

The Realpolitik of Reference, penultimate draft

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Abstract: What are the conditions for fixing the reference of a proper name? Debate on this point has recently been rekindled by Scott Soames, Robin Jeshion, and others. In this paper, I sketch a new pragmatic approach to the justification of reference-fixing procedures, in opposition to accounts that insist on an invariant set of conditions for fixing reference across environments and linguistic communities. Comparing reference to other relations whose instances are introduced through “initiation” procedures, I outline a picture in which the procedures that are successful for fixing the reference of proper names depend in part on regularities in the actual environment.

From the beginnings of direct reference theory, there has been controversy about its implications for how proper names can be introduced. Kaplan had argued in “Quantifying In” that referring to an entity requires that a speaker be “en rapport” with that entity, which includes a requirement that causal contact have been made with it (1969, p. 232), while Plantinga, in “De Re et De Dicto,” had endorsed the “latitudinarian” view that names can be introduced by description (1969).¹ The case for descriptive name-introduction was buttressed by Kripke in *Naming and Necessity*, in which he considered cases involving descriptive identification alone, the best-known of which is his discussion of Leverrier’s dubbing of Neptune (1980 [1972], p. 79). Kripke did not, however, directly assert that descriptions alone are sufficient for naming, and in sketching his positive theory of reference, he considers principally ostensive mechanisms. Nonetheless, in “Dthat,” Kaplan reversed his earlier position and endorses descriptive reference-fixing (1978). The acquaintance requirement for fixing reference was revitalized largely by Donnellan’s argument that descriptive naming has problematic consequences with respect to the

sorts of *de re* attitudes a conceiver could then be taken to possess (1977). This view quickly became the widespread consensus, with many theorists explaining and justifying the indispensability of acquaintance in naming, including Kim (1977), Evans (1982), Recanati (1993), and Soames (1998). In recent years, debate has flared up once again. Jeshion in particular has mounted a defense of a limited version of descriptive reference-fixing, in which she maintains that there are certain intentional “felicity” conditions for fixing reference, but no acquaintance requirement, (2001a and 2001b) and Scott Soames has recently provided a new argument against descriptive naming (2003, pp. 397-422; see also Jeshion 2006). A complementary issue that has also received significant attention recently is the question of the status of so-called “descriptive names.” In conjunction with the argument that acquaintance is required for fixing the reference of genuine proper names, Evans (1982), Recanati (1993), Soames (2002), Berger (2002) and Reimer (2004) have all defended versions of the claim that descriptive introduction can give rise to a distinct category of singular terms, which are similar to proper names but have different semantic or reference-determination characteristics.² Jeshion has argued that while there may be descriptive names, it is not being introduced by description alone that makes a name descriptive rather than genuine (2004).

My aim in this paper is to sketch a new approach to the question of the requirements for fixing the reference of proper names. Rather than affirming or denying the viability of unrestricted description or some other procedure for fixing reference, I propose a picture in which successful procedures are grounded pragmatically in social and environmental regularities, in addition to their dependence on context-independent characteristics of proper names. Singular reference is one among many properties or relations whose instances are initiated, established, or fixed at a particular time, and which subsequently continue to hold even

in the face of significant variation in how they act or are treated. Reference is, I propose, is but a species of a more general group of relations I will call “initiated relations.” To treat reference-fixing, I consider some of the characteristics of initiated relations in general. For a significant subset of these relations, their “initiation procedures” are grounded pragmatically, rather than being invariant across environments and communities. The procedures for generating instances of such relations are often parasitic on broad social and contextual characteristics of the relation – that is, on the way the relation is employed by the community located in an environment.

If these characteristics can be applied to singular reference, then we should likewise not expect that the procedures successful for fixing the reference of proper names will be obtained independent of environmental regularities. Rather, like the procedures involved in initiating instances of other such relations, reference-fixing procedures will be derived practically from the social roles that referring expressions serve, along with the features of the environment that can be relied on in setting up instances that fulfill those roles. If reference-fixing procedures have such a pragmatic character, this has the potential to explain both how a procedure that intuitively succeeds in one context does not in another, and how the lines distinguishing successful from unsuccessful procedures do not intuitively fall neatly along the acquaintance/description divide.

Most arguments denying the success of descriptive methods for fixing reference involve defending an acquaintance requirement. And most defenses of an acquaintance requirement turn on the possessibility of *de re* attitudes. In this paper, however, I put both acquaintance and *de re* attitude possession to the side. *De re* attitude possession is undoubtedly tied up with name introduction; nonetheless, it is instructive to consider naming procedures first, in part to see if an independent treatment of naming can help illuminate the requirements for *de re* attitude possession, rather than the other way around. Moreover, a number of philosophers have recently

questioned whether the requirements for *de re* attitude possession do coincide with those for reference fixing.³ If they do not, then it may be misleading to take our cues on the requirements for reference-fixing from intuitions involving *de re* attitude possession. More unusually, I also do not address the issue of an acquaintance requirement directly in this paper. This is an issue that, to be sure, must be addressed by a theory of reference-fixing, but my intention here is to focus on outlining a positive theory. Should the pragmatic approach to deriving reference-fixing procedures that I advocate turn out to be compelling, it can then be further addressed whether that pragmatism can go so far as to mean that certain environments, including perhaps our actual one, are amenable to acquaintance-free reference-fixing.

Before considering “initiated relations” I want to begin with a piece of intuitive data, to provide a concrete point of application for the approach I will sketch. The data involves two variants of the use of the identification process known as “deferred ostension,” in attempts at fixing reference. Neither variant involves acquaintance, but intuitively, one succeeds in fixing reference, while one fails. I will return to this case after I have given a sketch of the positive pragmatic approach to reference-fixing, to illustrate how the pragmatic approach would explain this intuitive difference.

