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Hindriks, Frank A.

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ACCEPTANCE-DEPENDENCE: A SOCIAL KIND OF RESPONSE-DEPENDENCE

BY

FRANK A. HINDRIKS

Abstract: Neither Johnston's nor Wright's account of response-dependence offers a complete picture of response-dependence, as they do not apply to all concepts that are intrinsically related to our mental responses. In order to (begin to) remedy this situation, a new conception of response-dependence is introduced that I call "acceptance-dependence". This account applies to concepts such as **goal**, **constitutional**, and **money**, the first two of which have mistakenly been taken to be response-dependent in another sense. Whereas on Johnston's and Wright's accounts response-dependent concepts depend on counterfactual responses of individuals, acceptance-dependent concepts depend on the actual responses of groups of people. This implies that concepts of the latter kind are less objective than concepts of the former kind.

Almost two decades ago, the notion of response-dependence was introduced in order to capture the idea that many of our concepts are intimately connected to our mental responses to our surroundings. An object is red, for instance, because of our responses to that object in relevant circumstances. A certain view is plausible, given (among other things) certain background information, because we take it to be plausible after due consideration. A second motivation for introducing this notion was to provide a conceptual basis for the intuition that there is a fact of the matter whether something is red or whether a certain view is plausible. The idea was that intrinsic dependence on our responses does not necessarily deprive a concept of strict criteria for its application. In other words, some form of subjectivity can be consistent with a robust kind of objectivity.¹

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The most prominent accounts of response-dependence are those of Mark Johnston and Crispin Wright, the first two proposals made. What their accounts share is that a response-dependent concept applies to something only if a normal subject in normal conditions would respond to it in a particular way. Given the counterfactual formulation, a response-dependent concept can apply to an object even if no one has ever been confronted with that object. Exactly which concepts are response-dependent is a controversial matter. Much of the debate focuses on concepts of value and secondary qualities. I will leave these discussions aside and focus on another class of concepts: social concepts. Several social concepts have been claimed to be response-dependent in a sense involving counterfactual responses. Both Holton (1992) and Johnston (1993) rely on such a sense. In Holton's view, the concepts **popular** and **goal** are response-dependent.² Johnston suggests that **constitutional** is response-dependent.

While social concepts are clearly intimately related to our thoughts and practices, it is not obvious that they are response-dependent. The first claim that I will defend is that, *pace* Holton and Johnston, social concepts are not response-dependent in the sense in which they claim them to be response-dependent. The main argument for this will be that a social concept only applies if a group of people actually, rather than counterfactually, exhibits a particular response. The second claim to be defended is that social concepts are response-dependent in a sense that has not been considered thus far. I will propose an account of a social kind of response-dependence that does apply to social concepts. For reasons to be explained, this kind of response-dependence will be termed "acceptance-dependence". The main thrust of the present paper is to explain what acceptance-dependence is. Importantly, acceptance-dependent concepts are less objective than concepts that are response-dependent in either Johnston's or Wright's sense.

The motivation for this paper can best be explained by reference to a programmatic statement Wright made about response-dependence. He relates the notion to the Eutyphro contrast, as in the case of response-dependent concepts a claim holds that is analogous to Eutyphro's claim that acts are pious because the gods love them: there are no facts that are fully independent from our opinions. The programmatic statement is this: "We should expect that a multiplicity of distinctions cluster around the Eutyphro contrast. Most of the work of exploring them and rendering them serviceable for use in debates about realism and objectivity is still to be done". (Wright, 1992, p. 139) This paper explores a notion that is related to the Eutyphro contrast that has thus far remained unexplored, acceptance-dependence; in other words, it investigates the distinction between acceptance-dependent and acceptance-independent matters, which is one way of developing the Eutyphro contrast. In addition to this, it considers the sense in which acceptance-dependent concepts are

objective. This is an important first step in the process of answering the question whether some, and if so which, kind of realism is defensible with respect to acceptance-dependent properties – an issue that resonates with the second part of Wright's statement.

The notion of response-dependence is introduced in section 1. Section 2 discusses the concepts **popular**, **goal** and **constitutional**, and defends the claim that these concepts are not response-dependent in the sense in which they have been claimed to be response-dependent. The notion of acceptance-dependence is introduced in section 3. It is argued that many social concepts are acceptance-dependent. Section 4 compares acceptance-dependence to an existing account of response-dependence, Wright's account of judgment-dependence. Judgment-dependence is more similar to acceptance-dependence than any of the other accounts of response-dependence available. This makes it the most suitable point of reference for this paper, as I will argue that acceptance-dependence is a new kind of response-dependence. Special attention is paid to the issue of objectivity.

