Making It Explicit

**Reasoning, Representing,
and Discursive Commitment**

Robert B. Brandom

To Wilfrid Sellars and Richard Rorty

without whom most of it would not even be *implicit*

... both a new world,
and the old made explicit ...

We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time.

T. S. ELIOT, "Four Quartets"

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or intentionally contentful states and acts have, as such, pragmatic significances that should be specified in normative terms does not depend upon what particular model (for instance, reasons, truth conditions, or representation) is employed in understanding such contents. The theoretical task of the intentional content of a state or act is to determine, in context, the normative significance of acquiring that state or performing that act: when it is appropriate or correct to do so and what the appropriate consequences of doing so are. The content is to determine proprieties of use, employment, or performance for states, acts, and expressions that exhibit or express such contents. The content must (in context) settle when it is *correct* to apply a concept in judging, believing, or claiming, and what correctly follows from such an application. Correctnesses of application are discussed under the general headings of assessments of truth or representation; correctnesses of inference are discussed under the general heading of assessments of rationality.[18] To pick out intentional states and acts as ones to which any of these sorts of assessments—truth, accuracy of representation, or reasonability—are in principle appropriate is to treat their normative articulation as essential to them. For this point, it does not matter which sort of assessment is treated as fundamental, whether the goodness of claiming of the sort concepts of truth try to capture, the goodness of representation that concepts of correspondence try to capture, or the goodness of reasoning of the sort concepts of rationality try to capture. All are prima facie normative or evaluative notions.

III. FROM NORMS EXPLICIT IN RULES TO NORMS IMPLICIT IN PRACTICES

1. Regulism: Norms as Explicit Rules or Principles

The first commitment being attributed to Wittgenstein, then, is to taking the significance of attributing intentional states to be normative, a matter of the difference it makes to the correctness or justification of possible performances (including the adoption of other intentional states). The second commitment he undertakes concerns how to understand the normative statuses of correct and incorrect, justified and not justified, which this approach to intentionality concentrates on. The question of how the normative significances of intentional states are to be taken to be related to the matter-of-factual consequences of those states, which would be one way into this issue, can be put to one side for the moment. It is a question Wittgenstein is much interested in, but it ought to be seen as arising at a different point in the argument. For an account of the normative pole of the Kantian dualism need not take the form of a specification of how the normative is related to the nonnormative. Instead, Wittgenstein considers, and rejects, a particular model of correctness and incorrectness, roughly Kant's, in which what makes

a performance correct or not is its relation to some explicit rule. To understand his argument and the lesson he draws from it, it is necessary to see what this model of the normative is, and for what sort of explanatory role he claims it is unsuitable.

According to this more specific Kantian view,[19] norms just *are* rules of conduct. Normative assessments of performances are understood as always having the form of assessments of the extent to which those performances accord with some rule. Reference to proprieties of performance is taken as indirect reference to rules, which determine what is proper by explicitly *saying* what is proper. On this account, acts are liable to normative assessments insofar as they are governed by propositionally *explicit* prescriptions, prohibitions, and permissions. These may be conceived as rules, or alternatively as principles, laws, commands, contracts, or conventions. Each of these determines what one may or must do by *saying* what one may or must do. For a performance to be correct is, on this model, for the rules to permit or require it, for it to be in accord with principle, for the law to allow or demand it, for it to be commanded or contracted. It is because Kant is someone for whom the normative always appears in the explicit form of rules, laws, and commandments that he could see the rationalists' insistence on the essential role of principles in cognition and action as a dark appreciation of the fundamentally normative character of those faculties. It is for this reason that when Kant wants to say that we are creatures distinguished from others by the normative dimension of our conduct (both cognitive and practical), he puts this in terms of our being bound by *rules*.

On an approach according to which normative assessment of conduct—whether prospectively, in deliberation, or retrospectively, in appraisal—always begins with the question of what rule is followed in producing the performances in question, norms are likened to laws in the sense of statutes. For conduct is legally appropriate or inappropriate just insofar as it is governed by some explicit law that says it is. Assessments of legal praise and blame must at least implicitly appeal to the relation of the performance in question to some law. In this way, the model appeals to a familiar institutional context, in which the norms most in evidence clearly take the form of explicit principles, commands, and the like.