1. Cases of deferred ostension

In November 1884, Bismarck convened a conference in Berlin on the future of Africa. The European imperial powers were increasingly concerned about territorial disputes in their colonies, so they decided to set up groundrules for exploration and agree on some borders. They ended up assigning ownership of a number of parts of Africa, including some that no European had set foot in. Bismarck’s Germany received one of these parts, a large territory so far unseen by Europeans, which the conferees named “German East Africa.” This region was later divided

into Tanzania, Rwanda, and Burundi.⁴

Among their many morally questionable accomplishments at the Berlin Conference, the Europeans successfully baptized a number of new countries. The process they used for the naming is uncommon, but reasonably straightforward: naming by pointing at a sketch of a hypothesized geographic region. The Europeans had a fair amount of knowledge about the outline of the continent, and good reason for thinking that there was land in the regions they were outlining. So they designated the regions not by pointing at them directly, but by pointing at a depiction.

This procedure is a species of deferred ostension,⁵ i.e., designating an entity by pointing at some different entity that is appropriately related to the target, often in conjunction with some explicit or contextual qualifier to indicate the intended designatum. A well-known example of deferred ostension comes from Gareth Evans' *Varieties of Reference*: someone sees a car with a windshield stacked with parking tickets, and points to it, saying "That person will be sorry."⁶ In this case, the speaker uniquely designates the owner of the car, and ascribes a property to him or her. As Evans points out, though, this example of deferred ostension does not seem to work for introducing a proper name. Intuitively, if the person seeing the car says, "Call the owner of that car 'Alice' ... Alice will be sorry" – then, it seems, 'Alice' is somehow defective, if it counts as a name at all. On the other hand, Bismarck's use of deferred ostension has a different intuitive result: if we were to say "Call the depicted region 'German East Africa' ... As of today, German East Africa belongs to us," *prima facie* the term 'German East Africa' is not troubling.

As I mentioned, where contemporary theories of reference-fixing disagree is on the viability of description alone for naming. Evans, for one, takes deferred ostension to be a veiled form of description.⁷ If this is correct, there are two ways we might diagnose the "Bismarck"

and the “Alice” cases, corresponding to the diagnoses of descriptive reference fixing: on an acquaintance view, neither works, and on a more “latitudinarian” view, both do. There does, however, seem to be a robust intuitive difference between the Bismarck and Alice cases. Moreover, it is not clear that Evans is correct simply to assimilate these to descriptive identification. Geoffrey Nunberg and Emma Borg, for instance, have each challenged the descriptonal interpretation of deferred ostension.⁸ If deferred ostension is not a veiled form of descriptive identification, then, it is unclear how even a critic of descriptive reference fixing ought to treat it.

Is it possible to fix reference using any species of deferred ostension? What governs, more generally, the methods for successful reference-fixing? I suggest that questions such as this may be addressed afresh by considering not whether one particular instance or another is a successful case of fixing reference, but rather by considering on what basis different types of procedures become conditions for the establishment of instances of singular reference.

2. “Initiated relations” and the failure of description

A proper name refers in virtue of being initiated or fixed, rather than in virtue of the usage properties it has. As it applies to proper names, the reference relation is thus what I will call an “initiated relation.” Putting it roughly for now, a relation R is an initiated relation iff entities count as standing in R in virtue of having undergone some initiation procedure, rather than principally in virtue of satisfying a set of ongoing conditions. Some instances of initiated relations will be set up by intentional acts or performances, while other initiated relations may involve physical or other nonintentional initiation procedures. A relation is a “pure” initiated relation if there are no additional conditions for being an instance of the relation beyond the initial initiation, but there are presumably many cases which are “mixed,” i.e., for which the

initiation condition is a nontrivial condition, but not the only one.

The requirements for fixing reference may be separated to some extent from the issue of the semantic value that a proper name has, although for simplicity I will assume that some version of direct reference theory is correct. On Kripke's picture of naming, a name comes to refer to an entity in virtue of being dubbed or baptized. This dubbing typically takes place in a single intentional act, but may also take place in a series of acts or events over time. Subsequent to the dubbing, it is not required on his view that any ongoing conditions hold, for the term to continue to be attached to the item. (This is a point I will return to in sections III and IV.) Kripke provides a number of persuasive cases (E.g., Moses, Gödel)⁹ that argue against the requirement that users of a name associate identifying descriptions with it, in order for it to refer to the object to which it was fixed. These cases are designed to show that the semantic value of a proper name cannot be identified with some set of descriptions that users associate with it. They also show, however, the more basic point that it is not among the requirements for a term to *be* a proper name that it have identifying descriptions associated with it, whatever its semantic value. That is, these cases Kripke provides show, among other things, that reference is an initiated relation. They show that there are conditions to be met in order to introduce a proper name, but that subsequently, the conditions for the term being a proper name are minimal. It is because reference is an initiated relation, that it is incumbent on the theorist to give an account of reference-fixing, i.e., of the initiation procedures for reference.

The fact that reference is an initiated relation does not itself mean that the procedures for its initiation are particularly stringent. In fact, it does not say very much about how the initiation of referring expressions has to take place at all. In light of recent discussions, particularly the predominance of views that acquaintance is required for fixing reference, it may seem obvious

that there must be stringent requirements of some sort, arising just from the fact that reference is fixed or initiated. On closer look, however, the most natural initial view actually seems to be a latitudinarian one. If we only consider the fact that naming yields the association of a term with an object, then it is entirely unclear why descriptive identification should be inadequate for it. Indeed, setting up reference can be very undemanding. I can introduce a proper name at will, by coming up with some arbitrary term and associating it with an object. So what more is there to creating an instance of the reference relation than setting up this association, and why should descriptive identification alone not be adequate?

