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**Living with Rules:  
Wittgensteinian Reflections on Normativity**

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## Abstrakt

Práce vychází z filosofické tradice chápající člověka jako bytost řídicí se pravidly (v klasické německé filosofii Kant nebo Hegel, později Wittgenstein, Sellars, nebo – v současnosti – Brandom a jeho inferencialistická škola). Předkládá a zkoumá myšlenku, že pravidla, jimiž se lidé řídí, poskytují nástroj k porozumění jejich jednání a jejich životu. I když tato práce z části vychází z brandomovského inferencialismu, oproti němu se nesoustřeďuje na racionální strukturu pravidel, řízení se jimi a jejich podpůrných mechanismů (sankcí). Namísto toho usiluje ukázat řízení se pravidly (či vypořádávání se s pravidly) jako komplexní a rozrůzněnou žitou praxi. Jako typické příklady probírá: partikularizovaná pravidla platící jen v určitém kontextu nebo pro určité jednotlivce, rozmanitost způsobů, jimiž reagujeme na pravidla, kterým podléháme, nebo to, že nároku být bytostmi řídicími se pravidly nedostáváme a různými způsoby selháváme (takovým případem je třeba závislost; viz kapitola 5). Mluvíme-li o „pravidly řízené praxi“ jednotlivých lidí, jde o vysvětlení či popis jejich charakteru a života a významu událostí v něm. Toto zaměření na porozumění druhým jakožto osobám řídicím se konkrétními pravidly a různým způsobem se vypořádávajícími s jejich nároky je zároveň pokusem o konkretizaci různých „postojů k duši“, jak o nich hovoří wittgensteinovská tradice. Závěr, k němuž práce směřuje, je trojí: 1) Namísto řízení se pravidlem jako specificky lidského způsobu jednání vidí „řízení se pravidly“ jako podstatnou součást naší pojmové výbavy, jejíž pomocí rozumíme ostatním a která nám zároveň umožňuje nahlížet s „porozuměním“ složitosti a zádrhele jejich životů. 2) Konkrétní pravidla, která platí pro jednotlivce či skupinu, jsou součástí jejich „vrženosti“, a proto v jejich životě hrají rozmanitější roli, než že jsou „prostě“ následována: pravidla, jež nemáme rádi nebo neschvalujeme, nás tíží jako břemeno; pravidla záměrně porušujeme a obcházíme; lpíme na nich (např. pokud je dodržujeme kvůli konkrétnímu druhému, který je pro nás důležitý); nebo jako „normativní tvorové“ naopak selháváme. 3) Odkaz k pravidlům nám umožňuje charakterizovat život konkrétního člověka, včetně toho, co je pro něho specificky důležité (vyprávět příběh jeho života intersubjektivně přístupným způsobem). Rozpoznání nedobrovolných aspektů naší normativní praxe a významu selhání v ní je zároveň zdrojem neodsuzujícího a soucitného postoje k druhým, zaměříme-li pozornost na (obtížná) pravidla, která druhý přijímá za své nebo je jim podřizován.

## 1. Introduction: The World of Rules

*Abstract:* The introduction summarises the structure of the book, the leading normativistic intuitions about human beings as “normative creatures” and the common points of reservation towards them: the particularity of rules, the heterogeneity of human motivation and the foundational status of human lives and characters, rather than actions.

Much has been said and written, both recently and in older scholarship, about the rule-governed nature of human existence and, of course, of human societies. These analyses ramify in great width and depth and offer interesting crossovers with other disciplines, such as game theory, evolutionary psychology, primatology, economy and cognitive science.

The departure point of this book springs from this discourse of rules and normative structures (*ought*) in human lives. Its ambition is slightly narrower: ultimately, to consider what it means to understand our lives from the viewpoint that there are right and wrong (good and bad) things to do in them, what this viewpoint looks like and what forms this presence of right and wrong things can take.

The scope of the book is, first and foremost, philosophical; though the contributions from outside fields are interesting and their value must not be denied or ignored, the job of philosophy is not to replace them (nor, I believe, should it be the other way round). Philosophical exposition inevitably stems from reflection on some of the most “trivial” and common intuitions and observations and its focus is to elucidate what these mean to the people in whose lives they have a place. It must make certain that it doesn’t end up in a misplaced attempt at the “discovery” of (previously unknown) facts, while at the same time either lacking empirical data or, even, ignoring the fact that the same work has already been done properly by science.

The most complex philosophical contribution to the normativistic discourse of today is that of Robert Brandom, who has reached back to thinkers such as Kant, Hegel, Wittgenstein, or Sellars. I will try to argue that there are some good reasons for adopting a cautious attitude toward his approach and keeping a certain distance from it. Although I do not want to treat it as being misplaced as such (I don’t think it would be fair to call it simply misplaced), I would like to show that the picture it offers does not always reach sufficiently far or deep enough to adequately explain our complicated life practices.

A part of my reservation about this approach is founded upon a certain discrepancy I sometimes sense within the philosophical accounts of rules. It is possible to start by asking the question “what is a rule?”, continue by offering a simple, rather abstract definition of a rule, and then develop it by arguing that human reality is rule-governed through and through and that all (imaginable) rules pervading it share this-and-this form. I believe, however, that to do justice to the assumption that human reality is rule-governed means, at least partly, to attempt a certain *phenomenology*. By “phenomenology” I mean an attempt to explore what life within the “space of rules” looks like “from inside”, as it were – what consequences the reality of the normative has for its inhabitants. And it is vital to take into account that life within such a space consists, in the first place, of encounters and interactions with other people.

The normativistic intuitions outlined below, which I will discuss more broadly in the opening sections of the following chapter, come most importantly from the analytical tradition. I will, however, pursue them with an aim that is, in the above sense, phenomenological: to say something about the various roles that rules play in human lives and about what their existence means or can mean to us. My objective is thus perhaps closer to that of Wittgenstein’s philosophy or some strands of the Wittgensteinian tradition than it is to the philosophy of the normative as represented by Sellars or Brandom.

Some of these leading normativistic intuitions are:

i) Rules are entities providing a standard in relation to which a meaningful distinction between right and wrong (correct and incorrect) courses of action is determined: a (rather) stable, repeated or long-term, as opposed to one-shot orders. Either rules exist as kinds of “facts” – actual (typically implicit) expectations, pressures, sanctions, etc., enforcing certain behaviours or actions and prohibiting others – or they can have the linguistic shape of propositions expressing certain *oughts*. These are often two parallel forms of what is, in a sense, the same rule but not always – implicit normative arrangements can be observed even without there being a corresponding, explicit linguistic rule. And there are also often explicit propositions expressing a (quite meaningful and intelligible) rule that is not, as a matter of fact, followed – or its authority acknowledged – by any single person.

ii) Every human being is capable of understanding and following a rule. “Understanding” is a somewhat elusive and ambiguous term and I will let it remain so. We can imagine understanding as whatever enables one to respond to a rule (both rules-facts and rules-propositions) in a way showing that she knows what the rule means. Without understanding in this sense, not only can’t the rule be followed, it could not be explained, criticised, commented on, wilfully (meaningfully) ignored, manipulated to one’s profit, etc. A credible justification that one is not capable of actually following a rule (because, for example, it is too demanding) is also a form of expressing its proper understanding.

iii) Rules are reflected upon by human *reason* – a capacity that has established itself along with the human kind of rules (more complex than the primitive rules we can observe in some non-human animals). Rationality is a unique marker rendering humans as beings whose niche is *exclusively* the space of reasons. It is, rather than a result of a thorough and intensive empirical study, an assumption expressed by our spontaneous responses to those we recognise as “people” as being capable of moving within the space of reasons (this observation is perhaps Wittgensteinian rather than Brandomian). Of course, there are people whose capacity to move within this space is crudely limited. But the meaning of the term “people” involves the assumption that all people are rational beings and have the right to participate in rights and responsibilities articulated within the space of reasons (e.g., legal rights and obligations). These are unique to people and not shared by animals, for instance, even though in some contexts it makes good sense to also speak of animals as rational creatures.

Rules, as far as they are facts, are *normative* because they act as norms determining what is *right* to do, under given circumstances, and what is not; and we are subject to these norms. The dynamics of the actual interplay between the defining situation (what counts as “politeness” towards “strangers”), the appropriate rule and the subject agent (what it means that I am subject to the rule, under what circumstances, to what extent, etc.) are, however, quite complicated.

These intuitions, if carefully phrased, may almost seem to be platitudes (even though quite a few philosophers would dispute this), and I do not aim at bluntly denying them. They doubtless capture something important and they will lay out for us an initial framework within which we will remain, more or less. What I will offer in the following book is an exploration of a particular viewpoint – one that I think is not widely discussed – from which the important truth they express might be acknowledged and read. I will also suggest that this viewpoint provides a foundation for making sense of some of the contexts or examples in which the normativistic accounts seem to face certain problems (to manifest their limitations) or become difficult to reconcile.

In Chapter 2, I quickly summarise the philosophical context of these intuitions. I introduce some core ideas of Sellars and Brandom and their broader background, as well as the alternatives offered by the contemporary Neo-Kantians or pragmatists like Kukla and Lance. The importance of agent-relativity and agency stressed by the latter – to the effect that it

cannot be explained away – opens space for considerations of the particularity of rules. The chapter further explores the situated nature of rules – how local facts of geography, culture or politics not just influence that rules are followed or violated, but that for particular rules this distinction holds in some places while elsewhere it is pointless. It also discusses more complex factors affecting the local and particularised range of rules – mostly social roles and practices connected to gender and other body related-phenomena. Chapter 2 thus descends, as it were, from general intuitions about normativity down to highly particularised and context-, most importantly agent-, specific rules, difficult to make explicit perspicuously.

Chapter 3 introduces examples from mystery fiction (primarily that of Agatha Christie) and suggests that a survey of local normative practices may be equally (or even more so, and firstly) guided by an insight into the personalities and character of the agents, and conversely can serve as a tool for their illumination. In this context, particularised rules no longer seem derived from, and secondary with respect to, more specific rules: they represent, just as they are, a primitive and natural form of our orientation in the situations and persons with which we are confronted. We view them in terms of rules. The chapter thus marks a certain turn, from attempts at a still more detailed specification of rules to rethinking the nature and meaning of such an endeavour, which allows for a return to more general rules being used in a specified way.

This is discussed more thoroughly in Chapter 4, mainly in the context of moral rules. It shows that to account appropriately for the normative dimension of human lives, we may need to “zoom” in on rules holding for particular *persons*, with their authority backed up by particular persons as well. It may, though not always, mean their explicit form involving statements of the particulars of the situation or the respective persons. I will suggest, however, that rules often play the role of a tool for reflection upon particular agents’ lives and the spirit in which they act. They orient us in who the people are that one has to do with. In order to explain both the range of a rule and its perceived authority, the *perspective* of the agents subject to it should be taken into account (as suggested already in the end of chapter 3).

Chapter 5 offers an excursus concerning the phenomenon of addiction. It tries to show addiction not as a narrow matter of weak will, but rather as a (symptom of a) more complex disorder of life with an important dimension of deficient normative practice. It stresses the need to not overlook the importance of the point or aim of rule-governed practices. Chapter 6 returns to issues discussed in Chapter 4, with greater caution being given towards the notion of perspective and suggests replacing it, as a tool of orientation, with the concept of *story* (of the agents’ lives).

These three chapters sketch a possible way of overcoming the notion of the complexity and particularity of normative arrangements as something imperspicuous and problematic. They suggest that the working of general rules need not differ in kind from the working of specified and particularised ones insofar as they offer us a means of understanding other people and their actions and lives. An attempt to summarise the perspective on rules that is suggested by the three chapters is presented in the concluding seventh chapter of the book. Its suggestion is twofold: First, the very notion of “rule” may not be ideally suited for capturing the full richness of the normative dimension of human lives (especially when it comes to interpersonal relationships). Second, if, however, our understanding other people through the rules shaping their lives is attentive and sensitive enough (which may not always be the case with philosophers interested in rules), the resulting picture of human agents subject to rules would be compassionate rather than judgmental towards them.

The arguments qualifying and critically reflecting on the initially stated normativistic framework that I will employ as I make my way towards the above twofold suggestion can be roughly divided into three topic-related groups. As is clear from the outline of the chapters, one cluster of arguments – perhaps the most salient – concerns the particularity and, in more

than one sense, the *local* validity of the normative standards imposed on and evaluating our actions.

The second cluster of arguments concerns the overestimated role of reasons in human agency: our actions rely upon a complex structure of reasons, motives, desires, feelings, passions, habits, causes... What is called “reasons” (in the strict sense of the Davidsonian tradition) represent only a (probably) small part of our motivations and to focus exclusively on them cannot explain our agency. Much of what people do doesn’t rely purely on reasons and yet it is essentially a *human* agency (and not just a physical, physiological or instinctive process); the complicated mechanisms of this provenance are, after all, studied by psychology – *human* psychology.

The third cluster of arguments rethinking the rules-oriented framework concerns its preoccupation with individual, isolated actions that are evaluated as rule-governed, rules-complying (or rules-violating), right or wrong. Yet, there is an immense ethical tradition which denies that actions can be properly judged unless they are seen as growing out of human characters (virtues and vices) – that the only way leading to an ability to see and decide for a right action is the cultivation of one’s character. In a broader scope, rules-following and its particular shape can be understood as an expression or extension of a person’s character and of the overall shape of her life.



## 2. Rules and the Particularity of Agents

*Abstract:* The chapter introduces core ideas of Sellars and Brandom and their background, as well as their alternatives and critiques, with the focus on the importance of agent-relativity and agency. It further explores the rules as situated and the import of social roles and practices, such as those connected to gender and other body related-phenomena.

What do we mean by “rule” and “normativity”, and in what sense are these notions supposed to be of importance for philosophy? The answer leads us towards certain intuitions that many readers (but not everybody) will probably be willing to accept as more or less natural. I do not assume that I can provide their fully comprehensive list or characterisation. But these intuitions mostly concern the *various* kinds of boundaries or constraints that we face in our lives: some of them are supposed to be uniquely human. Apart from things that just are or just happen, or things that we just do, we also speak of many things that we either *must*, or *ought to*, or *may*, or *can*, or *ought not to*, or *must not*, or *cannot* do. My interest will mostly be with the modalities of *ought* and *ought not*.

The chapter opens with a general sketch of the very influential account of rules offered by the Pittsburgh School of Pragmatism, focusing primarily on Brandom, and of some of its background ideas that derive from Kant, Wittgenstein or Sellars (section 2.1). In section 2.2, I summarise some ideas by authors who have critiqued, maintained a distance or proposed an alternative to that framework. I will pay attention to some contemporary Kantian authors and to the complex pragmatist critique of Brandom by Kukla and Lance. Section 2.3 explores various aspects of the “thrownness” of normativity in localised practice: some rules and normative statuses only make sense linked to a particular location or context. The spatialization of rules is also employed in various ways in which space is produced or socially constituted (as studied by social geography). In section 2.4, I discuss an example of the complexity of our situated normative practice and of the importance of particular agents concerned. Some normative expectations are supposed to meaningfully hold for only one gender and I explore the incoherent structure of some normative expectations applied to gender-specific agents and suggest that it is dictated by group interests rather than by practicality. In section 2.5, I discuss folk-psychologic assumptions of the “different languages” of men and women, governed by different sets of rules, drawing on Deborah Cameron’s critique. The consequences of these assumptions are exemplified by the perspective inherent in public debates about rape and rape trials that favour the assailants on the basis of gender-specific normative expectations, as Susan Ehrlich’s research shows. Section 2.6 points out that situatedness to a gender-specific body is connected to particular (dis)advantages in terms of (expected) nuanced ability to apply particular evaluative standards. Against Wittgenstein (in a certain reading) or Brandom, I try to show, following Dreyfus or Tim Ingold, that skills don’t consist of an openness towards infinitely many new moves, but in a masterly (embodied) navigation on the already known ground. Agent-relative particularity of followed rules is thus a part of the “natural history” of human beings.

### 2.1 The Sellarsian-Brandomian Framework

As I suggested above, there are various modalities of constraint operating on our (human) lives. The differences between them open up a space for subtle reflections on their relative

importance.<sup>1</sup> Is the human lot in life elucidated primarily with an emphasis on *must* (the acknowledged necessity) or *ought to* (an authority we are subject to)? Our statements of the things we either ought, or ought not, to do are taken to be expressions of rules that govern our practices or, more generally, our lives as far as they are *human* lives. The faith in the elucidatory potential of the focus on rules is shared by many philosophers. As representatives of this faith I will take the Pittsburgh School of Pragmatism, represented by Robert Brandom, in the first place, and elaborate on the work of Wilfrid Sellars.

There is a certain Wittgensteinian background behind Sellars' and Brandom's work. Wittgenstein analysed in great depth the practice of language – as well as any other practice that in one or another way accompanies or is linked to language – as being essentially rule-governed. In his polemics against the older conceptions or presumptions of meaning, Wittgenstein strove to show that meaning cannot be instituted by any internal, individual or private act.<sup>2</sup> Language is spoken and would be nothing without its speakers; we all warrant for the authority of rules, as a community, without which the rules could not have originated at all, but neither can correctness be identified with a uniform practice of all the extant speakers. Language is, however, a practice the rules of which are adopted as a knowledge-*how*, a practical skill, not a as a knowledge-*that*.<sup>3</sup>

The deep-rooted practicality of language demands that its rules are implicit, not least because language has to serve as a medium for communicating explicit rules of various other practices – swimming, game of chess, the institution of money. As Wittgenstein puts it, we need language as a medium within which we interpret and explain, if necessary, the rules of chess, to name one example. But language itself can have no such further medium for interpretation, therefore it doesn't need any.

The position of language is, in a sense, exceptional; we regularly use language to explain and discuss various rule-governed practices to people who are not familiar with them – but we do not present language *qua* rule-governed activity to anybody who has not mastered it yet (and there is no point in presenting such an explanation to somebody who already has). So, whenever the question of correctness/incorrectness is at issue, it is truly useful to explicitly identify the governing rule; or, whenever we would like, to highlight certain typical aspects or features of language. But nobody quite acquires language *as* a game, that is, as a practice governed by (arbitrary) rules; what language is, what it means to use it and how it is to be used – what is its *point* – is something that is gradually shown to and understood (adopted) by the novice (the little child) from her interactions with the people close to her. So, although the rules of language are highly important for understanding various of its aspects, to claim that language as such has the nature of (actually: that it is) a game may somewhat obfuscate the matter.<sup>4</sup>

Nevertheless, it is more or less in just the direction – the focus on games and rules – that Wittgenstein's insights have been paralleled and developed further by Wilfrid Sellars. Sellars started his philosophical work as a younger contemporary of Wittgenstein and, though he knew the work of the Austrian philosopher, his own reflections on normativity were to a large extent independent and unique. Unlike Wittgenstein, who spent much of his time wilfully ignoring the work of most other philosophers, Sellars is perhaps the first scholarly philosopher of the normative, introducing a philosophy which is both original and yet

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<sup>1</sup> Cf. Cavell (2002, 27f).

<sup>2</sup> See Wittgenstein (2009) and therein – most famously – the private language argument (§§ 258ff).

<sup>3</sup> A practice that is, in the end, ungrounded and unjustified. See Wittgenstein (1969, § 110).

<sup>4</sup> Wittgenstein's notions of games and languages games are expounded most thoroughly in the opening part of *PhU* (Wittgenstein 2009, §§ 1-87). The treacherous potential of Wittgenstein's emphasis on rules and rules-following in connection with language has been discussed by his pupil and commentator Rush Rhees; see, e.g., Rhees (1959; 2006).

instructed by his readings of others (while Wittgenstein sometimes just seems to re-invent Plato or Kant).

Sellars overcame the rather vague and extremely cautious Wittgensteinian suggestions about the rule-governed nature of all human activities and proposed that the whole of human practice should be considered to be *essentially* normative. Sellars was also thinking more seriously about the question of what a rule is and how to distinguish rules from other phenomena of similar appearance or nature. He admits, as though anticipating philosophical discussions that would open up by the end of his life and after, that animals too can be observed to exhibit various kinds of regular behaviour. Sellars speaks of behaviour embodying or showing a *pattern*, such as we can investigate in various social animal species (bees, ants, monkeys). A pattern is, however, not enough.

A rule is not just regularity in the behaviour of living agents. Regularity is often only dictated by natural or anatomical conditions or instincts. That certain behaviour patterns occur regularly only after reaching a certain age (such as is the case with sexual behaviour) does not make them necessarily rule-governed, no more than does instinctive withdrawal from painful stimulus since the very beginning of life or memory failures in more advanced age are. On the other hand, rules governing a normative behaviour needn't be explicit or strict. As Wittgenstein already pointed out, many of the rules embodied in our practice are implicit and often imprecise. So, just as a rule cannot be represented by a mere regularity or pattern in behaviour, it is a mistake to identify only explicit and narrowly prescriptive instructions as rules. Sellars thus focuses on specifying this middle ground between mere "regularism" and strict "regulism".<sup>5</sup>

Externally imposed and/or instinctive patterns of behaviour cannot be held as normative, because within them no criteria for correct and incorrect are concerned. Fleeing from a spreading fire involves nothing that is correct or incorrect – fleeing from it is not in itself more correct than letting the fire burn me (I might have had a good reason to suppress my pain-avoiding instincts). I do not violate a rule if I let myself get burned by the fire. The dimensions of correct/incorrect (right/wrong) are not even opened up in the context of retreating from a fire or in animals performing their sophisticated "nuptial" rituals. Animals just do that kind of thing (similarly as we withdraw from a painful stimulus) and, in case they by chance don't, they just don't. It would be hard to prove that any of their actions can be properly described as a rule-violation. Yes, if a chimpanzee acts against its pack, it is "punished" (there are sanctions), but there is no room for justifications, excuses, arguments, questioning the rule, etc.

The dimension of right and wrong certainly *is* opened up where explicit instructions, permitting only a specified range of reactions (amounting sometimes to just one) are at play. Sellars, however, does not think all the rules are explicit. Like Wittgenstein, he sees that many of the rules we follow simply do not have this nature. Explicit rules of instruction ("you should brush your teeth for exactly 3 minutes every evening at 9 pm") represent only a small minority of the family of rules that we can follow. He is even sceptical that all the rules can be made *appropriately* explicit.<sup>6</sup>

The ability to follow a rule means, and requires, the ability to also understand the consequences of rule-governed actions. The relationship between the rule and the rule-governed action is not a relationship of enforcement or causation; it is inherently a relationship of one thing following from another. (Just as one commits oneself to something by saying or doing something else.) To be able to say what action is in accord with a rule (what action, if it follows after the rule, is all right) and what action is not is very much like,

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<sup>5</sup> These terms have been coined by his most prominent pupil and successor, Robert Brandom (1994, 18ff).

<sup>6</sup> "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*." (Sellars 1949, 315)

or rather the same as, being able to draw one thing from another. This is why language plays such an important part here. Our understanding of propositional language (distinctly human), enabling us to judge whether it is OK to draw the proposition “Dumbo is a mammal” from the proposition “Dumbo is an elephant” is crucial for our, distinctly human capacity to follow rules.

This is why Sellars emphasises that humans are unique normative creatures, which he expresses aphoristically by saying that if we stop following the rules, we may start walking on four legs again. In many of his investigations of rules he echoes Kant much more strongly than Wittgenstein, since he highlights the crucial role played by rules and rationality in rendering humans free. While other beings are imprisoned by bare necessity and the laws of nature, our rules set us free – free to choose the boundaries of our lives by ourselves.<sup>7</sup>

Sellars was also, unlike Wittgenstein, intrigued by the question as to how human “normative reality” could originate in the past evolution of man.<sup>8</sup> And it was language that here too served as the key part of his explanation – language evolving from mere signals to a medium of communicating pieces of knowledge-that, which went along with “internalisation” of language which became “thinking”, so to speak. Language not only reflecting what is, but expressing what *ought to be*, accelerated considerably the evolution of humans as uniquely normative creatures.<sup>9</sup> This evolutionist line of Sellarsian explanations is even more topical and fruitful for contemporary normativistic accounts.

Sellars’ terse and often difficult expositions found a remarkable elaboration in the work of Robert Brandom, who gave a more robust and systematic shape to the philosophy of the normative. Brandom, too, scrutinised the nature of human rule-following. In a particularly Wittgensteinian vein, he concentrated on the game-like character of human activities and pointed out that, among the many human rule-governed games, “a game of giving and asking for reasons” occupies a privileged position.

Brandom also clearly echoes Kant’s and Hegel’s ideas. Strongly Hegelian is his interest in the *processes* of how concepts and precepts arose and grew. When I bind myself to a law or a rule, I apply a concept. I do not do this mechanically, or in a determined fashion, it is – though unreflected – an act of self-consciousness which espouses a concept.<sup>10</sup> In being polite towards the strangers, I espouse a certain conception of who is my fellow-human and what is a polite distance or loudness (or a polite word-choice), a conception which is to be preserved. I relate myself to them and acknowledge them as subject to the same conception (of human beings) I am subject to.

Espousing a concept, however, takes a *work*, an ability to keep a “reflexive distance” from just being driven by appetites and instincts (the laws of nature) but also to be able to avoid a mere denial of the sensual. A self-conscious human being (self) is and knows that she is a situated, physical being who is, however, able to work on applying content-shaping concepts to her life and, as such, a self-conscious being that can act *freely*.<sup>11</sup>

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<sup>7</sup> Sellars (1949).

<sup>8</sup> It is characteristic of Wittgenstein that he wasn’t truly interested in this. When he does so at all, he comments on this issue in the following manner: “The evolution of the higher animals and of man, and the awakening of consciousness at a particular stage. The picture is something like this: Though the ether is filled with vibrations, the world is dark. But one day, man opens his seeing eye, and there is light.” (Wittgenstein 2009, II., § 55)

He also, reportedly, did not actually believe in the theory of evolution; therefore, it couldn’t have been of great interest for him to ask after the particulars of the mechanisms of human evolution from an older, pre-human life form.

<sup>9</sup> Sellars (1956).

<sup>10</sup> In his ingenious interpretation of Hegel, Brandom links the level of concept with the level of self (Brandom 2002, 215ff).

<sup>11</sup> Many of Hegel’s mature arguments about the situated nature of our morality are found in his *Grundlinien der Philosophie des Rechts* (Hegel 1820).