The influence of the jurisprudential analogy is evident in Kant's conception of the normative aspect of cognition and action in terms of following rules. Kant inherits the Enlightenment tradition, handed down from Grotius and Pufendorf, which first studied the normative in the form of positive and natural laws, conceived as the explicit commandments of sovereigns or superiors of one sort or another. As a result, Kant takes it for granted that it is appropriate to call a 'rule' or a 'law' whatever it is that determines the propriety or impropriety of some judgment or performance. For him, as for most philosophers before this century, explicit rules and principles are not simply one form among others that the normative might assume. Rules are

the form of the norm as such. This view, that proprieties of *practice* are always and everywhere to be conceived as expressions of the bindingness of underlying *principles*, may be called *regulism* about norms.[20]

According to this intellectualist, platonist conception of norms, common to Kant and Frege, to assess correctness is always to make at least implicit reference to a rule or principle that *determines* what is correct by explicitly *saying* so. In the best-known portion of his discussion of rule-following in the *Philosophical Investigations*, Wittgenstein argues that proprieties of performance are governed by explicit rules do not form an autonomous stratum of normative statuses, one that could exist though no other did. Rather, proprieties governed by explicit rules rest on proprieties governed by practice. Norms that are *explicit* in the form of rules presuppose norms *implicit* in practices.

2. Wittgenstein's Regress Argument

Norms explicit as rules presuppose norms implicit in practices because a rule specifying how something is correctly done (how a word ought to be used, how a piano ought to be tuned) must be applied to particular circumstances, and applying a rule in particular circumstances is itself essentially something that can be done correctly or incorrectly. A rule, principle or command has normative significance for performances only in the context of practices determining how it is correctly applied. For any particular performance and any rule, there will be ways of applying the rule so as to forbid the performance, and ways of applying it so as to permit or require it. The rule determines proprieties of performance only when correctly applied.

If correctnesses of performance are determined by rules only against the background of correctnesses of application of the rule, how are these latter correctnesses to be understood? If the regulist understanding of all norms as rules is right, then applications of a rule should themselves be understood as correct insofar as they accord with some further rule. Only if this is so can the rule-conception play the explanatory role of being the model for understanding *all* norms. A rule for applying a rule Wittgenstein calls an "interpretation" *(Deutung)*. "There is an inclination to say: every action according to the rule is an interpretation. But we ought to restrict the term 'interpretation' to the substitution of one expression of the rule for another."[21] The question of the autonomy of the intellectualist conception of norms, presupposed by the claim that rules are the form of the normative, is the question of whether the normative can be understood as "rules all the way down," or whether rulish proprieties depend on some more primitive sort of *practical* propriety. Wittgenstein argues that the latter is the case. Rules do not apply themselves; they determine correctnesses of performance only in the context of practices of distinguishing correct from incorrect applications of the rules. To conceive these practical proprieties of application as themselves rule-governed is to embark on a regress. Sooner or later the theorist will have to

acknowledge the existence of practical distinctions between what is appropriate and what not, admitting appropriatenesses according to practice as well as according to rules or explicit principles.

This regress argument shows that the platonist conception of norms as rules is not an autonomous one, and so does not describe the fundamental form of norm. "What does a game look like that is everywhere bounded by rules? whose rules never let a doubt creep in, but stop up all the cracks where it might?—Can't we imagine a rule determining the application of a rule, and a doubt which it removes—and so on?"[22] In each case the doubt is the possibility of a mistake, of going wrong, of acting incorrectly, for instance in applying a rule. The point is to be that a rule can remove such a doubt, settle what is correct to do, only insofar as it is itself correctly applied. "'But how can a rule show me what I have to do at this point? Whatever I do is, on some interpretation, in accord with the rule.'—That is not what we ought to say, but rather: any interpretation *[Deutung]* still hangs in the air along with what it interprets *[dem Gedeuteten]*, and cannot give it any support. Interpretations by themselves do not determine meaning."[23] No sequence of interpretations can eliminate the need to apply the final rules, and this is always itself subject to normative assessment. Applied incorrectly, any interpretation misleads. The rule says how to do one thing correctly only on the assumption that one can do something else correctly, namely apply the rule.

