

# Document Acts

Barry Smith

**Abstract** The theory of document acts is an extension of the more traditional theory of speech acts advanced by Austin and Searle. It is designed to do justice to the ways in which documents can be used to bring about a variety of effects in virtue of the fact that, where speech is evanescent, documents are continuant entities. This means that documents can be preserved in such a way that they can be inspected and modified at successive points in time and grouped together into enduring document complexes. We outline some components of a theory of document acts, and show how it can throw light on certain problems in Searle's ontology of social reality.

Keywords: ontology, speech act theory, money, documentality, e-commerce

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## I. Introduction

The theory of speech acts focuses on the ways in which people use words and sentences in overt speech. They do this, familiarly, not only to convey information but also for a variety of other purposes, from thanking and admonishing to promising and apologizing. In his book *The Mystery of Capital* (2000), the Peruvian economist Hernando de Soto provided an account of the rise of modern civilization in which documents play a central role. In what follows I offer the beginnings of a theory of what I shall call *document acts*—acts in which people use documents, not only to record information, but also to bring about a variety of further ends, thereby extending the scope of what human beings can achieve through the mere performance of speech acts. In the world of commerce, most conspicuously, documents have made possible a vast array of new kinds (and instances) of social institutions, from bank loans and collateral to stock markets and pension funds. But the theory of document acts has implications which extend also to include many types of phenomena outside the commercial realm, from passports to divorce decrees and from university diplomas to wills and testaments (Smith 2008).

I here present a first outline of the theory of document acts and show how it might be used to provide a better understanding of the role played by documents in the coordination of human actions. Where de Soto draws his inspiration from the ways in which documents make possible new kinds of social relations in the domains of law and commerce, our concern here is with document acts in general, where by ‘document act’ we mean: *what humans (or other agents) do with documents*, ranging from signing or stamping them, or depositing them in registries, to using them to grant or withhold permission, to establish or verify identity, or to set down rules for declaring a state of martial law. Acts of these sorts deal with documents in ways which reflect the status of the latter as documents (rather than as, for example, mere pieces of paper). Thus the coverage domain of the theory of document acts does not include, for example, burning old manuscripts to keep warm.

## II. ii. Scope of the Theory

The Oxford English Dictionary defines a document as:

Something written, inscribed, etc., which furnishes evidence or information upon any subject, as a manuscript, title-deed, tomb-stone, coin, picture, etc.

The documents which interest us here, however, do not merely furnish evidence or information; they also have social and institutional (ethical, legal) powers of a variety of different sorts, summarized by Searle (1995) under the heading ‘deontic powers’. They play an essential role in many social interactions, and they can bind people (or organizations, or nations) together in lasting ways which, in the case of wills and testaments or mortgage liens, can create rights and obligations that survive even the death of the authors of the documents involved. Thus (in contrast for example to what is argued in Jansen 2011) documents are like the utterances performed in acts of promising or commanding in that they are not merely of epistemic significance.

The scope of the theory of document acts includes:

1. the different *types of document*, ranging from free-text memos to standardized forms and templates (for example, an uncompleted tax form), and from single documents to entire archives and registries, and incorporating all of the various sorts of riders, codicils, protocols, addenda, amendments, appendices, date stamps, endorsements and other attachments, including maps, photographs, diagrams, signatures, fingerprints, official seals, RFID tags, barcodes, and other marks with which documents can become associated;
2. the different sorts of things *we can do to a document qua document* (for example fill it in, sign it, stamp it, inspect it, copy it, file it) and of the different ways in which one document can be transformed into a document of another type (for example when a license is annulled);

3. the different sorts of things we can do (achieve, effect, realize) *with* a document (establish collateral, create an organization, record the deliberations of a committee, initiate a legal action, release funds),
4. the different ways in which, in performing acts involving documents, we may *fail to achieve the corresponding ends* (because of error, forgery, falsification, or invalidity of a document, or because of challenge by an addressee or by some cognizant official);
5. the *institutional systems* to which documents belong in areas such as marriage, law, government, commerce, credentialing, identification, as well as real estate property titling systems, credit reporting systems, credit card payment systems, taxation systems, and so on;
6. the different *positional roles* within such systems which are occupied by those involved in the performance of the corresponding acts, for example as signatory, co-signatory, witness, notary, registrar, and so on;
7. the *provenance* of documents, which means: the different sorts of ways in which documents are *created* as products of document acts of special sorts, as when documents with deontic powers are created through an official act of printing in a parliamentary digest;
8. the ways in which documents are *anchored to extra-documental reality* through the inclusion of photographs, fingerprints, and so forth;
9. the ways in which documents are *authenticated and protected* through security devices such as signatures and passwords.