1. *Judgment-dependence*

Response-dependent concepts can be characterized as concepts that exhibit an intrinsic relation to our responses. A concept exhibits an intrinsic relation to our responses just if an *a priori* and substantial set of truth-conditions can be formulated for that concept that refers to mental responses. Consider **red** as an example.³ Suppose it is *a priori* that something is red if and only if it is such as to look red to a normal subject in normal conditions. Perceptual capacities, for instance, pertain to what it is to be a normal subject, whereas lighting conditions enter into the analysis of normal conditions for color concepts such as **red**. Supposing all normality conditions can be specified in a substantial way – to be elaborated on shortly – this example fits the characterization of response-dependence just given. As I will compare the conception of response-dependence proposed below to Wright's account of judgment-dependence, for the reason explained in the introduction, I will rely on his account already here for characterizing the notion of response-dependence beyond the description just provided. This does not imply a loss of generality, as I will explain below.

Judgment-dependent concepts do not necessarily depend on judgments directly. In the case of **red**, for instance, the directly relevant response is 'looking red', rather than the judgment that the object in question is red. More generally, the directly relevant responses may be perceptual or affective rather than cognitive. A reason for focusing on judgments is that this allows us to explicate the idea that we – more specifically, normal subjects – are epistemically privileged when it comes to judging whether

or not a concept of the relevant kind applies. The intrinsic relation that these concepts have to our responses gives us a special authority, at least in normal conditions, in the sense that our best judgments must be correct. Even though the responses that are directly relevant need not be judgments, judgments are at least indirectly relevant in that a normal subject who forms a judgment in normal conditions is infallible.

The following bi-conditional captures the basic idea underlying judgment-dependence:

[JD] x is $F \leftrightarrow$ if conditions were normal and a normal subject who possesses the concept F were to form a belief about whether or not x is F , that belief would be that x is F .

According to Wright's initial characterization, a concept F is judgment-dependent just if a bi-conditional of this form applies to it *a priori* and its normality conditions can be specified in a substantial way. A substantial specification of normality conditions embodies an account of what it takes for a judgment to be authoritative (Wright, 1992, p. 112). Note that [JD] could be reformulated without the idealizations pertaining to the possession of the relevant concept and the formation of a belief about its application. As said earlier, they are included in order to explicate the authoritative role judgments of normal subjects have even in cases where the (directly) relevant response is not a judgment.

What the judgment-dependence of a concept F amounts to, according to this initial characterization (and I leave a discussion of Wright's ultimate proposal for section 4), is that the truth-conditions of a judgment involving that concept can be adequately captured by a bi-conditional, the right-hand side of which pertains to counterfactual responses of idealized individuals. Counterfactual responses also play a crucial role in Johnston's account of response-dependence. As this feature will play a pivotal role in the argument that social concepts that have been claimed to be response-dependent are not so in the intended sense, focusing on Wright's account does not imply a loss of generality. In addition to this, doing so is convenient for terminological purposes. It enables me to claim that the concepts mentioned are not judgment-dependent even though they are response-dependent, and to argue that, in addition to judgment-dependence, acceptance-dependence is a kind of response-dependence.

There is no consensus as to which concepts are judgment-dependent. As we saw earlier, most discussions pertain to concepts of value and secondary qualities. As noted in the introduction, the literature on judgment-dependence contains claims that particular social concepts are judgment-dependent. Holton (1992) claims that concepts such as **popular** and **goal** are judgment-dependent in the sense defined (see note 6 below). Similarly, Johnston (1993) claims that the concept **constitutional** is judgment-dependent.⁴ It is

not obvious that these concepts are judgment-dependent and, in the next section, I will argue that, in fact, they are not.

2. *Popular, goal, and constitutional*

I will now argue that social concepts are not judgment-dependent. In other words, the thesis to be defended is that [JD] does not apply to social concepts. [JD] relates the extension of a concept to counterfactual responses; it concerns the way a normal subject *would* respond in normal conditions. Briefly, my argument for this thesis is: concepts such as **popular**, **goal**, and **constitutional** should be analyzed in terms of actual responses rather than counterfactual responses. The principal way in which I will support this claim is by providing analyses of the three concepts mentioned, in which they will depend on our actual responses.

Holton makes the (crude) suggestion that “something is popular if and only if most people judge that they like it” (1992, p. 181). A first issue that is worth remarking on is that the relevant response for **popular** does not seem to be the judgment of liking, but rather, the liking itself. Secondly, as it stands, the analysis fails to take into account that something may be popular in a certain group of people but not in another. Popularity is context-relative. Furthermore, it seems too demanding to require that, within a particular context, *most* people like it; *many* will suffice. Taking these points into account yields the following analysis:

Something is popular in a certain context if and only if many people within that context like it.

