

# Modes of Following a Rule

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## 1 Introduction

Rule-following is a normative doing and not a causal mechanism. We are responsible for correctly following the rule, which involves an understanding (of the conceptual content) of the rule, its correct application, its consequences and its (normative) sources/premises. The latter involves questions not only of moral principles that justify the rules or commitments that we follow, but also metaethical questions. Normative doings are expressed in evaluative terms and by prescriptions, i.e. rules – how it ought to be or what ought to be done. The normative ought is not a causal must that expresses laws of nature. The law of gravity expresses e.g. the causal must of a stone, which falls to the ground because of this ‘causal force’.

If one behaves in accordance with norms, there is no ‘causal force’ present. It is possible that one might make a mistake, i.e. to act in accordance with a norm can fail. Laws express forces that are necessarily effective, that means that it can not be otherwise. Of course, this is a little roughly depicted: it can be otherwise, but then there are forces that thwart the other force. But not only that the behavior in accordance with a norm can fail, we can also distance ourselves from norms and weigh up which norm we *want* to follow and which we don’t.

The difference of a normative ought and a causal force is highly important, because we can set ourselves apart from the causal process – we also don’t *have to* follow every biological necessity, e.g. we can suppress hunger in order to obtain a goal that we want. Behavior can not be functionally explained by equations like systems in the natural sciences explain the processes and movements of objects. We are in the openness of the normative by distancing ourselves from norms and weighing them up. Nevertheless, is the openness limited – precisely by the norms that we give us. We are bound by norms in our social interactions and (sometimes) also restricted. We behave as if we are on rails (norms), that guide us.

“How does the normative come into the world” – Can it be found in the world, as a normative-metaphysical realism claims? Or do we have to shoehorn it into the world, as anti-realism claims, e.g. via so called non-cognitive attitudes of approval and disapproval? Or maybe via agreements, which lead to conventions? These questions lead one into the field of metaethics. It seems that rule-following as a normative doing should thus be discussed from a metaethical point of view.

## 2 Metaethics

This opposition of realism and anti-realism and also of cognitivism (Jonathan Dancy, Joseph Raz) and non-cognitivism (Simon Blackburn, Michael Smith) is crucial for debates in metaethics. From these oppositions stem lines of thought that lead to different conceptualizations of rule-following. One needs to take into account that this classification is raw, because there are widely ramified positions, which, as it is in analytic philosophy common, elaborate specific and to some extent also peculiar or idiosyncratic problems.

I will intent to clarify the conceptualization of rule-following by a classification with regard to three frameworks. There is first of all the linguistic framework: It is asked within it, how normative or moral statements can be true, i.e. how the statement “A is good.” can be understood. Cognitivists claim that such statements are propositions that can be true or false, while non-cognitivists (Alfred J. Ayer, Charles L. Stevenson) dispute it or even deny it. They claim that normative or moral utterances are e.g. expressions of states of sensations towards facts, i.e. they are non-cognitive attitudes towards the facts. Mostly, expressed as a kind of approval or disapproval.

The second framework is epistemological where the question is asked, how moral statements can be objective. On the side of the cognitivists does discourse ethics play an important role. The last framework is ontological: Does an underlying fact exist, especially a normative or moral fact that makes normative or moral statements true? On the side of cognitivism representants of a moral realism or platonism are e.g. Terence Cuneo (Cuneo, 2010) and Ralph Wedgwood (Wedgwood, 2008).

Non-cognitivism can be understood as an reaction to an ontological cognitivism. Non-cognitivists think that predicates, like e.g. good, can not have any objects that fall under that concept, i.e. they have no denotation. For them you buy yourself into not only a moral cognitivism, but also a platonism and thus you will be burdened with a big metaphysical mortgage.

McDowell’s critique on non-cognitivist approaches consists on the other hand of showing that the way how non-cognitivists conceptualize their ontology is mistaken. I believe that his idea is, that cognitivism does not have to be understood ontologically, but that it rather should be understood epistemologically, i.e. moral and normative statements have objective validity. I will argue on the basis of McDowell’s critique on non-cognitivism, but modify his position.