> This was our paradox: no course of action could be determined by a rule, because every course of action can be made out to accord with the rule. The answer was: if everything can be made out to accord with the rule, then it can also be made out to conflict with it. And so there would be neither accord nor conflict here. It can be seen that there is a misunderstanding here from the mere fact that in the course of our argument we give one interpretation after another, as if each one contented us for at least a moment, until we thought of yet another standing behind it. What this shows is that there is a way of grasping a rule *[eine Auffassung einer Regel]* which is not an interpretation, but which is exhibited in what we call "obeying the rule" and "going against it" in actual cases.[24]

Absent such a practical way of grasping norms, no sense can be made of the distinction between correct and incorrect performance—of the difference between acting according to the norm and acting against it. Norms would then be unintelligible.

3. Wittgenstein's Pragmatism about Norms

The conclusion of the regress argument is that there is a need for a *pragmatist* conception of norms—a notion of primitive correctnesses of performance *implicit* in *practice* that precede and are presupposed by their explicit formulation in *rules* and *principles*. "To use the word without a

justification does not mean to use it wrongly [zu Unrecht gebrauchen]."[25] There is a kind of correctness that does not depend on explicit justifications, a kind of correctness of practice.

And hence also 'obeying a rule' is a practice [Praxis].[26]

—To obey a rule, to make a report, to give an order, to play a game of chess, are customs [Gepflogenheiten] (uses, institutions).[27]

The regress argument does not by itself provide such a conception of proprieties of practice; it just shows that without one we cannot understand how rules can codify the correctnesses that they do.

This argument shares its form with the regress Lewis Carroll invokes in "The Tortoise and Achilles"[28] but takes that line of thought one level deeper. That story depends on the fact that in a formal logical system, statements are inferentially inert. Even conditionals, whose expressive job it is to make inferential relations explicit as the contents of claims, license inferential transitions from premises to conclusions only in the context of rules permitting detachment. Rules are needed to give claims, even conditional claims, a normative significance for action. Rules specify how conditionals are to be used—how it would be correct to use them. It is the rules that fix the inference-licensing role of conditionals, and so their significance for what it is correct to do [infer, assert]. Although particular rules can be traded in for axioms [in the form of conditional claims], one cannot in principle trade in all rules for axioms. So one cannot express all of the rules that govern inferences in a logical system in the form of propositionally explicit postulates within that system.

Carroll uses the regress of conditionals that results from the attempt to replace the rule of conditional detachment by explicitly postulated conditionals as an argument to show this. Wittgenstein's regress-of-rules argument shows further that, while rules can codify the pragmatic normative significance of claims, they do so only against a background of practices permitting the distinguishing of correct from incorrect applications of those rules. Carroll's point is that the significance of claims for what it is correct to do must somehow be secured. Logical claims, like others, must have some normative pragmatic significance. Wittgenstein's point is then that conceiving such significances in regulist terms, as the invocation of rules of inference does, is not the whole story. Rule-based proprieties of performance depend on practice-based ones. The regulist, platonist, intellectualist conception of norms must be supplemented by that of the pragmatist.

Two commitments have now been attributed to Wittgenstein. The first is a normative thesis about the pragmatics of intentionality. The second is a pragmatic thesis about the normativeness of intentionality. In the first case, pragmatics is distinguished from semantics, as the theory of the significance of contentful states and performances from the theory of their contents. In

the second case, pragmatic theories of norms are distinguished from platonist theories, in treating as fundamental norms implicit in practices rather than norms explicit in principles. The first point enforces attention to the significance of intentional states for what it is correct to do. The second point is that proprieties of practice must be conceivable antecedently to their being expressly formulated into propositionally explicit governing rules or principles. For performances can be rule-governed only insofar as they are governed as well by practices of applying rules.