Although this analysis could perhaps be refined further, it will do for our purposes.⁵ The specification of the relevant response is obviously crucial. The context-relativity will turn out to be important as well.

The fourth and, for our purposes, most important point to make is that the extension of **popular** is dependent on our actual responses in both Holton’s and my analysis. Holton does not explicitly acknowledge this. He introduces the notion of response-dependence in terms of a bi-conditional according to which the extension of a response-dependent concept depends on counterfactual responses, and goes on to claim that **popular** is response-dependent (which means it is judgment-dependent in my terminology).⁶ However, this must be wrong because, even by Holton’s own lights **popular** depends on actual, rather than counterfactual, responses. By his definition, something is popular if most people actually judge they like it (by my definition, the requirement is rather that they actually like it). It follows that [JD] does not apply to **popular**. This implies that **popular** is not a judgment-dependent concept.

A similar argument holds for **goal**. Holton writes: “[T]here could be games (perhaps there are) in which a team has a certain score if and only if the referee judges that it has that score” (ibid.). Again, this analysis needs to be refined. It seems that the call of a referee is more relevant than her judgment. Imagine that a referee is bribed and calls a goal despite the fact that she does not believe it should be called. The score would still change in this situation, and – given the gist of Holton’s analysis – a goal would have been scored. The modified analysis that I propose is (recall note 5):

A goal is scored in a particular game if and only if the referee of that game calls it.

There could be games where the score evolves according to this conception of goals. Note that the analysis is context-relative among others because whether or not a goal has been made depends on whether the referee *of that game* has called it. Crucially, in both Holton’s analysis and mine, the extension of **goal** depends on actual, rather than counterfactual, responses. This means that, *pace* Holton, [JD] does not apply to **goal**, and hence, that **goal** is not judgment-dependent.

The third case we will consider is the concept **constitutional** (more specifically, what it is for a US state or federal law to be constitutional). Johnston formulates his analyses of (what I call) judgment-dependent concepts in terms of dispositions. The connection with the type of analysis characterized by [JD] should be clear. Being disposed to react in a certain way implies that one would react in that way if certain conditions were met. Johnston claims that **constitutional** is judgment-dependent and offers the following analysis: “Thus the concept of a US state or federal law’s being constitutional is . . . the concept of the Supreme Court’s *not* being disposed to ultimately regard it as *unconstitutional*. (Being constitutional is the default condition)” (1993, p. 104; emphasis in original). Note that **constitutional** is analyzed in terms of the absence, rather than the presence, of a disposition to respond in a certain way (which, for Johnston, is the point of the example).

Johnston’s analysis is problematic because it is compatibility – or rather, *incompatibility* – with the constitution that matters, instead of what the Supreme Court is disposed to do. Ideally, the dispositions of the Supreme Court should track this, but the very use of the notion of tracking implies that they do not play the determining role that is played by dispositions – or, more precisely, by best opinion – in the case of judgment-dependent concepts. The extension of judgment-dependent concepts is fixed by the way we respond under certain conditions. In the case of constitutionality, the content of the constitution provides a basis that is independent of such responses (or dispositions to respond). Of course, the constitution is not entirely independent of human responses, as we

will see in more detail below. However, the point to appreciate is that, given the content of the constitution, constitutionality is fixed independently of what the Supreme Court is disposed to do.

This is not to say that there are no problematic cases. Arguably, there are cases with respect to which it is indeterminate whether or not there is a conflict with the constitution. Furthermore, the prevailing interpretation of keywords in the constitution, such as 'liberty', can change over time. In these cases, however, what matters is not what the Supreme Court is disposed to do, but rather what the Supreme Court actually does. Actual rulings can settle previously indeterminate cases (they are precisifications of what it is for a law to be constitutional). Actual rulings can change the relevant interpretation of keywords in the constitution. Of course, not all actual rulings are (equally) valid. Certain normality conditions have to be satisfied at the time of such decisions. All relevant information should have been considered, and due care should have been exercised in arriving at such decisions. Judges should not have been bribed. Furthermore, any changes in interpretation should fit with the attitudes prevailing in society. The nature of the fit may be complex, but some sort of fit is necessary if the new interpretation is to be legitimate. Despite considerations such as these and in as far as the problematic cases are concerned, constitutionality depends on what the Supreme Court actually does, instead of what it is disposed to do.

One may object to this and challenge whether the analysis proposed is really any different from Johnston's analysis, at least in as far as the problematic cases are concerned. The idea underlying the objection would be that there is no difference between a dispositional analysis and an analysis that appeals to actual responses in certain conditions. This idea, however, is mistaken. A disposition in combination with certain conditions fixes the ensuing response. By contrast, the role of actual rulings in the problematic cases mentioned should be understood in a different way. That certain conditions have to be satisfied does not mean that the Supreme Court is "forced" to respond in one way rather than another. Within the limits set by the normal conditions, there is room for choice. In other words, in the case of judgment-dependent concepts, counterfactual responses trump actual responses, whereas, in the case under consideration, no counterfactuals are available and actual responses determine whether or not the relevant concept applies. It follows that constitutionality is partly fixed by what the Supreme Court actually decides, rather than by what it is disposed to do.

