
Faces of Convention: How to ϕ Conventionally Without Agreeing to ϕ

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Résumé

A central issue spanning philosophy of action, language, logic, law and social and political theory, concerns whether social conventions depend on agreements between participants. Explicit agreements are uncontroversially sufficient for a convention, as are implicit agreements (for the most part). But they do not appear to be necessary. There are many ‘faces of convention’. David Lewis (1969) famously demonstrated how conventions based on rationally interdependent attitudes and behavior can emerge as solutions to recurring coordination problems. The classic example is driving on one side of the road. However, many purportedly conventional activities don’t exhibit the properties of arbitrary conditional preferences that he theorized.

Are there other ways to ϕ conventionally without agreeing to ϕ ? In this talk, I answer in the affirmative. A constitutive convention is not an emergent solution to a recurring coordination problem, but a system of constitutive rules that together constitute a distinct activity type. (See Searle: 1969, 1995, 2018; also Marmor: 1998, 2001, 2009). For example, the rules of chess do not coordinate pre-existing conduct. They constitute the activity of playing chess. Without chess rules there’s no game of chess, whereas driving can occur without traffic rules. But constitutive conventions are not necessarily *social* conventions because they do not need to be practiced in order to exist.

Constitutive conventions can be social conventions when they define roles for participants which they effectively abide. I develop a collective action corollary to Michael Bratman’s (1999) ‘faces of intention’ principle that individuals can ϕ intentionally without intending to ϕ when ϕ ’ing is a known side-effect of what they intend. Similarly, group members can ϕ conventionally without agreeing to ϕ when ϕ ’ing is a known side-effect of intending to abide their role in a constitutive convention.

Mots-Clés: Action, Group Action, Convention, Planning Theory

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