It is useful to approach the sort of understanding that is involved in mastering a practice, for instance a practice of applying or assessing applications of a rule, by means of Ryle's distinction between knowing how and knowing that.[29] Knowing how to do something is a matter of practical ability. To know how is just to be reliably able. Thus one knows how to ride a bicycle, apply a concept, draw an inference, and so on just in case one can discriminate in one's practice, in the performances one produces and assesses, between correct and incorrect ways of doing these things.

The explicit knowing-that corresponding to such implicit knowing-how is a theoretical formulation or expression of that practical ability, in a rule or principle, that says what is correct and what not. The intellectualist picture underwrites every bit of know-how with a bit of knowledge-that, which may be only implicit in practical discriminations. "Compare knowing and saying: how many feet high Mont Blanc is—how the word 'game' is used—how a clarinet sounds. If you are surprised that one can know something and not be able to say it, you are perhaps thinking of a case like the first. Certainly not like the third."[30] What Wittgenstein shows is that the intellectualist model will not do as an account of the nature of the normative as such. For when applied to the norms governing the application of rules and principles, it generates a regress, which can be halted only by acknowledging the existence of some more primitive form of norm. The regress is Wittgenstein's master argument for the appropriateness of the pragmatist, rather than the regulist-intellectualist, order of explanation.[31]

4. Sellars against Regulism

Another thinker who, like Wittgenstein, takes his starting point from Kant's and Frege's appreciation of the normative character of intentionality [for him, coeval with language use] is Wilfrid Sellars. He takes up this theme in one of his earliest papers, published in 1947. The opening section of that paper is entitled "Behavior, Norm, and Semantic Meta-Language" and makes this point:

The psychologistic blunder with respect to 'means' is related to another fundamental error, that, namely, of confusing between (1) language as a descriptive category for which symbols are empirical classes to which

certain events belong (and hence are symbol-events) by virtue of per-
forming an empirical function, with (2) language as an epistemological
category for which the relation of type to token is not that of empirical
class to member. . .

For the moment it will help clarify the epistemological distinction
between symbol-types and symbol-tokens, if we think of the former as
norms or standards, and of the latter as events which satisfy them. We
can therefore, for the moment at least, contrast the above two senses
of 'language' as the descriptive and the normative respectively. Making
use of this distinction, we argue that 'meaning' or, better, 'designation'
is a term belonging to language about languages in the second sense. Its
primary employment is therefore in connection with linguistic expres-
sions as norms.[32]

Like Wittgenstein, Sellars sees that an adequate conception of these norms
must move beyond the pervasive regulist tradition, which can understand
them only in the form of rules.

Focusing on linguistic intentionality, Sellars in another paper examines
the regulist conception as it applies to the linguistic norms in virtue of which
it is possible to say anything at all. "It seems plausible to say that a language
is a system of expressions, the use of which is subject to certain rules. It
would seem, thus, that learning to use a language is learning to obey the rules
for the use of its expressions. However, taken as it stands, this thesis is
subject to an obvious and devastating objection."[33] The objection is that
taking 'correct' to mean 'correct according to a rule' generates a familiar sort
of regress:

> The refutation runs as follows: Thesis. Learning to use a language (L)
> is learning to obey the rules of L. But, a rule which enjoins the doing
> of an action (A) is a sentence in a language which contains an expres-
> sion for A. Hence, a rule which enjoins the using of a linguistic expres-
> sion (E) is a sentence in a language which contains an expression for
> E—in other words, a sentence in a metalanguage. Consequently, learn-
> ing to obey the rules for L presupposes the ability to use the metalan-
> guage (ML) in which the rules for L are formulated. So that, learning to
> use a language (L) presupposes having learned to use a metalanguage
> (ML). And by the same token, having learned to use ML presupposes
> having learned to use a metametalanguage (MML) and so on. But, this
> is impossible (a vicious regress). Therefore, the thesis is absurd and
> must be rejected.[34]

The metalanguage expresses rules for the proper application of concepts of
the object language. But these rules, too, must be applied. So the

metametalanguage expresses rules for applying the rules of the metalan-
guage, and so on.