I propose a bipartite analysis. The first part addresses the unproblematic cases, and the second part the problematic ones – the cases that require an actual ruling (recall note 5):

A US state or federal law is constitutional if and only if it is not in conflict with the constitution and the Supreme Court has not declared it to be unconstitutional in normal conditions.

In this analysis, the actual response or ruling can play a determining role with respect to the extension of **constitutional**. It follows that, just as **popular** and **goal, constitutional** is not judgment-dependent – again because that would require dependence on counterfactual, rather than actual, responses. Note that this analysis implies that whether or not a law is constitutional can change over time. The analysis should be construed to imply that a declaration involving and establishing a new interpretation of a keyword could also influence whether or not there is a conflict with the constitution. Thus, there is at least one way in which the content of the constitution depends on our responses.

As mentioned earlier, however, the content of the constitution as a whole is not independent of human responses. Even when we abstract from changes in the (legitimate) interpretation of the constitution, the content of the constitution depends on our responses. In fact, the (content of the) constitution depends on our acceptance of it as the constitution. This is apparent from the fact that there would not be a constitution if it were not for our acceptance of it as such. This has important implications for the status of the first half of the analysis provided. Thus far, the relation between the constitution and human responses has been left (largely) unspecified. Instead, the focus has been on the relation between responses of the Supreme Court and constitutionality. The conclusion that constitutionality is not judgment-dependent was based on two claims: first, in unproblematic cases, the responses of the Supreme Court are irrelevant to constitutionality; second, in the other cases, actual rather than counterfactual responses determine whether or not a law is constitutional. In short, constitutionality is not determined by the dispositions or counterfactual responses of the Supreme Court as judgment-dependence would require. The first claim leaves open several options for a positive characterization of the status of unproblematic cases. For all we know, it might be independent of human responses altogether. However, if, as has just been argued, the constitution depends on our actual responses, constitutionality depends on our actual responses in unproblematic cases as well, albeit indirectly. They fix the content of the constitution, thereby fixing what is and is not in conflict with the constitution. Given the analysis of constitutionality just presented, this implies that they indirectly (and partially) fix whether or not a law is constitutional.

This discussion also addresses an objection one might have against the preceding analysis of **goal**. The main claim defended earlier was that **goal** depends on our actual responses. One could object to this by arguing that a referee tries to apply the rules of the game and that whether or not a goal has been scored depends on the rules rather than on the call of the referee. The call of the referee, so the line of objection would continue, is only pragmatically relevant. If that call is irrelevant to the applicability of

goal, the question arises whether **goal** is response-dependent in any sense. Isn't it a response-independent matter? Given the way things were set up, this objection misses the point. The claim was made on the supposition that there is nothing more to the score of a game than the call of the referee.⁷ We can now see, however, that if this supposition is false with respect to the way our actual games work and the real score is fully determined by the rules rather than the call of the referee, the concept **goal** still depends on our actual responses. To appreciate this, one must first realize that, in order for there to be a game in the first place, it has to be believed that the rules of the game apply. There would not be games without human responses, more specifically without attitudes towards rules. The rules also define what it is to score a goal. By implication, **goal** depends on actual responses as well. In this scenario, then, **goal** depends on actual responses indirectly because the applicability of the rules depends on them directly. The upshot is that **goal** depends on actual responses *directly* if the analysis that appeals to the call of the referee discussed earlier is correct, and *indirectly* otherwise. In both scenarios, the earlier conclusion that **goal** is not judgment-dependent stands.

One might wish to challenge this rejoinder to the objection and stick to the idea that concepts such as **goal** and **constitutional** do not depend on actual responses at all. The underlying idea would be that once the rules of the game or the content of the constitution have been fixed, the extension of these concepts has been fixed as well; our actual responses are irrelevant to them. We have seen that this is simply false when it comes to the problematic cases discussed with regard to **constitutionality** (below we will see it is also false with respect to institutional entities such as certain kinds of money). However, the objection fails with respect to the other cases as well. Admittedly, the matter is partly one of stipulation. I choose to use the terminology in such a way that even if responses are relevant only indirectly – they are responses with respect to the rules or laws presupposed by the concepts discussed rather than to the entities to which they might apply – the concepts can be said to depend on our responses. The reason why I think this is a good choice of terminology, however, is that there simply would not be goals or constitutional laws if it were not for our actual responses, no matter what their object is. So, there is an important sense in which these matters depend on our actual responses indirectly; in some sense, our actual responses are sufficient for determining the extension not only of **popular**, but of **goal** and **constitutional** as well. This dependence deserves to be spelled out and this will be done more fully in the next section. All in all, we can conclude that certain concepts that have been claimed to be judgment-dependent are in fact not judgment-dependent because they depend on our actual rather than counterfactual responses, either directly or indirectly.