The idea of reflexive distance, elaborated on in Hegel and Brandom, takes its origin in Kant's notion of the two realms that human beings inhabit. Unlike animals, we do not only live in the world of physical necessity, but we also inhabit the realm of freedom – we can impose certain constraints on ourselves freely. These constraints we have chosen rationally and we acknowledge them by our will, following our rational recognition of their claim. Those of them that have the nature of moral rules can be identified as such by the application of the categorical imperative.<sup>12</sup>

There is, naturally, much more to Kant's (and Hegel's) moral philosophy, but the idea of rationality and freedom making us the inhabitants of two worlds apparently had a particular appeal to Brandom. It resulted in the highly-charged way in which he uses the Sellarsian concept of the "space of reasons". In order to be an inhabitant of the space of reasons, one has to be prepared to give reasons for her actions (speech acts, but also physical actions) and to ask for others' reasons. If I maintain a certain practice, such as rudely offending passers-by, I have to be prepared to account for my actions as justified (because, in such a case, someone *will* question my practice). Only if I am able to give reasons can I justify my actions as right or proper. On the other hand, I am equally entitled to ask for the reasons of other people's actions.<sup>13</sup>

This activity – giving and asking for reasons – does not, of course, take place all the time; in fact, not even very often. It is routinely switched on in cases of "friction", when something seems to not work.<sup>14</sup> As a human, however, I must always be prepared to give my reasons for what I do. To be a human agent who follows a rule, I accept the responsibility of giving my reasons if asked (this admission is a matter of *stance*, not necessarily of my conscious acceptance). By participating in the game, I make an admission of the commitments which I have undertaken by the steps that I take (including things that are implied – that other people legitimately expect that there are other things implied by what I say and do). In justifying myself, I try to show what entitles me to say or do so, and, by saying or doing so, I also entitle others to purport my actions as a justification for theirs (they can say, "I say so because XY said so"). The game of giving and asking for reasons articulates the network of commitments and entitlements.<sup>15</sup>

Participation in this game is, according to Brandom, specific to the uniquely human ability to follow rules in terms of the middle ground between "regularism" and "regulism". A thermostat, too, is "able" to react in a distinct, appropriate (expected) manner to different external stimuli. As is a parrot, who seemingly speaks just as people speak. But the emission of outputs, following inputs, is not accompanied by any participation in the game of giving and asking for reasons.

The non-participation of a parrot is not so much a matter of the animal's actual inability to utter a sentence that sounds like the explanation of a previously uttered sentence as it is a matter of the *absurdity* of such an expectation. It just does not make sense to expect a parrot to give any reasons for its actions.<sup>16</sup> And it is no wonder that nobody, except perhaps philosophers in thought experiments, actually does that. Not even the pet's master, asking "why did you break your new cuttlebone?" actually "means" the question. Participation in the game is what distinguishes "creatures of habit" from "creatures of rules", to put it in Sellarsian words.

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<sup>12</sup> These important Kantian motives are summarised in Kant (1788).

<sup>13</sup> See Brandom (1994, xxi, 117).

<sup>14</sup> Peregrin (2014a, 76).

<sup>15</sup> Which is why, as Cavell (2002, 31) puts it, it is so important to distinguish between mere commands and "modal imperatives": it makes sense to say "Open, Sesame!", but not "you must open, Sesame". The second-person form reflects, as it were, the appeal on the *reason*(ableness) of a *person*. Expressions involving "ought" are of the same kind.

<sup>16</sup> Brandom (2000, 47ff).

It makes sense to speak of a rule, of following the rule or of qualifying actions as right/wrong only where the respective agents are expected to (be able to) give their reasons for their actions. The meaning of what is right and what is wrong is constituted and established only through and within such justificatory practices and interactions.<sup>17</sup>

Though Hegel and Wittgenstein (perhaps somewhat unlike Kant) do not embrace reason and rationality full stop as the key elements of humanity, Brandom's (and Sellars') pragmatism is overtly rationalistic. In this respect, it makes it congenial and parallel with many strands of contemporary research of rules, often reaching further beyond narrow, philosophical inquiries to interdisciplinary research.

I will only extremely briefly touch here on just one line of questioning: that which is interested in establishing normative institutions in terms of co-operation among human agents. There are respectable attempts to reconstruct the evolution of normativity, partly inspired by research in primatology and partly by evolutionary psychology and cognitive science. It appears that the institution of *sanctions* – the group agreement intended to ensure that everybody stick to the rules – is, in a way, crucial as are also the so to speak second-order sanctions reprehending those members of the community who are not willing to participate in sanction actions against rule-violators (though they are not violators themselves).<sup>18</sup>

This field has been enriched substantially by game-theoretic approaches trying to model the mechanisms that lead to establishing cooperation as game situations. The simple Prisoner's Dilemma model seems to be insufficient because it does not show the necessary motivational power distributed among a sufficient number of players. More appropriate models would seem to be Stag Hunt (drawing cooperation as profitable for both sides) or the iterated Prisoner's Dilemma approximating more appropriately real situations of deciding.<sup>19</sup>

There is, in any case, a lot of speculation in this research and the results are far from being convincing. Even when we leave aside the ambitions of diachronic investigations, the game-theoretical approach may not be exhaustive and the introduction of such factors as mutual trust or charity (a free concession to others whom I respect as ends in themselves, in Kantian terms) may be needed to account for (non-diachronically conceived) human normativity relevantly. Whether such phenomena as altruism, respect for the other or trust (or even something like self-sacrifice) can be sufficiently accounted for in game-theoretical terms is still open to a lively debate, the results of which are far from settled.<sup>20</sup> If nothing else, one may feel doubts concerning the underlying consequentialist framework: it is assumed that rules are established and followed based on the purpose or profit that results from the practices (including the endeavour to avoid sanctions). I do not think this is a convincingly exhaustive explanation of normative phenomena in human lives. At least in moral philosophy, consequentialism is far from being accepted as *the* theory – i.e. the one and only relevant one.

From this kind of viewpoint, the discussion about the nature of normativity depends on a determination of the nature of its underlying rationality. John Broome, for instance, suggests that the central meaning of “ought” is that which is inherent to the practical, enkratic rationality: if one believes there is something that she herself ought to do (she imposes such an expectation on herself; the “ought” is “owned” by herself), then she intends to do that. The “ought” is not qualified by (relative to) “all things considered”. Any other meaning in which “ought” occurs in language is peripheral to and largely derivative of the central meaning.<sup>21</sup>

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<sup>17</sup> Brandom's inferentialist theses are summarised in, perhaps, the most accessible form in Brandom (2000).

<sup>18</sup> The importance of sanctions is discussed in depth by Bicchieri (2006).

<sup>19</sup> For a brief survey see, e.g., Peregrin (2014b).

<sup>20</sup> See, e.g., Heath (2011), who argues in great depth and in a robustly scholarly form against this kind of reductive explanations.

<sup>21</sup> Broome (2013, chap. 2).

I don't want to analyse critically the details of Broome's nuanced proposal. But the game-theoretic reduction of rationality to a mere prudential, consequentialist rationality has the advantage of explaining the cases in which one "disowns" normative expectations that one, nevertheless, has to come to terms with. In Broome's rationalist terms, it is also slightly difficult to explain the co-existence of heterogeneous normative standards and their clashes. Either there are multiple, incompatible (*practical*) rationalities, or the normative standards can be expressions of much looser structures of habit, etc., that may fulfil no reasonable function. Normative standards of this latter kind can be enforced by sanctions while the act of "claiming" an "ought" personally as one's own cannot (or, at least, not directly).<sup>22</sup>

The emphasis on rationality and reasons does, however, have some elucidatory value. It would be preposterous to argue that whatever we do because we ought to do it, we do for a reason. But whenever we do something for a reason, the reason expresses that we are coping with an "ought", including cases where the respective "ought" is disowned by the agent. The cluster of "oughts" operating within an action is often opaque, but it can be made clearer through an *account* of the agent's reasons. I will return to this in chapter 6.

## 2.2 Some Criticisms and Alternatives

The cluster of the accounts of human normative practice, as I presented it in the previous section, has many advocates in one of its varieties or another. But it also has, obviously, its vocal critics. Some are targeting the normativist theory of (linguistics) meaning that is at the heart of Brandom's proposal and thereby inferentialism as such in the more narrow sense.<sup>23</sup>

I am, however, more interested here in criticisms or alternative accounts regarding the nature of human normative agency, for these are more directly relevant to the scope of the book. The "lesson" Brandom chiefly takes from Kant is that a rule (a moral rule, but not only that) can, in its generality, act upon a practice in virtue of its content. A typical form of a rule is *general* – "you ought not to kill" – and the questions of which agents and actions are subject to the rule and in what way it evaluates them (distinguishes as right or wrong/correct or incorrect) can be simply answered on the basis of the rule itself. A rule is enough for an agent to know what she ought to do and perhaps even that she should do it as well.

This is obviously not an undisputed account, at least when it comes to human moral practices. I will discuss some problems opened by the alternative accounts at greater length in the following chapters. However, it is enough to at least point out here the dissenting standpoint of virtue ethicists: that knowing what one ought to do and doing it may require a substantial and non-trivial cultivation of character. The ways that humans cultivate their characters and the scope of problems that people grow to respond to also display various degrees of cultural, situational or personal specificity.

There are outstanding representatives of Kantian ethics who have clearly recognised the need for a greater complexity of their account of morality and who try to come to terms with these problems. I will touch here on some ideas presented by Christine Korsgaard and Barbara Herman.

Christine Korsgaard paid much attention to explaining how and why the Kantian categorical imperative is both necessary and sufficient for establishing an ethics. She argues

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<sup>22</sup> Bicchieri would probably suggest that the co-operation enforced by sanctions is, in general, for the (consequentialist) good of the community. On the other hand, Elster (1989, esp. chap. 3), following Durkheim's notion of *homo sociologicus*, stresses that actions resulting from the norms holding our social order together are hardly ever *fully* reducible to perspicuous patterns of consequentialist "calculus". They needn't be motivated by norms that are rational as such or by a practically rational end.

<sup>23</sup> See e.g. Hattiangadi (2006) or Glüer – Wikforss (2009).

that the nature of (human) ethics is *reflective*. Our normative moral attitudes have the nature of “reflective endorsement”: we endorse the good as the morally acceptable and *vice versa*. The relation is not unidirectional. The discernment between the acceptable and the unacceptable must be attainable by a reflective scrutiny and able to undergo it. Here, Korsgaard devoted much energy to demonstrating that the rivalling ethical frameworks, especially the non-rationalist ones (as, famously, was the Humean), fail in explaining sufficiently why and how all the people could and should be *governed* by their moral standards. Meaning: How can an individual’s moral sentiment be interpreted as a source of morality (moral obligation) for everybody? There is a *rule* lacking.

It is, ultimately, only the Kantian categorical imperative that is able to carry the burden. A source of morality for everybody, a law binding the human will has to be a free, self-imposed law (otherwise it would not have the authority, the right to expect universal obedience). In such terms Korsgaard’s specific interpretation of the Kantian notion of autonomy also proceeds. Moral laws are autonomous by virtue of not being heteronomous. The “reason” and “authority” which determines them is not a supreme reason or authority external (transcendent) to the human world, but the very concept of reason also excludes the possibility that rules are dictated by particular interests (that would make moral imperatives hypothetical). Autonomy only means the absence of “if you want to...” from “if you want to..., then you should...” (leaving only “you should...”) and also the absence of any ruler different from the addressee. The rules are such that I am able to understand them, by means of reason, as desirable to hold, “even if it was not exactly me who was concerned”, or, to put it differently, even if I could not identify any benefit exactly to me.

Moral rules result from the intersection of the resignation of one’s own perspective (interest) with the claim that they must be available to the agents’ own reflective capacities. Korsgaard observes, however, in a not-so-very-Kantian-vein, that humans can be inhabitants of the Kingdom of Ends only by virtue of what she calls their “practical identities”. Everybody is a member of a family, having a certain job, having a reservoir of personal experiences, affinities and character qualities. Only such beings are able to reflect upon themselves as members of the Kingdom of Ends.

The very capacity to distinguish between means and ends is not a trivial one, nor is it independent of a practical perspective. There is no other way of getting acquainted with the others who also count as ends than through an already-situated practice. That the other is an end in itself is no sense independent of the fact she also doesn’t deserve to have her hair pulled out “just for fun”, that she does not like being hungry any more than I do (especially: that there is no good reason that can justify actions of mine that would prevent me from being hungry at the expense that she would be hungry). The notions constituting these insights (hunger, hair, etc.) are inextricably connected to others’ practical, bodily identities.<sup>24</sup>

This emphasis on plasticity or particularity, elaborated on in terms of Kantian moral philosophy is even more salient in Barbara Herman’s works. Herman tried hard to reconcile somewhat the rationalistic Kantian framework (a certain misinterpretation of Kant himself, in her eyes) with suggestions offered by the Aristotelian tradition of virtue ethics. It would be an act of blindness to deny the importance of desires and various motivations in one’s moral deliberation; this is not, however, to say that morality is to be explained as a function of “natural” stimuli – morality is not a disguised calculus of finding means to attain one’s interests, to fulfil one’s needs and desires. It concerns *reasons* for one’s actions; moral motivation plays a transformative role in one’s intentions and endorsed principles. I may come to see a certain course of action as right even though it overtly contradicts my interest or my group’s interest.

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<sup>24</sup> Korsgaard (1996).



The source of moral motivations is not, at the same time, separate from the source of our practical orientation within the world – the bulk of our experiences also include *moral* experiences. The character that enables one to see the propriety of particular actions, grounded in moral reasons, is built through gradual encounters with problematic or morally puzzling situations that one meets in her life.<sup>25</sup>

There are many subtle details involved in Korsgaard's and Herman's discussions that I omit here. I will only highlight a certain important point shared by them: the need to provide a more complex conception of an *agent* capable of following the moral rules. It cannot simply be a dis-embodied, detached rational mind or intellect. A normative agent is a bodily person with a particular practical identity *thanks to which only* she is able to orient herself in the network of normative statements that are "floating in the air" and to react to them as either relevant or irrelevant, to follow them or to try (and fail) to follow them. Without that, she couldn't recognise their significance. They could not apply to her: "you ought to brush your teeth every evening before you go to bed" can only meaningfully apply to someone in whose life things like "teeth" ("health") or "going to bed in the evening" play a certain important role (a role the outcome of which matters). This interlocking complex of recognition of a rule, motivation to follow it, and qualifying as subject to it is highly important and intricate.

An exceptionally powerful and poignant formulation of some of these intuitions can be found in the pragmatist critique directed at Brandom by Rebecca Kukla and Mark Lance. The root of their disagreement with Brandom concerns the nature of the pragmatic priority of explanation. While Kukla and Lance stress the irreducible, multifarious heterogeneity of our discursive practices, Brandom – in their reading – considers there to be one basic or central type of speech act (working as material for the game of giving and asking for reasons). This speech act is *assertion* – it is assertions that we give as reasons (or what we ask for when we ask for reasons: for further assertions). And while the relationships established in these games are links of commitment and entitlement, Brandom says little about what taking on a commitment or granting an entitlement looks like in practice.

For Kukla and Lance, just as for Brandom, speech acts constitute or introduce a change in normative statuses: a typical example can be issuing a command which amounts to establishing a commitment or obligation for the recipient of the command – that is, as far as she acknowledges the authority or entitlement of the one who issues the command. It is, however, clearly not quite so easy. Firstly, while it is relatively easy to picture a practice of establishing commitments when it comes to issues of commands by an acknowledged, entitled authority, it is far less clear what this would mean in the case of assertions. Commands seem to be connected to practical pressures by definition, as it were. But, secondly, it is assertion that Brandom considers the basic and foundational material for establishing these links. How imperatives, questions and other kinds of speech acts work in establishing changes in normative statuses will thus only transpire derived from the work of assertions. Imperatives and the like are attributed a *secondary* status.<sup>26</sup>

Lance and Kukla, however, argue that imperatives cannot be reduced in this way. Despite the surface form (utterances both employing the second-person form and avoiding it can act as imperatives), there is an irreducible difference between assertions and commands. Commands are always directed to a particular person or persons; and their third-person "translations" such "Henry ought to close the window" are not imperatives, but, again, assertions with a particular pragmatics (they are not *directed at* Henry). For an imperative to act as an imperative, *recognition* of other speakers and commitments and entitlements linked to them (or to oneself) is needed. This linguistic practice is interlocked with kinds of

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<sup>25</sup> See, e.g., Herman (2007).

<sup>26</sup> For these general criticisms see Kukla – Lance (2007, chap. 1).

behaviours that inherently feature and display directedness towards particular agents (or even directedness of particular agents to particular agents).<sup>27</sup>

It is thus extremely important to hold (and not to explain away) the structural distinction between agent-neutral and (multiple kinds of) agent-relative speech acts and their respective patterns of commitments and entitlements. Some normative statuses are also group- or kind-qualified, while others are directly agent-specific (though not necessarily only individual).<sup>28</sup> Certain kinds of normative statuses could never arise only through (or be properly expressed in) agent-neutral speech acts. Contents of certain normative statuses would not make sense without personalised references: thus, in between a married couple certain commitments arise through a particular agent's being married to another particular agent. And an explanation of what marriage is, as such, may not help here at all. And so on.

Kukla and Lance's pragmatic account has a lot of facets, both in (critical) relation to Brandom and independently of it. I cannot deal with them all here, and will mention only one of their other observations: that the normative commitments we are subject to occur in a great many varieties. There are, on the one hand, pure games – activities like chess. Their rules, apart from a certain need for coherence, are arbitrary; the very decision as to whether to participate in a game or not is, to a great extent, voluntary. On the other hand, to the extent that the agent is a member of a community, some normative commitments are non-negotiable (being a member of *a* community is extremely difficult to avoid; and choice of a particular community to belong to is far from being free or easy). Religion-connected norms in a highly religious community are of this kind. A very different, but functionally similar example, is speaking along the lines of the rules of one's native language. And between these two extremes, there is a wide range of transitional forms, the "commitment to which," Kukla and Lance point out, "is neither optional nor mandatory."<sup>29</sup>

As an example from within this range, but significantly closer to the "mandatory" endpoint, they mention the heterogeneous cluster of gender-specific norms (especially in a society with rigid gender roles). I will discuss some problems connected to that particular example at greater length in some of the following sections of this chapter. Though my overall interest is located elsewhere, important strands of my discussion are in line with Kukla and Lance's account.

An indispensable point of their Brandom-critique concerns the role of *agents*. Brandom's account is, in many respects, impersonal. On the other hand, Kukla and Lance stress multiple ways in which *agents* are employed and thematised in normative statuses. Some speech acts are structurally second-person (or first-person), some commitments and entitlements are agent-relative, etc. – and *cannot be otherwise*, otherwise they would cease to be what they are. They would cease to convey the meaning they convey – consider prayers, marital vows, a teacher's admonishing of children, etc. Agency is also inextricably located: in practice, agents are situated through their individual and group identities in different positions with respect to the variety of normative commitments they are facing and of the ways of facing them that are open to them.

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<sup>27</sup> Lance – Kukla (2010, 116ff).

<sup>28</sup> Kukla – Lance (2007, 16ff).

<sup>29</sup> Kukla – Lance (2014, 31ff). Winch (1990, 2.2-2.5) has made a series of complementary observations: pointing out that one and the same action (that has a – rules-governed – meaning: such as voting for the Labour Party) can be performed – and the appropriate rule followed – for very different reasons, or even without actual reasons endorsed by the agent. This variety, obviously, also concerns the action's status of being mandatory. In his later lecture notes (Winch 1991), he stresses the importance of clearly seeing the distinction between acting in correspondence to what a rule requires and following the rule. (This distinction is of supreme importance in morality.) Those who participate in the Sati ceremony can behave in accord with its rationale as something that "ought to be done" in very different ways (consider the manner of the participation of the immolated widows).

Kant is stressing freedom as a centrally human feature, and Sellars and Brandom seem to follow him in their emphasis on free, rational self-imposition of rules by human beings. Kukla and Lance's noting that a large variety of normative commitments are not quite optional draws attention to the fact that the Kantian dual nature of humans manifests itself in the, so to speak, mixed nature of our normative practice. While there is a logical gap between *is* and *ought* that cannot be easily bridged, the extant *oughts* are always, to an indeterminate extent, a "function" of how agents in practice *do* behave or happen to behave. Stanley Cavell points out that empirical descriptions of how people behave tend sometimes to forget that what is described is not simply movements of physical bodies, but actions of agents, responding to motives, reasons, etc. That is, *descriptions* of human affairs always deal with *normative* contents.<sup>30</sup> On the other hand, any analysis of human normative practices that is not simply speculative has to take into account this descriptive dimension as well. Actions are something that can be performed correctly or incorrectly. But whether a particular action is performed correctly or not, what kind of action it is (under what description the agents approach it), what alternatives of action one is confronted with – it is never fully free from what just happens to be the case, irrespective of the agents' reasoning and deliberation.

### 2.3 The "Thrownness" of Normativity

As I pointed out in the previous sections, there is a strong Kantian and post-Kantian tradition focusing on the (more or less ideal) realm of the "society of reasons", invoked as the necessary and sufficient condition for establishing a space of normative relationships. But I have also introduced other authors who stress the importance of the normative as *performed* by particular agents. It exists as normative *practice*.

Individuals are thus only sometimes free to decide not to follow a rule, but they are not free to decide at will whether their actions are according to the rule or not. There are also many practices governed by rules of which *some* part has been determined by (explicit) self-imposition, but it is not easy to see where to put the boundary. One and the same practice thus may be subject to a set of limitations, the *continuous* scale of which includes both boundaries of more or less natural necessity and rules added explicitly *ex post*. If there are rules of swimming, they blend both ingredients like "do whatever prevents you from drowning" and the standards of elegant and sportive crawl strokes.

Unlike swimming – or, more strikingly, walking or running – sports fulfil no (easily) detectable rational function; in this respect, their rules are highly conventional. Consider water polo. Yet they too, unlike the putative "purely intellectual" games such as chess, have to respect the limits of human bodily performance. Rules for such "games" as dodge-ball using a ten-pound rock as a ball, or "water" polo played in hot asphalt, cannot be imagined as real games designed for human players.

This is not a logical impossibility; and yet, no competent speaker could hit on the idea of coining such rules and developing their further implications tied to that which we usually call games. Games such as water polo presuppose having a certain duration, a game continuance with a changing and developing score, having two teams playing, one of which wins, etc. – such expectations count among our natural responses to something that has the status of a "game" of a certain kind.

In the Wittgenstein-inspired tradition, the analysis of language as a game or a set of games is fairly well established, including the intuition that what makes a game a game are its governing rules. What kind of a game then is *language* and is it governed by rules in a way

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<sup>30</sup> Cavell (2002, 21ff).

similar to chess or to the sense in which swimming can be claimed to be subject to certain rules? There are reasons to see language, including its rules, to be rather more like a sport defined and limited by the physicality of its playing surface and players than like a chess-like game.<sup>31</sup> However, to be forthright, not even chess-like games can be defined independently of the limitations concerning the playing surface and players: a game with hundreds of thousands of pieces (of tens of thousands types), played on a chess-like square playing surface that has hundreds of thousands fields where the match could be ended and won only after thousands of years playing is not a reasonable concept of a game for *human* players. Certainly, it *can* be defined; but the very idea of designing such a game would betray a significant lack of understanding of some of the essential aspects of what a “game” (for people) really means.

Language serves as the background, medium and/or accompaniment for most human activities; therefore language, too, has to take many things into account (implicitly). Human voice-producing anatomy limits the field of possible phonemes. There is also a non-infinite (though not sharp) interval for a reasonable longitude of phoneme chains carrying information pertinent to the practice accompanied by language exchange. Language can be useful as a medium within which one person addresses comments and remarks to another person – teaching her how to control a gas cooker, say. As such a practice requires having the capacity of differentiated and “reasonably immediate” reactions to stimuli and situations that are likely to occur within it (the potatoes are boiling, the flame is shooting up too high and may reach something flammable, etc.), it is vital that the instructor can convey necessary instructions within a reasonable time, one that will allow the learner to react properly to the respective stimuli. When potatoes are boiling over, it must not take minutes, and certainly not hours, to express instructions meaning “raise the lid”, “lower the flame” or “put the pot aside”. Rules of any human practice thus require more than just a criterion distinguishing correct vs. incorrect. The game has to be “set up” in such a way that it can reasonably be expected to be played by human agents. Otherwise, we would not understand it as a game.

Human practice is thus rules-governed through and through, and yet it involves features (limitations) that are “just there” without having been imposed by a rational rule-imposing authority (not even a collective one). *In* learning normative practices, we learn to cope with a world that has certain limitations – limitations that don’t stand on foundations of the Kantian kind: they are not the result of a free self-imposition by a community of rational minds. Apart from its bordering our “natural” limitations, there are also phenomena referred to as “thrownness” and “factuality” by the German phenomenologist Martin Heidegger.<sup>32</sup>

The world within which we grow, live and learn to orient ourselves is a specified, particular world. Its specificities are often unique for every living human being. No particular “factual” conditions hold as a fact for everyone, but it is a fact that everyone has *some particular* factual starting conditions into which they are inevitably “thrown”, as Heidegger puts it. These conditions substantially influence the agent’s choice of moves. The mix of problems that one is used to recognising and facing as being problems at all (consider religious issues here), the kind of techniques and solutions that one is used to giving preference to and, in addition, the ways that one may choose to evade conditions to which one was born is highly personalised and background-dependent and may not be identical for any two people.

Our world is not factual and it does not host “thrown” inhabitants only incidentally. What Heidegger calls factuality and thrownness contributes vitally to building up a framework within which people – social beings – are able to understand anything that surrounds them. I would not be able to follow any rules if I was not equipped with a personalised, factual

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<sup>31</sup> This parallel has been made by Mark Lance in his illuminating paper “Some Reflections on the Sport of Language” (Lance 1998); cf. also Kukla – Lance (2014, 31ff).

<sup>32</sup> Heidegger (1977, §§ 28ff).

background. It is *against* this background that I can recognise and respond to any task as a task. Various rules of polite behaviour, usually society- and class-specific, would be extremely difficult to understand (including the very possibility of noticing them as rules at all) were my origins not to be found in the same environment. Consider here for instance the expectation that men wear, on certain occasions, a tie.

An important part of this foundational *a priori* variety is language: different individuals live in “worlds” construed of more or less different facts; facts of the encompassing languages vary as well. Many studies defending versions of the Sapir-Whorf thesis have been devoted to the demonstration of this variance. It seems undeniable that at least some of the claimed language variations – differences lying *only* on the level of language – considerably affect the way its speakers understand the surrounding world and orient themselves within it.<sup>33</sup>

The particularised understanding of the world that surrounds one is practical and comes in terms of the recognition of the practical scenarios that are open to one;<sup>34</sup> but whether one deals with a thing as with an interesting book or as with a wedge for a shorter leg of a table is conditioned by her particular “factual” (personal, social, cultural, historical, etc.) backgrounds. Understanding something is thus a practically situated skill.<sup>35</sup>

Human agents are governed by rules conditioned in complex ways by the various and particular thrown life circumstances of their followers’ lives. As the understanding is localised, so is its linguistic articulation. Therefore, through the variety of the ways that people speak, the variety of the “worlds” is articulated within which they live and understand their environment.

This is a particular way of reading Wittgenstein’s famous dictum that “the limits of my language mean the limits of my world”.<sup>36</sup> What we are able to know of our world beyond what we are able to express seems to be knowledge in a significantly impoverished sense

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<sup>33</sup> There is the popular urban legend about the Inuit people “distinguishing” between a huge number of different kinds of snow. This legend is however methodologically flawed, because the English-speaking scientist translated various Inuit expressions by way of various English word chains containing the word “snow”, although the original words shared no such common element. To say that “Inuits distinguish among many kinds of snow” may thus be challenged by Inuits who would not believe that there are “many kinds of the same thing” that they are allegedly distinguishing. For this issue, see Lucy (1992, 148f).