If any talk is to be possible, there must be some meta . . . metalevel at
which one has an understanding of rules that does not consist in offering
another interpretation of them (according to rules formulated in a metalan-
guage) but which consists in being able to distinguish correct applications of
the rule in practice. The question is how to understand such practical nor-
mative know-how. Although he, like Wittgenstein, uses 'rule' more broadly
than is here recommended, Sellars is clearly after such a notion of norms
implicit in practice: "We saw that a rule, properly speaking, isn't a rule unless
it lives in behavior, rule-regulated behavior, even rule-violating behavior.
Linguistically we always operate within a framework of living rules. (The
snake which sheds one skin lives within another.) In attempting to grasp
rules as rules from without, we are trying to have our cake and eat it. To
describe rules is to describe the skeletons of rules. A rule is lived, not
described."[35]

This line of thought, common to Wittgenstein and Sellars, raises the key
question of how to understand proprieties of practice, without appealing to
rules, interpretations, justifications, or other explicit claims that something
is appropriate. What does the practical capacity or 'know-how' to distinguish
correct from incorrect performances (for instance—but this is only one ex-
ample—applications of a rule) consist in? This is to ask what it is to take or
treat a performance as correct-according-to-a-practice. It should also be
asked, What is it for an act to be correct-according-to-a-practice? Both ques-
tions are important ones to ask: In what sense can norms (proprieties, cor-
rectnesses) be implicit in a practice? and What is it for someone to
acknowledge those implicit norms as governing or being binding on a range
of performers or performances?

The answers to these questions may be more intimately related to one
another than at first appears. To foreshadow: On the broadly phenomenalist
line about norms that will be defended here, norms are in an important sense
in the eye of the beholder, so that one cannot address the question of what
implicit norms are, independently of the question of what it is to acknow-
ledge them in practice. The direction of explanation to be pursued here first
offers an account of the practical attitude of *taking* something to be correct-
according-to-a-practice, and then explains the status of *being* correct-accord-
ing-to-a-practice by appeal to those attitudes. Filling in a story about
normative attitudes as assessments of normative status, and explaining how
such attitudes are related both to those statuses and to what is actually done,
will count as specifying a sense of "norms implicit in practice" just insofar
as the result satisfies the criteria of adequacy imposed on the notion of
practice by the regress-of-rules argument.

Another central explanatory criterion of adequacy for such a conception
of implicit practical normative knowing-how is that it be possible in terms

of it to understand explicit knowing-*that*. The effect is to reverse the regulist-intellectualist order of explanation. The regulist starts with a notion of norms explicit in principles and is obliged then to develop an account of what it would be for such things to be implicit in practices. The pragmatist starts rather with a notion of norms implicit in practice and is obliged then to develop an account of what it would be for such things to become propositionally explicit, as claims or rules. One of the primary tasks of this book is accordingly to offer an account of what it is to take some propriety that is implicit in a practice and make it explicit in the form of a claim, principle, or rule.

5. Regularism: Norms as Regularities

The regress-of-rules or regress-of-interpretations argument common to Wittgenstein and Sellars sets up criteria of adequacy for an account of contentful states that acknowledges their essentially normative significance, their characteristic relevance to assessments of the correctness of acts (including the adoption of further states). It must be possible to make sense of a notion of norms implicit in practice—which participants in the practice are bound by, and can acknowledge being bound by—without appeal to any explicit rules or capacities on the part of those participants to understand and apply such rules. Since the regress arises when the rule-following model of being bound by norms is applied to the agent, one strategy for avoiding it is to shift to a different model. Perhaps rules are relevant only as describing regularities, and not as being followed in achieving them.

Sellars (who does not endorse it) introduces such an approach this way: "Now, at first sight there is a simple and straightforward way of preserving the essential claim of the thesis while freeing it from the refutation. It consists in substituting the phrase 'learning to conform to the rules . . .' for 'learning to obey the rules . . .' where 'conforming to a rule enjoining the doing of A in circumstances C' is to be equated simply with 'doing A when the circumstances are C'—regardless of how one comes to do it . . . A person who has the habit of doing A in C would then be conforming to the above rule even though the idea that he was to do A in C never occurred to him, and even though he had no language for referring to either A or C."[36] What generates the regress is the demand that each practical capacity to act appropriately be analyzed as *following* an explicit rule that *says* what is appropriate, since understanding what is said by such a rule turns out to involve further practical mastery of proprieties.