As Table 1 makes clear, there are multiple ways in which we use documents to create new sorts of entities. Note that the listed examples do not involve in every case creation *ab initio*; typically, for example, a title deed is a deed that transfers title to a parcel of real estate from one owner to another. And just as there are document acts which serve to create entities of given sorts, so there are multiple types of document acts which serve to annihilate entities earlier created, as when for instance a divorce decree terminates a marriage, or a notice of dismissal terminates a relation of employment.

**Table 1.**

| Document                 | Created Entity    |
|--------------------------|-------------------|
| contract                 | obligation        |
| statute of incorporation | corporation       |
| deed                     | privilege         |
| title deed               | property right    |
| patent                   | exclusive right   |
| statement of accounts    | audit trail       |
| marriage license         | bond of matrimony |
| stock certificate        | capital           |
| diploma                  | qualification     |

|                         |                    |
|-------------------------|--------------------|
| registration of baptism | legal name         |
| insurance certificate   | insurance coverage |
| license                 | permission         |
| IOU note                | obligation to pay  |

Table 1. Examples of different types of documents and of some of the types of entities which are outputs of the corresponding document acts.

Standardly, when documents are used to create new entities or to amend or annihilate existing entities (for example debts or rights), they do this according to certain rules, and the entities created themselves then conform to certain rules in their turn. The two different sets of rules are interconnected, because they have evolved in tandem with the documents which support them. It is in this way that documents have contributed to the formation of the modern system of property rights and to associated systems of commercial obligations involving contracts, titles, collateral, credit, testament, stocks, bills, insurance, bankruptcy, taxes, and so on, as described by de Soto. Other document systems such as marriage, government, universities are governed by, and have co-evolved with, analogous sets of rules, and the same applies for example also to systems of identity documents (of birth and death certificates and public records offices, of visas, passports, consulates and border posts), of legal documents (of codes of law, summonses, police reports, court proceedings), and of employment documents (employment contracts, pay stubs, tax forms, work orders, performance evaluations, ...). Each such system comprehends, in addition to documents, also other sorts of generic document-related entities such as registries, officials authorized to perform document acts of specific sorts, prescribed channels along which documents can move (for example through a chain of specified officials for inspection and approval), procedures for checking and filling in and storing and registering and validating documents, and also for training the users of documents of corresponding types. One and the same document may hereby serve multiple successive social acts as it passes through successive recipients. A delivery note fulfils in succession the role of guiding those involved in delivering an object, of allowing the recipient to attest to its receipt, of allowing the deliverer to document successful delivery, and so forth. The signature on your passport plays three roles simultaneously: in initiating the validity of the passport, in certifying that you attest to the truth of the information represented therein, and in providing a sample of your signature for comparison.

Your filling in your tax form fulfils at least the following functions: it supports your performing actions in conformity with a legal protocol; it provides a series of nested questions to which you provide answers (for some of which it provides a protocol – a documentary calculation machine – for their generation); it provides a record of your performance in completing the form; it serves, when signed, to document your attestation to your belief in the validity of the form entries; it serves, when filed, to provide the input to processing by the tax authorities, there-

by potentially a whole series of further operations (of amendment, verification, calculation of penalties, prosecution, and so forth).

### III. The History of Document Acts

The historical dimension of the theory of document acts comes to the fore when we examine the ways in which document systems like those just mentioned have evolved over time in different cultures. Exemplary in this regard are the studies of Michael Clanchy and his associates on how, with the spread of literacy and the evolution of trust in writing in England in the 13th century, there occurred a change in the meaning of 'to record' from: *to bear oral witness* to *to produce a document*. Clanchy shows how a variety of institutions which had hitherto been the preserve of royal or imperial chanceries were in this period progressively disseminated among the laity, so that by 1300 there were hundreds of thousands of peasants' charters giving English smallholders title to their land:

the use of charters as titles to property made its way down the social hierarchy – from the royal court and monasteries ... reaching the laity in general by the reign of Edward I ... [when] literate modes were familiar even to serfs, who used charters for conveying property to each other and whose rights and obligations were beginning to be regularly recorded in manorial rolls. ... One measure of this change is the possession of a seal or signum, which entitled a person to sign his name. (Clanchy 1993, p. 2; see also p. 35)

Clanchy describes how a range of document-related institutions evolved along the way, including: (1) the safekeeping of master copies of documents in central government archives and bishop's registries; (2) the practice of registering deeds of title in towns; (3) letters testifying to trustworthiness; (3) financial accounts; (4) surveys (from the Domesday book, completed in 1086, onwards); and also the practices of (5) dating and (6) signing documents. Clanchy cites Bracton writing in the mid-13th century and documenting the practice of using documents deliberately to extend the powers of unaided human memory: 'Gifts are sometimes made in writings, that is in charters, for perpetual remembrance, because the life of man is but brief and in order that the gift may be more easily proved' (p. 117).