More recent findings, such as by Lera Boroditsky, show however interesting differences, e.g., in the systems of spatial orientation markers within different languages. Whereas for modern Western languages a *positional* orientation system is typical (expressions like “left”, “right” or “behind” centring round the person of the observer), some Australian Aboriginal languages like Kuuk Thayorre prefer a consistently non-personal orientation system based on cardinal points (North, South, etc.) Obviously, that influences answers to trivial test questions: e.g., when an English-speaking respondent makes a 180° turn, she has the window on her left when it was previously on her right, whereas for a Kuuk Thayorre respondent the window remains to the North from her, no matter how many times she turns around; it also, however, lends itself to more significant capabilities like orientating oneself in an unknown landscape lacking salient landmarks. See, e.g., Fedden – Boroditsky (2012).

<sup>34</sup> Stekeler-Weithofer (1995, 91ff) invites us to read Plato’s narrative about the idea of the good, allowing any knowledge along pragmatist Heideggerian lines: things we meet “mean” what they are good for.

Certainly, very different interpretations of this role of the good in Plato can be offered. Unlike the pragmatist readings of Plato, Murdoch (1970) stresses that the capacity to see in the light of the good is of paramount importance for cultivating one’s relations to other *people* (rather than things) and one’s whole character and life into a good character and life.

<sup>35</sup> The influential American philosophers presenting (and rehabilitating) Heidegger as an insightful pragmatist include Richard Rorty (see various essays in Rorty 1991) or Brandom (2002, chap. 10 and 11). They focus, expectably, but not particularly fortunately, only on the first division of *Sein und Zeit*, neglecting the analyses of mortality or historicity in the second division or the anti-pragmatist Heidegger after his *Kehre*.

<sup>36</sup> Wittgenstein (1922, 5.6).

compared to what is contained within this realm – the “world” is affected by our knowledge of it.<sup>37</sup>

Life-forms of individuals also comprise societal standards typical for a social environment with a certain spatial *extension*. Their rule-following practices become understood not as a matter of individual agents’ actions but of “the life as it is lived by people like us”; which often means: in the *place* where the agents live.

Rule-oriented philosophy thus contributes to modern theories of geography. Geography, in its social- or political- variant, makes sense of the space within which we live. The recognised geographical framework is such that we are able to orient ourselves within it.<sup>38</sup> The attention of today’s social geographers is directed towards the complexity of the concept “space”. Social geography replaces the older view of space as an object of inquiry or causal determination (condition) of human actions with the view of space as subjective, or rather intersubjective. The role of subject(s) in the origination of the space we live in must not be neglected as it is social action that constitutes a number of social facts encountered in space and their (spatial) horizons.<sup>39</sup>

Marxist theorists of space thus speak directly of the *production* of space. This production consists of three elements: “spatial practices” (like moving along the routes of a city traffic system when commuting), “representations of space” (creating conceptualisations of space – maps, plans, development strategies – by engineers, architects, urbanists, etc.) and finally “representational spaces” (the conceptualised spaces really lived in through the internalisation of the symbolic and theoretical plans and concepts of space, when one for instance explicitly, directly and intentionally plan their strategy of movement within a city as a “user of the through-highway”).<sup>40</sup> To understand properly a situation as a spatial component of a certain normative arrangement thus also requires having a more sophisticated concept of space.

It seems trivially true that as far as the world we live in is spatial, so does all that is happening within it have a spatial dimension. But, as I tried to suggest, space is not just the space that is measured by means of geometry or physics. It is also constituted by our practices, organised and lived. This complex concept of space has already been philosophically investigated by Merleau-Ponty. His famous football-field example shows that such a space exhibits certain “field lines” or “field patterns” (various “densities” or “resistances” within differently defined parts of the play space) constituted by the *rule-governed* joint actions and counter-actions of the player. The point is that this normative practice results in a truly physical, bodily experience of what it feels like to move within such an organised space.<sup>41</sup> In terms of the production theory, the space of football is constituted by i) the routine practice of spending leisure time by engaging in a certain physical activity under certain spatial conditions (such as having a roughly “flat ground”), by ii) the explicit regimentation of the rules of football and of the “proper” football field, and by iii) the activity of playing football with the acceptance of the “normalised” playing field rules (usually a default, somewhat softer version of ii)).

The example of the football field shows that rules create *locally specific* normative domains of space. Or course, football can be played quite well at a place where lines for, say, a basketball court have been painted and no goal posts were constructed. But to the extent that

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<sup>37</sup> Wittgenstein has recently become, perhaps somewhat surprisingly, an inspiration for developments in *geography*. See, e.g., Curry (2000, 94). For the Wittgensteinian inspirations of social geography see, e.g., Stirk (1999).

<sup>38</sup> Cf. the late-Heideggerian account of poetry: like geography, poetry bestows the human-inhabited world and its contents a proper, comprehensible “measure” (Heidegger 1954).

<sup>39</sup> The object-subject shift as the key factor in the development of social geography is comprehensively expounded by Werlen (1993).

<sup>40</sup> See Lefebvre (1991, 38f).

<sup>41</sup> See Merleau-Ponty (1967, 182f).

the default rules connected to the painted lines are *executed* – i.e. that the space is treated as a basketball court, either by the playing of an actual basketball match or by a variety of other possible responses –, the rules of football are *out of place* here. It is then quite a proper observation to say: “The rules of football do not hold *here*”. The geography of territories is the mapping of such contexts in which different complexes of site-specifically appropriate rule-governed practices are performed.

The meaning of this territorial spatiality incorporates both the physical spatiality and the more metaphorical spatiality of “situational” contexts. Social and political geography thus maps such rule-territories like embassies, diasporas, or China-Town-like communities. The particular rules are established as authoritative depending on various site-specific factors that are, however, never spatial in a purely physical sense.

Various empirical languages are spatialized in this sense, too. Although the rules of German are everywhere the same, there is no point in speaking German *where* nobody understands German; not, that is, if I intend to exact some *communication* in German. No matter how well I follow the rules of German, my communicative attempts will be effectively *incorrect*.

Language also marks the people with whom one shares the same language as one’s “neighbours”, while those who don’t are excluded from this “neighbourhood”. The exclusion can take various forms, such as having a certain handicap or of having another, more valuable language available that opens the door to a more desirable “neighbourhood”. The way one speaks marks them effectively as people belonging “here”, “there” or anywhere else. Acquisition of another language provides one a potential of “normative mobility” – of acting competently in another “neighbourhood”. The parallel geography set by languages is reflected in terms of social mobility. If we want to move up “socially”, we need to acquire the constitutive skills appropriate for a better social neighbourhood. This includes the language spoken by its inhabitants. The increase of social mobility is one of the principal motivations for teaching and learning foreign languages, as well as for promoting a “norm-obedient literacy” of the speakers’ first language.<sup>42</sup>

Studies on multilingualism show that what the people who are able to shift between two or more languages with reasonable proficiency do truly shift between are different kinds of social performance appropriate to differentiated *contexts*. The performances in different languages react to and are driven by the tasks expected and demanded from the speakers by the situation.<sup>43</sup> In learning a second language, we fit ourselves into various spectres of tasks and typically assumed performances; differentiated by our learning backgrounds and the assumed purposes of the training.

Studies performed in Johannesburg at schools in poor neighbourhoods show that the English that is actually acquired by the pupils is far from being such a social mobility passport. The students fail to meet the norms in their entirety and the shared practice of what they do mostly achieve amounts to the constitution of a partly-correct standard amounting to an autonomous system. The shifted rules are in a nuanced way appropriated to the *local* possibilities and limitations: expressing both what the localised speakers are able to perform and what they need. This “marginal” English is thus not abnormal but responds, in its own right, to the specificities of a different *niche*. Part of the *niche* is constituted by the inhabitants

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<sup>42</sup> The class system in the UK documents the importance of the way that one speaks their *native* language in the determination of the variety of social options available to them. Several recent newspaper articles describe a curious situation of people hindered from a job for which they were otherwise appropriately qualified by their lack of ability to speak in a “posh” enough manner (a deficiency they are pressured to compensate for by additional training in proper speech). See, e.g., the Guardian article “‘Poshness tests’ block working-class applicants at top companies” from 15 June 2015.

<sup>43</sup> Blommaert et al. (2005a).

themselves. As far as peripheral “deviations” from norms are statistically normal and productive in practice, they might become norms themselves.<sup>44</sup>

These reflections and studies in geography consider rules as connected to specific, limited *territories*: certain places are described as those where certain rules hold and others don’t (though they hold in another place). These rules are thus constitutive of the specific characters of these territories. It also shows rules as being limited and the emergence, disappearance and blurred boundaries between correct and incorrect rules, or clashes with rival rules, as belonging essentially and inevitably to the life or rules.

The spatialization of language skills also contributes to their complicated “associations” with their “typical” bearers. A cloud of secondary normative expectations becomes visible when an outsider adopts the rules of a particular skill that are, in themselves, defined as open, but for various reasons only rarely followed by her fellow-outsiders. Imagine the situation when white people of high society in the 18<sup>th</sup> century U.S. were first confronted with literature or art produced by black Americans (Phillis Wheatley, for example). Though the formal and craft-related requirements were clearly fulfilled, the audience was reluctant to admit that someone “like that” could truly be the author.

The associational links between spatial contexts, normative performances and their typical performers make normative mobility very difficult. As a typical inhabitant of a niche, one has certain patterns of normative performance assigned to what one ought to do, while other patterns are not even considered to be something one ought to *try* to do. The possibility of moving from the territory of some rules to the territory of other rules is always theoretically open. But the truly interesting part of the dynamics of our normative practices is, I think, that the real possibility to leave behind many inherited rules I do not like is in fact rather *low*, along with the painful awareness that it is, however, *not* completely impossible. “Rules” like “black girls from New Jersey, who lived on junk food in their childhood, should not become president” might sound inappropriate and nonsensical; yet, there are a lot of people whose practice is an acknowledgement of this rule, including its described subjects. Their reactions create a resistance that parallels, in some cases, the resistance that we face when we test the limits of our bodily capacities.

It is thus only appropriate to point out that some of territorial normative arrangements are inextricably connected to characteristic features of the *agents* subject to rules – such as their nationality or their “obvious” race.<sup>45</sup> Rules and normative arrangements specified with respect to *where* the normative interactions take place highlight that many rules and normative statuses would not make sense or be intelligible without taking into account also *who* the relevant parties of the normative arrangement in question are. In the following sections, I will discuss the importance of agents and agency with a focus on gender-specific rules.

## 2.4 Normative Expectations Blending with “Biology”

The working of territory-connected rules, especially when there is the factor of the typical personality at play (with a physiognomic dimension) that I have pointed to, is such that it is often not easy to draw a boundary line between niche, environmental constraints (akin to simple natural necessity) and the uniquely human normative, rule-like constraints. Many rules

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<sup>44</sup> See Blommaert et al. (2005b). The researchers worked with this “ecological” interpretation of the margins of language and insufficiencies in learning.

<sup>45</sup> For instance, in terms of a racist viewpoint it is inappropriate, if the person being considered is black, to both appreciate her command of high mathematics (a racist response might be analogous to the amusement provided by a counting horse in a circus) and to criticise her lack of command of it (because “nobody would expect this from her anyway”).



originate somewhere outside their subjects' view and the source of their authority is rather opaque. Agents have to cope with constraints that they haven't freely imposed on themselves and that they often don't properly understand. These opaque constraints may differ from what seems to be clearly dictated by physics or biology by being somewhat softer and capable of bending. But, it is fair to note, the limits imposed by our biology are not fully deterministic either.

Animals are frequently appealed to as examples of the treacherous nature of the distinction between hard and soft (rule-like) constraints. Inferentialist philosophers would insist that the institution of rules (rules connected centrally with the possibility of giving one's reasons to the other and asking for their reasons in return) is uniquely human.<sup>46</sup> Other living organisms are not "rational", hence they do not follow rules that they would be free to choose but – even in following the rules they live by (such as those studied by ethology) – are driven by natural necessity.<sup>47</sup>

I do not want to pursue this line here at length. I would only like to point briefly at the peculiar nature of constraints put upon animals living within the *human* world. Dogs or cats typically – but basically all animals having conditioned reflexes (which perhaps goes as far as the cephalopods) possess this capacity – live within a complex net of rules created by their human hosts and masters. They adopt certain behavioural standards the particular form of which may have little to do with what is directly dictated by their genetic predispositions. (Why do most dogs enjoy – they do, I presume – the game of retrieving a stick while it would seem bizarre to expect a similar thing of wolves or dingoes, their close relatives?) They are also punished for violations of these standards. And, on the basis of the punishment, they are able to henceforth avoid the forbidden behaviour. The punishment needn't be of a physical nature, for dogs or cats are often also highly sensitive to the *minutiae* of emotional and psychological interplays between themselves and their human fellows. Anyway, in this sense animals (the domesticated at least) can be told to follow rules and are therefore not only driven by nature.

A "Brandomian" objection is at hand: but they are not able to reflect upon these rules in giving their reasons and asking for the others' reasons! And, more specifically, they are not able to follow the rules of the particular kind that are foundational of human reason and language. But, to be honest, many people live in an equal state of blindness towards the rules governing their lives. They are not able to make them explicit and give reasons for their actions referring to these rules. They (*we*) often even consider the way they (*we*) do things as natural and virtually reason-less. Upon being questioned, poor and insufficient justifications may come about such as "I do it because... well, how could I do otherwise? Everybody does it; this is the way it is." The retort that humans at least *can* come to an understanding of the rules and make them explicit is tricky: so many people just *do not* come to any understanding of many of the particular rules that constrain their lives.

But we address people as though they were essentially capable of noticing the difference between natural necessity and rules (that are connected to reasons). And it is true that we are not accustomed to respond to animals' "actions" by asking them for their reasons. Even when a master reprehends his "naughty" dog, saying "why did you do this? That was very, very BAD of you!", he would be as surprised as anybody else if the dog actually answered his question. And it seems reasonable to say that with people we just keep trying it time and again, and our expectations – more often than not – end in disappointment. (No dog's master is, I think, *truly* disappointed when the pet doesn't respond to such an entreaty.) But aren't there cases in which we adopt – systematically – an attitude similar to the attitude to animals

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<sup>46</sup> The classical locus is in Sellars (1949); cf. also Peregrin (2014b).

<sup>47</sup> Some would rather strongly disagree here; cf. de Waal (1997, chap. 3 and 4).

towards a certain group of people as well? Racist or sexist prejudices often predispose inclinations in such direction.<sup>48</sup>

The example of animals shows that some of the particular constraints imposed on agents are connected to their biological (dogs are “expected” by their masters to do things cats typically aren’t) or bodily specificity. This embodiment does not represent a limit to the normative dimension of the interaction: the interaction is realised as embodied and it could not be what it is if it is not embodied. The embodiment lends a tinge of reality to the intricate complexes of social constructions.<sup>49</sup>

In human beings, the bodily specificity of normative complexes is perhaps most visible, and for a philosopher highly interesting, in the case of *gender* opposition. This is not something considered to hold only somewhere. We are familiar with claims linking this to the inborn boundaries of human (and not only human) nature. Some forms of geographical “thrownness” can be escaped from – cheated, disguised or reinterpreted.

The gender difference is more difficult to evade. All the more so because in most everyday social contexts – though not from the analytical viewpoint of gender theorists – no clear boundary is drawn between biological *sex* and the complex of social roles, expectations and performances comprising *gender*. It is thus often assumed that the only option of changing what one was born as (a man or a woman) is a surgical one. (As if transgender and non-binary people didn’t exist or only engaged in a purely artificial “identity politics”.) This common confusion sets the foundation for corroborating even the most symbolic and purely conventional elaborations of gender statuses with a reference to the bodily basis; to which, after all, many specificities of gender performance are actually linked. A woman stays a woman wherever she goes; her fate is to carry with herself what makes her susceptible to these expectations. (I believe that this example – as I will try to explore – also shows that the somewhat ambiguous term “(normative) expectations” often or typically blends both what is anticipated and what is required.)

Unlike spatially-specified normative “types” like “a child from a slum”, “woman” (conversely, “man” as well) seems to refer to a role rather than to a place.<sup>50</sup> “Women” occur and live within various social spaces. As women, they are expected to fulfil a particular *role* or a cluster of interconnected roles or functions, comprising gender-specific tasks and expectations. Some of them tend to be cross-cultural. (Let us consider such tasks as cooking or taking care of children or the elderly.) Due to the bodily nature of “being a woman” (it is regularly construed as something connected to the agent’s body), rules or expectations of a purely *conventional* nature can thus be corroborated if they are successfully linked to this foundation. Wearing red lipstick is commonly justified as permissible (or even recommendable) or, on the other hand, inappropriate, just because one has certain body parts.

The *actual practice* of the game of giving and asking for reasons thus articulates gender-specific sets of commitments and entitlements as well. Being a woman (and being a man as well) is not only a set of biological characteristics; it also includes meeting the expectations of speaking in so-and-so a manner, behaving so-and-so, dressing so-and-so, etc. As far as the actual practice of the reasons that the game *succeeds* in linking the rules to specific sexes, one cannot emancipate oneself from these duties any easier than one can emancipate oneself from having particular, sex-specific body parts.

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<sup>48</sup> See, e.g., Gaita (2002, chap. 4).

<sup>49</sup> Cf. Todes’ (2001) remarkable account of our navigation within the world, simultaneously through perception and imagination, where we meet certain needs that we determine by meeting them and yet encounter them as objective.

<sup>50</sup> I omit here, however, further complications resulting from the intersection with other inescapably embodied differences between people (such as a difference of colour).

To the extent that genders are not to be identified with biological sexes (this distinction has been elaborated by numerous feminist thinkers<sup>51</sup>), “man” and “woman” are not purely naturalistic descriptions. Genders pervade and contribute to the system of our social facts, and *normative* aspects are embedded in this difference too, just as they pervade such distinctions as that between a “criminal” and a “righteous citizen”. The practice of the concepts “woman” and “man” articulates several *oughts* and *ought-not-s* intermingled into a system (or locally specific systems) that needn’t be easy to prove as coherent, fair or pragmatically profitable.

As I mentioned, for many feminist theorists, starting with de Beauvoir, gender is something that is being done or performed rather than an inborn, static characteristic. In this sense, it does not seem strange to claim that the meaning of something performed consists to a great extent in how it *ought to be* performed. It is typical to explain what teaching is through an instruction of how it should be done *properly*. We thus explain that a teacher is someone who *should* guide and help her pupils in acquiring knowledge and understanding the world, learning to think critically, etc., rather than that we could say that teachers, in general, actually *do* this or that. Many of the things actual teachers do might be reasonably argued not to have anything to do with what “being a teacher”, in the above sense, is supposed to mean.

Similarly, the meaning of gender roles is specified by the application of certain *oughts*. Consider, for instance, the common – in that it is shared by many cultures and social *milieus*, though it is dramatically less visible among contemporary Western cosmopolitan liberals – requirement that women (“girls”, actually) should preserve their own “chastity” or virginity before marriage. Though not tied directly to bodily differentiations, the concept does not apply to men; the rule is not expected to be followed by them. “Following” also includes meaningful violations, i.e. cases where the agents can be reasonably told to be unchaste. In order that addressing men as being either chaste or unchaste makes sense, there should be established patterns of response further elaborating such identifications: appraising or reprehending reactions one can understand (and respond to) as a “response to someone’s (un)chastity”. There would have to be a certain agreement as what to do with an (un)chaste man, including a similarly, more or less unambiguous, identification of a response *inappropriate* (e.g., exaggerated) to the respective man’s (un)chastity.

It is as if we tried here to relate a concept to subjects for whom the concept somehow has not been designed. Certainly, “a man ought to be chaste” could be explained and followed and, as a rule, it could distinguish the actions of the concerned agents into categories of right and wrong. But typically it is *not* so. In a sense, it is a rule similar to a rule along the lines of “businesspeople should implement the most up-to-day teaching techniques into their pedagogical work”. No doubt this is also comprehensible and reasonable; however, businesspeople are *not* expected to somehow face the task of choosing the appropriate techniques for their pedagogical activities. There are no standard examples of businesspeople successfully or unsuccessfully engaged in pedagogical activities that would help one orient oneself to respond to cases where they were supposed to apply this rule. A rule that does not hold is neither followed nor violated.

The confusion overclouding the role-specific rules might thus stem from this: there are certain problems of practice here that are connected not so much to cases of rule-violation as to rule-appropriateness. Some rules are presumptive with respect to those subject to them.

This difference in the relevant rules, based on an assumed difference of the agents subject to them, is striking when the expectations and requirements are connected to human sexual behaviour. In the following two sections, I will discuss a complex of particular language

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<sup>51</sup> Though the term “gender” as something that is being performed (“done”), in opposition to the static, inborn characteristics of biological sex, had been originally coined in its distinct sense by the *sociologists* Candace West and Don Zimmermann in the 1970s (see West – Zimmermann 1987), the distinction is reflected upon and further elaborated by philosophers as well (Butler, MacKinnon or Haslanger, to name just a few).

games, connected to a framework of (expected) social practice that exhibit interesting normative aspects. The discourse I am describing is by no means universal; I am not sure about its actual, empirical prevalence, but it undoubtedly used to be in effect and remains so in at least some places. And, as an “object of comparison”, it sheds a powerful light on central aspects of Western thinking about the different roles of men and women.

Certain gender presumptions practiced in Western societies seem to share important normative points: men are often depicted as driven by their male sexual force (based on biological studies and their findings of hormonally-determined segments of human agency-and strategy-options);<sup>52</sup> women, on the other hand, are depicted as “ineffectual agents” (passive in their nature) who are unable to act straightforwardly, openly and effectively on this field.<sup>53</sup>

The ineffectual-agent picture is interestingly incoherent: it often shows women as both effectively achieving their goals by their choice of soft strategic techniques (akin to manipulation, etc.) more suited to their nature and, at the same time, unable to achieve their goals because strategies suited to women are weak and ineffective for achieving any goals. I don’t know if a person *can* really act so in practice or if there *are* actually persons acting so “ineffectually”. But there is an assumption that the relevant agents *ought to* act like that, including the eventual reprehending reactions if they fail or refuse to do so.

These two incoherent requirements seem to go together rather badly if they are imposed at the same time. But both are not typically called for at the same time. It would be manifestly impossible to follow the rule in both of its readings at once. *Various* things are expected (and demanded) from female agents depending on the context. The choice of the deciding context, however, may not suit the rule-subjects themselves but – perhaps more often – their (typically *male*) partners or opponents.<sup>54</sup>

The case of shifting interpretations of rules, such as the one concerning “ineffectual agents”, only highlights the notable role played by the “audience” of the rule. A rule is in play as far as there are people for whom it matters whether a subject agent acts “properly” under the description provided by the rule and who mark, by their responses, differences in the agent’s behaviour with respect to the standard. In the case of gender-specific presumptive rules, the audience can be largely separated from the group of agents expected to be subject to the rules.

The cases of gender-related clashes, such as those involving domestic violence, sexual harassment or acquaintance rape highlight dramatically the importance of the division of roles: between those who have authority over rules and those who are subject to rules. As I will try to show in the next section, it is typically women who have to defend themselves – that is, to fit themselves onto the rules endorsed by the counterparty. The inequality of positions becomes particularly sensitive because it concerns the difference between the participant parties (that is, the real or less real differences between genders).

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<sup>52</sup> For a critical examination of this prejudice, see, e.g., Lacey (1998, 98ff).

<sup>53</sup> For a critical examination of this prejudice, see, e.g., Ehrlich (2001, chap. 2 and 4).

<sup>54</sup> Let me quote here the famous passage from the best-selling book *Gone Girl* by Gillian Flynn: “Being the Cool Girl means I am a hot, brilliant, funny woman who adores football, poker, dirty jokes, and burping, who plays video games, drinks cheap beer, loves threesomes and anal sex, and jams hot dogs and hamburgers into her mouth like she’s hosting the world’s biggest culinary gang bang while somehow maintaining a size 2, because Cool Girls are above all hot. Hot and understanding. Cool Girls never get angry; they only smile in a chagrined, loving manner and let their men do whatever they want. Go ahead, shit on me, I don’t mind, I’m the Cool Girl.”

That it may be impossible to comply with all the normative expectations put upon an agent based on her group classifications doesn’t mean that such incompatible expectations cannot be put forward; even a single person can issue incoherent and irrational orders, and in this case the source of the incompatible expectations is not one person, but a whole (heterogeneous) environment. An agent’s internalisation of such competing expectations and value standards may lead to patterns of agency properly described as cases of *akrasia*, as Rorty (1997) shows.

Rape trials often presuppose an essential difference in social functioning and performances between men and women. There are different standards of what women can take the liberty of doing, and why, resulting in the scrutiny of their (sometimes principal) “share of responsibility” for being assaulted. The question how they could prevent it and why they did not is asked seriously, flowing from the assumption that there is a gender-specific burden of prevention for them to bear. The actions of the assailant and of the victim are considered to follow *different* standards based on a presumed difference in the use of language. To this issue the following section is devoted.

## 2.5 A Messy Complexity: Gendered Languages and Rape Trials

The presumed division of labour starts with the very patterns of *language use* found in men and women. It was Robin Lakoff in the 1970s who first opened this discussion, which continues to this day, by extensively mapping the institution of “women’s language”. This peculiar system is, according to her, characterised by the use of indirect techniques, a higher number of polite, correct, and excusatory forms, tag questions, diminutives, intensifiers, and so on. According to Lakoff, these speech forms preserve and reproduce the inferior social position of women by articulating and *codifying* their weakness. Men, on the other hand, are alleged to speak directly, tending to prefer monologue forms that are oriented towards problem-solving, thereby codifying their capacity to solve problems. Lakoff uses this analysis as a starting point for a feminist critique of “women’s language” as an *artefact*: if we are able to analyse the forms of this over-polite language as preserving a situation in which women are oppressed and marginalised by men, it will enable us to change it.<sup>55</sup>

Though linguistic performances are likely to be influenced more significantly by the performed gender rather than by the biological sex,<sup>56</sup> the essentialist view attributing distinct types of linguistic capacities and preferences to men and women grows, however, popular. Distinct types of linguistic capacity are linked to sex-specific types of “hard-wired” organisations of the brain. This division of labour assigns men and women different kinds of linguistic activities, with each group being “naturally” better in its own right.

The term “assigns” is intentionally ambiguous. For instance, women are often “assigned” the capacity of maintaining a conversation. At least three things get jumbled together and confused here: i) a *factual* observation that it is women who more often than men try to keep a conversation going, filling the embarrassing moments of silence, etc.; ii) a *factual* observation that it is women who, in making conversation-maintaining utterances, fill the embarrassing silences in the conversation in a smoother and more productive manner than men do (they cooperate more effectively in this with other conversation participants, especially those who are also female); and iii) a *rule* that whenever an embarrassing silence in the conversation occurs, it is primarily the woman present who *ought to* undertake the task of maintaining the conversational flow.<sup>57</sup>

The factual points i) and ii) could perhaps be questioned in their claim to being accurate observations, but we will focus on the normative point iii). What makes it a rule? There are

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<sup>55</sup> See Lakoff (2004, 102).