3. *Acceptance-dependence*

If the concepts discussed are not judgment-dependent, what are they? They are response-dependent in other senses, and this section is devoted to clarifying these other senses. First off, one needs to appreciate that not all examples discussed in the previous section are on a par. In particular, there is a striking contrast between **popular** on the one hand and **goal** and **constitutional** on the other. A manifestation of this contrast is that the latter two concepts can and often do involve an authority, whereas the former cannot. More specifically, it is simply impossible for an authority to make something popular by declaring it to be popular, whereas authorities can have such a determining role in the case of the other two concepts under discussion. Of course, their role may be indirect if their declarations directly pertain to the rules that the concepts presuppose. Even so, they play a determining role. Let us investigate this phenomenon further in order to bring the underlying contrast into focus.

Consider **money** as an intuitive example to appreciate the (symptomatic) contrast. There can be money in a society without a central bank or even a government. In such a society, it is the members of the society who determine what kind(s) of objects is (are) money. In an institutionally more complex society, the authorities determine the kind(s) of object that is (are) money. One could argue that, in the latter situation, the acceptance of certain objects as money is delegated to the authorities. The case of **money** is helpful because certain kinds of money depend on an authority, whereas others do not. Whether a similar contrast applies to the other guiding examples is less clear, and especially questionable in the case of **constitutional**, a concept that would seem to intrinsically involve an authority. One could construct a concept pertaining to the fit with common law and regard it as a non-authority-involving analogue. It is not crucial to the points to be made, however, that all concepts under which entities can fall in virtue of an authority are also such that entities can fall under them independently of any authority. It suffices that there are some authority-involving concepts for which this holds.

We now need to consider why the instantiation of popularity cannot be up to an authority, whereas the instantiation of money and similar properties can. One aspect of this is that **popular** involves an affective response, whereas the other concepts mentioned do not (or at least not exclusively). Another aspect is that concepts such as **money** involve what one could call a performative response. Their instantiation depends on a response that involves those very concepts. Something is only money, for example, if it is believed or accepted to be money. This is a generalization of the well-known idea that some things are what they are because they have been declared to be so – a phenomenon to which the term ‘performativity’

was traditionally restricted. Performativity applied to the example under consideration means that accepting something as having a certain status such as money can result in it actually having that status.⁸ **Popular** is not a performative concept. Whether or not something falls under that concept does not depend on our acceptance. Instead, it depends on the affective and non-performative response of liking. Thus, the relation to our actual responses is different from that of the other examples used. In what follows, I will concentrate on concepts that do involve our acceptance (see notes 9 and 14 for more on concepts such as **popular**; cf. also note 16). I will call the concepts that do so in a way to be specified “acceptance-dependent”.

Let any concept *F* be acceptance-dependent which satisfies the following bi-conditional *a priori*:⁹

[AD] x is *F* in context *C* \leftrightarrow group *G* in context *C* has attitude *A[F]* towards *x*.

This bi-conditional applies to **money** (at least to kinds of money that do not involve an authority). Context *C* and group *G* are intimately related to one another. Group *G* can stand, for instance, for all agents within context *C*. This does not mean that it is required that all members of *G* have the requisite response or attitude. Most or even just many will do. Attitude *A[F]* is that of accepting something as *F*, which is akin to believing it to be *F*.¹⁰

As noted earlier, (direct) acceptance can be delegated to an authority. For authority-involving cases, acceptance-dependence of a concept can be explicated in terms of the following bi-conditional (that should also apply *a priori*):

[AD'] x is *F* in context *C* \leftrightarrow authority *T* in context *C* declares that *x* is *F*.

This bi-conditional applies to authority-involving kinds of money, and, if the analysis provided in the first part of the previous section is correct, to **goal** as well ([AD'] can be seen as a development of [AD] and, as such, does not imply that there are two different senses of terms such as ‘goal’ or ‘money’). It is also relevant to **constitutional**. The second part of the analysis of that concept refers to declarations by the Supreme Court that pertain to particular cases. It fits [AD'].

Next we need to accommodate indirect dependence on actual responses. Recall that in the second part of the previous section a scenario was sketched according to which **goal** does not depend on our actual responses directly but on our acceptance of the rules of a game instead. For such concepts this is the appropriate bi-conditional:

[AD*] x is F in context $C \leftrightarrow$ in context C group G accepts a rule R or authority T has declared that a rule R is in force and according to this rule x is F .

