CHAPTER EIGHT

NEW REALISM, DOCUMENTALITY AND THE EMERGENCE OF NORMATIVITY[1]

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1. New Realism

The first move of what I proposed to call "New Realism"[2] is conceptual clarification, which focuses on stressing the difference between ontology (what there is, which is independent of our representations) and epistemology (what we think we know, which may be dependent on our representations—but what makes our statements true are not our representations, but that to which those representations relate). Now, it makes perfect sense to assume that there is a conceptual action going on when I recognize a constellation,[3] or when, looking at three objects, I believe—like Leśniewski—that for every two objects there is one which is their sum, multiplying the number of objects.[4] But this conflict can be explained by the simple consideration that we cannot see properly neither the constellations nor Leśniewski's objects, but only the stars and the three objects recognized by common sense.

This is not to argue that constellations are not real, but rather to draw a difference (which obviously stems from the difference between ontology and epistemology) between two layers of reality that fade into each other. The first is what I would call ε-reality, meaning by this "epistemological reality", or what the Germans call "Realität". It is the reality linked to what we think we know about what there is (which is why I call it "epistemological"). This is the reality referred to by Kant when he says that "intuitions without concepts are blind"; or by Quine when he says that "to be is to be the value of a variable". But next to, or rather below, the ε-reality I also set the ω-reality in the sense of ὄντως (I use the omega just to make a distinction): the ontological reality, or what the Germans call

"Wirklichkeit", which refers to what there is whether we know it or not, and which manifests itself both as a resistance and as positivity.

The second move made by New Realism, after that of conceptual clarification, is an empirical observation. There is a class of representations that I think will never be able to accompany: that of the infinite number of things that existed before any I think. I call this argument "pre-existence":[5] the world is given prior to any *cogito*. Then there are classes of representations that, even though accompanied by the I think, seem to resist it, without regard of the so-called "representational dependence"; I call this argument "resistance":[6] reality may resist our conceptual schemes. And then it often happens that the I think successfully interacts with beings presumably devoid of any I think, for example with animals; I call this argument "interaction":[7] beings with different conceptual schemes can interact in the same world. I collect these empirical circumstances—which, however, have a transcendental role, since they define, even though in retrospect, our possibilities of knowledge—under the name of "unamendability":[8] the key feature of what there is is its prevalence over epistemology, because it cannot be corrected—and this is, after all, an infinitely more powerful necessity than any logical necessity.

On the topic of unamendability two clarifications are necessary. The first is that reality cannot be corrected in the sense that things continue to exist regardless of what we think of them (while we can affect their existence through action, both in the social world and in the physical). Second, the notions of pre-existence, resistance, interaction and unamendability refer to a basic ontological factor: that is, causality. Things in the world act causally (and thus in a pre-existing, resistant, interactive and unamendable way) upon us, and we are things in the world as well.

Hence the third move of New Realism: affordance. The real does not only manifest itself as resistance and negativity: every negation entails a determination and a possibility. The world exerts an affordance,[9] through the objects and the environment, that qualifies as a positive realism.[10] The thesis I defend through the argument of affordance[11] is that we should start from the objects (an area in which, as I said, subjects are also included), so as to reduce the gap between our theories and our experience of the world. This is not meant to be a futile worship of objectivity (which is a property of knowledge, not of being), but a due recognition of the positivity on which we all rely, but upon which we rarely reflect.

This does not only apply to physical experiences: the way in which beauty, or moral value or non-value come forward is clearly the manifestation of something that comes from outside of us, surprising and striking us. And it has value precisely because it comes from outside:

otherwise it would be nothing but imagination. That is why, contrary to what is often said, one cannot distinguish the value from the fact: trivially, this is because the fact is itself a value, and the highest one, i.e. positivity, [12] which in turn is the condition for the possibility of each value.

In this regard it is necessary to clarify a statement that might seem too trenchant. Facts have the characteristic of being independent of us and of affecting us (i.e., of acting causally on us), and this, in fact, is their fundamental value. However, "value" is usually a standard against which to assess things and facts. Beauty is a value in the sense that it allows us to evaluate something as more/less beautiful, and similarly justice allows us to evaluate something as more/less just. Instead, facts are not "more/less real" but simply real, and they do not allow us to evaluate anything other than themselves. Another way to express this difference is to say that facts exist exerting causality while values exist exerting normativity. However, as will be clear in the part of this essay dedicated to emergence, normativity derives from the sphere of facts, so causality is the necessary (though not sufficient) condition of normativity.