<sup>56</sup> Cameron (2009).

<sup>57</sup> Fishman (1977). What I sketched here is not a universal observation about the conversational arrangements between men and women everywhere, or essentially. Fishman’s research was conducted in the pioneer years of gender linguistics when most of the focus concentrated on the lives led by the American WASP middle-class. The institution of conversational shitwork as employed in this *particular* context offers, however, a nice example of a gender-unequal division of labour. A more recent, extensive deconstruction of this “observation”, though targeting a wider audience than just a scholarly one, is offered by Cameron (2008).

contexts where this expectation is applied as a *standard* with respect to which the actual practice is evaluated as conforming to or violating it. Support for it can be seen in an “economic” argument: if some are better in performing an activity (such as maintaining the flow of conversation) than others, they should preferably perform it. But this argument itself stands in great need of justification: nobody would ever start to learn anything new if this justification held.

However, those who say nothing (men?) and leave others (women?) to toil with keeping the conversation alive needn’t do that on the basis of implicit acknowledgements of their partners’ superior skills. It may simply be a case of them not wanting to bother themselves. The “assignation” would then consist primarily of taking advantage of their position and leave the less desirable work to others and, with sanctions and punitive mechanisms at hand, be able to expect these others to do it. The ability to keep a conversation flowing needn’t be in the very nature of every female speaker. It might have simply fallen upon women to do this task because those who have the liberty to choose their speech occupation do not want to bother with it. In this context, gender linguists have coined the term “conversational shitwork”.

In folk-linguistic conception, the narrow, specific task of keeping the conversation going can blend with the concept of communication as such: i.e. that women simply communicate better and it is thus, as a *rule*, their task that they should keep communication going in as smooth a manner as possible. As far as the general purpose of communication is to establish mutual discourse, when a *misunderstanding* occurs and a woman is involved, it is because she did not properly do what she should do, i.e., communicate. It can be considered a rule-violation. This view on miscommunication and the application of such a gender-specific communication rule to women turns out to be “remarkably patronising towards men”;<sup>58</sup> the presumably less skilled speakers (men) have the opportunity to evade the presumptive rule applied to their interlocutors (women). It thus makes little sense – giving, as it does, an “out” to men in this area – to consider whether they might not in fact be acting idly or indolently in communication. This point of view has been properly replaced by the natural application of the “economic” division of labour, the consequence of an assumption that the speech practices of men and women are governed by different normative standards.

In effect, men are more easily exonerated of having responsibility for various incidents, misdeeds or failures when these can be associated with troubles in “communication”. This is a fairly typical feature found in the investigations and judicial trials of sexual assaults, especially of acquaintance rape. Judicial proceedings in cases of sexual assault often share certain typical points. It is not an unusual line of defence that is taken by the accused men to argue that they did not *understand* the woman’s refusal of sex. Although the argument (that “No” means actually “Yes” or “Keep trying”) would sound weak in any other context, the defendants quite often succeed in having their immoral action re-interpreted as being a case of misunderstanding. Moreover, the blame falls on the *other* side, i.e. it is the woman who has failed because she did not express herself clearly enough.<sup>59</sup>

This juristic issue is not without interest for epistemological questions, such as the private language argument;<sup>60</sup> but I will focus here on the normative dimension of the problem, connected to the assumption of distinct (groups) of normative subjects. Susan Ehrlich collected, in her linguistic analysis of the language of rape trials, an impressive body of empirical evidence.<sup>61</sup> In a lot of cases that were reported as rape, the accusing party is ultimately not able to prove that rape had taken place even though the “act” itself was not disputed. The issue centres round the notion of *consent*. Whether what has happened has been

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<sup>58</sup> Cameron (2008, 11).

<sup>59</sup> Ibid., p. 89ff; see also Henley – Kramarae (1991).

<sup>60</sup> I discuss this elsewhere (Beran 2017).

<sup>61</sup> Ehrlich (2001).

consensual or enforced depends on tracking several points in detail: who is governed by which rules and to what extent they have actually followed or – rather – violated them.

The emphasis placed on women as being responsible for the course of communication is connected with a series of further assumptions, as Ehrlich shows. 1) There is the assumption about who is the “legal subject”: someone “who is coherent, rational and freely choosing, and who can, in ordinary circumstances, be held fully accountable for his (sic!) actions” – the actions of the complainant are scrutinised in the light of this measure. 2) There are the curious heteronormative assumptions about male and female sexuality: man as being hardly autonomous as he is being driven by the male sexual drive (hormones); woman expressing, by her direct “no”, an actual indirect “yes” (according to which she is expected to express a certain amount of “pretend” resistance).<sup>62</sup> 3) There is the importance of the victim’s personal character and history.

The assertion that the sexual assault was in fact an act of *violence*<sup>63</sup> then requires a complicated set of conditions to be met so that no one can say that it was the woman who failed to do something she ought to have done in such a situation. She has to explain that as a “legal subject” she was aware of *her* principal responsibility to communicate her lack of consent to the man in a strikingly clear and unambiguous manner. And what she has communicated must have met this requirement in the eyes of *both* parties. She has to show that she used every option available to her (obvious to any rational observer) to avoid the sexual contact. She, at the same time, ought to have respected the fact that the man was being driven by his sexual instinct and that it was irrational of her to bring him to such state of arousal (which he could not easily break off) if she did not intend for it to “go further”. And a history of random sex or promiscuity on the part of the complainant (even perhaps with the charged assailant himself) weakens the gravity of the accusation as well.

In this way, the complainant’s account is deemed incoherent: she cannot change her mind just-so; once she got started, she had to have been intending to lead the intercourse to its “proper” end. In changing her mind, she had to have known that it was nobody else other than herself who had thoughtlessly compromised her own safety – it was, then, her own responsibility. If she claims to have been afraid of him (which incapacitated her ability to openly say “no” or to evaluate rationally the available options of escape), she has to document rationally *when exactly* he did something particularly and unambiguously frightening and *what exactly* it was. “He is a very intimidating person” does not hold up as a relevant argument as to why she was justified in feeling afraid of him, hence it cannot justify her not escaping from him and yet accusing him of sexual violence. But the capacity to quote only one or two particular things that were done or utterances that were made in a particular moment makes the testimony look rather untrustworthy. This point clearly distinguishes cases

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<sup>62</sup> Ibid., chap. 3. Eckert and McConnell-Ginet (1989) argue that “no means yes” is no misunderstanding, but an excuse rationalising one’s actions through the leading ideology of sexuality.

<sup>63</sup> Public and educational anti-rape campaigns stress that rape is by its nature an act of *violence*, not a sexual act, and that the purpose of rape is to harm, intimidate, humiliate and punish the victim and confirm the aggressor’s dominance and power. The educational momentum of this argument is without question. It allows us to bypass discussions as to whether rape may not “just” be a sexual interaction that “went wrong” and which contaminate police and judicial discourses of rape and transform rape investigations into scholastic disputes about “consent”, stressing the allegedly “vague” boundary between rape and “normal” sex. The “rape is violence” argument directly focuses on rape victims as victims of a violent crime, which they doubtless are.

Some feminist theorists (see, e.g., MacKinnon 1987), however, argue that sexually loaded rape crimes are not occurring accidentally as just one among many kinds of acts of violence. Why do so many aggressors who want to oppress their victims and confirm their dominance commit *sexual* violence? It’s because acts of sexual violence are among the most brutal and “effective” violations of a victim’s personal and bodily integrity, since the experience of one’s own sexuality represents one of the most sensitive constituents of our lives. It would be perhaps more accurate to say that rape is an act of grave violence exactly by virtue of its sex-related nature.

of acquaintance rape from the – much less frequent<sup>64</sup> – cases of sexual assault by a stranger: the intimidating quality needn't be inherently and obviously present in anything particular that the assailant did at the moment.

The problem is that the complainant is expected to tell a nice-looking, coherent *story*, and its main character (herself) must be a rational legal subject. But a rational legal subject can reasonably claim that she was raped (that is, forced into a sexual interaction against her own will) only if she acted “rationally” and “coherently” all the time and did not neglect or fail to use any potential escape option or safety precaution. The stories told by rape victims rarely meet these expectations. And since everybody is, during the judicial process, considered to be a rational legal subject, the only “rational” interpretation of an “incoherent” story is that the complainant is lying and is trying to exculpate herself from responsibility for her own actions: seduction, consensual sex or the lack of safety. Such a “rational” reconstruction, as Ehrlich summarises, in many cases consists of the following: the complainant had a choice, if limited; she was not completely constrained from the possibility of exercising an option to resist or to escape; she asserted her supposed lack of consent in too indirect and passive a fashion; the explanation of this passivity being caused by fear is unsatisfactory since there were no *particular* moments of intimidation or actions. Thus, it is likely that “rape did not occur”.<sup>65</sup>

This case study suggests that rules are not “just” followed. Based on presumptions of their agent-specificity (which is, in the context of gender-specific rules, practically inescapable), reliance on rules can be used as a tool for manipulating the course of our complex normative interactions. The question as to whether agent A has violated rule X towards agent B can be reinterpreted as the question whether B has violated quite another rule, Y, towards A. This substitution of questions can take place just because it serves A's interests.

## 2.6 Another Messy Complexity: Body-Bias and Embodied Skills

I have suggested that in rape trials, the limited possibility to defend oneself has to do with the difficult standards of the “rational legal subject”. However, other factors may play a part as well. It is useful to consider the importance of *perspective*. The prevailing interpretation of a particular situation under discussion might be alien to the victim's perspective because it is “generally [the interpretation] of the more powerful person, therefore [the man's interpretation] tends to prevail”.<sup>66</sup>

On the basis of who the interpreter is – a man or a woman – he or she will tend to apply a differentiated pattern in the reading of a situation: bringing different backgrounds of knowledge, information, experience and rules of cooperation into it. Different normative standards – identifying what ought to be done – are applied as well. Whether one is prone to see something as an “innocent joke” or “harassment” has much to do with her or his belonging to a group of agents who are more frequently forced to contemplate the possibility that some form of harassment will unfold in a given situation. And one responds differently to joking and to harassment. Responding to what one perceives as joking may seem inappropriate or unintelligible to another who understands the same situation as harassment.

Since in the case of sexual assaults the bodily identity and well-being of the agents is concerned, this interpreting perspective is connected to the bodily situatedness of the agents. While “teasing” is a term describing a non-committing *verbal* interaction with a sexual undertone, harassing aggression is a disturbance of one's bodily autonomy. (Which is why it is claimed that rape is, in its essence, an act of violence.) But the importance of the bodily

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<sup>64</sup> RAINN statistics assess that about 80 % of sexual assaults are committed by someone known to the victim.

<sup>65</sup> Ehrlich (2001, 91f).

<sup>66</sup> Henley – Kramarae (1991, 41f).



sphere of one's personal autonomy and integrity seems neglected by theories of legal subjects as disincorporate, being as it were, "reasonable men", unsuitable for interpreting cases of rape.<sup>67</sup>

The indispensable *bodily* component of the "harassment" interpretation seems to prevent a fully open, transitive *explanation* of the experience as something that calls for a particular response, reflecting a certain perception of the normative "field lines" of the situation. The legal framework is generally not friendly to such an intransitive argument. As long as the claim of "rational legal subject" (a subject evaluating the situation in a disinterested manner) holds, women's bodily experience handicaps them in coping with this claim.

Inequality and exclusion resulting from a one-sided legalistic understanding of rationality manifests itself even in other examples of normative situations involving the claim of rationality. One such example is childbirth. Childbirth seems to be a purely biological process. And yet the *various* expectations about which are adequate procedures to use during childbirth and which are incompatible with doing it "rightly" are surprising in number: the issues of position, interventions like episiotomy or injecting the artificial oxytocin. These expectations are typically backed by the claim that they are necessary, natural and the only rational ones, i.e. tallying to scientific truth.

The claim of *rationality* made by these incompatibly varied procedures is remarkable. To the extent this claim is vindicated, a woman protesting against the enforced procedure can be dismissed because she objects "irrationally". Not only is the claim of irrationality backed by her disagreement with the newest and most cutting-edge findings of medical science, she is also irrational due to the childbirth *itself*: an experience hindering, as such, the labouring women in rational thinking. These evaluations imposed on childbirth show that it is not a purely "natural" event, but a situation incorporating normative dimensions.<sup>68</sup>

"Rationality" combines two different aspects here: i) the "utilitarian" rationality defined with respect to the generally acknowledged desired *outcome*, in which both the baby and the mother come out of it in good condition; and ii) rationality concerning the *reasons* supporting our rules-governed actions. While in case i) it is possible that somebody else can judge it better than the agent herself, ii) is a much less clear matter as it also concerns the agent's reasons for refusing some of the "conventions" of childbirth whose reputation of being generally beneficial may be debatable, the refusing agent may therefore not be blind as to what is exclusively "natural" to do. She can just refuse to participate in them because some other normative dimensions of the situations are more relevant to her such as not to undergo procedures whose rationality in the sense i) is not self-evident, and instead to undergo the childbirth in a way that she perceives as being least likely to spoil her future relationship with the child.<sup>69</sup>

A similar, slightly subtler variant of the same issue is the phenomenon of menstruation. Menstruating women are often described as deficient in rationality in the same way that women giving childbirth are.<sup>70</sup> If rule-following is inherently a *rational* agency, and if a group of agents can, on the basis of their bodily identity and the physiological processes tied to it, be

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<sup>67</sup> Lacey (1998, 118).

<sup>68</sup> Cf. Kukla (2005, 87ff; 2008, 74ff) or Lyerly (2006, 110ff).

<sup>69</sup> The difficult status of the autonomy of the woman whose baby is being delivered is discussed in Kukla et al. (2009) with a point being made at how the increase of medicalisation and expert knowledge in childbirth is conducive to making delivering mothers less autonomous and "objects" of interventions rather than being agents. There is, I think, an underlying shift in the notion of rationality towards the instrumental, consequentialist rationality.

<sup>70</sup> For a thorough analysis of the use of menstruation and other specificities of women's physiology as an argument in favour of the inferiority of female rationality, see Fausto-Sterling (1992, chapter 4).

denied (temporarily – periodically – or permanently) the status of a (fully) rational agent, we end up with a group of troublemaking persons with an unclear status.<sup>71</sup>

However, the claim that bodily specificity hinders entry into the space of reasons may, from a shifted point of view, prove to be a passport to a *particular sub-space* of reasons. Some rules can govern us only as agents of a certain *bodily* type; that is, some gender-specific presumptive rules concern specific bodily activities, perceptions or attitudes. A cautious sensitivity to men's harassing behaviours can, on the other hand, open a space for patterns of differentiated responses to such situations, the reasons for which can be commented on, argued for and exchanged with other agents sharing the bodily precondition (other women). The space of such exchanges is largely closed or unintelligible to those who do not meet the entry condition.

A substantial field of shared experience is referred to here, which consequently might rather evaluate certain stimuli, phenomena or situations as “unbearable”, “touching”, “(unnecessarily) annoying”, etc. All of these are evaluating terms, therefore highly normatively loaded. They point unambiguously to states of affairs or actions that *should* be, or on the other hand *should not* be; as such, they express certain shared attitudes on the background of which various patterns of response are intelligible (incl. reasons for them that can be exchanged) among those who share them.

It thus seems appropriate to suggest that there are partly separated spaces of reasons and evaluations that are unequally available and intelligible to various groups of agents due to their respective situations connected to their embodied perspectives. These cases, I think, cannot easily be explained away as cases of opposition to reason or lack of reason, i.e. the rational and the irrational/emotional.

The embodiment of mostly spontaneous responses or skills calls for at least a short note on *memory*. Let us not get stuck at the more or less discredited representational or storage concept of memory: that accounts for only a minority of situations and experiences which we describe in terms of remembering.<sup>72</sup> Following Bergson or Merleau-Ponty, we may say that memory manifests itself in the attitude one adopts towards a particular experience: an attitude of recognition and familiarity with the meaning of the situation, its consequences and the array of one's appropriate reactions to a situation within which one is oriented thanks to her memory-related capacities.<sup>73</sup> A differentiated structure of linguistic expressions is bound to this. The concept of “memory” is shorthand for a network of meaningful relationships that is pointed to in such expressions as “again” and “I already know that well”. No stored representations have to be postulated here; memory is the source of our *notion* of time as a systematic, sense-making way in which we use and understand interlinked concepts like “the same”, “change”, “former”, etc.<sup>74</sup>

Through all of that which we refer to as “memory” we enter a rich conceptual space where intricate interconnections between “earlier” and “later”, “what was” and “what will be”, etc.,

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<sup>71</sup> Again, menstruation is for some reason a frequent target of inquiry during rape trials, pursued as a tool for questioning the rationality of the victims' actions (thereby bringing into question whether their complaints are justified). See Lees (1997, 86).

<sup>72</sup> Let us only point to procedural vs. propositional kinds of memory. For a somewhat less recent but still highly informative survey of memory concepts and metaphors, see Roediger (1980).

<sup>73</sup> Merleau-Ponty describes the nature of memory as an embodied capacity of differentiated perception and reaction to different situations as an “intentional arc”. Dreyfus (2002) explicates his notions with examples of a master chess player and a skilled driver who must have, in a way, memorized thousands of typical chess (or traffic) situations, but their ability to react appropriately does not consist in the retrieval of stored memory but in seeing the important aspects of the situation they are in as urging them to a particular course of (re)action.

<sup>74</sup> I rely here upon Wittgenstein's relatively unknown notion of “memory time” (Wittgenstein 1964, chap. V and VI). Cf. its detailed exposition – considerably more systematic than was Wittgenstein's own – in Moyal-Sharrock (2009).

help us orient ourselves in the world in a unique way. Human memory is the capacity to conceive of and reflect upon facts or events as persisting or changing, which is not possible without measuring them against a (often normative) standard which pervades time. The capacity to articulate one's experience of memory (the experiences of familiarity, novelty, etc.) is closely connected to the agent's capacity to enter that highly structured conceptual space of what is "past", "repeating", "the same", "developing", etc.

The human memory, intertwined with the ability to speak, enables us ultimately to conceive of normative relationships among individuals: rights, obligations, responsibilities. All of these notions refer to certain types of interconnections among situations, attitudes and actions. Right, obligation or responsibility cannot be a part of an "anachronic" description of a situation; it makes sense to speak of them only on the shared basis of a life-form, where claiming particular rights, etc., is a part of the individual's situated life. Normativity is so situated thanks to our capacity of tracking the connections between the present and the non-present (past, future). I am accountable to my family, in another way to my superior(s), in yet another way to the society, and in yet another way to my own personal integrity. But I cannot be any of these at all if my life doesn't include the dimension of memory, since without it I cannot have a "family" or "superiors" or live in a "society" or think of "my own integrity".

A lot of these relationships are sustained by performing knowledge-how connected to one's body. As far as certain rules are followed in bodily performances requiring instilled procedural memory (knowledge-how), particular individuals' practice is typically based on and performed through particular examples. That someone has a sense of humour or can swim (properly following certain rules that govern joking or swimming) does not mean that she is capable of performing *any* action that falls under these descriptions; she might not know about the existence of certain types of joking or swimming skills and might not at all recognise them as being such.

It is the agent's bodily identity and specificity of her history in exercising a skill that proves to be of primary importance for an actual performance of joking. The notion of following a rule, as we can see in Wittgenstein or Brandom, is thoroughly systemic and rather abstract. The ability to follow a rule is not noticed through the unique embodied mastery of *particular* examples, but it is considered as stepping *outside* the set of training examples. In other words, fully-fledged competence has to be testified to as the ability to make an unlimited number of performances of the same kind beyond the training ones, most of which are brand new.<sup>75</sup>

These intuitions have been made slightly problematic in view of field research in anthropology, especially that of Tim Ingold who explored the patterns of skills (crafts) and their acquisition. In the light of Ingold's research, the emphasis on the ability to produce still new and unpredicted instances of rule-governed acts seems mistaken. The acquisition of a skill and the reality of the competence is not made smaller by virtue of the performance's not being new. It is, as a *genuine* skill, implanted in the agent's body – that is, as a procedural memory (consider here a ballet dancer, never performing any exercises or roles different from those already performed by numerous other ballet dancers for decades).

Ingold emphasises the physical, bodily nature of skills: imagination and creativity cannot be separated from the learnt physical skill implanted through long-term exercise and practice.<sup>76</sup> It doesn't matter that one "only repeats" what someone else has already done. Invention (inventing) represents a particular rule-governed skill, rather than the essence of any rule-governed skill. As far as a skill is a situated – that is, always at least a partly *physical* – achievement, the field for its display represents a metaphorical "taskscape" and everyone

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<sup>75</sup> Cf. also Cavell's (1979, 180ff) analyses of "projecting" a learned rule. The emphasis on making mostly brand new moves is originally Brandom's (1979) argument based on Chomsky's observations of linguistic production.

<sup>76</sup> Ingold (2007, 127).

passes through this landscape only by investing their own powers. In doing so, one may follow a trail someone else has already trodden.<sup>77</sup>

An adept of a skill endeavours to “absorb” a physical disposition, the practicing vehicle here is her whole body.<sup>78</sup> This is why such skills as playing a musical instrument are more easily acquired by children, whose bodies are more predisposed to the imprint of a physical attunement – bodily, motoric and gestic habits that work unconsciously by themselves but can be initiated intentionally. At the start, and for a considerable period of time, training takes the form of *imitation*. Ingold points out that an apprentice in calligraphy has to understand the meaning of the craft of calligraphy, which she cannot do by means of mere observation. She must, under the teacher’s guidance, repeat the latter’s movement down to the tiniest details.<sup>79</sup> The reason is that *only* (physical) practice, not observation, can lead the learner to the necessary attention to the method and rules of the studied art and *only thereby* to their acquisition. Since one cannot simply “give” a skill to another by means of pointing or explaining, the demand that the holder of a skill is one who produces something (in itself) new and invented becomes of little relevance. Acquiring the skill relies on the unique, unrepeatable and non-transitive (situated) propedeutical history of each competent, individual agent.<sup>80</sup>

Ingold’s reflections and observations show that the importance of bodily situatedness in rule-following might be greater and more far-reaching than it would seem. It is, certainly, a triviality that each normative agent is an individual(ity), but what makes her a *normative* individuality is that she had to undergo the (embodied) history of rule-governed skills acquisition. (No matter whether the details of the history were strikingly different from other normative agents’ histories or not.)

The importance of the body should not be understood in an overemphasised biological way. “Being a mother to a child” is a very complex *normative* agency, presuming, among other things, that the agents are women. But even though we are basically right when applying the *same* term to the relationship between the two persons in *many* cases, the particulars of a mother’s interrelationship with her child or children rarely embodies the same set of normative principles as the practice of other mothers (any of them). The intricate normative interplays involved, I think, in each parent-child relationship never perhaps quite follow identical rules. Such an empirical hypothesis is, however, beyond this philosophical study. What is more important is that these rules *cannot* be the same: the governed skill has been acquired directly by the individual persons in the particular relationships (passing through their “taskscape”) and the practice of the skill is only oriented towards a particular target (child). Whether the vast diversity of normative arrangements is to be referred to by the same term (such as “mother-child relationship”) is not due to there being a rule that can be made explicit in the same terms in each case and that is acknowledged as such in each case.

Memory and its embodied procedures play a central role here. Different people engage in different normative practices and perform them in different ways. This seems to have to do with the unique, personal histories of adopting the skills. The normative performances of individual agents – which particular rules of mothering a particular mother acknowledges, implicitly or explicitly, actually or as a demand that she tries to meet with varied success – follow from the personalities they have grown into, physically as well as psychologically, intellectually and spiritually.

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<sup>77</sup> Ingold (2000, 197ff; 2011, 216).

<sup>78</sup> The very capacities of perception and language acquisition are underpinned by the agent’s physical attunement to the specificities of her environment (a “taskscape” as well) – see Ingold (2000, 397).

<sup>79</sup> Ingold (2011, 223).

<sup>80</sup> This is the explanation of Ingold’s paradoxical claim that – despite all the repetition and imitation essential for training – every move of an agent still has the character of *improvisation*. See Ingold (2011, 162, 216).

## In Conclusion

In the beginning of chapter 2, I presented a rather default, rationalistic view of human normative practices. After that I have, however, tried to suggest, drawing on authors who present alternatives to that view, that the rules we follow are variously influenced by particular aspects of practice into which one has been “thrown” and with which we grow accustomed. Not only are rules differentiated geographically or spatially – so that people are “thrown” onto their territories through birth, nationality, etc. – rules are also differentially assigned to particular kinds of subject agents. There are many significant examples of presumptive rules applied to agents of different groups. The importance of the particularity, difficult to escape, is multiple:

i) Many normative statuses include irreducible (sometimes overtly second-person) reference to particular agents. They are only intelligible as agent-relative; their normative load cannot be described as an inferential relation between two (declarative) assertions.

ii) People are not only born with a general capacity of recognising, acknowledging and following rules. From the very beginning, each person is surrounded by the “factuality” of *specific* rules that are *imposed* on her, rules she encounters and faces by virtue of being born into a particular place and time. Other people may not face these rules in the same form or might never even know of their existence, since many rules are tied to certain “territories” in which they typically hold while elsewhere they may well be irrelevant. The execution of even general rules is often (not always) connected, by a “cloud” of associations, to features of particular “forms of life”, including the “inborn” ones, e.g., the racial expectations or accompanying habits tied to what one usually imagines under “an English speaker”.

iii) Even though the specific rules under whose authority one finds oneself living simply by virtue of being born somewhere and in some time are sometimes quite contingent (and other people may never encounter them), they are still to various extents difficult to evade. If one succeeds, this achievement is often connected to a successful relocation, either in terms of geography (distance) or social standing (class, wealth, etc.).

iv) The difficulty of escape is most salient in cases where the presumptive particularity of the rule is based on a particular, typical personality of the rule performer. The closest connection arises in cases where the presumptive limitation is connected to more or less inborn bodily characteristics. A prominent example of this is the vast field of gender-specific normative expectations.

v) Normative phenomena clouding gender opposition are, on the other hand, also a good illustration of how biological bodily characteristics are often an anchor (or pretext) for complex structures of *conventional* rules. Conventional gender-specific roles can push their subject agents into oppressive or inconclusive situations and cause them (unnecessary harm) and whose purpose may be dictated by partial interests rather than the engaged agents’ well-being or some such respect.

vi) Apart from the relationship between inborn bodily characteristics and the conventional standards utilizing them as justifications or pretexts, serious accounts of the role of body have to also consider the importance of the *intransitivity* of experiences from embodied perspectives (again, for instance, gender-specific) and, in particular, the intransitivity of skills. As far as skills are embodied, rules that govern them are followed in patterns that are sometimes highly individual, corresponding to individualised histories and the manner of the skill acquisitions. Agent-relative particularity of followed rules is thus a part of the “natural history” of human beings.