This bi-conditional explicates the relation between rules, our actual responses, and concepts that depend on them in an indirect manner. In addition to the second scenario sketched for **goal**, it applies to the first part of the analysis of **constitutional** – the part pertaining to the fit with the constitution (which can be understood as a set of rules). Thus, the bi-conditional reveals that in an indirect sense our actual responses determine the extension of certain rule-involving concepts as well. In the case of **constitutional**, [AD*] helps to understand the relation between declaration, the constitution and constitutionality (see what was said about acceptance of the constitution at the end of the previous section). Note that in the case of **constitutional**, the context includes satisfaction of the normality conditions discussed in the previous section. All in all, we can say that those concepts are acceptance-dependent that satisfy (slight variations of) [AD], [AD'] or [AD*].¹¹

How can one find out whether or not a particular concept is acceptance-dependent? In principle, this depends on whether or not a bi-conditional such as [AD], [AD'] or [AD*] applies *a priori*. Since not all *a priori* truths are obvious truths, it will be useful to discuss certain marks of acceptance-dependence. One such mark is the involvement of an authority, as is implied by [AD'].¹² A more general mark of acceptance-dependence is, what I call, sensitivity to negotiation: one can sometimes influence someone else's mental states simply through discussions or negotiations with this person. Given the dependence of acceptance-dependent concepts on our actual responses, changing someone's responses to something through negotiation can change the extension of the concept. If, for instance, I convince you (and a sufficient number of other people) to stop using shells as money, I will have managed to change the extension of **money**.¹³

Acceptance-dependent concepts are social concepts. They are social in the weak sense of the term if the instantiation of the corresponding property requires that there be several agents with certain intentional attitudes (see Pettit, 1993, p. 119 for this conception of social properties). They are also social in a stronger sense. The attitudes have to be in line with one another in the sense that the content of the attitude that is shared should be (roughly) the same. Most members of a group should, for instance, take shells to be money. Furthermore, the attitudes held by individuals should relate to one another in a particular way. They should, for instance, be grounded partly in mutual beliefs (see Tuomela, 2002 for arguments that stronger connections than mere mutual belief are required). Institutional concepts satisfy these conditions. Thus, acceptance-dependence is definitive of a relatively strong sense of 'social'.¹⁴

4. *A Comparison*

How does acceptance-dependence (AD) relate to judgment-dependence (JD)? There are three important differences. The first has been at the center of the discussion so far: whereas JD concepts depend on counterfactual responses, AD concepts depend on actual responses. In contrast to JD concepts, AD concepts apply only if the relevant attitudes or responses are actually instantiated. Related to this, the extension of a JD concept is constrained by best opinion; the extension of an AD concept is constrained by actual opinion. One could say that our authority is practical rather than (merely) epistemic in the latter case. Rather than just being sensitive to the way in which we respond to something, i.e. rather than introspecting, we have to actually do something, namely make up our minds. By doing so and by finding out whether others have done so as well, we can come to know whether the concept applies to the case at hand.

There are different ways in which one can appeal to counterfactual responses. The one that figures in [JD], the bi-conditional that has been used for explaining the notion of response-dependence, is in fact problematic. Recall that the right-hand side of [JD] is: if conditions were normal and a normal subject who possesses the concept *F* were to form a belief about whether or not *x* is *F*, that belief would be that *x* is *F*. The problem with subjunctive conditionals of this kind is that bringing about the normal conditions may have an effect on the way in which the relevant subject responds. This can perhaps best be appreciated by considering the case of observing a chameleon, which Wright describes as follows:

If the Chameleon sits on a green baize in the dark at *t*, then bringing about “standard” conditions of observation – that is, *inter alia*, irradiating the creature with something like normal daylight – may bring about a *change*, we conceive, in the Chameleon’s skin colour. But if the truth conditions of *P*, = “The Chameleon is green at *t*”, were correctly captured by the subjunctive conditional that figures in the appropriate basic equation [biconditional JD], then we should have to say that the Chameleon is green before the lights go on. (1992, pp. 117–18)

And, of course, this cannot be, because the chameleon’s skin color has changed. The interaction described between bringing about normal conditions and the way in which subjects respond is known in this context as “altering”. The idea underlying judgment-dependence is that the judgments of normal subjects under normal conditions are bound to be correct. Cases of altering reveal that this need not be the case.

Wright suggests solving this problem by moving to what he calls ‘provisional equations’. So, ultimately he does not rely on [JD] but on [JD’] instead (see *ibid.*, p. 119):

[JD’] If conditions are normal, then it would be the case that *x* is *F* if and only if a normal subject would judge it to be *F*.