To explain why descriptive identification is not adequate for naming, it is common to turn to the inadequacy of descriptive identification for generating *de re* knowledge. As I mentioned above, *de re* attitude possession is undoubtedly closely related to name introduction. Nonetheless, I propose that we approach the problems with descriptive identification from a different route, on the understanding that it will ultimately have to be tied back to an account of the requirements for *de re* knowledge.

Reference, in fact, is not the only place where the question of the inadequacy of descriptive identification crops up. To clarify some of the characteristics of reference, it is useful to explore at some length a different initiated relation, for which similar questions arise. Consider the initiation of instances of *ownership*. Both ownership and reference are relations that hold between something and an object: reference, between a term and an object, and ownership, typically between an individual and an object. Ownership also involves fixing, initiating, or establishing instances of it. Often, ownership initiation involves a formal process, such as drafting a legal agreement or conducting a purchase and sale. But it does not have to be formal at all. I can walk along the beach, pick up an attractive shell, and put it in my pocket.

Subsequently, I am the genuine owner of that shell: I can sell it if I would like to; if someone takes it from me she has stolen it; and so on. One possible diagnosis of this is that this shell-ownership is a matter of a sort of status that the government has granted me, so that in fact there is a kind of formal fixing that has taken place, though it is hidden. But this is fairly implausible. Rather, it seems that ownership can be initiated in a number of practical ways, some legislated, some not. Picking up a shell and putting it my pocket is just one of those practical ways.

Locke held that ownership is initiated in virtue of a person “mixing his labor” with an object, and since Locke, a number of competing theories have been proposed as to the essential characteristics of an ownership-initiating procedure.¹⁰ While it is not my intention to give a theory of the initiation of ownership, it is useful to consider ownership so as to illustrate how we might give a pragmatic diagnosis instead of the grounding of initiation procedures. There are certain similarities between ownership-initiating processes and the ways that names can be introduced. Interestingly, in certain cases – like that of the shell – it seems that in certain cases acquaintance can be helpful in order for ownership to be set up. Walking along the beach with a group of people, I can declare myself the owner of the shell when I encounter it, presuming that no one else is at the same time declaring him or herself to be the owner. Acquaintance is still more relevant for a relation like “calling dibs” on a shell, which can be seen as a kind of proto-ownership. For these purposes, descriptive identification may be less helpful. I cannot sit here in this office, far from the beach, and declare myself to be the owner of (nor to have “dibs on”) some shell that is sitting on a particular beach in a particular location, even if I do specify the precise coordinates of a unique shell. On the other hand, there are also differences between the processes required for setting up ownership and those required for fixing reference. In some ways, there are stronger conditions for setting up ownership than for fixing reference. Even if I

have acquaintance with or possession of an object, in general that does not suffice for initiating ownership of it, whereas I can name any object in that way. I cannot, for instance, initiate ownership by saying, “that iPod you are holding, I declare it mine.” In other ways there are weaker conditions for ownership than for naming. In contrast with proper names, for instance, I can own many things *en masse*, without even uniquely specifying them. I may be the owner of a tree because it is on my property, even though I have never seen it. Or I can purchase the rights to all the future production of some good. If, a few years ago, I had bought up all the production facilities, I could have become the owner of the first VCR produced in the 21st century, even if I never had an idea of which VCR that was.

What governs these methods? Why does descriptive identification fail to initiate ownership of shells, or acquaintance and declaration fail for iPods? Presumably there are at least some necessary requirements for any procedure to qualify as ownership-initiating; in large part, however, it is pragmatic considerations that seem to be at work. Suppose someone were to claim that descriptive identification is sufficient, or ought to be sufficient, for initiating the ownership of shells. The most compelling argument against it is a pragmatic one: it is that descriptive identification is unworkable for initiating ownership. Changing the initiation methods, after all, is not free of consequences on the ground. If the descriptive method were allowed for shell-ownership, it is likely that ownership practices would break down altogether, since people would start declaring themselves owners of vast swaths of shells, descriptively initiating ownership for entire beaches worth. Unrestricted descriptive ownership-fixing is inadvisable, and it is inadvisable because of the practical results it will yield.

To account for why descriptive identification does not work for fixing the ownership relation, we do not simply consider the abstract pairing of the owner and the object owned.

Rather, we work through this sort of practical reasoning. The social practices and consequences that are part of the relation plausibly affect the initiation methods, since these practices depend on what gets initiated by those methods. Environmental factors, as well, figure into what initiation procedures are workable. In a world in which shells are both useful and extremely scarce, for instance, we would likely have higher standards for establishing their ownership than the actual ones, as we do for such things as oil deposits. If, on the other hand, shells are extremely plentiful, that has different implications for the initiation of their ownership. The character of the local context has an impact on what procedures will yield the appropriate usage practices. Correspondingly, we should expect that the viability of procedures will be sensitive to a number of contextual features involving the relation.

Supposing there is indeed a place for actual ownership practices and environmental conditions in determining ownership-fixing procedures, this does not contradict the observation that ownership is an initiated property, perhaps a pure one. What makes a particular shell belong to me is principally that I have gone through the process appropriate for initiating shell ownership. Without going through that process, I am not a genuine owner, even if my practices and the practices of others are the same as those that would normally accompany a genuinely owned object. If I steal a painting and display it, and no one ever discovers it, so that I am forever treated as the genuine owner, I nonetheless do not own the painting. That is the case even if I buy a stolen painting. Ownership involves the distinction between genuines and counterfeits, just as do names, as exhibited in Kripke's Gödel/Schmidt case.