### 3. The Orientation Turn

*Abstract:* The chapter suggests that a survey of local normative practices can serve as a tool for the illumination of agents' lives and character. Particularised rules represent a primitive and natural form of our orientation in the situations and persons with which we are confronted.

In the previous chapter, I focused on various factors limiting and specifying human normative practices: human agents are, from the very beginning and by virtue of where, when and who they were born, confronted with very specific sets of normative standards. We encounter certain kinds of rules that are *agent-relative* and hold in relation to various contexts that display the specificity of agent roles. Normative expectations assigned to opposite genders (as far as the simplification of there being two genders works at all) are a paramount example of this phenomenon. Similar qualification can, however, relate to different spatial or territorial contexts, or to different historical periods, etc. These are, of course, hardly the only kinds of qualification imposed on rules.

It seems less and less clear whether one can say that there are *basic* or foundational kinds of rules – those that hold in general, without qualification – and then a few specified kinds of *X-relative* rules. For it is probably impossible to state with authority that “X” can only stand for, say, an agent (a person), a place and a time. Some rules may be more properly characterised as a human-life-relative rule, such as those accompanying a particular parent-child relationship. A rule like “you ought to abstain from coarse language in the presence of children” is clearly somehow related to a particular child (the speaker's child, perhaps), but not necessarily only to that child. Its true bearing is implicit and opaque and could perhaps only be specified after long-term observations of the practice of the persons who embrace it. Similar examples of, so to speak, fuzzily qualified or open rules can be easily imagined.

The intertangement of assorted complexes of rules pertaining to various agents may also be so diverse that it might seem to be an exception rather than a rule when we happen to find more than one agent following the same set of rules. The (embodied) history of skill acquisition influences which particular normative standards an agent recognises as salient and practically responds to as being relevant. Appreciation of the complex of rules followed by an individual agent thus reflects her unique normative practice.

Such observations, thoroughly elaborated on, may suggest that the patterns of human normative behaviour differ so much and have such a dependence on specifically “local” life conditions that they are effectively inscrutable. To an extent, this is true: a philosopher who would undertake the task of assembling a taxonomical “catalogue” of the kinds of rules followed and of the different kinds of confrontation with rules people are subject to would probably find herself out of her depth. Such a task might turn out to be too big for anyone. However, inscrutable as this heterogeneity seems in theory, the orientation within social realities (normative frameworks) has never been a matter of impossibly complicated theoretical considerations, but it is quite a successful *practice*. In this chapter, I will use examples borrowed from whodunit (detective) fiction to outline an account of how our orientation to the varieties of the normative works in practice.

In section 3.1, I discuss the Wittgensteinian idea of “an attitude towards a soul”: that a certain primitive attitude towards another as towards a human being (and often, as towards a human being of a particular character) is foundational and precedes our interpretations of others' actions. In section 3.2, I discuss Agatha Christie's character Miss Marple as a rare example of a mystery fiction detective who works in accord with the Wittgensteinian insight – she analyses the coherence of the suspects' actions not irrespective of their personality, but

using the suspects' personality as the interpretive key. The difference between Miss Marple and other detectives corresponds roughly to the difference between character-oriented Ancient ethics and anthropology and action-oriented Modern ethics. There is an overlap in the orientation within individuals' normative practices. Section 3.3 recapitulates some motives from 3.2, suggesting that a proper understanding of an action (what rules it follows and in what sense) should start "from below" – from within the situation. Section 3.4 introduces the Wittgensteinian ethical tradition (Winch, Rhees, Phillips or Diamond) and the importance attributed within it to the consideration of particular examples (also paralleled in works by, e.g., Nussbaum). In section 3.5, explicit moral rules are suggested to serve not only the aim of understanding others, but also of self-cultivation. The motivational force they exhibit depends upon whether they are backed by the agent's vision (in Murdoch's sense) – they usually do not, alone, establish a part of a practice.

### 3.1 Attitudes Recognising Souls

As I stated above, I will try to employ motives from mystery fiction in this chapter. What can mystery fiction contribute to philosophy of rules? And, *vice versa*, what does philosophy have to say about detectives, crimes, and investigation? Naturally, I cannot talk with expertise about how real police or detectives work. My focus is on few typical or interesting aspects of detective *fiction* that exemplify, intentionally or not, certain lines of our everyday reasoning.

The detective's work is to trace observed actions and results of actions and to elucidate their logic: to show "who did it" often means explaining how and why they could do it. That is, to trace how the perpetrator got into the position of being someone who had "motive, means and opportunity": someone with the necessary skills and reasons or incentives to do it, someone to whom the action made some sense seen against the background of a certain *ought*. The question then is: Who – of all the suspects – could be that person? For whom could the events and the situation make such sense? These questions seem to need an insight into what they are *hiding* in their minds.

It is not unusual to find a philosophical answer to the question of the other's inward thoughts that proceeds via the analysis of their outward behaviour and the normative patterns this behaviour manifests. (In analytical philosophy, *linguistic* behaviour is given special attention.)<sup>81</sup> This may lead to rather radical behaviourist proposals: who people are, what they do and why, is embodied directly within their observed bodily practice and there is no point talking of their "heart" or soul, at least not independently of the talk about their observed behaviour.<sup>82</sup> But a radical ontological commitment that there is no heart or soul is not needed. The point of the analysis is that we can meaningfully respond, as soul-endowed beings, only to such beings that we recognise as behaving in a certain way (the human, more or less rational, way).<sup>83</sup>

The relationship is not, however, a simple inference: certainly not an inference from observed "human-like" behaviour to a soul.<sup>84</sup> In a sense, we tend to proceed the other way round, but this is not an *inference* either. Rather, the assumption that we deal with a soul-

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<sup>81</sup> A classical, pregnant, yet at the same time nuanced and cautious formulation of philosophical behaviourism is offered by Ryle (2009).

<sup>82</sup> See e.g. Skinner's (1974, 217ff) characterisation of radical behaviourism.

<sup>83</sup> Most importantly, of course, Wittgenstein (2009, e.g. II., §§ 199ff); but see also for example Cockburn (1990, *passim*). A similar standpoint has been explored, from a more empirical standpoint, by several authors in Leudar – Costall (2009, see esp. Introduction): whatever mind is, it is not an enclosed entity, the reality and processes of which we would have to infer, creating thereby a *theory*, from the observed behaviour.

<sup>84</sup> See e.g. Winch (1980-81) or Cockburn (2001, Chap. 3). I discuss this matter in greater detail elsewhere (in connection to the philosophical issues concerning the Turing Test): Beran (2014).

endowed being allows us to make sense of the other's actions in a specific way, to see them as such. If I relate to an agent in front of me as to a human being and not a machine, I will be able to understand the utterances she makes as, e.g., expressions of a sentimental mood. "I really miss those spring days by the lake. I don't think I have ever been happier." Responding to sentimental talk is a way of addressing another human. I can join in on the sentimental mood by offering my own, similar reminiscences. Or I can mock the other for being such a softie about an inappropriate occasion. "Don't you remember how we were hungry and cold all the time?" Or I can dispassionately admonish her by arguing that dwelling among one's memories serves no purpose. "Stay focused on what is here and now – that's where you can make a difference." And so on.

But if I found out that I was in a "conversation" with a machine, I might be tempted to respond in quite another way. As its being "broken", for instance, which is not the way we address other people, not even those that leave the impression that something is profoundly wrong with them. I would not sympathise with a machine pining for long-gone spring days, nor would I mock it for saying such things. I would not in any way assume that it is trying to tell me anything about anything in the way that people try to do. Sure, I may only pay a little bit of attention to what the person is saying or ignore their pining after long-gone spring days because it annoys me immensely, but I would not "ignore" a machine's pining in the same way. I wouldn't be annoyed by it. And if I were, it would not have anything to do with a lake that doesn't interest me. It would rather have to do with the fact that the damned machine is malfunctioning again.

I do not consider what the machine tells me to be a communication because I do not suppose that a machine wants to tell me anything. What the machine does not have – though it may be confusing and calling for a solution or analysis – is the status of agency, expressive of reasoning or motivations. Human reasoning and motivations can be initially unclear or hidden, but, if I understand them, I am able to judge, praise, criticise or mock one's actions or attitudes. I do not try to understand another for the sake of being able to mock her – but understanding is manifested as a range of responses adequate to someone I understand (to her actions I understand) properly. In many cases, one of these is to mock someone.

The analysis of the other's behaviour and the search for its inner logic or coherence is thus a principal method of making sense of the other's *reasoning* and *agency* – enterprises we undertake implicitly and are unaware of in most of our interactions with others. If I am confused by what someone does or says, it may be because there is something relevant I don't know. I may not clearly see her intentions, which are hidden to me. But that does not mean they are, for instance, *physically* hidden inside of her head. Seeing, in this sense, is more a matter of being able to know (the Platonic sense of seeing) than one of a physical perception. Philosophical analysis tries to clarify the socially mediated patterns of understanding others as they are implicit and sometimes hidden in our relationships, attitudes and actions towards each other. Such analysis wants to make clear what it means to understand another; to understand the mechanisms of understanding.

An insight into the mechanism of understanding is offered by Wittgenstein in the following:

"I believe that he is suffering." – Do I also believe that he isn't an automaton?

It would go against the grain to use the word in both connexions.

(Or is it like this: I believe that he is suffering, but am I certain that he is not an automaton? Nonsense!)

Suppose I say of a friend: "He isn't an automaton". – What information is conveyed by this, and to whom would it be information? To a human being who meets him in ordinary circumstances? What information could it give him? (At the very most that this man always behaves like a human being, and not occasionally like a machine.)



“I believe that he is not an automaton”, just like that, so far makes no sense.

My attitude towards him is an attitude towards a soul. I am not of the opinion that he has a soul.<sup>85</sup>

Wittgenstein points here to the difference between focusing on the question of the other’s suffering and of the other’s being a soul. Roughly speaking, suffering can be subject to debate: there may be significant disagreement as to whether someone is really suffering, and it makes sense to express possible criteria of unambiguous suffering. Suffering can be inferred, and it can also be inferred mistakenly.

On the other hand, the question of the other’s being a soul is *usually* not asked as a meaningful question that provides ground for disagreement. Peter Winch emphasises that the former case – suffering – is the subject of the beholder’s opinions and *beliefs*. The latter – someone’s status as a soul – is much more a matter of one’s *attitude* towards them.<sup>86</sup> I do not *think* the others are thinking beings. I hardly know what it would be like to *think* that the others are (or are not) thinking beings. I cannot *try*, on demand, to think that others are (or are not) thinking beings (while I *can* try to imagine that others talk about me behind my back or that a person I know suffers from pain if someone has suggested to me that it is so). To talk about somebody else as a soul doesn’t mean to localise a hidden (mental?) entity inside them – the problems towards which this can lead have been demonstrated by Ryle – but to adopt a certain attitude towards them. Certainly, some repercussions of this attitude can involve caution towards one’s interlocutor as a being that can “wilfully hide her intentions” from one (often bad intentions); this is not an attitude we adopt towards entities that we do not regard as “souls”, e.g., machines like electric kettles.

What I call, in a roughly Wittgensteinian way, an *attitude* is a complex of emotional reactions and actions towards its object.<sup>87</sup> The way we feel about and act towards souls makes our interactions *human* interactions, as opposed to the kind of interactions that can be imagined between a man and a dog, a man and a houseplant, a man and a machine, a man and a stone. Adopting an attitude to the other as a soul means that it makes sense to have linguistic interactions with her and to make conjectures about her thoughts, feelings and reasons that are seen in her agency and which illuminate it. Only someone who is/has a soul is a person – whose agency has *reasons* that can be *understood* – and has thoughts or feelings I can further respond to (talk about them to her, question them, demand their further explanation, criticise them). It is not really possible to imagine these kinds of interactions with an entity towards which I do not adopt an attitude towards a soul.<sup>88</sup>

The normative framework of one’s dealings with a human is profoundly different from the framework of dealings with an animal or with a piece of inanimate property. And yet, which of these kinds of normative practice that one is engaged in is not a result of her decision or reasoning. She adopts a particular *attitude* – distinctive and opposed to the attitudes one adopts to animals or things. And she needn’t even know that she is doing such a thing.

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<sup>85</sup> Wittgenstein (2009, II, iv, § 22).

<sup>86</sup> Winch (1980-81).

<sup>87</sup> Cf. Cockburn (1990, 6ff).

<sup>88</sup> The problematic issue of animals shows that “soul” is a family of concepts. One may not want to deny a dog its (or his, or her?) soul (for very convincing reasons); yet certain attitudes towards a soul wouldn’t make sense here, such as criticising or praising the way a dog leads its life. One wouldn’t even know what it would mean to criticise a dog for this. Cf. Regan’s (2003, 104) short note on the heterogeneity of the ways in which we address the question whether animals have souls.

### 3.2 Miss Marple: the Art of Moral Detection

The varieties of recognition of the other as a soul or as someone who suffers are manifest in somewhat different attitudes and in systematic differences of connected normative practices. These differences are interestingly exemplified in the different narrative and characterological techniques used in crime stories as opposed to, say, the narrative motives used in science-fiction. The attempt at understanding others starts within a specific situation and may rely on the analysis of the situation, but it may also take its departure point elsewhere, relying hermeneutically on various types of background knowledge. Connected to this, there are some important differences in our normative practices.

I think we can thus, in general, distinguish between several levels of understanding others. At one level, we adopt an attitude to them as being fellow-humans, as having souls. At this point, however, two steps can be distinguished: 1a) We consider the others as humans and treat them as such. This also involves attributing beliefs, reasons, feelings, motives, etc., to them. 1b) In our attitude to *particular* people, we build upon “ground beliefs” about who the other is, what she is like “in general”.

So, for instance, considering the other as a soul-given human makes it possible to reflect upon the whole *possibility* of her speaking truth or *lying*. These notions can be meaningfully applied only to people: in our everyday normative interactions only humans play the role of truthful speakers or liars. Machines do not lie (as of yet, we haven’t been able to create a machine of such complexity), even though they can provide us information that proves to be false. On the other hand, the general attitude to a *particular* other as a particular (kind of) personality predetermines my expectations about the relative *probability* of her speaking the truth or lying. There are some basic presuppositions about liars and about what kind of people usually tend to lie, intermingled inextricably with my implicit sedimentary experience with the people I know and things they have already done. Both shape my inclinations towards viewing particular individuals as possible or probable liars.

These presumptions are or may be to a certain extent independent of the facts and *minutiae* of the present situation. I am inclined to approach certain people as possible or probable liars even *before* I am acquainted with the situation in question. I am familiar with their distinct, personal pattern of attitude towards the rule of telling the truth.

But there is also another level of my interpreting the other’s words and determining their veracity. I can 2) focus explicitly on their utterances and actions and track their logic or coherence. Here I can detect lies – or at least errors – even if I neither know the subject of my inquiry at all nor have any specific opinion of her character and veracity. I needn’t form any opinion of the other’s *character* and personal attitude towards rule-abiding. But, when I am told by the same person that “Yesterday I spent the whole day at home, working” and then, five minutes later, “Yesterday, I met Mr. Smith downtown”, I can conjecture one of the claims to be an error or more probably a lie, either malicious or benign. Unless the speaker suffers from a memory disorder or she only understands the language being used poorly, it is improbable that she could utter such two things without being aware of the falsity of one of them.

On the other hand, let us consider a situation in which the person says only “Yesterday I spent the whole day at home, working”. What makes it possible to see a *lie* as an option here is that I have to see the speaker as a soul. And, one step further, if I am well acquainted with the speaker’s life circumstances and personality, or if I am able to inspect her personality knowledgeably, I can decide how probable it is that she is lying even without having any of her other particular utterances on the subject available. Unlike the above example of contradicting utterances, we need some localised knowledge here. I should know what “working” means in the context in which the speaker is most likely speaking; I should be able

to imagine what “working all day” would mean here and what this particular speaker’s approach to working all day as a rule and a value would look like. Certainly, there are quite unusual and improbable ways of truthfully stating such a thing – e.g., Chesterton’s poet Osric Orm – and it can take considerable effort to appreciate the meaning and truthfulness of the statement given the outwardly unconvincing results of the reported activity.

What is, however, interesting for us here is that the latter type of interpretation seems “subjective”. Though it facilitates significantly our everyday orientation within the net of interpersonal relations and interests, it carries little weight as an argument in reasoning and discussion. If my opinion that someone is lying is seriously doubted and I am challenged about it, I can hardly support my position by referring to my *assessment* (however insightful it might be) of the person’s character. Such an “argument” would hold only if my interlocutor already shared my point of view regarding the respective person. But if she didn’t believe that *A* had lied, I probably couldn’t persuade her about it *this way*. On the other hand, arguments consisting in the analysis of particular situated actions and utterances and focusing on their coherence tend to be accepted without reserve.

It is a familiar figure of speech that we depict 2) as the main and paradigm form of our orientation within other people’s actions. We tend to say: we reach conclusions about what other people say and do (whether it is true, whether they really do that) on the basis of such evidence. It is commonly understood as a mark of sound rationality. Many detective narratives confirm this intuition, starting famously with Sherlock Holmes: not being familiar with the person in question is a desirable quality and familiarity with her would only cloud one’s judgment:

“It is of the first importance,” he said, “not to allow your judgment to be biased by personal qualities. A client is to me a mere unit,—a factor in a problem. The emotional qualities are antagonistic to clear reasoning. I assure you that the most winning woman I ever knew was hanged for poisoning three little children for their insurance-money, and the most repellant man of my acquaintance is a philanthropist who has spent nearly a quarter of a million upon the London poor.” (*The Sign of Four*)

From a Holmesian point of view, what counts as central in human normative practices are actual events and actions, judged and interpreted externally with respect to their consequentialist rationality and assumed values of coherence, efficiency, etc. What it is that people do has, therefore, rather little to do with *who* they are and *what*, at the instant, they *think* they do and *why*.

Yet there are different methods for making it clear what has happened, and the how and why of staying at level 1b. “Yesterday I spent the whole day at home, working”. This may or may not be true; but based on the assessment of the speaker’s character – in terms of truthfulness – one can get to quite a reliable assessment of what has happened and its how and why even though the only present evidence she has is the above statement. She supplements it with her knowledge of the speaker’s character and relationship to work, etc. In fact, we use this kind of assessment – which is not just a non-committal guess, but often a basis for one’s important decisions – quite often. Not only are these cases of a deep, personal familiarity with the persons assessed; prejudices and generalisations work in a similar way. If a meteorologist says “It’s going to be better tomorrow”, one’s attitude to the statement will probably be acceptance rather than a wry scepticism that one might feel when a politician says it. (When a parent says that to her depressed child, it is perhaps not at all meant as a statement of what it is going to be like tomorrow, but rather something like “I will be there for you, don’t be afraid” – and the child’s reaction corresponds to that.)

Somewhat outshined in fame by Hercule Poirot, Agatha Christie’s second major detective hero, the cunning Miss Marple, exemplifies this method of understanding others and

represents a unique experiment in the genre. Whereas Poirot always pays great attention to the details of what the suspects did or said and founds his conclusions upon precise observations, Miss Marple operates from the very beginning with far-reaching and often rather vague analogies. She forms conjectures about who can or cannot be reasonably suspected on the basis of her general acquaintance with human characters and everyday life. She does not claim it to be explicitly *general*, but interprets it as a result of her long-time familiarity with the life and the people of a small village. The decisive argument thus usually takes the shape of a simile – the person in question is much like someone Miss Marple knows, and her action is therefore to be interpreted as analogous to the other person's actions as remembered by Miss Marple. This is the way she explains the curious and apparently illogical actions of Basil Blake, suspected of murder in *The Body in the Library*:

“Oh, yes, I've got an explanation,” said Miss Marple. “Quite a feasible one. But of course it's only my own idea. Tommy Bond,” she continued, “and Mrs. Martin, our new schoolmistress. She went to wind up the clock and a frog jumped out.” (...)

“Yes, yes,” said Miss Marple. “Little Tommy Bond had very much the same idea. Rather a sensitive boy, with an inferiority complex, he said teacher was always picking on him. He put a frog in the clock and it jumped out at her. You were just the same,” went on Miss Marple, “only, of course, bodies are more serious matters than frogs.”

In Miss Marple's eyes, Basil Blake is a person whose acts can be expected to be an analogy of little Tommy Bond's *mischievousness* rather than of the acts of a criminal. It is interesting that her view here doesn't have to be accepted without objection, unlike Holmes' or Poirot's precise deductions. It is also not a part of an argument; it rather expresses Miss Marple's actual *attitude* to a *particular* person, with which she assigns a particular meaning to his actions otherwise open to multiple readings. There, Miss Marple stands to some extent halfway between Wittgenstein's distinction between understanding that someone is suffering and understanding that someone is a soul. In the former case, the personality of Basil Blake (or of anyone else “like” him) would be of little relevance; in the latter, the understanding could stop before the detective comes to know *who* the soul is.

Miss Marple's method is a very unusual one, and it is no wonder that she is one of the least institutionally-based detectives in the world of detective fiction – she is far indeed from being a policewoman or a private eye. She also has basically no direct successors or analogies.<sup>89</sup> Not surprisingly, the closest detective-relations of Miss Marple's are found outside the whodunit genre. Several such characters have been introduced by Christie's older contemporary Gilbert Keith Chesterton: Basil Grant from his *The Club of Queer Trades* or Father Brown.

The curious blend of interest in the affairs of “human hearts” with crime investigations has to do with the fact that Miss Marple wasn't made from scratch as a fictional detective. Her character was inspired by the personality of Christie's grandmother and designed to comprise down-to-earth life experience.<sup>90</sup>

The detective novel tradition, as exemplified by Miss Marple stories, is thus interesting as a demonstration of the multiple levels inherent in our analysis of the other's actions and character. As we saw in the quotation from Wittgenstein, there are certain features concerning

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<sup>89</sup> No general claim holds without exceptions. Miss Marple first appeared in 1927 in the short story “The Tuesday Night Club”. But there are similar characters, some of which are even older than Miss Marple. To mention just few: Anna Katherine Green's Amelia Butterworth (first appeared in 1897), Patricia Wentworth's Miss Silver (first appeared in 1928), or Dorothy L. Sayers' Miss Climpson, a minor character in several Lord Peter Wimsey stories (first appeared in 1927). It seems unlikely that there were inspirational links between these characters, in whatever direction. At any rate, the existence of these remarkable characters changes nothing about the fact that Miss Marple neither stands in an established tradition, nor founds one of her own.

<sup>90</sup> Christie (1977, 449).

the other that are rather a matter of our foundational attitude to her than of a detailed analysis of the present situation. Our understanding of the other, however, typically *blends* the use of both these tools, but with a significant emphasis on the former, just as it is demonstrated in Miss Marple's detective practices. An analysis of what a person is like – who she is – provides a ground for envisaging what kind of action can reasonably be expected from her. In her actions, performed during the circumstances that are under investigation, particular rules, recognised by her, are embodied.

This strategy does not primarily represent a method of *investigation* but is instead a matter of spiritual or psychological insight into the other's character. Though Agatha Christie often complained about Poirot's artificiality and the difficulties with his introduction into the plots, a different perspective is equally possible. After all, Poirot is a retired police detective and a renowned private investigator. Police officers who know him and respect his skills consult him; clients who can afford his services come to hire him.

On the other hand, the life of Miss Marple is one of an old-fashioned country lady. She spends most of it in a little village, St. Mary Mead, and gets involved in crime investigations through what are often very curious incidences. Most importantly, she is *not* principally interested in *crimes*, as is clear from the way she is introduced in *The Murder at the Vicarage*. We meet her as someone who collects and studies the scattered, piecemeal information about what was done by whom – basically, gossip. The vicar comments on her *modus vivendi* as follows:

Miss Marple always sees everything. Gardening is as good as a smoke screen, and the habit of observing birds through powerful glasses can always be turned to account.

It is clear that, considering the true nature of her gift (what kind of phenomena it focuses on), it could develop and be used more naturally exactly at *this* stage. Miss Marple is unassailable in her insight into the hearts and lives of people living in a little village. Though she – perhaps due to the author's irony – explicitly claims this to be the foundation of her surprising detective skills, skills that are used to solve crime cases, we might notice that her gift seems a much better fit for its original purpose: that is, to see who individual people are and why they do what they do. There are rules, expressive of their motivations, against which their actions make sense as proper or partly proper, though against different rules they seem to be violations thereof, or plainly nonsensical, or inscrutable. Such gift for understanding people only indirectly concerns the committing of crimes, being focused instead on the stream of the villagers' everyday life with its follies, vices and sins.

In Miss Marple's inscenations, people do not first appear only as potential criminals enveloped in the question as to whether they have done this or that, i.e. committed some crime. They are already particular *moral beings*, possessing long histories of character that are known to the judging person. This judge sees people who are such and such and who have such and such virtues and vices and tendencies for agency and who embody particular value (normative) perspectives. Miss Marple's constant doubts about people's veracity do not concern, in the first place, the material level of their particular present utterances. The doubts reflect the widespread human tendency to lie in order to present oneself in a better light:

You remember that woman who came down here and said she represented Welfare, and after taking subscriptions she was never heard of again, and proved to have nothing whatever to do with Welfare. One is so inclined to be trusting and take people at their own valuation. (*The Murder at the Vicarage*)

This scepticism is a crucial standpoint in Miss Marple's inspection of the liar's character and motivations. Lying is a unique normative practice, the motivation of which shows the essential characteristics of the liar. When you understand in what manner, how and why someone – who is a moral being – lies, you understand what she is likely to do in many other

far-reaching contexts. The point is, not to overlook what people say because they might lie (or because they are probably lying), but to use the caution as a motivation and a methodical resource for understanding them, as people, through the purpose their lying is, or might be, fulfilling for them.

Interestingly, the two detective story traditions, as represented by Sherlock Holmes and Miss Marple, correspond roughly to two different philosophical perspectives in ethics and anthropology. The Modern ethics represented by the Kantian and the Utilitarian traditions inspects human *actions*: the focus is on a universal principle of distinguishing morally right actions from morally wrong ones. It is the agent's actions that can undergo some scrutiny and in the end offer a clue as to the character of the agent. Not only the answer to this question, but also a "user's guide" for how to be a good person proceeds via focusing on good actions and recognising them generally and with certainty from bad ones.

This Modern ethics, blending with the philosophy of action, is however a reaction to the older, principally Aristotelian tradition. The Aristotelian (but also Platonic) anthropology and ethics focuses on human *virtues*. The enterprise of human life is a project of cultivating oneself and growing into moral virtue(s): becoming courageous, just, temperate and (practically) intelligent. One's actions follow from what kind of person one is. There is no clear, impersonal criterion for distinguishing good actions from bad ones; a practical wisdom (*phronesis*) on the agent's or the observer's side is needed for this identification. This particular virtue or capacity cannot be achieved on the basis of a momentary decision (so proper moral judgment cannot be based only on momentary reflection), but it can be learnt.

