

## DOCUMENTS: FILLERS OF INFORMATIONAL GAPS

### 1. *A Proposed Definition of 'Document'*

In 2005 Barry Smith proposed the following definition of *document*:

$x$  is a document =<sub>def.</sub>  $x$  is a (potentially permanent) record of time-sensitive information, and is of a type instances of which are reliably used as constituents of instances of types of complex social actions.<sup>1</sup>

Let me use this definition as a starting point for some considerations concerning documents and their use. I will begin by commenting on some details.

First, the definition implies that documents are *used as constituents* of actions. This means, presumably, that the information recorded in a document has some impact on an action in which it is used. Using a document as toilet paper, for instance, is not to use it as a constituent of an action in the relevant sense. In this case, the document is not used *as a document*. The document as such and the information recorded in it remain external to the action. This shows that to use a document as a document is to use the information it conveys. If the document is to be used as a constituent of an action, this information must somehow play a role in the constitution of the action.

Actions have constituents of rather different kinds. Some constituents of actions are sub-actions, some are agents, and some are tools. Documents are constituents of actions in the way tools are. Their use is an action, which may be a constituent of a further action. Besides the constituents of an action, there are further factors that may enter the constitution of an action without being proper parts of this action, such as presuppositions and preconditions.

The information recorded in a document may enter the constitution of an action in two ways. First, the use of a document may be a sub-action of this action. When a passport is shown when checking in for a flight, its use is part of the complex action, *checking in for a flight*. Second, the information recorded in a document may influence an action in the way of a presupposition or external condition. In order to get married, for instance,

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both partners might have to provide documents to prove that they are not currently married. Here, the use of the document is not part of the marriage itself, but only one of the conditions that make it possible. Let me suggest that a document *plays a role* in an action when its use either is a part of or a precondition for this action.

Smith's definition implies further that documents play a role in *complex* actions. To me this seems to be a matter of fact, not of definition. I can see no reason why we should not allow for the (exceptional) case that a document figures in actions that are as simple as it gets. It is in any case not obvious how the distinction between complex and simple actions should be drawn. Later in this paper it will turn out that the actions in which documents are used must have some teleological structure. In this sense, they may perhaps be said to be complex. But for one thing, *every* action that involves a movement can be shown to be complex in this way.<sup>2</sup> For another, that actions must be complex in the specified sense can be demonstrated. Therefore, it need not be put into the definition.

For similar reasons, I suggest omitting the qualification 'social'. There may, certainly, be reasons why we use documents of certain types only or primarily in social actions, but these reasons do not belong in a definition of the term 'document'. That documents are used in social actions should not even be entailed by the definition, since documents might be used in actions that are as nonsocial as any action can be. The secret diary kept by a cryptographer is a document, even if no one but its author will ever be able to read it.

Another problem is that the definition has it that documents are '*of a type* instances of which are reliably used as' instances satisfying a certain further condition. Unless the generality of the type in question is clearly restricted, this wording seems open to a leak in the definition. The reason is that any old pair of entities may be considered as two instances of some common type. My birth certificate, for instance, is of the general type *piece of paper*. A piece of toilet paper is of the same type. Are then both items of the same type, such that the toilet paper is of a type instances of which are reliably used in certifying my birth? This is surely not the case, and the definition should make this clear. It might perhaps do this by addressing the type in question as a *low-* or *lowest-level* type. However, I will later suggest a way to drop the explicit reference to types altogether.

Further, the definition states that documents are *reliably* used in actions of a certain kind. The qualifier "reliably" may serve to exclude two

kinds of cases. First, there are documents that do not actually play a role in any action. I have never made any use of the document certifying my knowledge of Latin Paleography. But a useless document is still a document—presumably by virtue of being of a low-level type other instances of which are of some use. This is one of the things ‘reliably’ indicates here: Because a given document is of a certain kind, one can be sure that it may be used in a certain way if required. Second, the reliability clause serves to exclude accidental document-like uses. A slip of paper may prove my identity by accident, without therefore being an identity document. Reliability, however, can be no sheer accident. The epithet ‘reliably’ is thus intended to situate the use of the relevant kind of information somewhere between ‘possibly’ and ‘actually’. Not every document is actually used as a document, and not everything that actually plays the same role as a document is one. However, I do not think that ‘reliably’ is the right word to put in the definition. Documents may well be unreliable. The point is that documents are *supposed* to be usable in certain kinds of actions, not that they actually *can* be used in such actions more often than not.