If the practices in which norms are implicit are understood simply as regularities of performance, then there is nothing the practitioner need already understand. If such regularities of performance can be treated as practices governed by implicit norms, then there will be no regress or circularity in appealing to them as part of an account of knowing-that, of expressing

norms explicitly in rules and principles. For the only one who needs to understand how to apply correctly the rule conforming to which makes performances count as regular is the theorist who describes the regularity in terms of that rule. The norms implicit in regularities of conduct can be expressed explicitly in rules, but need not be so expressible by those in whose regular conduct they are implicit.

The view that to talk about implicit norms is just to talk about regularities—that practices should be understood just as regularities of behavior—may be called the simple regularity theory. It is clear how such a *regulist* account of the normative avoids the regress that threatens *regulist* accounts. The proposal is to identify being correct according to (norms implicit in) practice—in the sense required to avoid the regress of rules as interpretations that plagues fully platonist accounts—with conforming to (norms explicit in) a rule, where 'conforming to a rule' is just producing performances that are regular in that they count (for us) as correct according to it. The immediate difficulty with such a proposal is that it threatens to obliterate the contrast between treating a performance as subject to normative assessment of some sort and treating it as subject to physical laws.

For this reason simple regularity theories seem to abandon the idea that the significance of contentful states is to be conceived in normative terms. No one doubts that actions and linguistic performances are subject to laws of the latter sort and so conform to rules or are regular. The thesis of the normative significance of intentional states sought to distinguish intentional states from states whose significance is merely causal, and that distinction seems to be taken back by the simple regularity account. After all, as Kant tells us, in this sense "everything in nature, in the inanimate as well as the animate world, happens according to rules . . . All nature is actually nothing but a nexus of appearances according to rules; and there is nothing without rules."[37] Everything acts regularly, according to the laws of physics. In what special sense do intentional states then involve specifically normative significances?

For a regularist account to weather this challenge, it must be able to fund a distinction between what is in fact done and what ought to be done. It must make room for the permanent possibility of mistakes, for what is done or taken to be correct nonetheless to turn out to be incorrect or inappropriate, according to some rule or practice. The importance of this possibility to the genuinely normative character of the force or significance associated with contentful states is a central and striking theme in Wittgenstein's later works. What is correct or appropriate, what is obligatory or permitted, what one is committed or entitled to do—these are normative matters. Without the distinction between what *is* done and what *ought* to be done, this insight is lost.

The simple regularity approach is committed to identifying the distinction between *correct* and *incorrect* performance with that between *regular* and

irregular performance. A norm implicit in a practice is just a pattern exhibited by behavior. To violate that norm, to make a mistake or act incorrectly according to that norm, is to break the pattern, to act irregularly. The progress promised by such a regularity account of proprieties of practice lies in the possibility of specifying the pattern or regularity in purely descriptive terms and then allowing the relation between regular and irregular performance to stand in for the normative distinction between what is correct and what is not. Wittgenstein explicitly considers and rejects this approach. Where his master argument against regulism has the form of an appeal to the regress of interpretations, his master argument against regularism has the form of an appeal to the possibility of gerrymandering.

The problem is that any particular set of performances exhibits many regularities. These will agree on the performances that have been produced and differ in their treatment of some possible performances that have not (yet) been produced. A performance can be denominated 'irregular' only with respect to a specified regularity, not *tout court*. Any further performance will count as regular with respect to some of the patterns exhibited by the original set and as irregular with respect to others. For anything one might go on to do, there is some regularity with respect to which it counts as "going on in the same way," continuing the previous pattern. Kripke has powerfully expounded the battery of arguments and examples that Wittgenstein brings to bear to establish the point in this connection.[38] There simply is no such thing as *the* pattern or regularity exhibited by a stretch of past behavior, which can be appealed to in judging some candidate bit of future behavior as regular or irregular, and hence, on this line, as correct or incorrect. For the simple regularist's identification of impropriety with irregularity to get a grip, it must be supplemented with some way of picking out, as somehow *privileged*, some out of all the regularities exhibited. To say this is to say that some regularities must be picked out as the ones that *ought* to be conformed to, some patterns as the ones that *ought* to be continued. The simple regularity view offers no suggestions as to how this might be done and therefore does not solve, but merely puts off, the question of how to understand the normative distinction between what is done and what ought to be done.