Sherlock Holmes appears here to be a Modern detective: an agent's actions decide about the conclusion and about how to treat them (as what kind of people they are to be treated as). Miss Marple's position appears to be rather pre-Modern: she is interested in the virtues and vices of the people around her, which serve as the guiding principles of the way the particular people conduct their lives. Whether someone could have committed a crime and, more generally, what is the meaning of an action for its author, is a corollary of what kind of a person he or she is; their acts are right or wrong in virtue of the agent's character.<sup>91</sup>

Such a virtue-oriented (Platonic or Aristotelian) detective faces, of course, several problems in practice. In general, her method is more difficult, less warranted, more vulnerable with respect to subjective inclinations. But these are not the most serious problems. The insight presented by such a detective could scarcely stand as uncontested or uncontestable. Let us remind ourselves again of the Basil Blake case from *The Body in the Library*. It quickly becomes clear that Basil Blake, probably drunk, transported the body of the dead girl he had found in his own house to Colonel Bantroy's library. But for quite a long time it is not fully explained under what circumstances, from what motives and to what purpose he did this.

The personal acquaintance with Basil Blake and the knowledge of his nocturnal actions may lead different observers to different conclusions. Miss Marple's perspective was quoted above – for Blake, the determining normative contours of the situations were the standards of a benign childish prank. For Colonel Bantroy, who suffered from Blake's actions, the situation appears otherwise: Blake must be an arrogant sociopath who combined the benefit of removing the traces of his crime with an unscrupulous joke at the Colonel's expense. Each of them reads the situation from a different normative angle: the rules (the value system) making Blake's actions a "reasonable" (commendable) provision and a "good" joke are radically different from and incompatible with the rules (the value system) making the actions a "criminal" (reprehensible) action and "unacceptably" disrespectful and unscrupulous.

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<sup>91</sup> Miss Marple's approach is clearly in line with the contemporary virtue ethicists as well; see e.g. Foot (2002, see esp. p. 4ff) or Hursthouse (1999, Chap. 1). The influence, however, must obviously have flown from older virtue theorists (such as Aristotle) through authors such as British moralists.

Of course, should the solution of a criminal case be based on a decision between two contesting virtue-oriented detective insights, a satisfying and unequivocal verdict might not occur at all. The intersubjectivity of the Marplian detective-type is weak. To the extent that a virtue-oriented detective engages in the enterprise of judging people according to their hearts – no matter whether they actually, at present, do something that could exemplify the judgment – based on his or her own vision, only a similarly gifted other can take part in it.

It thus seems reasonable that real-life detectives cannot really work in the way that Miss Marple does, however insightful it is. But Miss Marple's gift is principally applied to *everyday life*. This principal area of the application of this insight *can* bear a degree of approximation and conjecture. Sympathy, antipathy or trust in our attitudes towards others is often formed through character assessment based on Marplian analogies rather than on material evidence.

This makes sense: forming judgments about the people around us and their characters – which is what most people *do* every day, and not on the basis of forensic evidence – is not and needn't be liable to institutional scrutiny. If I am convinced that Henry committed murder, and if I am also in a position to initiate Henry's formal investigation, I must be ready to make my arguments accessible and let them be examined. If I am convinced that this Henry of my acquaintance is a mean person, I don't have to give reasons for my position or defend it at all (unless I am making a public statement). I am entitled to adopt whatever attitude to whomever I like and, if I am not straightforwardly violating a law, the only reasonable "penalty" for my unjust evaluation of Henry's character is that Henry will consider me to be a mean person in return.

The success of Miss Marple, despite the fact that she couldn't pass as a realistic detective, has to do with the character of mystery fiction. If it has to be something more than just a *story about crime* (or even real-life crime), it should generally find a *positive* solution. Miss Marple embodies the readers' implicit interest in revealing and overcoming evil. She never embraces the Utilitarian perspective of fighting crime because it harms society (allowing thereby for exceptional overlooking, if it benefits society). What deserves punishment in a crime is the moral evil of which the crime sprang.

This moral perspective is quite salient and some might say overemphasised, at the expense of their "realism", in the Miss Marple or Father Brown stories. For Father Brown, the solution of the case is the discovery of evil within the heart of the sinner, while the technical details of the solutions may be neglected or unconvincing. In *Nemesis*, Miss Marple reflects upon her role as a detective in the following way:

"I do not like evil beings who do evil things." (...)

"What he said was he thought you had a very fine sense of evil."

"Oh," said Miss Marple. She was taken aback.

Professor Wanstead was watching her.

"Would you say that was true?" he said.

Miss Marple was quiet for quite a long time. At last she said: "Perhaps it is. Yes, perhaps. I have at several different times in my life been apprehensive, have recognised that there was evil in the neighbourhood, the surroundings, that the environment of someone who was evil was near me, connected with what was happening."

She looked at him suddenly and smiled.

"It's rather, you know," she said, "like being born with a very keen sense of smell. You can smell a leak of gas when other people can't do so. You can distinguish one perfume from another very easily."

Mystery writing of this kind thus becomes a re-imagination of the task of human beings to be *moral* beings and of understanding the others to be such as well. A good story is based,

perhaps more than on the thorough research of facts and procedures of actual police or private detectives, on the author's capacity for moral and psychological reflection. The form of this enterprise is philosophical in the Wittgensteinian, rather non-empirical sense. It does not rely on finding facts, but requires a better, clearer, more orderly understanding to what everyone can know from the very beginning – the circumstances of her or his life.<sup>92</sup>

Miss Marple thus represents a significant discontinuity with most of the body of mystery writing. Miss Marple is not so much Sherlock Holmes's offspring as she is a follower of an older tradition of British philosophy and literature – the tradition of moral sentiment represented by Shaftesbury or Hume, but also the moralist novels of Jane Austen or George Eliot which seem to be curiously echoed by Christie's seemingly banal and stereotypical narrations of murders occurring in little villages, vicarages and seaside hotels.

The "moral" method of crime-solving lacks the advantages of the technical and forensic attitude. Its "private" or "imponderable" character makes it considerably harder to eliminate the danger of errors; in fact, to detect errors at all. Responding to others as particular moral beings is an enterprise we participate in every day, but it is also unwarranted. We make mistakes and often we even do others wrong or harm. Considering the accuracy of one's own understanding of the other does not only concern an accurate evaluation of known facts. *Honesty to oneself* is equally needed: might I not succumb to a false impression of my superiority and genius? One has to be open-minded enough to information that does not fit into her picture and to approach things with good will and a lack of illusions about others as well as about oneself. Then the assessment of the other's character – taking the shape of identifying their guiding normative standards – is a powerful tool for showing who the other is and what her actions mean.

The relevance of this "theory of moral detection" for philosophy of rules is not at first glance straightforward. Miss Marple's paperback wisdom, however, shows us something about our normative practices. The "moral detection", as far as we can understand it as an attempt to gain insight into who *particular, individual* people actually are, is a study of the *particulars* of the normative practice. Taken seriously, it cannot be used effectively unless the detective is capable of interpreting the others' actions as localised *normative* actions. It is the *rules* an agent acknowledges that can explain to me whether she could have done this or that, consider it a proper action, and eventually whether she has actually done it with that intention.

To murder someone because of money is, for instance, a premeditated act requiring some rather complex decisions and standpoints regarding values. To discern who might have been the perpetrator of this crime need not be decided purely on the basis of material evidence. The pecuniary pressure and possible unpleasant consequences of one's inability to repay their debts does not suffice to explain the act. Two candidates in material conditions that could be described as "similar" may very well adopt opposite standpoints. Whether the decisive rule will eventually be "one ought to do whatever is necessary to repay one's debts (especially when one's life is at stake)" or "one ought not to murder anyone (not even in order to get money to repay one's debts)" or yet another rule, significantly depends on the *personality* of the agent. What we, for good reasons, call "personality" can to a large extent be seen as comprising a particular pattern of normative attitudes and practices, localised into one (bodily) agent and established (sediment) through a rather unique history. This history carries with it the "equipment" of inheritance and upbringing, experiences, influences, etc. Sure, not

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<sup>92</sup> Cf. Wittgenstein (2009, § 126): "The name 'philosophy' might also be given to what is possible before all new discoveries and inventions." The "marshalling recollections for a particular purpose" mentioned later (§ 127) points to something similar to Miss Marple's practice: referring to similar cases – *examples* – that have to serve as "objects of comparison" enabling one's interlocutor to see the essential aspects ("connections") of the discussed case. (No doubt, this can also be used as a powerful strategy for *preventing* one's interlocutor from seeing what is essential – consider the good soldier Švejk.)



everything one does is directly normative; but even a *crime passionel* can be understood (as to why it happened) as a response to events involving triggers sensitive for and valued by the murderer.

The putative “art of moral detection” could therefore claim that the decisive point in our understanding of the crime that has been committed comes with an insight into or familiarity with the personality of the agent rather than in terms of its being determined by the material circumstances. The trust implicit in this attitude entails that despite the variety of factors shaping what counts as different normative facts recognised by different agents (e.g., a good joke versus responsibility to society), we still have the capacity to understand them if we are attentive enough towards their *personalities*. The purpose of the “art” is not to assemble an exhaustive encyclopaedia of all “human types”, but to be able to “crack” the person one is confronted with

After all, people are, as Miss Marple suggests, surprisingly alike. Or, to put it another way, the relevant factors influencing what normative standards people perceive and embody in their actions can be seen as variations of the factors relevant in other people’s lives (this includes the widespread motivations like money, sex or power, the common kinds of environment pressures, the limited range of primary personality types, as recognised by psychology, etc.) It is thus not inappropriate to address others as intelligible in terms of only a limited number of moral being standpoints or, to put it otherwise, “human types”.

The normative description can vary in the applied detail. *Sometimes* the orientation in practice is easier to establish by highlighting a general commonplace principle (e.g., showing that one is driven by the principle that lying is simply bad, whatever the circumstances). The purpose of these insights is to help us orient ourselves in our social environments by highlighting important aspects of a particular situation. Then we are able to understand certain kinds of actions and responses as meaningful actions and responses in and to situations. The normative stances we assign to particular people – be it the most general, or the most personalised ones – makes their actions intelligible, i.e. open to appreciation, criticisms, mockery, or condemnation.

Whatever normative variety we can imagine, we tacitly assume that the accounts of all the diverse personalities and their practices are *intelligible*. Infinitely various as people are, for an account of their variety we make do with a finite set of “characterological” descriptions that serve us tolerably well even though they may be rough and not exhaustingly detailed. We make these descriptions more effective if we illuminate them by reference to normative facts shown to play a relevant role in the lives of the described agents. These facts shouldn’t be confused with simple motivations: two people can commit murder for money, but they can differ in their overall attitude to money-motivated violence. If one of them doesn’t see it as permissible (including in her own case), this will be revealed by her further responses (such as remorse). The important differences to be taken into account in characterological considerations lie more here than at the level of simple motivations.

My suggestions about the limited set of “characterological types” shouldn’t, however, be taken literally. Despite Miss Marple’s claims, I think that a possible “lesson” we can take from her points in a slightly different direction than to a *theory* of personality types to be applied by psychologists in their practice. The recognition and the interpretation of the actual normative pattern are always made from within a certain “thrown” standpoint or perspective (of the observer/interpreter) and refer to another “thrown” standpoint (of the observed agent) as well. I need not claim any generality or refer to a specified number of *specific* human types as defined, for instance, by a textbook. A “moral detective” is simply interested in understanding particular persons and their intelligibility for her is related to the analogies she finds between particular cases.

Miss Marple speaks about and *to* a particular person, an example that displays a complex normative perspective. What she says doesn't usually take the shape of a theory, but rather something like: "knowing the little Tommy Bond and the frog pranks he used to do, I can understand Basil Blake and what he did the night with the dead body". The insight is not far-reaching in terms of a generality, but that was not its point. In each case of the search for the rule that governs the interpreted actions, one has to start anew, as it were (which is not to deny that experience can facilitate and fasten the process significantly). What one does is understand Basil Blake and his actions "through" Tommy Bond (in the light of the memory of his actions), rather than postulating a third thing related (as a *genus*) to them both. One would then only be pressed to explain what this other thing is and how can one know, identify or reach it. It seems that in any other case where I might possibly succeed thanks to applying Tommy Bond's example, my success does not consist in finding a universal pattern (a rule) covering, in exactly the same way, the successful application of Tommy Bond's example in Basil Blake's case. I just apply Tommy Bond's example once again, and anew.

### 3.3 Situation is Included

As I tried to show, Miss Marple's stories can be read as a demonstration of how particular *examples* contribute, as "objects of comparison", to the meaningful interpretation of the normative framework of a situation. I believe that examples enrich (broaden, deepen) one's understanding of what has happened.

Let us recall once again *The Body in the Library*. The police are trying to find out the identity of the dead girl, why she died and how she got into the library of the Bantrys. Miss Marple's familiarity with human nature allows her to trace Basil Blake as the possible perpetrator who transported the dead body to the Colonel's house. The "bare factual" level of the situation is the following: the material evidence suggests that the victim didn't die in the Colonel's house; her body has been carried there from elsewhere. That is how the situation looks, judging from the dead girl's appearance (her dress, the blanket into which she was wrapped, both incongruous with the Bantrys' household) and from the evident clues that the whole transportation of the body was not the premeditated work of a skilful organiser (a criminal mastermind), but rather haphazard and irrational.

It is therefore clear to Miss Marple that, first off, a person prone to doing childish pranks is to be searched for before further investigation of the crime itself can start. Her knowledge of the people living in close proximity to the Bantrys and of their mutual relationships cues her as to who might be the "perpetrator". Identifying Basil Blake's house as the "original" location of the body was in the end crucial for the police investigation. The lesson, however, is that a deep understanding of the example, rooted in one's own perspective located in the same situated context, allows one to interpret what has actually happened. It is important to be able to trace the internal logic or coherence of the actions of the perpetrator – why, depending on what or in order to achieve what – to be able to understand what he or she actually does. We must never forget that our actions are not isolated and factual; they make sense in so much as they are bound to certain, evaluative expectations and anticipated consequences; they can never be properly understood if we fail to see this network.

If we see someone making holes in the ground and putting potatoes into them, it is proper to understand the activity as *planting* potatoes. But I cannot understand it as planting potatoes if I do not know what planting is and that it requires some time; i.e., the purpose of putting the potatoes into the holes is not obvious in the very moment, nor does it become obvious in the immediate aftermath of the action. The commitments the planter undertakes have the form of a *rule*: one *ought to* do it so-and-so if the potatoes are to grow. Also: planting potatoes so that

they grow into certain shape and size is a good thing to do; under certain circumstances and concerning certain agents, it is thus perfectly appropriate to say that one ought to plant potatoes. And it is assumed that the person takes responsibility for the consequences of her actions.

Unless one is taking these normative facts into account, all she is doing is putting potatoes into holes in the ground. And if the observer is not familiar with this commitment framework of planting, she cannot orient herself within what is taking place there. The “logic” of actions is not inferred only from natural processes like those relevant to potatoes growing; it also concerns such actions as paying (money) for something, exchanging promises and pledges and taking various people’s reasonable interests into account. Using particular valuable objects like potatoes for “non-sensical” purposes or not using them at all may be considered as “wasting” time, that is, being at odds with several important rules. Our actions make sense both to ourselves and to the observers under the condition that they regularly (mostly) avoid such non-sensical actions that cannot be explained as conforming to any relevant rule.<sup>93</sup>

Similarly, coherence (logicality) within our actions is traced also in individual-specific contexts. In our case – Basil Blake vs. Colonel Bantroy – one has to be able to trace subtle and localised relations internal to the “logic” of the situation. One has to understand what “prank” means and what kinds of pranks there are and how and why they are related to what is perceived as “stiff dignity”. Unfortunately, in order to fully understand how Colonel Bantroy represents “stiff dignity” and in what sense it is “funny” to leave a dead body in his library, one has to broadly understand how Basil Blake sees Colonel Bantroy and especially how a drunken Basil Blake, under pressure of a catastrophic and yet borderline-funny situation, would see Colonel Bantroy. And why Colonel Bantroy, whom he usually (when more sober) only dislikes, seems to be an ideal target of such a devilish prank. Had Basil Blake been somewhat more depressed that day (perhaps for reasons not connected to his long-time animosity with Colonel Bantroy, but due to some temporary domestic matter), the idea of the “prank” might have not occurred him at all. Again, under differently altered circumstances, he might have designed the prank otherwise or directed it towards someone else.

What makes an action “funny”, “offensive”, “blatant” or “criminal”? One might be tempted to say that, in itself, Basil’s action was just a matter of transporting something from place A to place B. But we cannot understand the situation properly if we omit, for instance, that place A is someone’s *home* (place B as well; and *whose* homes they are), what that transported “something” is and what consequences its occurrence may have. What makes the deed a funny, offensive or criminal act is a complicated network of facts embodied within the relationships in the St. Mary Mead community. These facts with a normative or evaluative dimension have different characters and an unequal reach: whether something is “obstructing the criminal investigation” is established by the laws of the respective countries and the reach of the rule tallies with the state borders. But in this particular case, the “offensiveness” is connected to less codified frameworks, such as “dignity” or “stiff dignity”, and also to institutions like “home” or “privacy”. Who the participating persons are also affects whether and in what sense the act turns out to be offensive.

Miss Marple’s insight, however, is not only limited to the evaluation of what has happened; she – unlike the police inspector – tries to see *why* it has happened and how to

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<sup>93</sup> This planting example has been introduced by Rush Rhees, who discusses it into greater depth, and mentions also the how nonsensical (incomprehensible) are such actions as buying several motor cars just to leave them standing in a field. The point of this latter example is to show that no explicit rule bringing a threat of sanctions is violated; yet there *is* a certain *rule* with respect to which such behaviour is rendered nonsensical. This is testified to by the fact that many of us might be tempted to say that the owner of the cars must follow some hidden agenda, because she “just *would not* leave them standing in the field for nothing”. See Rhees (1999, 231f).

interpret it. As far as she understands Basil Blake being like little Tommy Bond, she correctly sees that his idea of a “prank”, however drunken he was, is incompatible with his being a murderer. Her analysis might have proceeded as follows: Basil Blake is not a criminal; in a situation in which he had killed someone, he would have hardly wasted time and energy to orchestrate a prank in addition to the crime. He would have perhaps tried to really hide the body (most probably in a chaotic and panicked way), or, more probably, he would have come to the police to make a confession.

Hence, the very idea and conduct of the “prank” testifies to his *not being* the perpetrator. In addition, Miss Marple is able to persuade the Colonel to view Blake from another angle and find some sympathy for him, for he himself used to be young and was also inclined to play pranks.

We may ask how this is relevant to rules. After all, there seems to be only one principal rule in action, and that is the rule made explicit in the law that prohibits people from obstructing criminal investigation. I would like to make clear that there are many more rules at play here comprising various viewpoints and from which the particular actions made by the participating agents seemed, quite legitimately, “logical”, “funny”, “natural”, “necessary”, “improper”, “blatant”, or something else. These concepts are not only descriptive tools for observers; they are also applied by *agents* to provide motivations for and illuminate their own actions to them in a certain way.

Even though many other people would not share this particular criterion of being funny, the fact that, in a particular sense of “being funny”, it is true that “if you want to do something funny, you ought to transport a corpse into the Colonel’s house, rather than leave it in your own home” does not depend on Basil’s momentary whim. It grows out of a background reaching beyond the actual situation. Basil may have resisted the temptation to do the funny thing, even reflecting upon it as “now the idea does not seem as funny to me as it would have seemed yesterday”. But he does not *decide* what this particular sense of funniness means or that there is such a sense. And, as a standard, this doubtless sheds a light that makes some actions recommendable in the sense “recommendable *qua* funny”, because “funny things are good to do”. Analogously it renders some other actions reprehensible in the sense “reprehensible *qua* bothersome” because “bothersome things are not good to do”.

It is instrumental to realise that the proper analysis of the rules here – in fact, their very tracking – must proceed from the bottom (from within the situation). The rule “explaining” Basil’s actions – “I had to do that, because one should not miss such a unique opportunity to make a fool of the stiff old Colonel” – is hardly conceivable as a *rule* without some familiarity with these men, their relationship to each other and the way they lead their lives. And if I don’t have an intuition of this rule (its appeal), I may be unable to find out: i) who brought the body to the Colonel’s house, ii) why he did it and iii) why the reason that he did it actually suggests that he is not the murderer.

Let us not be misled by our applying *general* terms such as “prank” or “dignity”. I do not discover a general structure of clashing normative standards through the illustration of an example. The very particulars of the “example” (that is, of the existence of Blake and Bantry and their characters, lives, etc.) is what constitutes the normative structure of the situation. The word “prank”, along with the framework of normative relations it triggers, can mean very different things in different settings. Sometimes what can be seen as materially the same type of action can qualify as a prank in one setting and not qualify as such in other setting. What it means *here* is incomprehensible *without including* Blake and Bantry. They are not a facultative illustration of something more general; they are inherent to the situation as far as it qualifies as a childish prank at the expense of stiff dignity.

### 3.4 Examples in the Wittgensteinian Ethics

Now the question may arise as to what extent a tight connection between rules and situations or examples (in or through which they are implemented) can be observed in a larger variety of normative contexts. To what extent is the link to particular examples also constitutive of (and exhausting) the rules in such prestigious and important contexts as ethics? Are moral rules example-specific, too?

I would like to discuss here the specific perspective from which the issue of the relationship between rules and example is addressed by the Swansea Wittgensteinian ethicists. This minor ethical tradition – represented by figures like Peter Winch, Rush Rhees, R.F. Holland, D. Z. Phillips or Cora Diamond – more or less went underground in the 21<sup>st</sup> century. (There, however, still remains a significant influence of this tradition on some contemporary Platonic ethicists, such as Raimond Gaita.) These philosophers did not derive as much from Wittgenstein's "overt" ethics in the *Tractatus* or "Lecture on Ethics", but rather elaborated in a particular way the method introduced by Wittgenstein in his later texts.

In his analyses of the later Wittgenstein's philosophy, Winch tries to show that rules don't have an abstract nature, but are inconceivable outside a "social setting". The input conditions pervade significantly the way the agents understand the rule, the way they follow it, as well as what counts as an action that does not violate the rule. The input conditions include a broad range of cultural and social stereotypes; without this background, the rule may not be properly responded to at all. Or rather, if I, as an agent, lack any such background, I cannot be expected to be able to follow any rule at all. To follow a rule is not just obeying an explicit instruction; I have to be able to recognise that there is a rule at all to which I am subject. This recognition takes complex forms: explaining or apologising for one's failures, using the rule for justifying one's actions etc.

Winch is close to relativism in his arguments, because he considers a rule to be working (i.e. such that it can be understood and followed) only in connection to a *particular* social background and only on the basis of it. He distances himself from the assumption that some rules can be understood and followed by their own virtue and force, irrespective of the agent's particular background (a not unusual assumption in universalistic ethical systems such as Kantian ethics). A particular social background is necessary for determining whether and when an agent violates the rule and also for there being *anyone* at all to determine the violation. This, too, must be someone who is competently rooted in the respective practical context and has adopted its perspective (which does not mean "someone in particular"). Winch is not so preposterous as to require for a rule the physical existence of a certain number of competent agents; he only points out that concepts like *correct*, *incorrect*, *mistake* or *correction* make no sense unless there are competent agents to apply these standards in practice; and a competent agent cannot be conceived as a person without perspective and a social background.<sup>94</sup>

However, Winch does not propose a simple determination by the social context. He puts the key emphasis on the relation of the rule-governed agency to the acting *individual*. Rules are ultimately followed and violated by individuals. Although it is the socially situated authority of the community or society that warrants the possibility that a rule has (not) been followed, the following or non-following itself rests on some highly individualised assumptions.

We are able to perform various meaningful actions towards each other (including linguistic moves) because we have available a complex network of *a priori*; a network which is not inferred, but, on the contrary, stands as an input to our inferences. These *a priori*

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<sup>94</sup> See Winch (1990, esp. Section I).

building blocks (such as our belief that the others are soul-endowed beings) do not take the shape of an explicit belief (that could be analysed or argued for and against), but rather of a setting or an attitude inherent to our practice and primitive in its character. Its role in the whole of our rational thoughts, moves or judgments is central. In the cases when some pieces of this background are missing or malfunctioning, they cannot be easily and simply re-set, installed or changed.<sup>95</sup>

This setting is necessary for constituting the perspective from which we meaningfully and rationally judge various situations and also answer for ourselves or for another whether the present action is what one “ought to” do. But while the perspective from which we see the others as soul- or mind-endowed beings seems not to represent a substantial problem, other kinds of evaluating perspectives might present a difficulty. Although these perspectives are typically backed by the practice of a community, the fact that in some contexts there may be more than one such perspective, which are mutually irreconcilable, opens some space for the assumption of individually-specific perspectival standpoints. (I hope that some of my points in the concluding sections of this chapter will help make this idea a bit clearer.)

Typically, this divergence is exemplified by moral perspectives. Similarly to the issue of soul-endowment of the other, whether a certain way of conducting one’s life is recommendable (or reprehensible) cannot be justified (using reasons) face to face to someone who does not share the same standard. D. Z. Phillips comments on this in the aphorism: “We do not have reasons for our values, our values are our reasons.”<sup>96</sup> Certainly, we often try to offer “reasons” for our values, but we are not really having a discussion with the other (the way we would discuss a mathematical problem) – if the other comes to agree eventually, it is not because our arguments drew her attention to an overlooked mistake in her reasoning. If an agent is expected to justify what is valuable in the particular way she conducts her life or “what one sees in it” (in Winch’s words), we have to realise that we can see anything in anything only from a certain perspective. And if we want someone else to see the same thing, they have to occupy the same perspective. Otherwise, the words describing what is seen will “fall flat” in the listener’s ears.<sup>97</sup>

The lack of perspective is something far subtler than a “plain” lack of understanding. Consider here some of the world’s most distinguished religious leaders (like the Pope or the Dalai Lama) issuing quite specific moral precepts to their listeners. One cannot say that the people attending some of the Dalai Lama’s public lectures are completely devoid of the ethical perspective he endeavours to communicate. After all, they demonstrate their non-trivial interest in it and affinity to the Dalai Lama’s message by attending the event or even buying tickets for it, if entrance to it is not free. Yet only a few of them share his perspective to such extent that the rules presented seem so natural to them that they inevitably implement these rules into their practice.

Those who have listened to the Dalai Lama’s appeal, and yet do not before or after act as people for whom the compassion to every living being is the determining moral standard, do not lack the literal understanding of the meaning of the Dalai Lama’s words. If the lecture concerns, say, abstaining from eating meat, they can state the principal Buddhist arguments for being a vegetarian. If they are not, despite that, vegetarians themselves, they can even relate some (no doubt rationally sounding) arguments for that: such as “I can see it is wrong to eat meat, but given my present situation, I cannot spare that much extra time and energy to actively search for and obtain vegetarian alternatives”. It is therefore not the point of the

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<sup>95</sup> This is the line of Winch’s argument (from “Eine Einstellung zur Seele”) we mentioned in section 3.1, relying upon Wittgenstein’s remarks on *Einstellung* in the second part of *PI*.