This leads us to one of the more general themes that I want to discuss here, namely that documents should be defined in terms of their *function*. It is important to see that the function of an item need not be what it actually does or can do. In the definition quoted above, something is said to be a document if and only if it *is* a record of some sort of information. Does this mean that every document is *actually* a record of this kind of information, or rather that it is *supposed* to be such a record? The occurrence of ‘potentially’ and ‘reliably’ in the definition indicates the latter. Not every document actually records information of the relevant kind. Some documents are useless or invalid without ceasing to be documents. This means that something is a document to the extent that it is *supposed* to record the relevant kind of information. It is an *actual* document even if it is only *potentially* used as one. (Compare: A murder weapon is not an actual murder weapon until it is actually used as one.) I think this feature deserves to be rendered more explicit.

Note that even when a document is actually used *as a document*, its actual use may not be its ‘official’ use. The official use of a document is similar to what Elisabeth Anscombe has called a ‘point’ in a language game. For instance, the point of an order is (roughly) to make someone do some-

thing. Nonetheless, it is perfectly possible to give orders without *intending* the thing ordered to be done (1957, 3). Likewise, the point of a document need not coincide with the use that someone intentionally makes of it on a given occasion. The official use of a document is *what one does with this kind of thing*. It is not what one may possibly do with it, nor need it be what someone is doing with this document in a particular case.

It is already part of the definition that the information recorded by documents should figure in a certain *type* of action. By stressing that documents should be defined in terms of their point or function I am again emphasizing that documents are what they are in virtue of their typically figuring in certain types of actions. As I have indicated above, this might motivate the restriction to *complex* actions: The actions in question must be complex enough for there to be something that plays a role in them. In order to make clear what kind of complexity is involved here, let me briefly address the more general topic of purposive behavior.

## 2. Teleology

In purposive behavior, something is done in order that something further takes place. Animals and perhaps even plants are capable of this kind of behavior. A cat is stalking a bird *by* slinking and crouching; a plant is extending itself towards the sun *by* growing in a certain direction. In such cases, both the purpose and the means for attaining it are *processes*. The cat is crouching and it is stalking; it is crouching in order to stalk. The plant is reaching out for the sun and growing; it is doing one by doing the other.

This is closely related to the following fact: When behavior is purposive, we may give more or less enlarged descriptions of it. This fact has often been noticed (e.g., by Austin [1979, 201]). Joel Feinberg has called it the ‘accordion effect’ (1970, 134). When I am turning a key in order to open a door, I *am* opening the door; and when a cat is crouching in order to stalk a bird, it *is* stalking this bird. In such enlarged descriptions, we do not simply situate an action in its context, nor do we add arbitrary causal consequences to the description. Rather, we situate an action within a context or nexus of further *actions* (Anscombe 1957, 86). We may segment an action (type) into parts according to this nexus, and will thereby be entitled to speak of one part being an end of or a means for another. The teleological or explanatory nexus by which actions divide into such parts

may be rendered explicit in certain forms of reasoning. In such reasoning, actions are divided into steps that display an order of reason; such that the whole action may explain or justify the steps it involves.<sup>3</sup>

An action that is situated within a larger action may be called a constituent of this larger action. In this sense of constituent, an action *A* is a constituent of an action *B* to the extent that *A* is done *as part of* and *in order that B*. *B* is then done *by* doing *A*, and *A* may be mentioned in an answer to the question *how B* is done.