Through developments such as these, the different parts of English society became bound together in ways mediated by the gradual creation and spread of legal, political, commercial and ecclesiastical document systems at different levels, and accompanied by the acquisition of new document-based skills by broadening groups in society, whose members thereby acquired the capacity to realize new kinds of collective intentionality, and to occupy new kinds of positional roles within the larger corporate wholes that were gradually evolving.

Analogous accounts of the rise of document systems can of course be provided for other European societies, too (see for example Teuscher 2010), and de Soto and his co-workers have documented the rise of such systems in formerly illiterate cultures of contemporary Africa and elsewhere. As de Soto points out, Tanzanians

living in villages far removed from the official legal institutions found in the cities, have in recent times ‘created a self-organized system of documented institutions that allows them to govern their actions’. As a result, these village Tanzanians

live in at least two levels of reality: first, the reality made up of things, both tangible (land, businesses, cattle) and intangible (ideas); and second, the reality of structures of relationships, physically captured in written documents that are the natural habitat of advanced economic and social relationships. (de Soto 2006)

In rural as well as urban areas of mainland Tanzania and Zanzibar, de Soto and his co-workers discovered many thousands of extralegal documents created to enable poor people to make economic decisions, cooperate with each other, structure their collaboration, create property, extract credit and liquidity from physical assets, and structure entrepreneurial associations where they can divide labor internally and trade externally (de Soto 2006).

#### IV. From Occurrents to Continuants

Speech acts are evanescent entities: they are *events* or *occurrents*, which exist only in their executions. Documents, in contrast, are *objects* or *continuants*, which means that they endure self-identically through time and have the capacity to float free from the person or persons who were involved in their creation and thus to live lives of their own. Documents can also have multiple creators, who may make their contributions to the document at different times. Legal and administrative documents may include portions to be filled in at different times, for example when successive decisions have been taken, or successive meetings held, or when the document has been viewed by successive individuals. Documents may also grow through attachment of appendices or through real or virtual incorporation of other documents through document-artifacts such as cross-references (pointing to other parts of a single document) and footnotes and citations (pointing to what lies outside).

Searle, in his *Making the Social World* (2010), has attempted to capture one element of what is involved in the theory of document acts with his idea of ‘standing declarations’, as for example in the case of the promise from the Chief Cashier of the Bank of England ‘to pay the bearer on demand the sum of £5’ that is printed on each £5 note. Again in apparent conflict with his own professed naturalism, Searle’s idea seems to be that what is printed on the banknote is merely something that stands proxy for an entity which somehow transcends the boundary between event (a declaration) and enduring entity (the declaration somehow *stands*). On the view here proposed, in contrast, some declaration may indeed have taken place at the time of the relevant document act, but the latter gave rise to something which truly did endure, namely a document (or, as in the case of banknotes, a constantly changing collection of documents).

And it is not only the capacity to endure that distinguishes documents from declarations properly so called. No less important are the new enduring dimensions of social reality which arise on this documentary basis. For the capacity of documents to endure brings further the possibility for documents to be stored and registered, and thereby to give rise to a history of changes both in the document itself and in the social reality which falls under its influence. The importance of such changes becomes clear when we consider the list of things we can do *to* documents, including: sign, countersign, fill in, stamp, copy, witness, notarize, transfer, inspect, validate, invalidate, table, ratify, destroy, draft, propose, amend, revise, nullify, veto, deliver, display, register, archive, falsify, redact, and so forth. Only some of these have (in most cases rather rudimentary) counterparts in the domain of speech acts.

Documents differ from speech acts also in virtue of the variety of ways in which pluralities of documents can be chained together (for example to form an audit trail), or combined to form new document-complexes whose structures mirror relations, for example of debtor to creditor, among the persons and institutions involved. As de Soto shows (2000), the practice whereby title deeds become combined and stored with other documents in the granting of mortgages has made an immense contribution to the advance of Western civilization, effectively by allowing the wealth represented by land or buildings to be set free (as capital) for purposes of investment.

