

The Implicitness of Normativity. On Being a Pragmatist about Norms

One of the central developments of contemporary pragmatism is the increased focus on normativity - and, more specifically, on the opposition between the normative and the natural. This new focus has been fostered notably by the work of Robert Brandom, who conceives his own philosophical project as implying a *normative* pragmatics. Yet, it is not merely by drawing on the classical pragmatist tradition that this new emphasis on normativity has emerged; it is primarily through a dialogue with other traditions that normativity has come to be of such significance in contemporary pragmatist philosophy. The work of the so-called later Wittgenstein plays a particularly important role in this dialogue. It is indeed via an analysis of Wittgenstein's treatment of normativity that Brandom motivates most of his own account of norms in the first chapter of *Making it Explicit*. My paper will deal precisely with this analysis: it will examine the way in which Brandom draws upon Wittgenstein's arguments concerning the problem of 'following a rule' and how he takes up those arguments to distinguish between the normative and the natural. My thesis will be that Brandom's analysis of Wittgenstein's arguments is deeply problematic: in Wittgenstein's name he confers on norms a function that, according to Wittgenstein, norms cannot have. Brandom considers that norms can establish the correctness or incorrectness of performances, the 'proprieties of use', but for Wittgenstein norms concern not the correctness of performances but the conditions of identifying something as a *possibly* correct performance. By showing this discrepancy in Brandom's analysis, I do not merely seek to make an exegetical point; I want to point to the difficulties of incorporating the distinction between the normative and the natural into a pragmatist project.

Brandom presents his analysis of Wittgenstein's insights on normativity in two steps. The first step consists in attributing to Wittgenstein what he calls a 'normative thesis about the pragmatics of intentionality'.¹ He begins with an idea that is unquestionably wittgensteinian: the idea that grasping or understanding the meaning of a linguistic expression is being able to use it correctly. This idea - Brandom points out - confers on such states or acts of meaning a normative status, for it considers that what is distinctive about them is that they commit or oblige us to act and think in certain ways. Exhibiting such a state, i.e. understanding a linguistic expression, requires of us to do certain things, that is, it requires us to use the expression in the correct way.

¹ R. Brandom, *Making it Explicit* (Cambridge: Harvard University Press, 1994), pp.13-18.

One may of course go on to not use the expression in the correct way, but that doesn't change the fact that having understood the expression implies using it in certain ways. Independently of what one ends up doing, the distinctive trait of a state of meaning or understanding concerns those obligations - in other words, the state of understanding implies submitting to certain norms. If one attributes to someone an understanding of a certain linguistic expression, one takes him to be committed to a certain norm. He may go on to transgress that norm, i.e. to not use the expression correctly, but the essential characteristic of understanding resides in a normative dimension, in what it obliges or commits us to.

While acknowledging that Wittgenstein focusses on linguistic examples, Brandom seeks to extract the full import of this insight and thereby points out that it is not restricted to meaning and understanding, but that it extends as well to other intentional states that aren't specifically linguistic - states such as believing or intending. For instance, someone who believes that it is raining, and that moving under the tree is the only way to stay dry, and who desires to stay dry, ought to move under the tree.² An intentional state of desiring also has a normative status: it constitutes certain commitments and obligations; and independently of what one may end up doing, in as far as one desires to stay dry, one is submitted to certain obligations (in the case of the example, moving under the tree).³ So according to Brandom, Wittgenstein's insight consists in recognizing that the consequences of attributing intentionally contentful states - be it states of meaning and understanding or states of believing and intending - must be specified in normative terms. The thesis he is attributing to Wittgenstein may be summed up in the following slogan, we are told: «attributing an intentional state is attributing a normative status».⁴

We can focus on this concluding formulation to identify the ambiguities in Brandom's analysis that allow him to transform a wittgensteinian insight into a position that is quite foreign to Wittgenstein. The slogan - «attributing an intentional state is attributing a normative status» - can be taken to mean the following: the person who understands a certain expression (to whom we attribute the intentional state of understanding - and we will see shortly why Wittgenstein doesn't talk of 'states of understanding') is in fact able to use that expression correctly when the occasion presents itself. Yet, this is not Brandom's position; his position is a significantly stronger one: the person who understands a certain expression (to whom we attribute the state of understanding that expression) is able to distinguish correct from incorrect uses not merely in

² R. Brandom, *Making it Explicit* (ibid.), p.15.