I locate my position beyond the opposition of cognitivism and non-cognitivism. If one makes the diagnosis of this opposition, then there are no theoretical means, which can serve as criteria or conditions that one has to decide in favor of one of the two sides – the criteria for the decision need to be from outside of the construction of the theory. – It seems then as if one needs to choose one side over the other only based on “philosophical taste”, or of blundering into a philosophical school, or simply because of one’s interests.

Because it is a problem that can not be “solved” with theoretical means, I will show, that the actual question first and foremost needs to be developed. I will exemplify this with regard to the metaethical theorizing about “rule-following”.

### 3 Metaethical Problem

The metaethical opposition of cognitivism and non-cognitivism can be rephrased in another opposition that Brandom gives the titles “regulism” and “regularism” (Brandom, 1994, pp. 18-30). With this distinction one can show, (1.) how the normative is shoehorned into the world or in other words what are the instances of rule-following and (2.) how these approaches are problematic. I will examine Brandom’s formulation of the opposition in a metaethical framework and exemplify an important idea that needs to be considered to understand concept use. I will in the end propose a modified reading of the rule following problem that does not need instances for rule-following.

Ad (1.): In regulism norms are taken as explicit rules. Also, these rules are (within a realistic way of thinking) seen as representants of (mental) entities (Brandom, 1994, p. 20). These entities, or within cognitivism also beliefs, should then guarantee or convey normative significance to *rule-following*. Regularism is exhibited by regularities of behavior, on which normative significance is bestowed by subjective attitudes. One can think of non-cognitivist theories, like e.g. emotivism or expressivism, that claim that non-cognitive attitudes express approval or disapproval of behavior (Roojen, 2012) in order to bestow normative significance on the regularities.

Ad (2.): These approaches are also problematic. In the case of *regulism* the problem is that the explicit rules have to be applied and to regulate or manage the application one is in the need of another rule and so on ad infinitum.<sup>1</sup> – *Regularism* is problematic, because according to this line of thought it would be possible for every finite set of behavioral expressions to indicate or state an indetermined set of ways how the finite set might be continued and therefore a behavior of an individual could be characterized as an expression of many regularities. Thus, it is not possible to determine the “right” continuation. This remarks are based on Brandom’s critique on these approaches (Brandom, 1994).

The crucial point is here, (1.) how can normative significance be bestowed upon *rule-following* (behavior), i.e. out of which source is the normative fed. On the one hand, we have a *regulism* that takes (mental) entities as the source and on the other hand we have a *regularism* that takes regularities and/or the approval or disapproval of them as the source (non-cognitivism). And (2.) it is shown here that both sides of the opposition are problematic. I will show another path, but for that the crucial question has to be developed, i.e. it has to be problematized and contextualized, what has been examined.

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<sup>1</sup>Korsgaard (2008) thinks that this is the crucial problem of moral realism, because it has to use a “model of application” that is based on description, but concepts can also have different functions, e.g. justice and good are solutions to problems according to her.

## 4 Rule-Following

To ask for the source of the normative involves an important difference, which leads too easily into a skepticistic stance: “What makes rule-following ‘really’ rule-following and not just a random behavior according to a ‘regularity’?” Or: “How can we be *sure* that someone ‘really’ follows a rule?” It seems at least crucial that the person that follows the rule, *knows* that she precisely follows this rule and not another rule.<sup>2</sup> Differentiating between rules and how they are followed means then to understand the rule – its propositional content.

This difference is crucial, because it let’s us articulate something that could yet not be clearly developed (at least in the case of rule-following). We would e.g. not recognize a counting parrot or a counting machine as participants of our (social) practices. They follow a rule (“ $x+1$ ”), but somehow not ‘really’, because they do not have knowledge of the propositional or semantic content of the rule. (Here again we are faced with an epistemological problem.)

With regard to this difference one can now ask from the point of view of a skepticistic stance, what bestows upon the behavior normative significance (or semantic significance) that it can count as rule-following. Semantic significance is normative and normative significance is semantic. This is a claim that I make, which follows from the development of the problematic ideas about rule-following. I believe that there can not be told a story that develops semantic significance out of syntactical or mechanistic manipulation of symbols. Semantic significance can only be understood as a part of our social practices – as the content of normative doings of self-conscious beings.