## V. From Face-to-Face Interactions to the Extended Society

The theory of speech acts provides what seems to be a satisfactory explanation of how entities such as debts or corporations or trusts *begin* to exist: (roughly) people make certain promises. But the question then still arises of what can serve as the physical basis for the *temporally extended* existence of such entities and for their enduring power to serve coordination. In small societies, and in simple social interactions, we might reasonably identify this physical basis with the memories of those involved. In large societies, however, or in what de Soto calls the ‘extended market’, we are typically dealing with highly complex social interactions, involving principals who may enjoy little or no prior personal acquaintance with each other, and with interactions which may evolve through periods of time which extend beyond the capacity of individual memories.

Our proposal is that, with the growth in size and reach of civilization, the mnemonic powers of individuals have been extended prosthetically through documents in ways which have given rise to a variety of novel artifacts of social reality. Documents of different forms, because they support enduring and re-usable deontic powers, have allowed the evolution of new and more complex forms of social order. Moreover, this process has been iterated, as more complex social orders have themselves given rise to new document forms, and to associated docu-

ment technologies, which have then given rise in turn to new and more complex social institutions.

As explained in Smith (2011), document acts do not work in isolation from speech acts. Thus acts of creation (of obligations, permissions, rights) of the types referred to above will typically involve not only documents and document-related acts, but also a plethora of speech acts of various sorts ('sign here!', 'your papers, please', ...). The success of a document act will thus depend, too, on the same sorts of felicity conditions as are involved in speech acts of the traditional sort: the person who fills in the document has to have the authority to do so; has to do so with appropriate intentions, in the appropriate sorts of contexts, and so forth.

The fact that documents are involved, however, expands the number and range of different sorts of felicity conditions, because it expands the number of different types of persons and of roles which they can play, either as authors or addressees of documents, or as witnesses or validators (registrars, solicitors, notaries, executors), and so forth. It advances the degree of complexity and also the spatial and temporal reach of what can be achieved. And it thereby also expands the number of ways in which, in the performance of document acts, things can go wrong.

## VI. Knowledge by Comparison

The speech acts performed in the local contexts of everyday life have an immediate connection to author and addressee, and their deontic consequences are anchored to reality typically through the memories of the persons involved. To bring about deontic consequences that can outlast such memories, a document must be anchored to reality in some lasting way. In the simplest case, an identity document such as a passport is anchored to its bearer through devices such as photographs, signatures, and lists of identifying marks. These encapsulate relevant features of the history of the creation of the document in visible form. They also allow, in the presence of the bearer of the passport, what we might call *knowledge by comparison* whereby, by comparing bearer with photograph, or by comparing one signature with another, we can acquire evidence, for example to the effect that this bearer is who he claims to be, or that the information contained in this passport is veridical.

The photograph allows the gaining of knowledge by comparison only if it is attached in the right way, which means: with the right sorts of signatures, official stamps, seals, watermarks, biometric data, and so forth. Often, the photograph is associated with alphanumeric identifiers, which allow a type of virtual attachment between documents via cross-referencing brought about through the use of the same identifiers in multiple documents, as for example through the use of tracking numbers in parcel shipment, independently accessible not only by sender and recipient, but also by a succession of billing and shipping agents in successive phases of receipt and delivery. The use of the vehicle identification number impressed



into the metal of your car in multiple collections of paper and digital documents helps to prevent theft and various kinds of insurance and re-sale fraud, by allowing the creation of a history of the successive physical, commercial, and administrative events in which your car is involved to be compiled automatically over time. The numbers and codes that appear in your passport will appear also in a multiplicity of other documents, for example in records of entry and exit maintained by the immigration authorities. Physically attaching a visa to a passport can in this way have multiple deontic effects: it supports identification of the bearer of the visa; provides evidence that the visa was both legally issued and issued to the person presenting it; and ensures, from both a legal and a practical point of view, that the rules in a given country applying to the carrying of passports are applied automatically to the carrying of visas. It is the registration of your passport number by the immigration official on entry to a foreign country that initiates your state of being legally present in that country, thereby also allowing you also to perform legally the act of leaving.

