, social acts cannot be traced back to inner (non-social) acts, i.e., to acts that do not need to be uttered (because the latter do not need to secure uptake). So, e.g., asking a question differs from having the desire to know something: the latter can motivate the former, but does not coincide with it. Another difference between inner and social acts is the capacity that many of them have to generate social effects, i.e., to produce social entities. According to Reinach, it belongs to the essence of, e.g., a promise to produce a claim and an obligation once the act is successfully realized. By contrast, the mere assertion that I am willing to do something does not bring me under the obligation to do so.

Although Reinach claims that social acts generate social facts by ontological necessity, the main gist of his project is that the generation of social reality can be *normed* – and that it can be normed by means of, again, social acts of a given kind that are issued by legislators (so-called dispositions or enactments [*Bestimmungen*]). For instance, even if on Reinach's view it is essential for promises to bring about commitments, promises issued by minors do not: they do not, Reinach contends, because legislators can *enact* that promises issued by minors are not valid. That is, when it comes to social and, especially, legal reality, the validity of essences can be regimented: just as promises generate commitments, so do enactments generate legal states of affairs that directly affect social reality. In his paper "Persons and Acts – Collective and Social. From Ontology to Politics," Kevin Mulligan focuses on this view, which seems to have had a profound impact on the thought of other early phenomenologists. In particular, he highlights the relevance that this idea has for Edith Stein and for her claim that the authority with which legislators are bestowed has its origin in the state, which she conceives of as a *quasi*-person. In this contribution, Mulligan also draws important parallels between John Searle's social ontology (by zooming in on his claim that there is a constitutive relation between language and social reality, cf. Searle 1995) and the approach to this discipline adopted by early phenomenologists. For instance, he pinpoints the striking similarity between Reinach's idea of enactments and Searle's notion of declarations as acts with a "double direction of fit," i.e., as acts that generate the very facts they are about (e.g., the act of adjourning a meeting, if successful, brings about the fact that the meeting is adjourned).

Reinach's idea that positive law is grounded in social ontology is contrasted by the so-called "Vienna School of Jurisprudence" and especially by Felix Kaufmann and Fritz Schreier. In the paper, "Legal Reality and its A Priori Foundations – a Question of Acting or Interpreting? Felix Kaufmann, Fritz Schreier and Their Critique of Adolf Reinach," Sophie Loidolt highlights the alternative account of legal reality propounded by these two authors. Kaufmann argues that it is not by means of social acts that the legal "ought" is created, as Reinach wanted to have it. Rather, the "ought" has its origin in the subject's position-takings – said differently, the "ought" is the ideal objectification of volitive stances; it is the idealized right way to intentionally act upon the world. By vindicating the complete autonomy of positive law from metaphysics, Schreier adopts an even more radical position. According to him, positive law is not about entities, which pre-exist the law and which are posited or brought about; rather, it merely consists in the interpretation of legal propositions. Consequently, Schreier shifts the focus of the investigation from social acts to the legal acts of interpreting the law.

In light of these criticisms, one could argue that the resistance Reinach encountered in Vienna especially focused on his idea that the *Civil Law* is erected upon a domain of entities that are intrinsically social (the term 'entity' is used here in the broadest sense to also include intentional experiences). Still, this idea has to be seen against the background of his more general take on social reality, which is not

delimited by those entities that are normed by – and grounded in – positive law. As he writes:

> There are after all vast areas of social life which are untouched by any positive legal norms. Here […] we find […] specifically legal (as they are usually called) entities and structures, whose independence from the positive law we assert, and here […] of course […] apriori laws […] hold. Just as the general mode of being of these entities is of interest for ontology and epistemology, so their content is important for sociology. Together with certain other laws they form the apriori of social intercourse, even for areas of it which fall outside the scope of any positive law. (Reinach 1989: 146, Eng. trans. 6)

These considerations proved to be seminal for phenomenology. They not only seem to substantiate the concept conveyed by Husserl's expression, 'social ontology,' but they also inspired and laid the foundation for the work of many other phenomenologists. One of them is Czesław Znamierowski, as Lorini and Zelaniec show in their "Czesław Znamierowski's Social Ontology and its Phenomenological Roots." Although the name of this Polish philosopher of law is not even mentioned in Herbert Spiegelberg's monumental *Phenomenological Movement* (Spiegelberg 1982), several elements speak in favor of treating Znamierowski as a phenomenologist. First, it is Znamierowski himself who established a historical link to phenomenology by crediting Reinach with substantial philosophical merits. Secondly, and more importantly, his phenomenological lineage is clearly signaled by the anti-constructivist, ontological and *eidetic* framework that he adopts in his approach to social reality. In particular, the authors illustrate that Znamierowski's arguments about 'society in a generic sense,' i.e., the form of all possible forms of social aggregations (a '*societas formaliter spectata*'), can be inscribed in the very same line of thought initiated by Reinach.

1.3.2 Social Reality: Values and Collective Intentionality

Scheler's *Formalism* is the other classic published in the first volume of the *Jahrbuch*. Just as in the case of Reinach, the impact that this work had on debate about social ontology within phenomenology can hardly be underestimated. In this work, Scheler pursues at least two lines of investigation that deeply inspired further research into social reality: the first is the theory of collective intentionality (mainly developed in the second volume of the book, published in 1916) and the second is axiology.

The first of the two topics is addressed by Matthias Schloßberger in his "The Varieties of Togetherness: Scheler on Collective Affective Intentionality." In this contribution, Schloßberger discusses the parallel Scheler draws between kinds of groups and the different senses in which an attitude can be said to be 'social' (in Scheler's parlance: 'forms of being together [*Formen des Miteinanderseins*]'). For instance, certain forms of crowd behavior can be explained by means of (in particular: emotional) contagion. The paper especially zooms in on the specific form of co-experiencing (or what nowadays could be labeled "collective" or "we"