It is initiation procedures, not the ongoing treatment of a person-object pair, that principally determines that they stand in a genuine ownership relation. But on a pragmatic picture, what those procedures are is sensitive to the social ownership practices, and to features

of the environment in which ownership is initiated. Instantiating the ownership relation is not just a matter of having a pair treated appropriately, but it depends on initiating the pair in the right way. Nonetheless, what that right way is depends on the characteristics of the overall environment in which it occurs.

3. Harmonizing initiation conditions

Before returning to reference, consider the notion of an initiated relation in general. Typically there are both entry conditions and maintenance conditions for membership in any such relation. For the ownership relation, for instance, an owner may need to maintain certain characteristics on an ongoing basis in order to retain ownership of certain items. Finally, there may be different thresholds for exit or discharge from the relation, than for either the entry conditions or the maintenance conditions. A more precise characterization of an initiated relation R then involves specifying the following conditions for an n -tuple A to stand in R : *Entry conditions*: A is initiated with some procedure P_i , and satisfies some initiation success condition S_i ; *Maintenance conditions*: A satisfies some maintenance condition C , (this is the “hard core” of standing in the relation, i.e., necessary conditions that a member needs to satisfy at all times); and *Exit conditions*: A has not undergone a disestablishment procedure (more recently than its last initiation with P_i and S_i), which consists of some procedure P_d , and some exit success condition S_d .

In this general specification, it is left open what the procedural conditions are for entry, as well as what determines that those procedural conditions are what they are. It is also left open whether the initiation conditions are pure or mixed, i.e., whether the procedural conditions are the only conditions for being a member of the relation or else whether there are other conditions like accomplishment conditions and ongoing conditions as well. In practice, however, these

conditions do not tend to be independent of one another. Typically there is a sort of “harmony” among the entry, maintenance, and exit conditions. And even more importantly, there is a harmony between all the conditions and the uses to which the relation is put.

This is clear for just about any initiated relation, such as being President of the United States. To be President involves procedural conditions, such as being elected and sworn in, and success conditions, such as the procedure having designated someone who is at least 35 years old and born in the United States. Maintenance conditions are also a part of what is required to be president, but in spite of the gravity of the office, the ongoing conditions once the president has been installed are actually quite low. It is hard to become president, but easy to remain president. There are also formal exit conditions, most recently revised in the 25th amendment.

The most obvious examples of initiated relations are ones for which the entry conditions are formalized in the law, like being president or having title to a piece of land. However, there are many relations that involve initiation but do not involve legislated entry conditions. In general, the higher the importance of a particular relation, the higher the likelihood that there are legislated entry conditions. Also, that makes it more likely that inasmuch as these relations can be disestablished, that there will be legislated exit conditions.

For a relation with legislated entry conditions, like being President or owning a piece of Manhattan real estate, it is up to us to establish those legislated conditions. In theory, we can choose whatever conditions we like. But in practice, they do not come from out of the blue. Legislation of initiation conditions is guided or constrained in a number of ways. One thing is that we rarely institute a legislated relation without some unlegislated precedent. The laws of ownership were not invented from scratch; even in societies lacking legal or governmental systems, unlegislated ownership relations are often already in place.

But that is not the only way initiation conditions are constrained. We legislate the entry conditions for being president not just based on some preceding initiation property. Rather, *being president* has the conditions it does, precisely in order to ensure that the resulting presidents will have certain characteristics, such as being widely accepted as legitimate. Similarly, unlegislated relations do not get their criteria from nowhere. The thresholds for entry, the maintenance conditions, and so on, are interrelated with one another for practical reasons, and we can explain how they arise as they do.

It is conceivable that the initiation conditions for some relation could be set up without regard to their consequences on the ground, then resulting in setting up various members, and having practices grow up around that classification. Surely, though, this is the exception. Typically, it is practical reasons that give rise to initiation conditions, even when the conditions are not legislated. The initiation conditions for a typical unlegislated initiated relation arise “organically” from the uses or practices to which that relation is put.

If our goal is to explain or account for initiation conditions, then it is useful to separate them from these uses and practices, broadly speaking. The organic development of initiation conditions can be seen as a practical derivation from these uses and practices. To be sure, a relation’s initiation conditions develop in tandem with the practices involving it. Nonetheless, we can consider the usage practices in isolation, to explain both what we should expect the initiation criteria to be, and why they are what they are.

The initiation conditions of ownership, for instance, plausibly arise in large part from ongoing ownership practices of a community in an environment, putting aside the initiation conditions themselves. It can take some work to bracket these initiation conditions, since when we think about the characteristics of ownership, we tend to gravitate to transactions in the

marketplace – that is, entry and changes in the ownership relation – more than the normal practices associated with ownership. Ongoing usage practices, however, are far more common than ownership initiation and transfer. These are what we do in treating the goods we own, like retaining possession of them, guarding them, using them, and treating them differently from the goods that other people own. To be sure, the establishment and exchange mechanisms for ownership, in a society, have a significant effect on the nature of that society's ownership relation. There can be a range of unpredictable effects of a particular mechanism; the direction of influence is certainly not one way. But to a good approximation, the explanation of the initiation mechanisms is accounted for by these ongoing uses and practices.