At this point—and it is the fourth move of New Realism—it becomes possible to articulate the characteristics of the affordance that comes to us from the objects. We need to begin by introducing, next to the categories of natural objects (which exist in space and time independently of the subjects) and ideal objects (which exist outside of space and time, independently of the subject), two new categories: that of artefacts, which exist in space and time depending on the subjects for their genesis, and that of social objects, which exist in space and time depending on the subjects for their genesis *and* their persistence.[13] From this point of view, it is entirely legitimate to assert that the stock market or democracy are representationally dependent (I will soon try to clarify this term since, as we have seen, it is rather obscure) on our collective beliefs. But this does not mean in any way that dinosaurs have some degree of dependence with respect to our collective beliefs. If anything, dependence concerns professorships in paleontology.

The fifth and final move of New Realism consists in isolating the concept of environment: everything, including corporations, symbolist poems and categorical imperatives, has its origin in the affordance offered by the environment. A cave offers affordances for different types of beings and serves as a shelter because it has certain characteristics and not others. Ecosystems, state organizations, interpersonal relationships: in each of these structures (infinitely more complex than a cave) we find the same structure of resistance and affordance, which from causality may (though not necessarily) evolve into normativity. I define "environment" every

sphere in which these interactions take place, from an ecological niche to the social world—of course, each with its own characteristics.

The perspective suggested by "To exist is to resist in an environment" (which can be articulated in positive as: "To exist is to produce effects—causal or normative—in an environment") is that of a structurally opaque existence that manifests itself first of all in its persistence and possibly in its acting in an environment, without further qualifications. In other words, the field of sense is in the environment and not in the head; it is in the affordance and not in the concepts. Obviously, starting from the objects and from the opacity of existence involves being aware that there can never be a full totality, and rather that our relationship with the world lies on a confusing balance between ontology and epistemology. This, however, does not mean that the positivity of objects is precluded to us. Indeed, it is this very positivity that allows us to dwell in the world despite the fact that our notions are rarely clear and distinct.

2. Documentality

I call "Documentality"[14] the environment in which social objects are generated. In the definition of documentality the concepts of craft, writing and recording are central. Craft is, strictly speaking, any possibility of recording, which heralds the possibility of iteration: that is, the most manifest form in which technology comes into our experience. Now, the craft of all crafts, in our historical experience, is precisely writing. And contrary to what was posited by Plato, external writing has three incalculable advantages compared to inner writing, which takes place on the soul. First, public accessibility. No one can look into the minds of others, but to read the texts of others is more than possible; contracts, money, encyclopaedias: all of the social world and the world of knowledge require this resource. Second, while internal writing is destined to disappear with us, external writing can survive even without us. Third, the ability to produce more copies of the same entity (a form of repetition that it would perhaps be more appropriate to define "instantiation"[15]).

Especially, note this: if we look at its essence, any form of recording is a kind of writing. A video or voice message that you can play as you like (which today is technically very easy) are forms of writing, just as a computer file or a piece of paper. If we consider that recording, as permanence of the memory trace, is also the condition of possibility of thought—as suggested by the old metaphor of the mind as a *tabula*, as a support for registration—it is not difficult to recognize the centrality of this category, which was instead systematically neglected in favour of

others (mind, action ...) in the analysis of the construction of social and mental reality.[16]

From this point of view, it is possible to assert that society is not based on communication, but on recording. Since there is nothing social outside the text, papers, archives and documents constitute the foundation of the social world. I repeat: society is not based on communication, but on recording, which is the condition for the creation of social objects. Man socializes through recording. Bare life is but a remote start: culture begins very early—manifesting itself through recordings and imitation (language, behaviour, rituals). This explains why writing and the sphere of recordings that precedes and surrounds writing are so important.