I take it that actions are purposive in virtue of their playing a role in further actions, i.e., by being either sub-actions of or preconditions for further actions. When things play a role in an action, they have a purpose in a different way. They have a function, which means that their *use* has a purpose. When I use a key in order to open a door, its use is a sub-action of the action, *entering the room*, and a precondition for further actions that may take place in this room. When I use a key in order to open a bottle, it functions as a bottle opener. But opening doors is the function of a key, and opening bottles is not. To open a bottle with a key is not to use it *as a key*.

Like keys, documents may be either used according to their function, or in unorthodox ways. Again, I might use my birth certificate either to certify my birth or as toilet paper. But only the first is its function. In order to specify the function of a document, one has to specify how to successfully use it as a document.

The function of a document is its official use, not all its possible uses and not necessarily a given actual use. It is *what one does* with this kind of thing. Functions attach to types. The function of a thing is the role that instances of its type typically play in a kind of action. That is, something has a function only insofar as it is of a certain low-level type, instances of which are typically used in a certain way. Therefore, by defining ‘document’ in terms of function, we may omit the reference to low-level types in our revised definition. It is already implicit in the notion of a function.

Documents thus record information that figures in a certain type of action. Not every type of action is of interest here. Let me refer to the types of action that matter as *practices*. Practices are not simply types of actions; they are rule-governed activities that can be learned, taught, supervised, introduced, invented, improved, prohibited, and so forth. In a wide sense of ‘type’, *things people do in the morning* may describe a type of action, but it does not describe a practice. In order for an action you perform to instantiate a practice, you need to know *how to perform that*

*action*, how to follow the corresponding rules. This means that first, there are no accidental executions of practices. Practices can only be intentionally executed. Second, there must be some general pattern that all instances of a practice conform to more or less well. There must be a general way of doing the thing in question.

Now the explanation of *how one does* a certain thing is also an explanation of the teleological structure of the respective kind of action. One makes an omelet by breaking eggs, frying them, and so on. Conversely, one fries eggs (among other things) in order to make omelets. In an explanation of how one instantiates a practice, the action is divided into steps that are related to each other and to a common whole as means to ends. Practices are described and explained in teleological terms (Anscombe 1957, 83).

We have seen that the function of a document need not coincide with its actual use. My birth certificate has the function of certifying the place and time of my birth, the name of my parents and so on; but I need not use it for that purpose. Fake documents, on the other hand, are used in the same way as real ones, but in some sense, this is not their proper function. In the case of success, fake documents allow for the same intended uses as the corresponding real documents. But these uses will then not be constituents of a practice. The successful use of a fake document is a defective action relative to the practice within which it is used. This is simply what 'fake' means in this context.

We can now propose the following revised definition of what a document is:

An entity whose function (= typical role in some practice) is to permanently record time-sensitive information.

This definition does not yet enable us to draw a sufficiently clear distinction between fake and real documents. Fake documents are, in one sense at least, supposed to permanently record time-sensitive information. Two features may perhaps be cited in order to distinguish fake documents from real ones.

First, fake documents do not usually convey *true* information, and in that sense they may perhaps be said not to record *information* at all. But this move would involve a rather *ad hoc* redefinition of 'information.' We could adopt a view according to which all information is thereby also true.

But ‘to record information’ does not appear to be a success verb in this sense. We can be given false information, and we can record it. Conversely, a fake document may convey entirely true information. This by itself would not turn it into a real document.

Second, one may admit that fake documents may play the same role as authentic documents, but in a certain sense they do not have the same function. It is not their function to play this role because they are not, as such, parts of the respective practice. They only pretend to have a certain function, and pretending to have this function *is* indeed their function. There is a practice of creating and using fake documents, and insofar as fake documents figure in *this* practice, they have the function: to mislead people. But this only means that fake documents do not have exactly the same function as the real documents they pretend to be. The corresponding real documents will (usually) not have the function of misleading people. In a word, the functions that fake documents actually have cannot be their *official* functions, since a fake document only does its job as long as certain people do not know what its real function is (i.e. to mislead them). An official function can be defined as a function that is supposed to be known to all people who use the item that has it. Hence a possible improved version of our definition might look like this:

Something is a *document* insofar as its official use in some practice is to permanently record time-sensitive information.