I will call these characteristics “ownership-in-use,” reflecting the normal set of ways that instances of the ownership relation behave and are treated. “Ownership-in-use” is different from ownership proper, particularly inasmuch as it does not reflect the distinction between genuinely owned items and counterfeits. The stolen artwork that everyone treats as mine is indistinguishable, from an ownership-in-use perspective, from a genuinely owned artwork.

To summarize: Grounding an “organically” harmonized relation R is a corresponding “in-use” relation, R' , which strongly constrains the initiation conditions of R . The mix of conditions P_i , S_i , C , P_d , and S_d , is derived practically from this “in-use” relation R' . For a harmonized initiated relation R , the initiation conditions that are constitutive of R are harmonized such that satisfaction of its conditions is reasonable for yielding instances that also satisfy R' , adequately and for some appropriate duration. In choosing the entry conditions for ownership, we do not guarantee that person-object pairs satisfying those conditions will always have the desired ownership-in-use characteristics, but we do our best to ensure that the procedures yield instances that do not depart too regularly or too excessively from those

characteristics.

Since the initiation conditions involve a mix of entry, maintenance, and exit conditions, this mix will be affected by the degree to which deviation is tolerated from normal satisfaction of the conditions of the “in-use” relation. The uses or practices to which a relation is put do not, in general, suffice to determine a unique set of initiation conditions. Depending on the tolerances for error, there are typically multiple legislated or unlegislated procedures that can be instituted for introducing instances that reasonably satisfy a particular in-use relation. Still, not just any conditions will do, and in particular the conditions for entry into the relation will often be relatively narrowly determined.

The practical derivation will also involve factors apart from the uses or practices alone, including the normal environment, in which the practices are performed. Since the procedures are chosen so as to yield the “in-use” relation as a practical matter, they depend on the actual environment in which the practices are conducted.

“Organically harmonized initiated relations,” despite this unwieldy name, are likely to be quite common. We have good reasons for formalizing certain initiated relations, but legislated conditions are by no means necessary for an initiated relation be in place in a community. And just as legislated initiated relations serve indispensable social purposes, so do unlegislated ones. These unlegislated relations acquire their initiation conditions for a good reason: the conditions initiate instances that have both the usage and the resilience characteristics that the relation is designed to reflect.

4. Initiation conditions and reference

That baptism or reference-fixing plays any important role at all in the presence of a reference relation is simply to say that reference is an initiated relation. Looking more closely at

the particularities of reference, however, a number of characteristics emerge.

1) Once initiated, there are minimal maintenance conditions for it to continue to be in place, and a high exit threshold

Cases like Kripke's Gödel/Schmidt case show that, at least along one important dimension of variation, reference is quite resilient. The particular cases Kripke considers focus on the resilience of reference to changes in the descriptions associated with them. There may be some maintenance conditions associated with keeping instances of reference in place, aside from associated descriptions. But these cases strongly suggest that any ongoing conditions for a term to be a proper name are fairly minimal. Once initiated, a proper name has to fail rather completely in order for it to be discharged. The "exit" procedures for reference remain poorly understood, but cases such as Evans' well-known Madagascar case show that a long-term shift in uses of an expression can effect a change in the expression's reference.¹¹ If it is required that at least some usage practices associated with a name be preserved, in order for it to be a name at all, these can either be included as part of a referring expression's minimal ongoing conditions or their failure can be accounted for in the exit conditions.

2) The initiation conditions for referring expressions are harmonized with usage practices and dispositions in an environment

The fact that names are initiated or fixed does not imply that the fixing procedures are determined or explained independently of how reference is used, including the association of descriptions with referring expressions. This is clear from even our cursory look at initiated relations. 'Aristotle' would continue to be a proper name even if we were to lose the knowledge for providing an identifying description for him. But it is likely to be an indispensable characteristic of reference in normal use that it involves the ability of language-users to provide identifying descriptions for large numbers of the terms they use. The initiation conditions of

referring expressions are tasked precisely with ensuring the presence of this sort of characteristic – not for every proper name, but as conditions that yield such characteristics in the norm.

It is thus unnecessary to make the Hobson's choice between either (1) that, contrary to the claims of the new theory of reference, for a term to be a proper name requires that users must associate identifying descriptions with it, or (2) that the requirements for fixing reference are entirely independent of their usage characteristics, such as the normal association of identifying descriptions with proper names. The fact that reference is a resilient initiated relation is not incompatible with, or even at odds with, understanding the essential properties of proper names as arising from linguistic usage and practices. Instead, these two are intimately related. The procedures by which reference is instituted can only be governed by the reference usage practices in a linguistic community. To account for the conditions for fixing reference, we need to relate these to the uses to which referring expressions are put.

As with my suggestions regarding ownership, the initiation procedures for reference plausibly depend on these uses; that is, they are harmonized with them. Whatever the initiation procedures are, they must in practice produce term-entity pairs having the right characteristics to be used appropriately in the linguistic community. This need for "harmony" with usage is the basis for explaining why in the case of reference, an entry method like unrestricted descriptive identification is not successful for name-introduction. Were unrestricted descriptive identification to be instituted as a reference-fixing procedure, it would fail to yield the appropriate practical consequences for the ongoing practices of reference. And, as I will discuss below, the same holds for unrestricted deferred ostension.

3) The initiation conditions for proper names are organically harmonized

In general, reference is not likely to be susceptible to legislation with regard to initiating

it. We have an elaborate set of uses to which referring expressions are put. These are so longstanding, and so widely employed, that explicit legislation would be unlikely to have a real effect on what terms count as proper names. It is impressive, in fact, that we have managed to impose largely formal initiation procedures on ownership, which is also longstanding and pervasive. To do so has required constructing elaborate legal, judicial, and enforcement mechanisms. However the initiation procedures for reference arise, it is typically not through explicit choices of procedures. Instead, a plausible if crude way of approaching the source of initiation conditions is by way of negative reinforcement, through trial and error in the practical course of introducing and using referring expressions.