One might respond to the demand that there be some way to pick out the correct regularity, from all the descriptively adequate but incompatible candidates, by shifting what one describes, from finite sets of performances to the set of performances (for instance, applications of a concept) the individual is *disposed* to produce. This set is infinite, in that any bearer of an intentional state is disposed to respond, say by applying or refusing to apply the concept *red* or *prime*, in an infinite number of slightly different circumstances. Kripke argues that this appeal to dispositions nevertheless does not suffice to rule out regularities that agree in all the cases one has dispositions with respect to, and differ in others so remote (perhaps, in the case of *prime*, because the numbers involved are so large, and in the case of *red* because surrounding

circumstances are so peculiar) that one does not have dispositions to treat them one way rather than another.

This last argument is controversial, but it is not a controversy that need be entered into here; however it may be with the finiteness objection to a dispositional account of the regularities that, according to the line of thought being considered, are to play the role of norms implicit in practice, there is another more serious objection to it. No one ever acts incorrectly in the sense of violating his or her own dispositions. Indeed, to talk of 'violating' dispositions is illicitly to import normative vocabulary into a purely descriptive context. Understanding the norms implicit in practice as descriptively adequate rules codifying regularities of disposition (even if a unique set of such rules is forthcoming) loses the contrast between correct and mistaken performance that is of the essence of the sort of normative assessment being reconstructed. If whatever one is disposed to do counts for that reason as right, then the distinction of right and wrong, and so all normative force, has been lost. Thus the simple regularity view cannot be rescued from the gerrymandering objection by appealing to dispositions in order to single out or privilege a unique regularity.

The problem that Wittgenstein sets up, then, is to make sense of a notion of norms implicit in practice that will not lose either the notion of implicitness, as regulism does, or the notion of norms, as simple regularism does. McDowell puts the point nicely: "Wittgenstein's problem is to steer a course between a Scylla and a Charybdis. Scylla is the idea that understanding is always interpretation. We can avoid Scylla by stressing that, say, calling something 'green' can be like crying 'Help' when one is drowning—simply how one has learned to react to this situation. But then we risk steering on to Charybdis—the picture of a level at which there are no norms . . . How can a performance be nothing but a 'blind' reaction to a situation, not an attempt to act on interpretation (thus avoiding Scylla); and be a case of going by a rule (avoiding Charybdis)? The answer is: by belonging to a custom (*PI* 198), practice (*PI* 202), or institution (*RFM* VI-31)."[39] The Scylla of regulism is shown to be unacceptable by the regress-of-rules argument. The Charybdis of regularism is shown to be unacceptable by the gerrymandering-of-regularities argument.

If anything is to be made of the Kantian insight that there is a fundamental normative dimension to the application of concepts (and hence to the significance of discursive or propositionally contentful intentional states and performances), an account is needed of what it is for norms to be implicit in practices. Such practices must be construed both as not having to involve explicit rules and as distinct from mere regularities. Wittgenstein, the principled theoretical quietist, does not attempt to provide a theory of practices, nor would he endorse the project of doing so. The last thing he thinks we need is more philosophical theories. Nonetheless, one of the projects pursued in the rest of this work is to come up with an account of norms implicit in

practices that will satisfy the criteria of adequacy Wittgenstein's arguments have established.

IV. FROM NORMATIVE STATUS TO NORMATIVE ATTITUDE

1. Kant: Acting According to Conceptions of Rules

Two theses have so far been attributed to Kant. First, the sort of intentionality characteristic of us, exhibited on the theoretical side in judgment and on the practical side in action, has an essential *normative* dimension. Second, norms are to be understood as having the form of explicit *rules*, or principles. The first of these has been endorsed, as expressing a fundamental insight. The second has been rejected, on the basis of Wittgenstein's argument from the regress of rules as interpretations of rules. The conclusion drawn was that norms that are explicitly expressed in the form of rules, which determine what is correct according to them by *saying* or describing what is correct, must be understood as only one form that norms can take. That form is intelligible only against a background that includes norms that are *implicit* in what is *done*, rather than *explicit* in what is *said*.[40] At least the norms involved in properly understanding what is said by rules, or indeed in properly understanding any explicit saying or thinking, must be construed as norms of practice, on pain of a vicious regress.