³ Cf. on this point, the extended analysis of C. Korsgaard in the first chapter («The Normativity of Instrumental Reason») in her *The Constitution of Agency* (Oxford: Oxford University Press, 2008).

⁴ R. Brandom, *Making it Explicit* (ibid.), p.16-7.

particular occasions, but independently of any particular occasion. Brandom glides from the wittgensteinian idea that understanding a linguistic expression is being able to use it correctly to the idea that the meaning of an expression *determines* how it would be correct to use it in various contexts. He puts this very explicitly: «to perform its traditional role, the meaning of a linguistic expression must determine how it would be *correct* to use it in various contexts»;⁵ «the content [of the expression] 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».⁶ He thereby introduces the idea that that which is understood - what he calls the intentional content, e.g. the meaning of an expression -⁷ determines beforehand what specific performances count as correct performances, e.g. what performances count as understanding a certain expression.

He emphasizes that the determination at stake is not a causal one but a normative one: «what is determined [by the intentional content] is not how one *will* act but how one *ought* to, given the sense or content grasped, or the rule one has endorsed.»⁸ But it is precisely this idea that Wittgenstein seeks to criticize when he attacks a conception of norms according to which norms would be «infinitely long rails corresponding to the unlimited application of the rule».⁹ Wittgenstein seeks to call into question the idea of a normative determination that consists in a norm establishing beforehand, independently of any particular context, what performance would constitute a correct and which would constitute a false application. Yet it is precisely this idea that Brandom introduces when he argues that intentional content «determines propriety of use»: his stance implies that, independently of any particular situation, the norm can establish what counts as abiding by it and what counts as transgressing it.

The key point that Brandom neglects in his analysis of Wittgenstein's insight is the following: according to Wittgenstein's position, to even be able to consider a performance as subject to a certain norm (i.e. to consider a certain utterance as subject to the norm that understanding a certain expression implies), that performance must already have been taken up in a certain way. It must have been taken up *as* an utterance subject to certain norms. This means that, for Wittgenstein, abiding by the norm is not a matter of correctness or falseness - of whether

⁵ *ibid.*, p.15.

⁶ *ibid.*, p.18.

⁷ This very notion - «the meaning of an expression» - is already highly problematic for Wittgenstein in a way that it isn't for Brandom. Cf. for instance the first pages of the *Blue Book* (Oxford: Blackwell Publishing, 1958). The reasons which make that notion so problematic for Wittgenstein concern precisely the issue that is at stake in the present paper: the normativity of language. For Wittgenstein, the notion of meaning is often tied up with or presupposes a false picture of the way in which language is normative.

⁸ *ibid.*, p.15.

⁹ L. Wittgenstein, *Philosophische Untersuchungen* (Frankfurt: Suhrkamp Verlag, 2003), §218.

the performance does or does not satisfy the requirements of the norm.¹⁰ He seeks to put into question the very distinction between the norm, on the one hand, and its application to a performance, on the other. The performance, to be grasped as the specific performance it is, must already be grasped as subject to the norm.¹¹ Being able to abide by the norm consists in this ability of recognizing something as an instance of that norm, of recognizing that it is submitted to that norm. And this ability concerns a matter that is logically prior to the question of whether the application is «correct» or «false»: it concerns the very possibility of identifying a performance as subject to such an evaluation.