On the other hand, in principle there is no reason that the procedures for initiating reference must be organically determined. So long as we were willing to adapt our linguistic practices appropriately, we could in principle choose to legislate aspects of how reference is introduced, as we have done with ownership. In certain legal domains, in fact, there are formal requirements for a term to count as a name. The names of corporations, the legal names of married women and men, and the registered names of ships, are examples of term-entity relations that are formally legislated. The relation that holds between a term and a corporation such that the term is the legal name of the corporation, for instance, depends on satisfying conditions specified in the law that governs business formation. As with the reference relation itself, this specialized “corporate-name” relation will have its initiation conditions explained, in large part, by the fact that those conditions succeed in setting up term-entity pairs that can be employed appropriately in practice. But this relation differs from the reference relation in that its initiation procedures are formally rather than organically harmonized with the usage practices for which it is designed.

5. Explaining the deferred ostension cases

Let us look more closely at how this can explain the intuitive difference between the two cases of deferred ostension. In the current dialectic with regard to reference fixing, we seem to have a choice between the success of the Bismarck case and the Alice case, or the failure of both. Though this flies in the face of the intuitive evidence, it has seemed to many people that we need to bite the bullet in one direction or the other. Understanding the procedures as harmonized initiation conditions, however, the intuitive evidence need not be overthrown.

5.1 Assessing candidate procedures with some characteristics of reference-in-use

Recall the failed procedure for initiating ownership of shells, and how its failure was assessed. We imagined the procedure actually was instituted for initiating shell-ownership, and inferred what the practical consequences would be. What we did not try to do was to assess whether an instance so-introduced was intrinsically a genuine instance of ownership. Instead, we implicitly generalized the application of the procedure, and realized that any viable ownership-fixing procedure has to be more restrained. In diagnosing that these problems arise, we use some intuitive characteristics of ownership, and see that the initiated instances violate those characteristics. Even without a full theory of ownership-in-use, this suffices to rule out the candidate procedure for being harmonized with actual ownership practices. It is not that this candidate procedure is an intrinsically bad procedure, or even a bad procedure for initiating ownership. In some other environment, it might perfectly well yield the desired characteristics. And in the actual environment, it does yield instances with some interesting characteristics. It is just that in the actual environment, it does not generate instances with the characteristics of ownership-in-use.

It is fairly simple to rule out a candidate initiation procedure, i.e. to show that it produces

instances failing to manifest the normal characteristics of an in-use relation, and particularly when the procedure blatantly fails. It is more difficult to demonstrate that some procedure is a positive case, a satisfactory initiation procedure, and hence that it produces instances that conform to the normal characteristics of that relation. Even without a full theory of ownership-in-use or reference-in-use, though, we can nonetheless become relatively confident about certain procedures. The intuitive grasp we have of how these common relations operate can suffice to run positive thought experiments as well as negative ones, where we can find that some procedure sanctions instances that conform to all the characteristics we can think of.

To assess procedures for fixing reference, it is thus useful to start with a characterization of some “in-use” characteristics of referring expressions. Given that reference is an initiated relation, these characteristics are neither necessary nor sufficient for a term to be a proper name, any more than something satisfying the basic practices associated with ownership is definitive of when someone is a genuine owner of an object. However, they will be the basis for determining what the initiation conditions are for reference, and hence will be the source, one step removed, from determining what is required for expressions to be genuinely referring. Here I will only provide a crude profile of some obvious characteristics of “reference-in-use”; a more complete theory is beyond the scope of this paper, and is not necessary to sketch the testing of a number of candidate reference-fixing procedures:

- i. We use proper names in part to track individual objects, so whatever initiation process we employ will have to enable the introduction of terms that normally are associated with a unique designatum. A viable process cannot be used to introduce term-entity pairs for which it is normal that the process associates multiple entities with a single term.

- ii. In using proper names, there is not a single privileged way of identifying the referent

of a particular expression. Rather, typically users of referring expressions have the ability to identify referents across multiple modes of presentation. This diverse identifiability of referents means that even if a term was introduced using some mode of presentation, the term in ordinary use is associated with its referent using other modes of presentation as well.

iii. The prior two usage characteristics continue to apply over time, not just at the instant a term is introduced, and they persist even in the face of changes in the properties of the referent. If we find, then, that some procedure institutes cases that have the above characteristics for an instant, but not persistently over time and as circumstances change, then it is not viable.

In considering candidate procedures for fixing reference, it is important to note that we apply some of these characteristics so intuitively, that we rule out most procedures without even noticing them. It is not hard, though, to think of arbitrary initiation conditions that yield entirely aberrant results; say, a procedure so far from adequate that it does not even provide a set of instances for which terms are normally uniquely designating. Then we do not even consider it as a potential reference-fixing procedure at all. It is the reasonably good candidates that are the controversial ones. Even the deferred ostension cases that fail in the end will succeed along certain dimensions. But on other dimensions, they will fail relatively straightforwardly.

5.2 Assessing species of deferred ostension

Let us test the procedure used in the Alice case with these characteristics. Suppose we actually used an Alice-style deferred ostension in general, for introducing putative names. In our actual environment, cars are normally parked by exactly one person. So the identification of a unique individual will normally be satisfied. We should notice that this is actually better than in the case of just unrestricted description altogether. With an entirely “latitudinarian” procedure, we cannot expect that instances produced will normally satisfy even this condition, because

arbitrary descriptions normally fail to designate altogether. So this kind of deferred ostension does provide us certain successes in the actual environment.