From the point of view of an observer it can only be supposed that one follows the rule, *as if* one has *understood the rule* – or *as if* one has knowledge of the meaning of the rule. (It applies also to a rule-follower, who observes her own behavior!) But this is a matter of theoretical knowledge. If one wants a warrant, i.e. an instance, of rule-following, then one needs to search for instances of meaning of the rule (non-cognitive attitudes or (mental) entities), because only this way one might rule out or eliminate that a person behaves as if she just follows the rule and is “really” following the rule.

But it is actually a performance, i.e. it is a practical knowledge. To demand, that rule following is guaranteed by instances that warrant or convey meaning or normative significance, expresses an exaggerated skepticistic attitude. This attitude demands that there is something added that can assure one that the rule is followed. Behind it lies the idea that to follow a rule is similar to a

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<sup>2</sup>One has to consider that my approach is different to Wittgenstein’s account of following a rule. He writes: “If I follow a rule, I do not choose. I follow the rule blindly.” (Wittgenstein, 2006, § 219.) It is not only the knowledge of following the rule (epistemic part), but also also the attitude towards the knowledge, e.g. treating the knowledge of it in an ironic manner (see below).

*mechanism*.<sup>3</sup> The execution of the mechanism is *guaranteed* if one eliminates<sup>4</sup> any disturbance values/variables in order to isolate the *instances* that initiate the mechanism (rule-following). A mechanism that works is free from any disturbance values. – Do we need to know *why* a system or mechanism works by knowing all the possible disturbance values? Not really, we can not give a complete list of disturbance values and not even of criteria or conditions that *guarantee* the execution. And then it does also not matter, if platonistic-realist entities are taken as instances that should guarantee it or “only” non-cognitive attitudes.

It does not make sense to search for instances that go beyond the linguistic behavior. The opposition of regulism and regularism has no relevance anymore. The ‘warrant’ lies, according to John McDowell (1998, pp. 60/61), who follows here Stanley Cavell<sup>5</sup>, “only” in our “shared forms of life” (McDowell 1998, p. 64). I will show that more can be retrieved than just an appeal to “shared forms of life” might suggest or foreshadow. This appeal is according to McDowell and Cavell sufficient to keep us on the rails of following a rule, even though it might trigger a vertigo. We need to endure this vertigo, because the picture of a psychological mechanism and a platonistic or realistic conception, that there is more than shared forms of life and transcends them, is only a “consoling myth” (McDowell 1998, p. 61).

A first result is: rule-following does not need the metaphysical framework of some kind of platonism, because no metaphysical entities as instances are needed. – But it can also not be a non-cognitivism, because the rule should be *intelligible* and *graspable* within our shared forms of life, i.e. it can have a certain objective validity. McDowell might therefore represent a kind of epistemological cognitivism.

Beyond the instances of a non-cognitivism, but also of a cognitivism, it *must* be shown in which way rule-following is *graspable* or can be conceptualized, i.e. that rule-following *shows* itself in different modes. This is then the starting

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<sup>3</sup>Within this way of thinking one is held captive by the picture of a psychological mechanism, which is then transferred to rule-following and is ran by a “deductive paradigm” (McDowell, 1998, pp. 62-64). This is McDowell’s (1998) critique in “Virtue and Reason” and according to him, only in this way of thinking one would be in the need to ask: “What guarantees that one follows a rule?”

<sup>4</sup>McDowell’s approach is similar to Brandom’s account of material inferences. They can be made explicit as a rule, but are non-monotonic, i.e. one can not make an exhaustive list of “potential defeasors”, which would transform a material and non-monotonic inference into a monotonic one (Brandom, 2008, p. 107) and thus in a deductive one.

<sup>5</sup>“We learn and teach words in certain contexts, and then we are expected, and expect others, to be able to project them into further contexts. Nothing insures that this projection will take place (in particular, not the grasping of universals nor the grasping of books of rules), just as nothing insures that we will make, and understand, the same projections. That on the whole we do is a matter of our sharing routes of interest and feeling, modes of response, senses of humor and of significance and of fulfilment, of what is outrageous, of what is similar to what else, what a rebuke, what forgiveness, of when an utterance is an assertion, when an appeal, when an explanation—all the whirl of organism Wittgenstein calls ‘forms of life.’ Human speech and activity, sanity and community, rest upon nothing more, but nothing less, than this. It is a vision as simple as it is difficult, and as difficult as it is (and because it is) terrifying.” (Cavell, 1962, p. 74)

point of my approach, that follows McDowell's and Cavell's thoughts, but goes beyond their positions.