Equipped with these tools, we now have a system that explains both the media and social reality, even in its bureaucratic dimension. The constitutive law of social objects is Object = Inscribed Act. That is to say that a social object is the result of a social act (such as to involve at least two people, or a delegated machine and a person) that is characterized by being recorded, on a piece of paper, on a computer file, or even only in the minds of the people involved in the act. Social objects are divided into documents in a strong sense, as inscriptions of acts, and documents in a weak sense, as recordings of facts. Once recorded, the social object, dependent on minds as to its genesis, becomes independent as to its existence—the same thing happens in the case of artefacts, with the only important difference that an artefact can offer its affordance even in the absence of minds (a table can be a shelter for an animal), while a document cannot.

It can certainly be argued that documental recording is not sufficient without a normative social practice behind it. Banknotes become waste paper if there is no normative institutional background to support them. In fact, if mere recording were enough for the existence of social objects, then the old European currencies would continue to be valid even when they are actually worth nothing because in the meantime their regulatory environment has changed. But if—as I articulate in the section dedicated to the emergence—documentality is the source of intentionality and normativity, then I think that this objection loses its validity, as evidenced by the fact that a collective amnesia (i.e., the disappearance of documentality) would coincide with the disappearance of intentionality and normativity. In other words, the institutional background that supports documentality is in turn a documental background, and so on *ad infinitum*.

Documentality has an immediate heuristic advantage. A theory of mind-dependence will always have intrinsically obscure aspects because it does not entail a simple causal dependence. For social objects to exist, it is

necessary that there are at least two minds and normally, in complex phenomena, there are many more. In such complex social cases, usually many minds do not think in any way about the object and yet they interfere with it, while many others do think about it and yet are unable to successfully interfere with it (think of a financial crisis, or a war). Apparently, we are dealing with a puzzle: social objects, as we have seen, are dependent on the mind, but they are independent of knowledge (i.e., even of consciousness). A marriage that nobody knows anything about did still take place; in the same way, there may be a recession even though no one suspects it.

How is this possible? Does this not mean to argue that social objects are both dependent on and independent of the mind? No, it does not. The contradiction would present itself only if "mind dependence" were understood as dependence on *one* mind, as if anyone could determine the course of the social world. But this assumption is contradicted by any experience of the social world (my mind does not make the laws, nor the prices of goods, at most it can write this article), as well as by the fact that in many circumstances our own mind seems to be independent of itself, such as when we develop obsessive thoughts that we would rather not have.

If we no longer have a contradiction between "dependence on the mind" and "independence from knowledge", we still have to explain how social objects can persist even when we do not have consciousness or knowledge of them. That is why I argue that the foundation of the social environment is documentality. In fact, when dealing with social objects we do not have to do with a series of intentionalities that consciously keep the object alive, so to speak, as if we all thought at the same time about the Constitution. It is not so: the Constitution is written, and at this point it is valid even if no one thinks about it (which in fact happens all too often).

In addition to solving the puzzle of mind-dependence and independence from consciousness, documentality also allows us to provide a more solid basis for the constitutive rule proposed by the most influential theorist of social objects, John Searle: namely the rule "X counts as Y in C" (the physical object X counts as the social object Y in the context C). The limit of such proposal is twofold. On the one hand, it does not seem able to account for complex social objects (such as businesses) or negative entities (such as debts, in which case it seems difficult to find a corresponding physical object). On the other hand, it makes the entire social reality depend on the action of a completely mysterious entity (as opposed to documents), that is, collective intentionality, which allegedly manages the transformation of the physical into the social.

According to the version that I propose, on the contrary, it is very easy to account for the totality of social objects, from informal promises to businesses and even negative entities such as debts. In all these cases there is a minimal structure, which is guaranteed by the presence of at least two people who commit an act (which may consist of a gesture, a word, or writing) that can be recorded on some kind of writing surface, even if it were only the *tabula* of human memory. In addition to accounting for the physical basis of the social object—which is not an X available for the action of collective intentionality, but a recording that can take place in multiple ways—the rule that I propose (and which I call the "rule of documentality" as opposed to the "rule of intentionality") has the advantage of not making social reality depend on a function, i.e. collective intentionality. In fact, such function is dangerously close to a purely mental process: this has led Searle to make a statement that is anything but realistic, namely that the economic crisis is largely the result of imagination.[17] From my perspective, on the contrary, since this is a form of documentality, money is anything but imaginary, and this circumstance allows us to draw a distinction between the social (what records the acts of at least two people, even if the recording takes place in the minds of those people and not on external documents) and the mental (which can take place only in the mind of a single person).