## VII. Products of Massive Fantasy

At the heart of speech act theory is a thesis to the effect that we can bring about changes in the world through utterances, for example through declarations such as ‘I name this ship ...’. In *Making the Social World* Searle (perhaps unwittingly) gives this thesis, which he calls ‘the most general logical form of the creation of institutional reality’, an explicitly ontological formulation, as:

[A] We make it the case by Declaration that a Y status function exists in a context C. (Searle 2010, p. 13)

As I attempted to show in Smith (2003) and (2011), it is uncertain whether Searle in fact succeeds in formulating a coherent ontology of the social reality that would do justice to this thesis in its full ontological interpretation. This is because on the one hand [A] implies that our declarations are able to bring into existence entities, such as claims and obligations, which fall outside the realm of what is investigated by physics; yet on the other hand Searle himself still embraces a naturalist view according to which:

[B] Everything in the universe ‘consist[s] entirely of physical particles in fields of force’ (Searle 2010, p. 3).

Searle sees himself as contributing in *Making the Social World* to the scientific understanding of society. As he himself puts it:

I think it is sometimes possible to do good research without worrying about the ontological issues [of social reality], but the whole investigation gets a greater depth if one is acutely conscious of the ontology of the phenomena being investigated. (2010, 201)

Unfortunately, however, it appears that Searle himself does not, in the end, succeed in providing a consistent ontology of the most central features of the social world within his naturalistic framework. Already in 1913, Adolf Reinach, a Continental philosopher of genuinely scientific stripe, had pointed the way towards a more rigorous treatment of how social entities are brought into being through Declarations (or through what Reinach calls '*Bestimmungen*'), including a theory of the ways in which such entities may transcend the boundary between what is abstract and what is historical (Reinach 1988, Paulson 1987). In a series of papers on Searle's social ontology (2003, 2008, 2011; see also Smith and Zaibert 2001, and Smith and Searle 2003), I have attempted to show how Searle can quite easily address the problems arising from his naturalism by accepting, with Reinach, that there are quasi-abstract entities—or what I have also called 'free-standing Y terms'—which are both (i) such as to lie outside the province of what is described by physics, yet nonetheless, (ii) because they are brought into being by declaration, are fully a part of the historical world of what happens and is the case.

This departure from naturalism would of course contradict Searle's thesis [B] above. But the departure is at the same time modest, and is indeed consistent with other Searlean statements of his naturalist position, for example to the effect that:

- [C] while the basic facts of the world are constituted by the material entities studied by physics and chemistry, '*all the other parts of reality* [emphasis added] are dependent on, and in various ways derive from, the basic facts' (Searle 2010, p. 4),

or that

- [D] when status functions are ascribed to freestanding Y terms, then the latter 'always bottom out in actual human beings who have the powers [connected to the status function Y] in question.' (Searle 2010, p. 108)

Even though freestanding Y terms are not made of physical parts, they must nonetheless have some basis in the underlying physical reality—above all in actions of the human beings involved—because every quasi-abstract entity is dependent ontologically on physical entities such as people and documents.

Because Searle holds so firmly to [B], however, he is unable to do justice ontologically to the question of how this basis is secured. Consider, for example, the structured investment vehicles encountered in the realm of commerce (Smith 2011). The needed account of such phenomena would need to refer to quasi-abstract entities at higher levels which are dependent on further quasi-abstract entities on lower levels in a complex hierarchical structure of the sort illustrated for example in Edstrom (2010). Edstrom's chart represents the interrelations between multiple corporations, trusts, government agencies, loan packages, purchase prices, gross proceeds, payments, distributions, assignments, transfers, agreements, filings, deeds, certificates involved in each single act of mortgage securitization.

Edstrom's chart represents a complex set of relations that is part of social reality. Searle, however, withholds commitment to precisely those social entities—

such as corporations or trusts or mortgages or securities—between which these relations putatively hold, entities which are referred to in hundreds of relevant legal and financial documents. While for Searle the entirety of these interrelations is a mere pattern of interrelations among the states and activities of human beings (1995, p. 57), in giving an account of what these activities are, he, too, would be called upon to refer to the very entities which he would have fall victim to his naturalistic reduction.

The word ‘exists’ in [A] is, for Searle, not to be taken literally. Indeed, in *Making the Social World* Searle articulates a view according to which the entities referred to in [A] as being *created by Declaration*, are not really *created* at all. They are, rather, ‘products of massive fantasy’ (Searle 2010, p. 201). The entire social world is, it turns out, an elaborate confidence trick, in which all participants are involved both as perpetrators and sometimes (as for example in the events triggered by the Lehman bankruptcy) as victims. All are equally innocent victims of this massive confidence trick, which extends all the way down to simple social phenomena such as money or marriage. Searle alone is able to see through to the reality beneath—a reality, again, which consists exclusively of physical things such as people, their states, and their activities.