On the other characteristics, though, Alice-style deferred ostension immediately fails. Terms introduced with this procedure fail both on the multimodal identifiability of designata, and on the persistence and the resilience of these identification properties. With only an Alice-style association of a term with a person, we lack much information at all about the person designated. It is not the epistemic deficiency itself that is the problem, but what effect that deficiency has, given the actual environment. (For this procedure, the salient features of the environment are, for instance, how many people there actually are, how diverse they are, how mobile they are, and so on.) Users of referring expressions in general have the ability to identify referents across multiple modes of presentation. But for names introduced by this sort of deferred ostension, there is typically just one uninformative way to reidentify the designatum: by invoking the original deferred ostension itself. If we were to see the designated person on the street, we would not be able to reassociate the term with the person.

The key problem with Alice-style deferred ostension, in other words, is that it generally produces term-entity pairs that fail to have a crucial characteristic that we expect of names. That is, that normally, there be multiple, independent means whereby those who use the name can identify, and reidentify, its referent over time.¹² Using the Alice-style procedure, we may acquire a small amount of information that could be employed for subsequent reidentification: we may know that she is wealthy, has good taste, keeps her windshields clean, and parks carelessly, and from seeing the car we may even be able to infer that its owner is a woman. Nonetheless, in the actual environment these bits of information are far from adequate in sanctioning the desired usability characteristics. For the most part, a name introduced with this

procedure will be useless for reidentification, since we will have too little descriptive or other knowledge associated with the referent to do so.

Again, it is not required of *every* instance of a genuine name for a person that we be able to reassociate the name with the person reliably or multimodally. ‘Aristotle’ and ‘Jonah’ and ‘Moses’ and ‘Gödel’ are all genuinely referring expressions, whether or not anyone has identifying descriptions associated with them. When it comes to harmonizing initiation procedures, however, it is the yielding of instances that adequately satisfy the “in-use” characteristics that distinguish the viable ones from the nonviable ones.

The procedure used in the Bismarck case, in contrast, presents a different result. If we suppose that we were to apply the Bismarck method in general, we find that it passes the tests that the Alice procedure fails. As with the Alice procedure, the instances it sets up will normally have a unique object associated with each term. In contrast, though, the designata of terms introduced with Bismarck’s procedure will normally be able to be reidentified in multiple ways. This reidentifiability will persist over time, and will resist many kinds of change to the accidental properties of the entities. Once we have traced the borders of a large landmass, the structure of the interior tends to be quite regular and predictable, even without surveying every inch. Moreover, tracts of land turn out to be relatively static, at least with respect to our short lives. It certainly is possible from the perspective of the Europeans that the center of Africa might have turned out to be an ocean, or might have stood up on two feet and walked over to the center of the Pacific. But that sort of issue is rare enough that land, as well as other predictable, subdividable things like it, are plausibly able to be named even with processes that in a less propitious environment would be unthinkable. Given that the Bismarck procedure is limited to land masses, these results suggest that in the actual circumstances the procedure is workable.

It is easier to demonstrate that there is an obvious violation of one of the intuitive characteristics of the reference relation, than it is to show that a procedure will yield instances that successfully conform to all the normal practices that reference needs to. However, conformance to these intuitive characteristics provides evidence at least that the procedure is eligible for the initiation of reference.

On the picture I have sketched, if the Bismarck method is indeed successful for fixing reference, it is neither *a priori* characteristics of reference nor *a priori* characteristics of the Bismarck procedure that make it so. Rather, it is largely a matter of practical results. Nor is there any specific epistemic threshold that needs to be crossed, or amount of evidence that needs to be possessed, in the absence of a given set of actual environmental conditions. It is not the evidence the Europeans possess about Africa that is itself determinative of the success of their method. Rather, it is that the evidence they possess enables them to employ a procedure that is practically successful in the actual environment in which they reside. Having an epistemic connection with designata may not be required of a reference-fixing procedure, but it can help us along, inasmuch as the goal of an entry procedure is to ensure that we put in place entities that have the right characteristics.

Likewise, the practical success of the Bismarck procedure is environmentally dependent. The propitious character of the environment involves such features as the immobility of land masses. If land masses were as mobile as people, then Bismarck's method clearly would fail. This means also that with departures of the actual environment from its normal properties, there is no guarantee that the actual set of initiation procedures will continue to produce the results they were introduced for. But initiated relations are useful, even if they only fallibly match their grounding target relations. We do not introduce procedures on the assumption that no matter

what happens, those procedures will succeed. What matters is that in the actual world, stable as it is, we can put in place instances that work.

VI. The place of reference-fixing procedures

At stake in all this is not mainly whether or not Bismarck's method is successful for fixing reference. Rather, the pragmatic account for such a method suggests that initiation procedures in general are often misunderstood. A fixing or "initiated" view of reference takes there to be setup conditions for a term to be a proper name. This does not, however, mean that the name has to have some characteristic or history intrinsic to it, that flags it as genuinely referring. What is critical is that it be initiated using a procedure that receives its initiating power in virtue of its adequate success in its environment.

I have not directly addressed the question of an acquaintance requirement for naming. In the actual environment in which we live, most forms of acquaintance do succeed for fixing reference, and most forms of description do fail. But on this pragmatic picture I have sketched, the lines of success and failure may not, in the actual environment, cut neatly along the acquaintance/description divide. Presuming that there is not an acquaintance requirement, description will not always fail, but it will not always succeed either. And it is not enough just to accompany any proper description with the right kind of act, or with the right kind of intention. It is not only the intention that matters, so much as that the description is a reasonable route for producing an instance of the reference relation, in the actual environment.