Of course, it could be noted that the Constitution applies even if nobody thinks about it, but it ceases to have any value if there is no one who is able to read it or is simply willing to follow its dictates. The validity of what is written in a document remains dependent on a system of practices that makes the content of the document normative. Otherwise, it would be impossible to distinguish between a current Constitution and a Constitution no longer in act, since both are written down somewhere. The theory of documentality, if taken to an extreme, could risk not being able to explain this fundamental distinction. At this point, however, it is worth pointing out that the social cannot be merely "that which records the acts of at least two people" but it must also include the practice that supports this recording making it valid and normative. That is precisely what I now propose to illustrate through the thesis of the emergence of intentionality and normativity from documentality. Incidentally, this is intuitively known by every advertising investor, who hopes that the iteration of a message can generate desires and lifestyles (i.e., intentionality and normativity) related to the advertised product.

3. Emergence

It is in what I call environment that the emergence of thought from being occurs; such a process can be regarded as the development of an (intelligent) epistemology on the basis of an unintelligent ontology, a competence that precedes comprehension. The fact that the meaning is not in the head,[18] but in the world, is a principle well-illustrated in the social world and its media, which I regard as equivalent and locate in the sphere of documentality. In this regard I would like to suggest two reflections.

The first one concerns the externalism of meaning, which seems to be realized in the Web. The original idea of the semantic web was that programmers should classify what they put on the network—a clearly unfeasible project. The conception of the environment as a sphere in which emergence takes place proposes a Copernican revolution whose basis is the thesis, brought forward by Wittgenstein, that "meaning is use". Concretely, let us take the uninterrupted stream of texts (20 billion documents) that is the Web, see the exchanges between people and, starting from use, derive the meaning.

The second one concerns the equivalence between social and media. Of course it could be argued that between social and media there is at least a quantitative difference. The media seem to ensure a much larger degree of iterability, replicability and instantiability than the social, in the strict sense. The media might be seen as a powerful enhancement of the documental structure that constitutes the social world. The media introduce iteration methods that are more and more refined (notational rather than purely mechanical) and increasingly pervasive (with phonography, photography and cinema one can not only iterate conceptual contents, but also perceptual ones).

What this objection does not seem to take into account is that, with the new media, the difference between social and media completely disappears, since the same technical devices are delegated to the production of both social objects and media content. With the same tablet you can get a plane ticket or a certificate, watch a sport event, or produce social and media content yourself through a social network.

The Web is a recording system that generates a superorganism that evolves autonomously, just like a termite mound, structuring complex articulations in the total absence of a central system[19]. Now, in the light of the Darwinian theory of the mind proposed by Daniel Dennett, we might ask ourselves: is it not exactly the same thing for the human brain? Just like ants (or like computer memories and the whole Web), single neurons

do not "think", but "download". Yet the whole of them constitutes consciousness and thought.

I do not mean at all to consider the Web as some sort of macro-consciousness or macro-brain, with yet another restatement of the thesis—which in retrospect proved to be fallacious—that the Web is a "collective intelligence".[20] I simply assert that the Web, as a macro-archive and macro-community, presents the same mechanism that takes place in superorganisms or in intelligence (natural or artificial), so that organization precedes and produces understanding. From this point of view, one could even speak of a *computer evolutionism*, which depends on computers much more than it depends on designers, revealing the real needs of society: a calculation tool turned into an archive tool, an isolated machine became a machine connected to the web. Something similar also happened with the cell phone, which was thought of as a tool to talk but tuned into a writing device, with the ultimate convergence between phone and computer.

It is in the environment of documentality that the social "we" takes place, through the genesis of what I have proposed we call "documental community".[21] Again, we are dealing with a difference with respect to collective intentionality, regarded as a sort of natural primitive instinct that makes us say "we" instead of "I" in a number of situations, and that is allegedly the basis of the construction of the social world. I have more than one doubt with regard to this, because in fact the "we" is only reached through training. It is true that a group of people on a trip can say "we are walking", but is it still "collective intentionality" when those who are walking are a group of prisoners held at gunpoint? In the perspective of documentality, it is through the sharing of documents and traditions that a "we" is constituted.