If one now uses the order: 'add 2' (Wittgenstein, 2006, §§ 185-188) and one follows the rule similar to a psychological mechanism, would we speak of it as a correct way or form of rule-following in the framework of our shared forms of life? – I believe that Wittgenstein's discussion in the paragraphs in question from the *Philosophical Investigations* is too strongly *determined* by the mechanistical paradigm. His example that someone would from 1000 on not add anymore 2, but 4 and thereby break with the before supposed meaning of the rule, should show that the person, who gave the order, already would have foreseen all the singular steps of the invisible rail of the rule-following in question. But would the person, who follows the rules on this rail, 'really' count as a participant of our shared forms of life, if she follows the rule correctly? – I doubt that! How can this 'infinite'-mechanistical row of exemplifying rule-following be seen as a participation of shared forms of life? Rule-following as the excellent example of participating in forms of life is, within this mechanistical conception, at least questionable.

McDowell refuses that *understanding* the rule should be taken as a "leap" – as if through a magical intervention from outside, like e.g. the instruction about the correct rule-following, or a magical act within the subject, like e.g. intuition, a leap into the sphere of understanding is warranted (McDowell, 1998, p. 64). If one does not want to start from these ideas or some metaphysical entities, which keep you on the rails, then it can only be another *mode* of rule-following and not another determination, which would as a metaphysical force or entity warrant this magical intervention.

One can ask here also: "How is it *shown* that we share a form of life?" And: "Does it *show* itself also in the case of rule-following?" – To develop that, one has to consider another point: McDowell (2009, p. 102) writes:

"that for Wittgenstein 'following a rule' serves as a gloss on the idea of acting in accordance with a conception of correctness."

Rule following is therefore also connected with a conception of correctness of following a rule. This conception cannot only *mean* the correctness of the determined fact, but also the mode of the determination or the rule-following.

## 5 Modes of Rule-Following

The following *illustrating* examples can only be understood that they give conditions or criteria that someone was introduced into a shared form of life. The criteria are not "books of rules" as Cavell writes (Cavell 1962, p. 74). A collection of rules, which "just" have to be exercised in order to *count* as a participant of shared forms of life. – How could you also settle or control the introduction into a form of life in order to follow then a rule?

The spontaneous (self-dependend) modification of rule-following can only be illustrated through different situations, because otherwise one would have

to start from criteria or conditions (explicit rules, codes) *ex ante*. Grasping rule following against the background of shared forms of life can be shown *for example* in the mode of distancing oneself ironically: the rule follower goes on after 1000 with 1004, but with a wink, to test the other person, who gave the order, or she uses subtraction: 1003-1 or 1005-3. There are no better or worse examples or *the* example, which illustrates *the* spontaneous and self-dependent modification. What they exemplify is the equivalence of the expressions with regard to the semantic content! *Important* is here to mention, that, although the rule is continued in another way or *mode*, it is still continued ‘correctly’. The rule-follower has a conception of the correctness of the rule *in itself* (*an sich*) and in the respective case.

The mode of talking is changed: out of a order to follow the rule – an asymmetric relation – grew a mutual request at eye level – a symmetric relation – i.e. to join the modification or to grasp it. The change of mode of following a rule is not a change of the determined propositional content (e.g. 1002 and 1005-3 are equivalent). There is no true or false with regard to distancing yourself ironically from something. It also does not ‘touch’ the propositional or semantic content. Within distancing yourself ironically there is a conception of correctness of following the rule. One refers to “1002” as the same object, i.e. the correct continuation of the row, even though one says ironically “1004” in order to expose the task as dull. One wants to *demonstrate* that one has a conception of correctness.

My proposal allows also to see rule following not as a one-sided relation. It is not an order that *has to* be followed, but a mutual relation of requesting something – a dialogical relation. The rules do not guide or lead us on rails, which determine the significance or meaning, but are ‘always’ modified in dialogues. I suggest therefore that the rule-following problem can be modified and have also a modifying reading.

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