To apply a view of this sort, however, to the task of providing a detailed description of all that is involved in a complex social phenomenon such as mortgage securitization—if it were possible at all—would yield an outcome that is for at least three reasons inadequate. First, it would be orders of magnitude more complicated than the already highly complex accounts provided by the practitioners themselves (see, again, the chart in Edstrom 2010). Second, it would not do ontological justice to the social reality of mortgage securitization, as is seen in the fact that it would make it especially difficult to deal with those modified forms of mortgage securitization in which confidence trickery based on ‘massive fantasies’ is indeed being deliberately perpetrated on unwitting victims. And third, and most importantly for us here, it would not help our scientific understanding.

## VIII. Creating Quasi-Abstract Entities

Thus while, in accordance with the view expressed by Searle in [C] above, and with the arguments advanced in Johansson (2011), we must accept that the entire edifice of complex social phenomena ‘bottoms out’ in the actions, powers, and intentional states of the myriad persons who may be involved in such phenomena, this does not mean that these foundational (and, with Searle, naturalistically understandable) components are all that there is. For in the complex cases of the sort discussed in the above, which involve the creation of multiple interconnected quasi-abstract entities existing on multiple levels and enduring across multiple overlapping periods of time, these actions, powers, and states themselves involve myriad identifications and re-identifications of the entities created. There is thus no

way to paraphrase away the latter in terms of statements referring only to the former (Smith 2011), any more than we could paraphrase the language of, say, quantum physics in terms of references to the beliefs and states of mind of physicists.

Note that Searle is not helped, here, by any appeal to the fact that it is not only individual but also collective action that is involved in complex social phenomena such as mortgage securitization. The naturalistic account of collective intentionality presented in (Searle 1995) may indeed be able to suffice for the understanding of, for example, social actions such as dancing a waltz or bearing a coffin; they do not, however, suffice for the understanding of the social actions detailed in Edstrom (2010). For this, we require an analysis of the quasi-abstract entities targeted in multiple interlocking manifestations of individual and collective intentionality. Searle thus owes such entities themselves a home in his social ontology.

## **IX. Coda on Electronic Documents**

While I have focused in the above on paper documents, it will be clear that we are all of us currently witnessing the rapid evolution of whole new species of document acts and associated artifacts of social reality as a result of the rise of computerized document systems.

As de Soto has emphasized, the historical growth of the modern system of laws has proved to be the gateway for economic success. It is this system that allowed property documents to be created and standardized and thereby to form a public memory that permits society to engage in an ever-expanding set of economic activities based on the possibility of gaining access to information about individuals, their assets, their legal title and the associated rights and obligations. In our own day, these possibilities are being expanded still further, allowing suitably authorized persons and institutions to gain access for example to information about your health status (through national electronic health record systems) or the accident status of your car (through vehicle history reporting systems). The international credit card system allows one individual to authorize another individual, who may be on the other side of the world, to gain immediate access to his cash. At the same time, the credit reporting system allows further authorized individuals to gain immediate access to information about each person's credit status, information that is being constantly updated to take account of each new recorded transaction. In this way, individuals in developed societies gain tremendous new opportunities to shape their own lives while at the same time subjecting themselves to new and ever more refined species of accountability.

With the advent of the mobile phone, too, there is occurring a transformation of the traditional telephone into an instrument for the performance not only of speech acts but also of document acts of multiple kinds (Ferraris 2005). At the wave of a hand, your phone sends an order request (a digital document) to a machine standing in front of you with the content: dispense a can of Boss Coffee. Automatically,

the transaction is digitally documented in a way that anchors the phone and the person using it to a specific time and place, with multiple further digital documents being created in the computers of your phone company, your credit card agency, and of the company charged to replenish the dispensing machine.

But while digital documents, like the paper documents that preceded them, have certainly given rise to vast new opportunities for mankind, from on-line banking to internet dating, the new possibilities of document aggregation and transmission enabled by the computer have also opened up new opportunities for massive failure. One central argument for the creation of a realistic theory of document acts of the sort proposed above, therefore, is that it will support the development of the needed scientific understanding of documents and of document artifacts of a sort that might be used in the future in a way which can support a more intelligent appreciation of the trillions of documents being created daily in the digital realm.

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