In the second step of his analysis, Brandom attributes Wittgenstein another thesis (he calls it «a pragmatic thesis about the normativeness of intentionality»);¹² and it may seem that this second step accommodates after all for Wittgenstein's criticism of the idea that a norm - to put it in Brandom's terms - determines proprieties of use, i.e. that a norm comports infinitely long rails that determine beforehand the correctness or incorrectness of any performance. Brandom points out that Wittgenstein conceives the normative determination of intentional states in a very particular way. According to Brandom, it is Wittgenstein's view that the correctness of a performance cannot be understood in terms of explicit norms. An explicit norm specifying how something is correctly done (how a word ought to be used, for instance) must always be applied to particular circumstances, and that is something that can itself be done correctly or incorrectly. But if correctness were always to be conceived in terms of explicit norms, the application of a norm would itself require another norm - thereby triggering an infinite regress, since the application of every norm would in turn require another norm. (This is the regress that Brandom, mistakenly, considers to be at stake in §201 of the *Investigations*.) Thus, according to the regress argument that Brandom attributes Wittgenstein, correctness cannot be conceived in terms of explicit norms and must be conceived in terms of a more primitive correctness of performance implicit in practice that precede and are presupposed by their explicit formulation in rules and principles. So Brandom thereby considers that Wittgenstein holds a pragmatist conception of norms: norms determine correctness of performance only in the context of practices of distinguishing correct from incorrect applications of the norms.

¹⁰ Cf. above all Wittgenstein's analyses of how a norm can establish what cases constitute an abidance by it: *Philosophische Untersuchungen* (ibid.), §185-198. Cf. also his remarks on the precision of rules (particularly §68) and on the distinction between contingent and systematic errors (§143).

¹¹ Wittgenstein seeks to clarify this point by distinguishing between a process *in accordance with* rule and a process that *involves* a rule. (Cf. *The Blue Book* [ibid.], pp.12-14.)

¹² R. Brandom, *Making is Explicit* (ibid.), pp.18-23.

So Brandom's second thesis maintains that explicit norms cannot ultimately be a measuring stick for determining correct and incorrect performances, for delimiting beforehand what kinds of performances are legitimate ones and which aren't (for instance, which ones exhibit understanding and which don't). And that may seem to take into account the fundamental wittgensteinian insistence that it is not possible to separate norms from their actual use and to have them function as a benchmark that establishes, for any future performance, whether it is a correct or incorrect one. But this is a false impression. The second thesis does not fundamentally alter the general picture since Brandom's problem continues to be the quest of a model of correctness of performances. The second thesis acknowledges that explicit norms cannot play that role; it instead confers that role upon norms implicit in practices. The crucial point is that these continue to serve a purpose that for Wittgenstein is a dead-end, that is, the purpose of evaluating the correctness of individual performances. Individual performances remain notionally separate from the norms implicit in practices: the norms implicit in practices are an independent standard that allows to evaluate them.

Indeed, one can ask oneself how much conceptual work is done by the distinction between explicit and implicit norms. Brandom seeks to hold onto the normative character of meaning and understanding while denying that the correctness of performances can be understood in terms of explicit prescriptions that one can refer to when it comes to judging that correctness. Since the application of the explicit prescription may itself be correct or false, we require - we are told - a standard of correctness that is not itself liable to such an infinite regress. And, according to Brandom, norms in the context of practices forestall such a regress. But in what sense can these norms be called «implicit» if they continue to be the basis for determining the correctness of performances? It can't just be that they are not explicitly formulated somewhere, for the alternative position (that conceives correctness in terms of explicit norms) doesn't require this either. All that it requires is that it always be *potentially* possible to make the rules explicit. And this continues to be true for the implicit norms that Brandom has in mind. For they continue to be a measuring stick for judging individual performances - a measuring stick that usually remains implicit in the sense that it underlies practices which do the immediate work of evaluating correctness of a performance but that can potentially be made fully explicit. But then, in what sense are those norms implicit if they can potentially be made fully explicit?

My point here is not merely exegetical: I do not merely want to show that Brandom's reading of Wittgenstein is not faithful to Wittgenstein. I want to point to a fundamental difficulty

in incorporating normativity into a pragmatist project. For in as far as a philosophical project remains faithful to what may be considered the slogan of classical pragmatism, «truth is what works»,¹³ it requires a benchmark for establishing what counts as «working» and what doesn't. And what I have tried to show is that norms can't play that role.

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¹³ Cf. Brandom's own exposition of this idea: *Making it Explicit* (ibid.), p.285.