Relying on this formulation implies a loss of generality, because [JD'] is uninformative about which things are *F* outside normal conditions. But that seems to be the price we have to pay for solving the problem concerning altering. The important point for us is that, even though [JD'] appeals to conditions actually being normal, there is still no requirement that the relevant response has to be instantiated. Normal conditions can obtain without there being a normal subject to form a judgment. This distinguishes judgment-dependence from acceptance-dependence, as, for instance, there cannot be any money if there are no actual agents that accept certain stuff as money. Interpreted in this sense, the somewhat suggestive claim that judgment-dependence concepts depend on counterfactual responses while acceptance-dependence requires actual responses still holds.

A second and related difference is that, in the case of an AD concept, the responses of several actual agents are relevant, whereas the point of reference for JD concepts is an idealized individual (the intended notion of collective acceptance, see note 10, does not allow for one-person groups as a limiting case). This is also true when the response and declaration of, for instance, a referee plays a determining role. The reason for this is that the authority of the referee has to be accepted by a sufficient number of people. A third difference is that AD concepts are context-relative, whereas JD concepts are not. What is, for example, legal tender in one country need not be legal tender in another. As said earlier, the context determines whose responses are relevant. What is legal tender in a particular country depends on the attitudes of the citizens and the declarations of the authorities in that country.

These differences imply a difference in objectivity between (judgments involving) AD concepts and (judgments involving) JD concepts. This difference can be expressed as follows: AD concepts are less objective than JD concepts because they are more mind-dependent. Let me elaborate. All that is required for the extension of an AD concept to change is a change in the actual (mental) responses of the relevant individuals. If the members of a certain society cease to accept shells as money, shells cease to be money in that society. By contrast, a change in the actual responses of a normal subject is not necessarily accompanied by a change in the extension of a JD concept. If the mind of a normal subject were to change in such a way that it would react differently from the way it actually does in normal circumstances, it is not the extension of the concept that changes. Rather, the subject under consideration would have come to possess a different concept altogether (as a Martian might have different color concepts than human beings). The point can be made in another way. In order to possess a concept, one has to be inclined to react in certain ways. If two people have different inclinations of the relevant kind, they possess different concepts. It is a characteristic of AD concepts,

however, that, in forming judgments about their application, one needs to take the actual responses of several individuals into account. This means that, even if one's inclinations remain the same, the extension of an AD concept can change if one's actual responses do.

This does not mean that we are infallible when it comes to AD concepts, mainly because these concepts require the responses of several agents in order to apply. I can, for instance, believe that shells are money partly because I assume that you and some others regard shells as money. If this assumption is mistaken, my belief that shells are money is mistaken as well. Similarly, I might be mistaken about the declaration made by an authority, and hence, about the features that the instantiation of money has in the context at issue. However, the extent of fallibility is more limited than in the case of JD concepts. A normal subject in normal conditions cannot be wrong about whether a JD concept applies. If normal conditions do not obtain, a whole community of normal subjects could be mistaken. By contrast, there is no room for the idea that a community as a whole could be mistaken in the case of an AD concept given that the mutual beliefs in that community are correct. The underlying point is that a judgment involving a JD concept is only bound to be right if certain subject-independent conditions are met, whereas the dominant issue in the case of AD concepts is whether or not a judgment involving such a concept is in line with the attitudes that others have.¹⁵

A remaining question is why acceptance-dependence would be a kind of response-dependence. One reason for this is that concepts that philosophers have claimed to be response-dependent are in fact AD (see section 2). Another reason is that the informal characterization of response-dependence provided at the beginning of section 1 applies to acceptance-dependence. [AD], [AD'] and [AD*] are substantial truth-conditions involving mental responses. A related reason is that both JD concepts and AD concepts are specific to our interests and sensibilities. In addition to this, we have a special authority with respect to both kinds of concepts. As we saw, the kind of authority varies depending on the kind of concept, but the basic point remains. Finally, the characteristic bi-conditionals [AD], [AD'] and [AD*] are *a priori* and non-trivial, as is [JD] if the normality conditions are explicated in the appropriate way. Given these similarities, I propose that any concept that is either judgment- or acceptance-dependent is response-dependent.¹⁶

5. Conclusion

Two claims have been defended in this paper. First, certain social concepts that others have claimed to be judgment-dependent are in fact not. Second, some of these, as well as many other social concepts, are indeed

acceptance-dependent. The main difference between acceptance- and judgment-dependent concepts is that the latter depend on our counterfactual responses, whereas the former depend on our actual responses. Acceptance-dependent concepts are also comparatively less objective.