It is precisely for this reason that society has adopted writing and archives so early: in order to ensure that the spirit can manifest itself and become recognizable, gaining visibility and permanence in time. From this point of view, the most transparent form of the "we" is a document bearing signatures and exhibiting with honesty the terms, boundaries and objectives of the "we"—which, in this version, appears as the conscious agreement between a defined number of people for a specific purpose.

Of course one could argue that this kind of sharing requires that the "we" be already constituted. But here I would like to point out that the process I described does not constitute a rigid and unidirectional determination so that documentality leads to the "we", but rather a virtuous circle for which collective interaction (sharing, made possible by iterations, recordings, imitations and education, i.e. various forms of documentality) supports the production of documents that enhances

collective interaction itself, which in turn enhances the production of documents.

If postmodernists claimed that fiction cancels reality, with a constructionist hyperbole, I say that intentionality derives from documentality. The prospect of documentality begins with the theory that—from its ancient to its modern supporters—conceives of the mind as a *tabula* on which to lay inscriptions. In fact, as we have seen, there is a powerful action of inscriptions in social reality: social behaviours are determined by laws, rituals and norms; social structures and education form our intentions.

Imagine an Archi-Robinson Crusoe as the first and last man on the face of the earth. Could he really be devoured by the ambition to become an admiral, a billionaire or a court poet? Certainly not, just as he could not sensibly aspire to follow trends, or to collect baseball cards or still lives. And if, say, he tried to fabricate a document, he would be undertaking an impossible task, because to produce a document there must be at least two people, the writer and the reader. In fact, our Archi-Robinson would not even have a language, and one could hardly say that he would "think" in the usual sense of the term.[22] And it would seem difficult to argue that he was proud, arrogant or in love, for roughly the same reason why it would be absurd to pretend he had friends or enemies.

We thus have two circumstances that reveal the social structure of the mind. On the one hand, the mind cannot arise unless it is immersed in the social, made up of education, language, communication and recording of behaviours. On the other hand, there is the huge category of social objects. Rather than sketching a world at the subject's total disposal, the sphere of social objects reveals the inconsistency of solipsism: the fact that in the world there are also others in addition to us is proven by the existence of these objects, which would not have a *raison d'etre* in a world where there was only one subject. There is no thought without social normativity, nor is there normativity without the social.[23] This brings me to my second argument: namely that normativity derives from documentality. [24]

To put things in a more all-encompassing way, as suggested by the German mediologist and philosopher Friedrich Kittler,[25] the media are not so much an extension of man (according to the optimistic view proposed by McLuhan), but rather man is the result of the media. Such thesis is all the more true now that, as I am suggesting, any difference in principle between the media and documentality has ceased to be. Everything that becomes powerful can follow its own logic;[26] there is nothing surprising about this: the general thesis is that any system of emancipation is at the same time a control system. Machines emancipate people from physical fatigue but deliver them to industrial work. Internet appeared, at its outset,

as the liberation from work and as a countervailing power; in reality, as was perfectly imaginable, it introduced a new work and a new power.

This takes nothing away from the merits of the Internet, just as Taylorism takes nothing away from the merits of the machines, but it is an element that cannot be underestimated. This is the dark side of the Web, that we need to make explicit. Surprisingly, the greatest thinkers of the power of the Internet are, in my opinion, two figures that have never known it, and perhaps not even suspected its future existence: Schmitt, who emphasized that the essence of power lies in bureaucracy, and Jünger, who theorized the total mobilization and militarization as the essence of the modern world.

The most important aspect, in my opinion, is the way in which documentality becomes a source of normativity. If it were not possible to keep traces, there would be no mind—and it is not by chance that, as I have noted, the mind was traditionally depicted as a *tabula rasa*, a support on which impressions and thoughts are inscribed. But without the possibility of inscription there would not even be social objects, which consist precisely in the recording of social acts, starting from the fundamental one of the promise. If this is the case, perhaps we should translate Aristotle's sentence that man is a *zoon logon echon* as: "man is an animal endowed with inscriptions", or rather (since one of the meanings of *logos* in Greek is "promise", "given word") as "man is an animal that promises". "The breeding of an animal that *can promise*—is not this just the very paradox of a task which nature has set itself in regard to man?"[27]