If we lived in a hostile environment, the standards for fixing reference might be high across the board. Just to maintain the barest usage practices that we would count as referential practices might require a very tight epistemic connection with the objects we want to refer to. But our actual environment is not so hostile, at least not when it comes to referring. As

Bismarck realized, following a uniform set of principles is not always the best way to accomplish one's ends: methods have to be adapted to the environment.

Likewise, there are circumstances in which it is easy to set up instances normally having the desired characteristics of referring expressions. To set up such instances is precisely what the fixing or initiation procedures are for. And so it is not necessary to insist on the use of procedures that will work in any hostile environment, if a less demanding one will work just fine in the actual one.

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NOTES

¹ Chisholm applies the term “latitudinarian” to the interpretation of *de re* belief in (Chisholm 1976) and (Chisholm 1981).

² Berger is not explicit on the semantic values of terms introduced by description (“S-terms”), but distinguishes the manner by which their reference is determined from that of terms introduced ostensively (“F-terms”).

³ (Kaplan 2004; Eaker 2004; Pryor 2004).

⁴ Cf. (Forster, Mommsen et al. 1988).

⁵ (Quine 1968, p. 194).

⁶ (Evans 1982).

⁷ (Evans 1982).

⁸ (Nunberg 1993; Borg 2003).

⁹ E.g., the Gödel/Schmidt case, the Jonah case, the Moses case, etc., in Kripke (1980 [1972]).

¹⁰ (Locke 1980 [1690], Chapter V, Sec. 25-51). Contemporary major theories of property and ownership include those of Hart, Rawls, Nozick, Ackerman, Ryan, Waldron, and Munzer, among others.

¹¹ (Evans 1973).

¹² I am grateful to an anonymous reviewer for this formulation.

REFERENCES

- Berger, A. (2002) *Terms and truth : reference direct and anaphoric*. Cambridge, Mass., MIT Press.
- Borg, E. (2003) "Pointing at Jack, Talking about Jill: Understanding Deferred Uses of Demonstratives and Pronouns." *Mind and Language* 17: 489-512.
- Chisholm, R. (1976) *Person and Object*. La Salle, Ill., Open Court.
- Chisholm, R. (1981) *The First Person: An Essay on Reference and Intentionality*. Minneapolis, University of Minnesota Press.
- Donnellan, K. S. (1977) "The Contingent *A Priori* and Rigid Designators." *Midwest Studies in Philosophy*: 2 12-27.
- Eaker, E. (2004) "David Kaplan on *De Re* Belief." *Midwest Studies in Philosophy* XXVIII: 379-395.
- Evans, G. (1973) "The Causal Theory of Names: Part I." *Aristotelian Society*: Suppl 47 187-208.
- Evans, G. (1982) *The Varieties of Reference*. Oxford, Oxford University Press.
- Forster, S., W. Mommsen, et al., Eds. (1988) *Bismarck, Europe, and Africa: The Berlin Africa Conference 1884-1885 and the Onset of Partition*. Oxford, Oxford University Press.
- Jeshion, R. (2001a) "Acquaintanceless *De Re* Belief." In *Topics in Contemporary Philosophy: Truth and Meaning*. J. Campbell, M. O'Rourke and D. Shier, Eds. New York, Seven Bridges Press.
- Jeshion, R. (2001b) "Donnellan on Neptune." *Philosophy and Phenomenological Research* 63(1): 111-135.
- Jeshion, R. (2004) "Descriptive Descriptive Names." In *Descriptions and Beyond*. M. Reimer and A. Bezuidenhout, Eds. Oxford, Oxford University Press: 591-612.
- Jeshion, R. (2006) "Soames on Descriptive Reference-Fixing." *Philosophical Issues* 16: 120-140.
- Kaplan, D. (1969) "Quantifying In." In *Words and Objections*. D. Davidson and J. Hintikka, Eds. Dordrecht, Reidel: 206-242.

- Kaplan, D. (1978) "Dthat." In *Syntax and Semantics*. P. Cole, Ed. New York, Academic Press. 9: 221-243.
- Kaplan, D. (2004) *De Re Belief*, ms.
- Kim, J. (1977) "Perception and Reference without Causality." *Journal of Philosophy* 74(10): 606-620.
- Kripke, S. (1980) *Naming and Necessity*. Cambridge, Harvard University Press.
- Locke, J. (1980 [1690]) *Second Treatise of Government*. Indianapolis, Hackett.
- Nunberg, G. (1993) "Indexicality and Deixis." *Linguistics and Philosophy* 16: 1-44.
- Plantinga, A. (1969) "De Re et De Dicto." *Nous* 3: 235-58.
- Pryor, J. (2004) An Epistemic Theory of Acquaintance, UCSB Conference on Content and Concepts.
- Quine, W. V. (1968) "Ontological Relativity." *Journal of Philosophy* 65(7): 185-212.
- Recanati, F. (1993) *Direct Reference*. Oxford, UK ; Cambridge, Mass., USA, Blackwell.
- Soames, S. (1998) "The Modal Argument: Wide Scope and Rigidified Descriptions." *Nous* 32(1): 1-22.
- Soames, S. (2002) *Beyond Rigidity: The Unfinished Semantic Agenda of Naming and Necessity*. Oxford, Oxford University Press.
- Soames, S. (2003) *Philosophical Analysis in the Twentieth Century*. Princeton, Princeton University Press.