<sup>96</sup> Phillips (1982, 2).

<sup>97</sup> Winch (1972, 190).

argument they miss; what they lack is rather the *perspective* from which the values central to the argument appear as so cogent that one cannot really disobey the precept.

However, one cannot gain a perspective easily by just wanting or deciding to have one.<sup>98</sup> It is a result of long-term sedimentation which does not stem directly from the agent's desires or decisions and sometimes can quite contradict them. The essential factor is the actual "setting" of the agent and this setting is usually rather fixed. In the case of moral judgments, which are Winch's principal interest, we cannot expect a simple agreement among the individual agents' perspectives. The agents will often disagree or fail to understand each other. Hence, a meaningful moral discourse cannot, in Winch's view, start from the talk of general rules or norms determining unequivocally and cogently the right course of action, but consists of the reflection on the right course of action in a *particular situation*.<sup>99</sup>

Although I am familiar with the rule that one ought not to lie, this is not enough. I answer questions like "is lying right or wrong?" in the form of multiple and various particular questions like "was it right or wrong that Dr. Smith did not lie to me and told me openly that I was going to die in two weeks?" However, to appreciate this example, I have to be acquainted with the personality of Dr. Smith, with the situation in which the "I" (the speaker of the utterance) finds herself, and so on. The reach of these reflections (their universalisability) is naturally quite limited; the answer "Not lying is right" is only a very rough (approximate) tool for orientation within moral practice. It is often quite impractical and sometimes even plainly inappropriate. However, it is just through the focus on *examples* that Winch evades being stuck among details and construes a practically relevant ethical approach.

Moral reasoning and especially the *training* in moral reasoning and its cultivation requires work with examples. The examples can be quite hypothetical<sup>100</sup> – in the Wittgensteinian ethical tradition they are often borrowed from works of literary fiction<sup>101</sup> – but specific enough to be able to help us to clarify the problem. For *anybody* who studies the example and reflects upon the presented situation it must be impressive enough so that they don't fail to see that the particular act is morally right or wrong (such as Raskolnikov's murder of Alyona Ivanovna)<sup>102</sup> and so that the insight is capable of *leading* her in her own moral deliberation.

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<sup>98</sup> Cf. here Wittgenstein's remarks on tradition in *Culture and Value* (Wittgenstein 1977, 76).

<sup>99</sup> Kant himself and some of his Modern followers, such as O'Neill (1995), are similarly cautious towards the naïve presumption that moral thinking could start with universal principles. They see it, however, being vital for any viable morality that these deliberations should converge, through a kind of reflective equilibrium, towards some universality. Phillips (1992, 78ff) replies to O'Neill that though there could be no sense of moral seriousness if one did not judge herself just as she would judge others, this needn't involve the claim that issuing a moral judgment means to presuppose that everybody must judge the situation just as I judge it.

<sup>100</sup> There are interesting criticisms from the zone between philosophy and social science to the effect that the philosophers' use of invented and rather abstract examples that they introduce in a few sentences cannot conform to the richness of real social contexts; e.g., Miller – Grimwood (2015). This criticism, as directed towards Wittgenstein's or the Wittgensteinian use of examples, is not fully justified – the examples introduced by Wittgenstein are not designed to describe, as such, the richness of linguistic practice itself but to provide "objects of comparison" through the study of which we are then able to understand the instances of real, contextualized language practice (to see more clearly their important points). The choice of these objects of comparison and the particular use we make of them strongly influence "how we look at matters" in the end.

<sup>101</sup> The idea that perusing artworks contributes to the cultivation of our moral sensitivity is, of course, not exclusive to the Swansea Wittgensteinians. More recent authors standing in the Wittgensteinian tradition employ this idea as well, such as Crary (2007, II. 4) and her point that novels present moral problems as inextricably intertwined with non-moral features of the agents' lives, or Hämäläinen (2015, esp. Chap. 5). Among the numerous authors outside the Wittgensteinian tradition, Nussbaum (1985; 1998) can be mentioned. Nussbaum is, however, sometimes criticised for a too epistemic load of her concept of empathy, which is central to moral sensitivity according to her – for her, compassionate empathy and Hannibal Lecter's sadistic attention to what most effectively hurts his victim are two instances of the same phenomenon (see Gustafsson 2009).

<sup>102</sup> Johnson (2004, 32).

According to Winch, only specified and particular examples (though they may be invented) have this capacity, while the universal precepts don't. But even if we assume that anyone should be able to evaluate the example properly, this does not represent a "genuine" universality. The point is that the agent, competent in moral reflection, must be able to ask, as it were, herself "what would *I* do in such a situation?" More precisely, not even that (still generally phrased) question, but rather something like "would *I* kill Alyona Ivanovna for 'philosophical' reasons and take her money?" and to answer something like "if *I* killed Alyona Ivanovna for 'philosophical' reasons and took her money, it would be wrong".

The essential point is the difference between the positions of an observer and of an agent. The reflecting, evaluating person has to become at least a hypothetical agent. On the other hand, the perspective of an observer – the perspective inviting us to form categorical, universally phrased judgments – is radically different and unsuitable for evaluating the situation. To judge from a distance how I or anybody else acted, being immersed in a situation, and then to criticise from this position the act or attitude as morally wrong amounts in the end to judgmentalism.<sup>103</sup>

What is being shown in these considerations as problematic is the assumed universalisability of moral judgments or attitudes. Moral competence itself – or, adopting the appropriate rule – does not, according to Winch, carry any generality and is not of a theoretical nature. It consists in *each* individual's ability to take a stance in the particular case and to issue a moral judgment. Examples are thus open in the sense of relating them to one's own situation (or rather relating/projecting oneself into the example), but that does not mean they *can* be generalised to the others: I cannot issue judgments about how somebody (or everybody) else should demean in "the same" situation. The nature of moral agency is, as Winch points out echoing Wittgenstein, that of taking a stance "in the first person"<sup>104</sup> because the agent's personality and personal situation is an indispensable part of a clear enough conception of the situation. Moral reasoning about a situation is impossible independently of the perspective of particular agents and the very idea does not seem to make sense.

This is why, as Winch argues, the concept of "the same" or "such" (in the sense of the same situation or position) is eventually pointless in the case of moral reasoning. Since the situated perspective cannot be transferred, there is hardly any such thing as the same (i.e. carrying the same moral evaluation) situation for two or more different people.<sup>105</sup> Moral seriousness thus means to judge oneself equally demandingly as one judges cases and situations that involve others, rather than to bind everybody by a principle that one establishes.

The universalisability of an example thus reaches as far as I can, based on my moral reflection upon Raskolnikov's case, in considering *by myself and for myself* how *I* should act in his place (whether it would be right or wrong *for me* to kill Alyona Ivanovna). On principle, everybody is expected to be able – under certain circumstances – to proceed in the same argument for themselves. That is the very point of moral self-education in Winch's view: we do not live in a relativistic isolation of our individual lives; one can understand what is (and should be) going on in one's own life as well as in others' lives, but (only) on the basis of considering particular examples: real-life examples, stories, similes, etc.<sup>106</sup> Neither I nor anyone else can just-so say "in such-and-such situation it is right *for everybody* to do X".

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<sup>103</sup> Winch (1972, 152ff).

<sup>104</sup> Wittgenstein says: "At the end of my lecture on ethics I spoke in the first person: I think that this is something very essential. Here there is nothing to be stated anymore; all I can do is to step forth as an individual and speak in the first person." (McGuinness 1967, 117).

<sup>105</sup> Winch (1972, 169). Compare here also Wittgenstein (2009, § 215).

<sup>106</sup> See also Winch (1997).



Even when “X” stands for “saving a drowning child”, the authority of the precept is not drawn from introspection or abstract reasoning.

### 3.5 Appreciating a Rule

Winch’s considerations shed a particular light on rules of moral conduct. Their existence is not denied but a particular, rather weak function of them is emphasised. I can, with their help, get – from a reflection upon a particular, specific example – an instruction for my own agency. Reflection on the example of a liar may lead me, with the use of the observation “But one ought not to lie” to take a particular course of action in a particular situation. I may perhaps be candid to my wife about the fact that I have been fired from my job, but this doesn’t mean that I was at all enthusiastic about the prospect of this conversation beforehand. My analysis of a particular example (e.g., my brother who lied about his debts) as being, in some sense, *relevant* for a decision I am to make in a situation helps me to see something as the right thing to do. But I am not supposed to proceed any further towards making a general rule expressing an obligation concerning everybody’s agency.<sup>107</sup> The point of making explicit rules like “one ought not to lie” – much as they appear quite general – is in fact to facilitate the taking of a lesson from the example and applying it to one’s life rather than to issue a general precept.

The claim that everybody should be able to perform such a transfer of perspective for themselves is rather theoretical. The (moral) perspectives people adopt in practice are to various extents different and naturally lead to adopting very different standpoints even to shared (and in this sense “the same”) situations.<sup>108</sup> Certainly, this should not mean that each moral standpoint (perspective) is as good as any other. The seriousness with which people take moral issues is clearly at odds with such indifference. The criterion for their possible comparison, however, is not and cannot be dependent on whether there is a moral rule that can be universalised, against which they would be compared.

The point of Winchian moral self-education is to cultivate one’s ability to have a subtle and nuanced (and sharp at the same time) moral insight into the particular situations one faces. The self-education consists of a very complex training and a thorough reflection upon ever more complicated examples. This “work on examples”, which is never ending, allows me to elaborate and enrich my “setting”, i.e. the ability to issue a moral judgment of what agency is right in the very moment by virtue of applying a rule relevant to *me* (which is not to say: to me only, to me exclusively, to me privately). In the perspective of Wittgensteinian ethicists, this training never really ends. Its purpose is not to get to a universal moral rule that I was perhaps unable to see only in the beginning. A moral agent works only with particular examples providing her material for reflection and with particular situations in which she occurs and each of which is always, to a certain extent, new and unique, although she acts within it on the basis of her actual “setting” into which the situations she has previously experienced are projected.<sup>109</sup>

This ethical framework then more or less rules out the idea that I can easily “project”<sup>110</sup> my agency from one situation into another situation “of the same kind”. Nor can I say that

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<sup>107</sup> Compare Rhees (1999, 48ff).

<sup>108</sup> Ibid., p. 51f.

<sup>109</sup> The way the sedimentary “bank” of experiences affects how one sees the present situation can be paralleled in the mechanism underlying the “aspect seeing”, which Wittgenstein (2009, II., xi, §§ 358ff) calls the “imponderable evidence”.

<sup>110</sup> In the sense of “projection” which represents an essential part of learning a rule of language in the analysis offered by Cavell (1979, 168ff).

two situations are governed by or fall under the same rule. Or rather, I cannot quote, in an explicit (and guidance-providing and transparent enough) form, one rule relevant for both of them. For instance, we cannot describe the two murders committed by Raskolnikov as wrong with respect to one rule which, in a general form, would have the capacity to lead the agent's conduct.<sup>111</sup>

We might be tempted to quote a rule such as “murder is wrong”, but it is quite questionable whether it can lead one with the same force and in the same direction. Let us imagine Raskolnikov's own initial view on the two murders he committed. One can also remember here the popular experiments in moral reasoning where quite “normal” people are willing to approve premeditated killing of a “certified villain” (such as Adolf Hitler) and also argue for it in quite a reasonable-sounding way (typically appealing to some kind of consequentialist arguments). “Murder is wrong” is apparently *not* a rule equally cogent in all possible contexts and sometimes it may not seem cogent at all (which cannot always be easily ascribed to the agent's moral failure). Why is such a rule as “murder is wrong” not suitable to be applied, without restraint, to all possible examples? The role it seems to play in practice is not to express a universally cogent reason. It is embedded as a reason within situation-specific standpoints of moral evaluation. And, for Winch or Rhees, ethics is concerned rather with the issue of understanding these situation-specific evaluations than with providing universal moral laws.

There are, of course, some serious criticisms directed towards Wittgensteinian ethical thinking; such as Onora O'Neill's objection that reflection upon examples without classifying them against general rules does indeed cultivate the capacity of moral reasoning but drowns them in details.<sup>112</sup> I do not think that this objection is a decisive refutation of Winch's conception of moral reasoning. He himself explicitly argued that generally right and generally wrong rules cannot be established and distinguished. The point of the project of Wittgensteinian ethics was *not* to offer a systematic moral philosophy (an actually working normative ethics) that could or should be implemented into intersubjective practice as widely as possible. It is much rather an acute analysis of the ways people actually perform their moral reasoning and what it means that certain judgments are moral. This analysis, in the first place, is a suggestion of how one can work on one's own moral self-education.

Let us consider an analogous example: that of the aesthetic evaluation of dramatic works or works of fiction. (These two kinds of judgments, of course, differ dramatically in the seriousness of their perceived impact on our lives, but arguments of a moral nature tinge the practice of many of our aesthetic judgments.) There are people who like the popular book and TV series *Game of Thrones*; just as there are people who dislike it. The critical view on *GoT* needn't be related to the identification of a universally accepted “ought” that *GoT* violates, while providing an explicit, analytic reason cogent enough to condemn it. The analysis may not reach further than to a statement “*GoT* strikes me as overall flat and morally repulsive”; or one can, a bit more in the line of Miss Marple, add an illuminating or perhaps confusing comparison, such as “*GoT* is a bit like the Scandinavian Noir”. I may be able to quote particular examples of characters, plots or motives from *GoT* that I find flat and morally repulsive, but fail to justify why I see them as such. Or, a specified account of critical objections against *GoT* may not be considered cogent by most other people.<sup>113</sup> What loads my

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<sup>111</sup> Let us remember again here Hegel's critique of Kant's categorical imperative: that it is so general that it cannot unequivocally lead the agent in a particular situation. Rhees mentions that it is only in the philosopher's imagination where genuine moral rules can take such a form as “Honesty is good” (Rhees 1999, 56).

<sup>112</sup> O'Neill (1995).

<sup>113</sup> I personally found very refreshing and illuminating the tone and perspective of critical articles on *GoT* that had appeared on *Tiger Beatdown* (Doyle 2011, McAvan 2011); but I can easily imagine that they are far indeed from being accepted as reasonable and unprejudiced. Perhaps, then, I am prejudiced in a similar direction myself.

evaluation with normative content is *not* my success in offering an explicit justification, but rather whether it provides a perspective that sets a standard for elements of my everyday *practice*. When I catch myself enjoying something about *GoT*, I can be suspicious about it given that I normally acknowledge it being right to reprehend it as something disgusting. Even *that* is a comprehensible response to something disapproved of.

This normative load is connected to the recipient's perspective rather than to the particular reasons I give (or not). "Why" I (dis)like *GoT* may grow out of similarly visceral roots determining why I am (or am not) susceptible to arguments heard in a lecture by the Dalai Lama. It has little to do with my ability to convincingly expound things that other people value in *GoT*. I just do not appreciate them myself as they "fall flat on my ears". I understand, to an extent, these qualities; I just do not *see* them as qualities.

There is no need to interpret the flatness and repulsive quality one finds in *GoT* as the result of a mere prejudice, just because it does not reach the generalising grasp of the evaluating standard/rule. The occurrence of such a standard, if there is one, does not precede the evaluative response, but rather follows it if those who respond in this way succeed in voicing the standard. The focus on the cogency and explicitness of moral and aesthetic evaluations seems to presuppose that adopting a position of judgment proceeds via considering arguments pro and con regarding competing universal standards (rules) of evaluation and that, before I make this choice, I have, as it were, no opinion or view of a practice or a piece of art. It is supposed that I choose the view and henceforth move forward with it.

The trouble lurking with this assumptions relates to the way philosophical reflection "helps itself" with examples from fiction, movies, etc. It might be suggested that one knows, in advance, what kind of standard she would like to advocate for, and then she only searches for an example that would demonstrate the point fittingly. But this is probably not the case. As we are growing familiar with canonical stories in a certain choice of narratives, they influence our attunement to an array of problems and answers to them.<sup>114</sup> For instance, nobody "chooses upon consideration" the Bible as an answer to a problem she was reflecting on previously in abstract, having no relation to the Bible. Either the way one has been growing familiar with the Bible is a part of what one recognises as a poignant problem and as a solution to it. Or one may come to suddenly "see" the Bible as the answer, but that again responds to a certain background of examples, narratives, etc. one is familiar with.

These reservations are in accord with Iris Murdoch's argument that an "informed choice" from competing alternative standards, claiming that it is unbiased, is only rarely the case. There is already a certain evaluative way we see things, conditioned by "imponderable evidence" and amounting to a distinct vision of the whole, while the difference may not be possible to point to in terms of "facts" everybody can see.<sup>115</sup> This vision develops and can be cultivated (by work with examples, expectably), but one cannot choose to change it on the basis of what is usually called argument by philosophers.<sup>116</sup> (If an encounter with a philosophical argument changes the way one sees a certain problem, this cannot be attributed to her merely understanding the argument, as I tried to point out by the reference to the Dalai Lama's audience.)

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<sup>114</sup> A similar point is central to Cora Diamond's (2001, 367ff) criticism of the way Nussbaum accounts for the relationship between moral sensitivity and reflection on literature. Somewhat analogously, Winch (1987, 25) stresses the role "the reservoir of knowledge of indeterminate extent" plays in our recognition of certain qualities in works of art – our ability to see certain situations or expressions as funny, or sinister, or else.

<sup>115</sup> Cf. Wittgenstein (2009, II, § 358ff; 1922, 6.41). Murdoch's conception of vision, as opposed to choice, goes far in terms of Wittgenstein's notion of "aspect seeing" and was probably influenced by it.

<sup>116</sup> Murdoch (1956).

The evaluation is thus both situated and susceptible to a perspective. These two things are not the same. Two people can occur in situations that share certain important points: both Dmitri and Smerdyakov in *The Brothers Karamazov* loathe their father and envy him his fortune that they would like to have themselves. The outlines constituting their situation are, on the other hand, incomprehensible to Alyosha. His relationship with his father constitutes a different situation: for him, the crucial question is what to do with his father's soul rather than with his money. Dmitri and Smerdaykov, however, differ in their evaluative *vision* of their father's murder as the problem's solution. Dmitri, though tempted and tormented by the idea, is profoundly glad not to become a murderer in the end, while Smerdyakov seems untouched by the terribleness of the deed.

Dmitri's and Smerdyakov's different visions enable the occurrence of conflicting evaluative responses. Though in some respects their situation can be seen as "shared" (in a sense, they share a problem that they try to address), it can hardly be called "identical". It might be rather problematic to label the situation as "one and the same", as we will see later. In the conflict of evaluation, different agents make sense of the situation applying different rules through which the situation "should" be "properly" read. The preceding remarks have suggested that whether an agent is capable of appreciating a rule – as the one through which the situation should be read – may have to do with her perspective from which she approaches the rule. I will discuss perspective further in the following chapters.

## In Conclusion

In this chapter I have tried to show how examples from fiction can illuminate – through the art and craft of their authors – differences occurring in our everyday dealings with other people and our attempts to clarify their actions, appreciating the important normative standard.

Miss Marple's approach to solving crimes can be read as a rendition of what we often do in our everyday practice. Our orientation to the immense variety of people that we meet and the things that they do is achieved through the identification of the proper "character type". To this end, examples of other people that serve as illustrations of character types are highly useful. They provide us – to put it in Wittgenstein's words – with the "objects of comparison" that organise the way we "look at matters" so that we "see the connections" between the important aspects. The respective character type is not just stated – that would not be compelling enough – but clarified through a particular action expressive of a normative standard (a rule) important in guiding one's conduct. It is with reference to the context-specific rules (discussed in chapter 2) that the human "types" are characterised.

But even if we make a rule explicit that illuminates the normative framework of one's actions, it does not necessarily amount to saying: this is the rule this person actually follows. It might be unclear what that would mean. The person could disown such a rule and an objective, uncontestedly full description of one's character, values and principles seems to be, if anything, a highly difficult empirical task. The normative factors, through the identification of which I understand why someone did something, illuminate her character to *me*. I can thus respond appropriately to her as a person (not just to a particular action of hers). The particular, context-specific rules therefore don't represent a problem (of providing an anthropological taxonomy of human types and their respective specific rules), but rather facilitate understanding others.

It is also significant and worth noticing that the normative standards that I find in this manner and use as a foundation for my attitudes might have little to do with the "reasons" the rationalist, Kantian or inferentialist traditions deal with as the principal factors motivating one's actions. It might be open to dispute whether the explanation as to why Basil Blake

transported the dead body as a childish prank (i.e. through an analogy with why Tommy Bond put a frog in the clock) is a statement of something that is worthy of the name “reason”. Yet I come to profoundly understand their actions in this way, and I also find an intelligible similarity in their actions that I can demonstrate to another person.

What we naturally apply rules to, in order to understand, are particular examples we want to make intelligible. But the way we apply examples – and our choice of examples – is deeply informed by the examples we are already familiar with. Our appreciation of problems as poignant and of particular rules as contributing to their solution does not seem based on abstract consideration. It is rather inherent to the way we see them. Perspective is important in more than one sense:

i) It is a kind of adoption of an agent’s perspective that allows an outsider to appreciate what rule the agent acknowledges. The actions of Basil Blake are no longer absurd or erratic and start to make a certain sense once we see through his eyes why he considered what he did as something that “ought to be done”: a good joke at the old, stiff Colonel’s expense.

ii) Apart from that, understanding a rule’s “message” is often not enough to personally admit its *authority*; *vision*, as Iris Murdoch puts it, is required. A certain insight is what marks the difference between mere (appreciating) listeners of the Dalai Lama’s precepts and those for whom it is more or less natural to act continuously in accord with these precepts.

#### 4. Rules and Persons in Morally-Loaded Situations

*Abstract:* The chapter discusses the working moral rules: its account may need to “zoom” in on rules holding for particular *persons*, with their authority backed up by particular. Statements of rules then express the spirit in which the agents act. Their *perspective* should be also taken into account.

In chapters 2 and 3 I aimed to show that insofar as we are not just satisfied with the observation that human practice is rules-governed, but also want to know more about which rules govern it, we see that not only are a lot of rules *in reality* followed only by sub-groups of agents, but that it is *necessarily* so, given their content. A lot of rules are presumptive or qualified – most strikingly in the case of gender-specific rules – and *cannot* be applied to agents who do not fall under these qualifications. As a result, it may turn out that each, or almost each, agent follows her own unique mixture of rules since most rule clusters cannot be applied to everybody else and each is limited in a somewhat different way.

The perhaps odd-looking excursus into Miss Marple’s world in chapter 3 therefore had, in this context, one important purpose. It was designed to show that even though a case-by-case evaluation is needed when we try to find out what rules are followed by a person, the result needn’t be that one ends up in a dead-end after a heroic but futile endeavour to attain some clarity in the perspicuous presentation of rules that are followed by human beings. In what follows, I will try to further elaborate on the suggestions made in the previous chapter: that the individual or personal specificity of a complex of acknowledged rules may turn out to be the primitive or most natural form in which we encounter existing rules (as a sort of normative expectation that is applied to people’s lives); and that we encounter people as beings whose lives are significantly shaped by rules that play important roles for them.

Particular examples of other people are thus introduced not just to highlight an irreducible difference and individuality but also to serve as what Wittgenstein calls “the objects of comparison”. They can help us to orient ourselves in a person’s case by pointing at its important features or aspects, serving as analogies or similes. A meaningful interpretation of the normative “field lines” of a person’s situation requires taking the agent into account as an individual – yet it is these links of analogy (*not* identity) that facilitate understanding. We access and understand others with (and from) a background of experience by a certain range of examples.

This chapter will explore the role and the importance of personal situation in the normative outlines of our lives, with a somewhat larger emphasis (than in the previous chapters) on the normative relationships of a specifically moral kind. Section 4.1 discusses in some detail interesting aspects of situations when rules of different kinds (authorising a practice vs. reflecting on it) seem to collide. I will work with an example borrowed from Jane Austen’s *Sense and Sensibility*. I will suggest that rules often need fleshing out to make sense of a situation. As the need to embed constituents of the situation into them arises, it may turn out that these rules are not fully intelligible in their abstract, universal form). In section 4.2, I argue that the following of critical (reflexive) moral rules is not just a matter of one’s actions, but first and foremost takes the shape of the complex of attitudes that she adopts in her life and of the spirit (in Gaita’s sense) in which she lives. In section 4.3, I identify the point of these rules in a critical reflection on one’s (past) actions, rather than in their governance.

In section 4.4, I introduce the well-known Trolley Problem and a philosophically unusual method of tackling it (in a way that an engineer might read and solve it), trying to show that philosophers might unjustly understand this kind of reaction as cheating or focusing on the irrelevant. Section 4.5 explores the more general point of what does it mean that one finds

oneself in a dilemma (the difficult decision of acting against a rule that one acknowledges, following Phillips' analysis of dilemmas) and shows that dilemmatic situations occur only when the situation is specified enough in a way we are familiar with in situations understood as havenless in our lives. In section 4.6, I point out that many of our rules are not universalisable not because they stand in need of specification by definite descriptions, but because particular persons, important to the agent subject to a rule, are their constitutive parts (parts of how one understands it in terms of what is a good or bad thing to do for her). The closing section 4.7 discusses some options for the further analysis of the personal source of normativity drawing on Lévinas' concept of face and Rhees' concept of story.

## 4.1 The Collision of Rules and Their Specification

When I discussed the case of Dmitri and Smerdyakov in the previous chapter I ended up pointing out that a conflict of evaluations could also take the form of applying different rules through which the situation would be read. The complication of such situations does not only stem from the different qualifications of the applied rules (agent-relative, or location-relative, or unqualified, etc.). The rules can also work in rather different regimes.

Thus, they can for instance differ with respect to their practical institutionalisation in their explicit form. Some are officially institutionalised as “laws”; but there is more than one sense in which something counts as a rule without being a law. Sometimes “one” rule can assume several of these possible different statuses in practice (be more than one thing at a time); but even more often rules are “defective” and work as rules only in a certain sense.

I have already touched one such rough discernment line in the introduction: between rules in the sense of actually operating normative, regulative relationships among agents, and rules articulated in linguistic terms as intelligible linguistic instructions or admonitions. (The framework of this distinction is clearly relevant for some of the problems concerning the placement of moral rules into practice and concerning their very nature.) The former can be understood as a kind of social *fact* (pieces of – sometimes – institutionalised, social reality); the latter are articulations of certain stances and may contribute to the constitution of the former.

“Articulation”, too, means various things: by issuing (uttering) something in linguistic form, I either reflect on already existing relationships or try to establish them or, in a sense, both of the above. I may reinforce or specify something already pre-existing, perhaps with the intention of carrying out a certain shift or precision. It is often assumed that rules, *qua* expressions of certain “social facts”, *can* be explicitly articulated. We put parts of the world as we know it and acknowledge as real into words, such as “murder is prohibited by law”, “you should always brush your teeth after finishing your breakfast” and “there must be no trisyllabic trochee”. At least the latter of these examples is a case of establishing or *précising* a normative relationship; while, on the other hand, the relationship of loyalty between two friends or lovers may hold without their ever having been exposed to the precept “friends/lovers ought to keep their loyalty to each other”, which seems to provide an articulation of their practice rather than constitute it. We are also able to *acknowledge* multiple and various utterances as expressing the same normative facts referred to by these utterances: “murder is wrong”, “you should not murder anyone”, etc.