Obviously, the notion of acceptance-dependence can be further developed. It may prove interesting, for example, to pursue potential analogues between acceptance- and judgment-dependence that have not been considered here. Issues such as rigidification and explanation that have received ample attention in the literature on judgment-dependence can perhaps be fruitfully brought to bear on acceptance-dependence. This, in turn, could be useful for understanding the role of our responses in our concepts more generally. Even at this stage, however, it is already clear that the notion of response-dependence is of greater use than was envisaged almost two decades ago.¹⁷

Faculty of Philosophy
University of Groningen
The Netherlands

NOTES

¹ Johnston coined the term 'response-dependence' in 1986. Wright (1988) and Johnston (1989) wrote the first papers on the topic (which is not to say that similar ideas did not exist earlier).

² I use bold for concepts. The term 'concept' as used here pertains to the level of sense (Peacocke, 1992, pp. 2–3).

³ Throughout the paper, I will assume that **red** is response-dependent. This, however, is controversial. Johnston has put forward the missing explanation argument (MEA) in order to defend the view that **red** and concepts of secondary qualities generally are not response-dependent (see a.o. his 1993). Miller (2001) provides a critical assessment of the MEA.

⁴ Neither Holton nor Johnston would put it this way. Holton (1992) uses the term 'judgment-dependence' differently; he uses it only for concepts that have judgments as the directly relevant response, as in the case of **plausible**. Johnston does not use the term at all.

⁵ This qualification also applies to the analyses of **goal** and **constitutional** provided below.

⁶ The bi-conditional Holton (1992, p. 180) uses for characterizing (what I call) judgment-dependence is:

x is $C \leftrightarrow x$ is such as to produce response R in normal observers in standard conditions.

This implies a counterfactual similar to the right-hand side of [JD].

⁷ To be sure, in such a case it would be possible to say that she has made a mistake and that she should not have called the goal (think of a situation in which the referee calls a goal because she did not notice one of the players was in an offside position). Nevertheless, in this scenario, her call changes the score and there is no deep sense in which the actual score is not the real one. Hence, the call of the referee should enter the analysis of **goal** with respect to such games. Note that, even given this analysis, the rules of the game do constrain the extent to which the declaration of the referee is authoritative. No goal will have been scored if the referee calls a goal while the ball is in the midfield, for example.

⁸ Searle (1995) and Tuomela (2002) use the term 'collective acceptance' in this connection. The latter also uses the term 'performative' in the generalized sense just mentioned (Tuomela 2002, p. 123).

⁹ If [AD] is reformulated so as to allow for attitudes such as liking something, it also applies to **popular**. Concepts such as **popular** could be called "affect-dependent" or "sentiment-dependent" (if 'sentiment' is understood in the way Adam Smith used the term).

¹⁰ The notion of acceptance, or more specifically, that of collective acceptance, is developed in considerable detail in Tuomela (2002).

¹¹ When an authority is involved, there might be a higher authority that could overrule its decisions. In light of this consideration, the clause 'and this declaration is not overruled by a higher authority' could be added to [AD'] and [AD*] when appropriate. In the case of constitutionality, perhaps the Supreme Court at a certain point in time can be regarded as a higher authority with respect to the Supreme Court at an earlier point in time.

¹² The fact that an authority is involved does not imply that the dominant sense of the term at issue is acceptance-dependent. Take for instance 'murderer'. Whether or not someone is a murderer is independent of the ruling of the court. However, in addition to this *de facto* sense, there is a *de jure* sense of murderer that is acceptance-dependent. It is intimately connected if not identical to being convicted for murder.

¹³ This notion of sensitivity to negotiation has been inspired by Philip Pettit's (1993) notion of a practice of negotiation (see Hindriks, 2004 for a critique of the role these practices play in Pettit's theory of rule-following).

¹⁴ In contrast to acceptance-dependent concepts, affect- or sentiment-dependent concepts (see note 9) need not be social in any sense (think of **liked by Crispin Wright**). **Popular** is social in the weak sense of the term. A sentiment-dependent concept such as **sad** is not even social in this weak sense.

¹⁵ This is not the only issue. First, the applicability of an acceptance-dependent concept might presuppose the applicability of another acceptance-dependent concept (e.g. there can only be money if there are property rights). This, however, can then itself be analysed in terms of the alignment of attitudes. Second, the object that falls under the concept should be correctly identified (e.g. the judgment that a certain piece of paper is money presupposes that the object that is judged to be money is indeed a piece of paper; note that this condition applies to judgment-dependent concepts as well). Given a correct identification of the object, the contrast pointed out remains.

¹⁶ Arguably, sentiment-dependence (see notes 9 and 14) is the only other kind of response-dependence. This implies the stronger claim that a concept is response-dependent just if it is judgment-, acceptance-, or sentiment-dependent.

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