From recording thus derives a mobilization and especially a total responsibilization. The Internet is an empire on which the sun never sets: at any time we can receive a request for work to be done, and at all times we are responsible for it, with a process that extends indefinitely the duration of work and the principle of responsibility (because the request is recorded). Here is what we learn from what, to me, is more than an example, and with which I wish to conclude. Imagine an old amnesic phone, in pre-answering machines and pre-cell phone times. It would ring, we were not at home, we would come back and not know about it—we lived happily and without obligations. Today it is no longer the case. Each "missed call" is recorded on the phone, and this call generates an obligation to respond, it makes the phantom quiver, it raises the pang of remorse in what we call "soul". The very fact of recording makes us responsible: a promise made between amnesic people would not be a promise, it would be a series of empty words. This is why the world is filled with papers, files, archives. Moral responsibility, at its core, is just that: inscription and recording. It is by no chance that divine omniscience

and omnipotence are represented as the holding of a book in which everything is written, nothing is hidden or forgotten.

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Notes

[1] I prepared this article in Bonn with the support of the Käte Hamburger Kolleg "Recht als Kultur".

[2] With a debate started in 2011—which summed up the topics I have been working on for the past twenty years (see Ferraris 1997)—and that is still ongoing, both in Italy and on an international level (for a full overview see nuovorealismo. wordpress.com; for an analysis of the debate see Scarpa 2013). Among the numerous contributions there are several of my own writings on the topic (I particularly refer the reader back to Ferraris 2011a and 2012c) as well as other works such as Gabriel 2013 and Beuchot-Jerez 2013. For a more detailed analysis of some of the moves proposed in the present article, see Ferraris 2012b.

[3] Goodman 1978.

[4] Putnam 1987b, chaps. 1, 2; and Putnam 1987a.

[5] Meillassoux 2008.

[6] Ferraris 2012a.

[7] Ferraris 2001. The *Gedankenexperiment* through which I develop the argument of interaction appears in English in Ferraris 2002.

[8] Ferraris 2006 and 2013.

[9] By using the term "affordance" I am referring to a notion that has been widely popular last century: see Gibson 1979; Lewin 1926. Fichte already spoke of an "Aufforderungskaracter" of the real, see Fichte 1796, chap. 1, § 3.

[10] Ferraris 2014.

[11] I have extensively dwelt on this in Ferraris 2012b.

[12] See Rickert 1915.

[13] See Ferraris 2012b and 2005.

[14] Apart from the already mentioned Ferraris 2012b, I refer the reader back to Ferraris 2007, 2009 and 2010b. An important development of documentality was provided by Barry Smith with his analysis of "Document Acts": see http://ontology.buffalo.edu/smith/articles/documentacts.pdf

[15] In this sense, writing makes social objects structurally similar to living entities. It is in this sense that, in Ferraris 2012b, I refer to the parallelism offered by Dawkins between genes and "memes" (see Dawkins 1976).

[16] See Ferraris 2011b.

[17] "It is, for example, a mistake to treat money and other such instruments as if they were natural phenomena like the phenomena studied in physics, chemistry, and biology. The recent economic crisis makes it clear that they are products of massive fantasy" (Searle 2010, 201).

[18] Cf. Putnam 1975, 227.

[19] Hölldobler and Wilson 2008.

[20] Lévy 1994.

[21] Ferraris 2010a.

[22] In agreement with the argument against private language proposed by Wittgenstein. There must be at least two people not only to produce a document, but also to have a language and, more generally, a rule.

[23] Brandom 1994, cap. I.

[24] For a more detailed articulation of these two fundamental theses, see Ferraris 2011b.

[25] Kittler 1999. The German original dates back to 1986.

[26] As is suggested by Kelly 2010. Nevertheless, it is an old idea that goes from Spengler to Jünger and Heidegger.

[27] Nietzsche 2003, 34. On this acknowledgment of the human specific ability to make promises (and, more generally, commitments and entitlements) I refer the reader again to the first chapter of Brandom 1994; Brandon refers in turn to Kant's idea that humans are essentially "distinctively normative, or rule-governed, creatures" (Brandom 1994, 9).