In Kant's account of us as normative creatures, however, these two theses are inseparably bound up with a third. As has already been pointed out, Kant takes it that everything in nature happens according to rules. Being subject to rules is not special to us discursive, that is concept-applying, subjects of judgment and action.[41] What is distinctive about us as normative creatures is the *way* in which we are subject to norms (for Kant, in the form of rules). As natural beings, we act *according to rules*. As rational beings, we act *according to* our *conceptions* of rules.[42] It is not being bound by necessity, acting according to rules, that sets us apart; it is being bound not just by natural but by rational necessity. Kant's whole practical philosophy, and in particular the second *Critique*, is devoted to offering an account of this distinction between two ways in which one can be related to rules. Most of the details of his way of working out this idea are special to the systematic philosophical setting he develops and inhabits and need not be rehearsed here. Two fundamental features of his idea, however, must be taken seriously by any attempt to pursue his point about the normative character of concept-users.

The first of these has already been remarked on in connection with Frege. It concerns the distinction between the causal modalities and the more properly normative 'ought's whose applicability to us is being considered as a criterion of demarcation. This is the phenomenon distinguishing the force of causal 'must's from the force of logical or rational 'must's that Wittgen-

stein invokes in connection with his discussion of misunderstandings of the 'hardness' of the latter in relation to the former. It is an essential feature of the sort of government by norms that Kant is pointing to that it is compatible with the possibility of *mistakes*, of those subject to the norms going *wrong*, *failing* to do what they are obliged by those norms to do, or doing what they are *not* entitled to do. The 'ought' involved in saying that a stone subject to no other forces ought to accelerate toward the center of the earth at a rate of 32 feet per second per second shows itself to have the force of an attribution of natural or causal necessity by entailing that the stone *will* so act. The claim that it in this sense ought to behave a certain way is incompatible with the claim that it does not do so. In contrast, no such entailment or incompatibility is involved in claims about how we intentional agents ought to behave, for instance what else one of us is committed to believe or to do by having beliefs and desires with particular contents. Leaving room for the possibility of mistakes and failures in this way is one of the essential distinguishing features of the 'ought's that express government by norms in the sense that is being taken as characteristic of us, as opposed to it. The sense in which we are *compelled* by the norms that matter for intentionality, norms dictating what we are under various circumstances obliged to believe and to do, is quite different from natural compulsion.

The second feature of Kant's idea addresses precisely the nature of this normative compulsion that is nevertheless compatible with recalcitrance. For he does not just distinguish the sense in which we are bound by these norms from the sense in which we are bound by natural necessity in the purely formal terms invoked by this familiar point about the possibility of our going wrong. He characterizes it substantively as acting according to a *conception* or a *representation* of a rule, rather than just according to a rule. Shorn of the details of his story about the nature of representations and the way they can affect what we do, the point he is making is that we act according to our *grasp* or *understanding* of rules. The rules do not immediately compel us, as natural ones do. Their compulsion is rather mediated by our *attitude* toward those rules. What makes us act as we do is not the rule or norm itself but our *acknowledgment* of it. It is the possibility of this intervening attitude that is missing in the relation between merely natural objects and the rules that govern them. The slippage possible in our acting according to our conception of a rule is made intelligible by distinguishing the sense in which one is bound by a rule whose grip on us depends on our recognition or acknowledgment of it as binding from the sense in which one can be bound by a rule whose grip does not depend on its being acknowledged. This explanatory strategy might be compared to Descartes's invocation of intervening representations in explaining the possibility of error about external things—though Kant need not be understood as following Descartes's path from an implicit appeal to the regress that threatens such representationalist pictures of cognition to a diagnosis of the relation be-