### 3. Bridging Informational Gaps

But this is not yet the final version. An important point that still requires some work is the following: Why and in what sense should the information recorded in documents be time-sensitive? This also relates to the epithet ‘permanently.’ Presumably, time-sensitive information needs to be recorded in order to be permanently available. But in this sense, too, time-insensitive information that is recorded is automatically also permanently available.

It might be helpful at this stage of our investigation to introduce some etymology. The word ‘document’ is a compound of *docere*, to teach, and the suffix *-mentum* used also in ‘monument.’ This suffix typically indicates that the item in question is for doing whatever the word preced-

ing it stands for. Thus instruments are used for constructing (*instruere*) something, monuments are used for reminding people (*monere*) of something, and arguments are used for arguing. According to this pattern, a document is a thing that is used for teaching us something.

One might thus argue as follows. We don't need to be taught what we already know. If for information to be time-sensitive means that it is available only at certain times, time-insensitive information should be available at all times. It does not need to be taught, so we need no documents to record it. If this is true, documents are for making information available at times when it is not already available. They bridge temporal informational gaps. It seems to me, however, that the informational gaps bridged by documents need not always be temporal. The purpose of documents is not in all cases to preserve information over time, but more generally to make information available in a context that is disconnected from the natural origin of this information. The most general purpose of documents is that they connect us to something that we cannot verify by ourselves. The correctness of a translation, for instance, is not something that every person can be expected to verify by themselves. For those who cannot, we have documents testifying that someone else, someone who is capable of doing work of this sort, has performed the necessary verification.

Hence, documents have the same function as witnesses. The actions in which they are used are acts of testifying, certifying, and witnessing. They do not simply record information; their function is more precisely to compensate for a possible lack of immediacy, directness, and authenticity of information. They are issued in order to replace the experience itself. This leads to one further comment on the original definition, now in relation to the word 'record.' Like witnesses, documents do not merely record information; they also convey it in an authoritative fashion. Witnesses are *entitled* to convey information in a legal context, and also *obliged* to tell the truth.

In order to bridge informational gaps, documents must be separable from their origin and from the context in which they acquired their content—for example the context in which they were filled in. If the facts could speak for themselves, we would need no documents. Documents need to speak for the facts, as it were, when and where these facts cannot speak for themselves. This however entails that we usually cannot verify the correctness of documents in exactly those contexts in which we need

to rely on them. As Plato might have put it: documents are orphaned and separated at birth from the assistance of their parents.

The point Plato is making when he suggests this formulation in the *Phaedrus* is that a practical skill like philosophy cannot be learned from books (275c). Philosophy is the art of *using* information, not of possessing or compiling it. A written text is worth nothing without a practice of interpreting it (278c–e). This point is then taken up by Augustine. In the absence of the author, says Augustine, we need to rely on a practice of interpretation. More specifically, we must follow the *principle of charity* (an idea popularized much later by Donald Davidson). In order to understand a written document in the absence of the circumstances that would render it superfluous, we need to assume that it tells us the *truth* (*Confessions*, 11, 3). This again means that documents do more than just record information. They are authoritative; they are such that we are expected to believe in their correctness in the absence of any further evidence.

Which brings us to the final version of our definition of ‘document’:

An entity whose official function (role in a practice) is to authoritatively bridge an informational gap.

One final question: What is the distinction between a witness and a document? Does a witness, or perhaps her brain, not also record information of the relevant kind? Is her brain, then, a document?

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#### NOTES

1. This paper is a response to a lecture given by Smith in Buffalo on October 1, 2005. Note that Smith’s definition was not intended as an elucidation of the natural-language term ‘document’. Rather it was part of an attempt to improve upon the account of documents as the sorts of entities used in commercial transactions proposed in the ‘Document Ontology’ of Glushko and McGrath (2004). The present paper is likewise merely an attempt to improve upon Smith’s account.

2. Every movement can be divided into further movements that are means for carrying out the original movement (I raise my hand by 1 cm in order to raise it by 2 cm).

3. See Thompson (2008) and Rödl (2002).

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