But sometimes making an explicit rule-utterance plays a straightforwardly *constitutive* role – it lays a foundation for a piece of “normative reality” that is to exist henceforth: “The company is thereby established and you, as its CEO, ought to take care of it”. The articulations also play a role in explaining or teaching a rule to someone who does not know

or has not mastered it. (These differences correspond, in a different context, to different kinds of speech acts.)

The constitution of social facts and their articulation sometimes blend with one other, or follow each other in a circle. Imagine here, e.g., the metrical structures (sometimes quite sophisticated) of oral poetry and folk songs obeying solid laws that have originated without the need to explain them in the form of an explicit, general exposition as to how trochee looks and what is no longer one, etc. One of the roles of the expressed permissions, prohibitions or precepts here is to explain and understand perspicuously the sense of the observed social reality: what it is that the poets actually do at all, what the value and quality of their work consists in, etc. The articulated interpretations further give feedback to the normative practice of the respective poetic standard – they influence its spreading, teaching and exercising. The rules of how trochaic verse should or should not look became less plastic and more specified within poetic traditions that had a poetic *theory*: compare here the trochaic meter in Plautus, echoing forms of the pre-Andronican oral poetry, with Horace's elegant and urban verse, reflecting his thorough conversance in the sophisticated regulations of Greek lyrical poetry.

It should, however, be noted that this variance in the relation that rules stand in with respect to practice (establishing vs. reflective/critical), does not amount to introducing a fixed taxonomy of kinds of rules. The difference comes rather in terms of a variation in the regimes of their working. If a rule fails to establish a practice, it may be because its work is rather that of a critique and elucidation of existing practice.

The intention to apply, in establishing a practice, rules that are better suited for the purpose of explanation or understanding would face peculiar difficulties. It may cause certain puzzlement when we try to get oriented within a situation in terms of a clash of discordant normative practices. For it is by no means typical that in cases of such clashes we encounter true alternative rules, on an equal footing with the concerned practice.

We may fail to see the nature of the clash due to our sticking to the one-dimensional rules-oriented approach, assuming such equality of the normative alternatives. Let us now consider an example of what can be understood as a collision of rules, taken from the beginning of Jane Austen's classic novel *Sense and Sensibility*:

No sooner was his father's funeral over, than Mrs. John Dashwood, without sending any notice of her intention to her mother-in-law, arrived with her child and their attendants. No one could dispute her right to come; the house was her husband's from the moment of his father's decease; but the indelicacy of her conduct was so much the greater, and to a woman in Mrs. Dashwood's situation, with only common feelings, must have been highly displeasing;—but in *her* mind there was a sense of honour so keen, a generosity so romantic, that any offence of the kind, by whomsoever given or received, was to her a source of immovable disgust. Mrs. John Dashwood had never been a favourite with any of her husband's family; but she had had no opportunity, till the present, of shewing them with how little attention to the comfort of other people she could act when occasion required it.

Mr. John Dashwood, with his family, inherits the estate of his late father Mr. Dashwood, while Mrs. Dashwood, John's stepmother (with her three daughters) has been effectively disinherited. As a result, John's family gains a new house, in addition to the one he already owns, while Mrs. Dashwood loses her only home, meaning: the right to call Norland Park her home. John's wife Fanny comes to Norland, a few days after her father-in-law's death, as the *rightful* new mistress of the house, resulting from the terms of the inheritance. On the other hand, Mrs. Dashwood's viewpoint comes in terms of what is considerate (tactful) or inconsiderate, *without* any legal foundation.



What seems to be in conflict here are the two social facts that can be expressed as explicit rules: “rightful owner of a property, heir by virtue of the last will and testament of the deceased, is permitted to use it as he or she likes” and “widows and orphan daughters ought to be paid respects” (or the like). Both point to rather different kinds of response. The first rule does not actually *demand* any specified manner of action. It only authorises certain actions as legal (legitimate): what Fanny actually did (moved to the house right away) is an action in accord with this rule, but if she has not done so, it could not be taken as a violation of the rule.

The latter rule seems more positive as it demands something; some might say it even demands something specific. And it clearly *is* possible to understand the situation as a clash of normative practices because the action authorised by the former rule can be understood as a violation of the latter. Analogously, an action of Fanny’s demanded by the latter can under certain circumstances be understood as excessive restraint of the variety of actions authorised by the former.

The authorisation *establishes*, as a rule, a normative arrangement including the property, the owner and other related people; it even has its legal form (is part of the civil code and the laws of property), on the basis of which the relevant practice can be regimented rather strictly and discerned into lawful and unlawful. If – given that all the conditions required by the law are fulfilled – the last will and testament claims the wife of the deceased to be his heir, while his son should be given nothing, it is lawful (in this sense, non-violating the rule) that she assumes his property and uses it, while it would be against the law if the son did the same thing (unless permitted by the inheriting widow). The rule offers a commonly accepted tool for establishing different, even mutually exclusive, particular courses of action in the “same” familial and property situation (given a different set of specified permissions and prohibitions, a son may be disinherited in favour of the wife; but also *vice versa*).

The second rule does not seem to establish a (new) practice, but rather offers a *critical* view of it (already existing). It is hard to see in what sense it relates to the concerned practice as a *rule* claiming a normative *force*: the net of social conventions is too complicated and the skill or judgment of those who orient themselves competently within it is too sophisticated and situation-specific, thus the above formulation of the rule may not tell enough of the complexity. It seems to fail to provide a clear guidance for the practice of those who “ought to” follow it (but do not do so): Fanny should not do what she actually does, but is any *particular* course of action (something she should do) suggested? Do we ever use, understand and respond to such a statement with the expectation of its actually being followed by a *particular* course of action that is guided by it?<sup>117</sup>

Precepts like “widows and orphan daughters ought to be paid respects” come articulated to the observed practice *ex post* – most often where a particular situation is understood so that what has happened is *not* the case: “I don’t approve of how Fanny behaves – because mourning widows and orphan daughters should be paid respects; or am I wrong?” Such a statement cannot guide the practice of someone who finds herself in an unknown, imperspicuous situation. When someone asks me “what should happen now to the late Mr. Dashwood’s house?”, I can simply answer “Just look at the last will and testament – that is all you need to know about what should be happening in the next days” or “The last will and testament states that the property goes to XY – that is all you need to know, etc.”.

On the other hand, with “pay respects to the widow and orphan daughters – that is all you need to know about what should be happening in the next days” or even “act considerately – that is all...”, it is trickier. Such a rule cannot simply be followed, unless it is by those who

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<sup>117</sup> My distinction between regimes of rules is in some respects similar to Sellars’ (1969) distinction between *ought-to-do* and *ought-to-be* rules; I, too, refer to rules of a certain kind as “critical”. Sellars, however, is quite positive that critical *ought-to-be* rules intrinsically have the capacity to imply an *ought-to-do* statement; while I try to discuss how difficult, if not impossible, this transition may be.

already understand it so that they know when they should behave considerately and most importantly, *how* to go about it – what it means to act considerately, what it is like and what is the sense of acting considerately. How to recognise what – *here and now* – counts as considerate behaviour. Such an understanding does not mean being able to give a lecture about considerate behaviour. To (be able to) pay respects to the mourning widow is rather like a practical skill, but not only that: the appropriateness of acting considerately should appear to me as a constitutive part of the situation in which I find myself along with other people and of understanding what is going on among us. I don't need to be able to explain what "considerate behaviour" means (I may even not know the word "considerate") or be able to guide someone to this attitude and skill, but I can still see the situation as inviting me to a certain course of actions or attitudes and to embody thereby considerateness in my conduct.

The peculiar nature of the supposed rule of considerateness transpires through the difficulties with our understanding of the situation as a clash of incompatible rules: like in the case of a car accident in England, caused by someone sticking to the continental traffic regulations. This latter example is a situation easy to understand: there are two (sets of) rules that are, in a certain situation, mutually incompatible – one ought to enter a roundabout by turning right vs. by turning left. Upon proper explanation, only one of them proves to be relevant in the respective time and place, sticking to the incompatible rule is therefore plainly incorrect. The continental traffic regulations simply do not hold in England; they are not rules there.

The collision between Fanny's conduct and Mrs. Dashwood's expectations is of a different nature. Do the two rules contradict each other? Why couldn't the heirs' rights be reconciled with the principle of considerate behaviour to the widow who lost her home? The attitudes of both parties are also different. Mrs. Dashwood feels that Fanny does something *Fanny* ought not to do (violates a standard of proper behaviour towards her); while Fanny sees Mrs. Dashwood as bothersome with regard to *her own* possibility of making full use of the authorising rule she has on her side. Both are, as it were, thinking about a rule that there is *for Fanny*. But not even Mrs. Dashwood (who is painfully aware of Fanny's legal claim) conceives of their situation in terms of finding a hierarchy of two incompatible rules.

Understanding the substance of the problem as trouble with weighing one rule against another and determining which one is "stronger" would, however, border on confusion about what rule-following is and what place it takes or may take in our lives. Let us consider here Rhees' distinction between philosophically uninteresting linguistic confusions and philosophically serious confusions *about language*.<sup>118</sup> It is the attitude a person adopts to rules and the following of them that characterises – helps us understand – her for who she is, rather than the particular rule. Thus, Austen's very strategy of introducing Fanny comes in such terms: e.g., when she brutally eviscerates her husband's feeble attempts to respond to his late father's wish that he should provide for Mrs. Dashwood and her daughters. Even here, Fanny skilfully operates with the fact that her husband is not legally required to do anything in particular.

The point of Austen's characterisation of Fanny and Mrs. Dashwood does not rely as much on weighing the relative relevance of two *rules* as on contrasting two different *attitudes* towards standards applied to human conduct. While for Mrs. Dashwood a part of her understanding of normatively loaded situations is that they involve *persons* standing in primitive relationships of a certain moral significance and interest to each other, Fanny sticks to rules as such, because she is in such a life position that she can use the reference to rules and to particular people's subjectedness to them as an effective instrument for achieving her aims. Cases of extreme atrocities of violence can be understood as situations where every

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<sup>118</sup> Rhees (1969, 133ff).

interest in others or in establishing some understanding of them (as human beings) has been removed from one's dealings with them, which thereby became purely instrumental. (Fanny's attitude is, in a sense, only a weaker and less obvious form of such insensitivity.)<sup>119</sup> Without a primitive interest in understanding each other (in terms of being fellows or "neighbours"), it would be unintelligible what meaning rule-following has and why people should follow any rules at all. It is against this background that it is shown what it means that, in some cases of dealings with others, one is "dead" to this interest, even though one sticks to certain rules.<sup>120</sup>

If we are to understand "widows and orphan daughters ought to be paid respects" as a *rule* of moral conduct, then, when uttered as a maxim of a random agent's (say, Mrs. Dashwood's) will, it should be able the test of Kant's categorical imperative.<sup>121</sup> It shouldn't face any greater problems than the rule "rightful owner of a property...". There is no problem with the first rule, the maxim of Fanny's will which governs her steps. Could or should the authorising principle "rightful owners of a property, who legally inherited it by virtue of the last will and testament of the deceased, are permitted to use it as they like" become the "universal moral law"? It certainly acts as such. Variants of this rule are embedded within most countries' civil codes and their citizens face no substantial difficulties in adhering to them. There are transparent control mechanisms to confirm that this possibility is truly open to the heirs and there are also sanction mechanisms to be applied on those who would try to prevent the application of the law. But with the rule of paying respects to widows this is more complicated.

Could or should the rule "widows and orphan daughters ought to be paid respects" become a "universal moral law"? Can everyone be meaningfully expected to accept and obey it? On the face of it, there is no problem in rephrasing it as "everyone ought to pay respects to widows and orphan daughters". A rather less clear thing is how to imagine that such a rule is embodied within an actual practice and regiments it. As an effective means for providing guidance this articulation of the rule seems empty. It is an immensely complicated task to identify what conduct counts as "paying respects" and what conduct doesn't; the results of the identification can be very volatile. One and the same action can count as being according to the rule on one occasion, but diverge from it under different circumstances. It is not at all difficult to imagine a situation where widows and orphan daughters deserve no respect at all. Should we find a refuge in some ramification like "some widows and orphan daughters deserve to be paid more respects and others less"? But how could this *govern* any practice?

Where a ramification occurs and is accepted as at least partially justified, the rule "everyone ought to pay respects to widows and orphan daughters" cannot without further qualifications be expected to pass the Kantian test as such. The rule thus cannot, in its general form, authorise any clear, particular way of application in *all* the cases where there is a surviving widow.

As a tool for critical understanding, it occurs in a particular case of its *already* committed violation: when Fanny began to invite guests on her own behalf, the rule emerges as "well, that *was* not what I would have called 'paying respects', etc., she ought not to *have done* that". The only particular thing it tells us refers to something which is already in the past. Certainly, the rule "rightful owners of a property..." also tells us nothing in particular, but the

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<sup>119</sup> Ryle in his interpretation of Austen's novels (Ryle 1971) presents *Sense and Sensibility* as a catalogue of the various forms of human sensitivity – excessive and over-indulged in Mrs. Dashwood or Marianne, perhaps too subdued to reason in Elinor, and virtually non-existent in Fanny. Cf. Crary (2007, 137ff) who develops on Ryle and points out that one can only receive the information about particular person's character qualities (therefore, their proneness to view a certain rule as cogent) *in the form of or through* their stories, narrated by the author.

<sup>120</sup> Rhees (2006, 149). Cf. here also Beehler's (1978, 18ff) discussion of such examples: the life of the other is foundational, primitive with respect to the occurrence of normative moral ties (rules) between me and the other (not the other way round). If the other's life and well-being do not matter at all, if they make no difference for the agent, we see a clash of life-forms that cannot be reconciled and nothing more.

<sup>121</sup> As proposed by Kant (1788).

specification is much easier even *in advance*: e.g., the rightful owner of a property is permitted to sell it. Universalisation seems possible – every rightful owner of any property is, regardless of the particular situation’s *minutiae*, legally permitted to sell it.

The alleged rules of the kind “paying respects” can constitute a viable practice only insofar as it can be described in less ambiguous terms. If “pay respect to the worshippers in the church building”, written on the church door, establishes any regimentation of practice, it is also because it is usually supplemented – sometimes on the very same piece of paper – by “and don’t be noisy or excessive so as to disturb them” or the like.

The trouble is that a specification of such a rule determining at least one particular thing that the agent is permitted (or prohibited) to do needn’t stop at the one, first ramification. In our case, at least, the ramifications are multiple and complex – who gives who a place when going through doors, in serving meals, which subtle communication figures of speech are applied more often at the expense of other, avoided ones. Unfortunately, in order to make such a specification, a rather detailed knowledge of the characters of the participating persons is required, as well as of their personal history, the history of their mutual relationships, the social and cultural context of the situation, etc.

In our case, we need to know what kind of person Mrs. Dashwood is, what kind of person Fanny is, the history of the whole Dashwood family, the material situation of the two family branches, etc. Only on the basis of this knowledge can we get closer to determining who deserves to be paid respects from whom on the basis of being a widow and to what extent they should be paid this respect. Here, what seemed to be a simple rule eventually collapses into numerous smallish directives dealing with such trivial details as to who (and when) is entitled to make suggestions about the right to invite additional relatives for a visit at Norland Park.

Could an actualised version of the specified (ramified) rule be something like “only the legal inheriting proprietor is entitled to invite additional relatives for a visit in the context of taking over a newly inherited estate, but only if the feelings of other surviving family members are not harmed, such consideration however holds only if these other survivors deserve such considerateness by their demeanour (but this holds only if..., etc.)”? In our case, the rule could look like “under the circumstances of the Dashwood family, it would be considerate if Fanny, though now the legal mistress of Norland Park, left to Mrs. Dashwood the right to be the first person to propose the inviting of a particular guest until such time as she finds new lodgings and her status shifts to ‘the departing former mistress of the house’”. However, such a “rule” is not a *result* of lengthy specifications to which Mrs. Dashwood would have to dig through the steps like the above sketched “only the legal inheriting proprietor...”. The *insight* into the situation comes *already* in the form “under the circumstances of the Dashwood family...”

The curious complexity of thus phrased “rules” testifies to their delicate nature: when we specify them enough, they can be applied, being the interpretation of a specific situation, only to *one or a few particular agents*. There is no generality in the formulation; no one *else* is expected to play here the role of Mrs. Dashwood – what a bizarre idea! – but Mrs. Dashwood herself. The precept also seems to hold for only a limited *time* frame: until the recently widowed Mrs. Dashwood leaves her former home, or perhaps only until the next day when the climate of communication in the house can allow for a quite different invitational strategy. For instance, due to Fanny’s exceptional politeness from that very morning, Mrs. Dashwood may be inclined in the evening to overlook the fact that Fanny invites guests freely on her own behalf, though the day before she would have been offended by it.

The seemingly simple rule of “paying respects to widows and orphans” ramifies into such width and details that the results cannot claim universalisability. The very project of thematising the ramifications *verbis expressis* proves to be absurd. Where the utterances of

rule sentences establish a piece of normative practice, their explicit expressions and exemplifications serve – besides the very utterance of the rule and its introduction into practice – as tools for explaining the particular rule-governed practice to novices. “This is called the last will and testament; if this-and-this is written in there, it means that XY has the right to do, for instance, this-and-this” is a useful instruction to someone who will deal with such legal issues on her own.

The above mentioned precept, “under the circumstances of the Dashwood family...”, serves no such purpose: it concerns only Fanny and Mrs. Dashwood and has nothing to do with what anyone else could or should do. Why should anyone else do anything in a situation involving only Fanny and Mrs. Dashwood as the concerned agents? It is still, however, closer to a rule than to a single order by its nature, since it distinguishes in a coherent way permissible and reprehensible (or prohibited) actions for a segment of reality and can do so repeatedly. Only the segment is narrow and the precept, as a rule, is strongly loaded with complex presumptions. And its only target seems to be Fanny.

The rule-shaped observations we use for critique thus, upon elaboration, make a palpable sense only in the form of a large number of rather small, over-specified and enormously context-specific micro-critiques. But neither then do they constitute a practice or guidelines for novices; they lack the generality needed for that. They serve towards our insight into complex, contextualised *situations*, the unique meaning of which we want to analyse and understand, either as participants or as observers. Unlike the rules that constitute a working practice, many of which are assumed to be necessarily available in the form of a decisive precept (like the paragraphs of a law in the civil code book), the latter leave a wide space open for dissent and disagreement.

The stressful situation between Mrs. Dashwood and Fanny allows multiple readings of what either of them ought to do or how they ought to behave. However, no such critique as “under the circumstances of the Dashwood family...” could be conceived if no one had any notion of the particular, situated practices<sup>122</sup> of which it is an insightful, living critique. Various critiques of the same situation are therefore perfectly possible without causing a “normative chaos”. Even people who disagree with each other in what “ought to have been” or “ought to be” done can cohabit. This disagreement, sometimes quite unpleasant or tragic, is not in itself a decisive obstacle to there being some – pragmatically viable – arrangement: imagine here two people married to each other who despise more or less everything the other does or says, but their marriage still survives as a sustainable routine.

The difficulties with expecting things from the “rule” about widows such as we would expect from, e.g., the rules of chess may stem from our unsatisfying understanding of what rule-governed behaviour is. It is not enough that it clearly meets the formal criteria of what a rule looks like: i.e. it is a comprehensible statement of the form “*A* should do *x* in *s*”. I suspect that such paradigmatic examples as Wittgenstein’s minimalistic narrative of builders exchanging simple orders and their reactions to them (bringing the slab) are misleading in this context: they present rule-following as, by its very nature, an activity of this kind for which anybody can be trained by means of a blind drill and sanctions.<sup>123</sup>

For this claim of generality, it is considered irrelevant who person *A* is, what action *x* is and what situation *s* is. On the other hand, Wittgenstein himself is more ambiguous and cautious with respect to his account of rules. He suggests that the results of the training do not mean only an instilled practice (technique), but amount to bringing about a certain *understanding*. For a language game does not consist solely of its rules, they do not define what the game is about (while from the rules of football one can get the idea that the game

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<sup>122</sup> In a sense, this “rule” would never have existed if Mrs. Dashwood had agreed to the way Fanny ruled Norland Park.

<sup>123</sup> Wittgenstein (2009, § 2).

centres round the scoring of goals). To imagine a language-game means to imagine, thus to *understand*, a form of life – a space in which things and actions mean something.<sup>124</sup>

While I *can* characterise a game in terms of its rules, if I want to characterise a form of life, I have to provide a certain understanding of *why* the people are interested in playing its central games at all and what place these games occupy in their lives. A form of life is not just a social or historical context, this notion is *logical*: it is any ground the understanding of which is required if we are to understand a game as a practice that has any *sense*. From this point of view, Rhees criticises Wittgenstein's conception of language in terms of rule-governed games as unsatisfying – it fails to show that the practitioners of language have to be motivated by the sense that this practice has in their eyes, viz., to say something to other people, to be intelligible to them. But saying something or being intelligible are motivations of people living certain situated lives; in the game of chess, solely defined by its rules, we meet no such thing – in an important (though debatable) sense, even a person who moves her pieces in accord with the rules of chess, but rather haphazardly and without a clear intent to win the game, plays chess.<sup>125</sup>

Thus, if we want to understand what “widows and orphan daughters...” means, how such a game looks like, we need to understand what kind of life is evoked by the precept. Although Fanny may have violated no rule clearly identifiable as such, there is something that makes her conduct vile and base. *Full* appreciation of that requires sensitivity for particular problems people of a certain kind see (or used to see) in their lives as serious and important. It is this sensitivity – both on the speaker's and the audience's part – that makes the narrative of Fanny's conduct intelligible as an example of what being base and vile looks like.

## 4.2 Considerate Acts and Lives

The complicated, situated practices dealt with by our critical understanding also represent ethical problems: just as murder is morally wrong, inconsiderate behaviour can also be so qualified (we can even argue which of these is worse). Unlike murder, however, examples of considerate and inconsiderate behaviour are not suitable material for agency-oriented moral philosophies attempting a generalisation of laws for moral action (Kantian-like ethics). The way we conduct our lives with others is the subject here, and it is better understood by ethical traditions not primarily concerned with rules of agency, such as the Platonic or Aristotelian virtue ethics. This ethical tradition used to be considered obsolete and has been rehabilitated as a relevant standpoint for contemporary moral philosophy by G.E.M. Anscombe,<sup>126</sup> Philippa Foot<sup>127</sup> and Bernard Williams.<sup>128</sup>

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<sup>124</sup> Ibid. (§§ 6, 19).

<sup>125</sup> Rhees (1959; 2006). The description of chess is sufficient if we show that its rules open up for us a space within which we can perform a certain activity that we have a tendency to perform (as a leisure exercise). Such a description doesn't seem to work equally well with language and its rules: it doesn't convey the seriousness of making oneself intelligible to others that is central to language. Speaking is not only something we have a tendency to do – and so we preserve rules that enable us to continue with it –, understanding developed through the overlapping course of our speech interactions is also important to us. One might argue that this is just a derivation of a strictly practical function for the sake which human language has evolved. But this confusion of a diachronic with a synchronic perspective makes it difficult to account for the sense of importance in communication that we have in cases where intelligibility is not sought for the sake of fulfilling a practical function.

<sup>126</sup> Anscombe (1958) explicitly criticises the tendency of contemporary (or contemporary for her) ethics to see moral philosophy as a matter of establishing a relationship between principles and actions.

<sup>127</sup> Many essays in Foot (2002); esp. Chap. 1.

<sup>128</sup> See e.g. Williams (1985, esp. chaps. 7 and 8) and his distinction between reasons-, rules- and duty-based morality on the one hand and much broader project of ethics on the other hand. While Williams was somewhat

The cases capable of being interpreted in terms of a universal rule are those where the respective “normative fact” (an observable normative arrangement) is easier to find. With rules working in a more reflexive or critical mode it is rather more difficult. What facts are there to be seen in Mrs. Dashwood’s case? There are things Mrs. Dashwood does and things Fanny does, and we can also observe – from what she says (to her daughters), from the grimaces she pulls, etc. – that Mrs. Dashwood adopts a (disapproving) attitude towards what Fanny does, and *vice versa*. In what sense does the situation we observe include the (normative) “fact” that “widows and orphan daughters ought to be given due respects”? Can the fact consist in the disapproving attitude of one participant?

This question is perhaps misled by the parallel with more universal rules, where the existence of a normative fact can be attributed to or even identified with the community’s disapproving attitude towards the rule violators – that is, certain sanction mechanisms. There is little point in denying that the normative force or authority of laws has much to do with there being objective, observable mechanisms of their enforcement. But does this mean that it is *sanctions* that makes a rule a rule? If this was so, then a rule, the violation of which was sanctioned by only one person and that without any real power to enforce the rule, would be no rule.

But what makes a rule a rule is something different – it is that it provides an agent a more or less unambiguous tool for distinguishing, under certain circumstances, a right thing to do from a wrong one. A rule is what, in this sense, *can* be followed; it provides a measure distinguishing an agent’s actions into such that she ought to do and such that she ought not. Despite the relative powerlessness of Mrs. Dashwood’s standing, Austen’s narrative is the very opposite of leaving the distinction of right versus wrong applied by her to Fanny’s actions unclear. Generations of her readers can see it quite clearly.

Again, with the legal rule about inheritance it is different. “The rightful owner of a property, who has gained it by virtue of the last will and testament of the deceased, is permitted to use it as a matter of choice”. Rules of this kind are sustained by regular practice governed by and embodying the rule – if no such institutions like “last will and testament”, “property” or “legal permission” existed and were *exercised*, it would make no sense to speak of such a rule at all. There would be no practice within which agents could either follow or violate this legal rule. In this case, observation of people’s *actual practice itself* allows us to draw some reasonable conclusions about who is permitted to do what.

Critical attitudes to moral conduct show the connection between facts and evaluations in a different form. We can try to rephrase the rule in as “factual” terms as possible, but as far as the description stays a description of a rule, it involves evaluative terms. For instance: “under the circumstances of the Dashwood family, Fanny behaves as a *mean* person, paying no respect to Mrs. Dashwood when she invites guests to Norland Park on her own behalf; and that is *wrong*”. Let us compare: “A father’s last will and testament, leaving his property to his son, means that when he dies, his son will be free to sell the father’s house, for instance. If someone wanted to prevent him from doing that, he can ask the police for help and the police will arrest the other guy.” Or something similar.

If there is a permissive rule underlying the latter case, it can (or perhaps even must) be described as it is actually exercised, telling of a whole possible scenario. The scenario can do away perfectly well with stating that either the son’s or the other person’s conduct is right or wrong. The description of the former rule does not introduce a scenario of events, telling how the rule is exercised. It only claims what is now, with the necessary inclusion of evaluative

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less interested in explicit discussion of particular virtues than Foot, his priceless contribution to making ethics a more complex issue consisted in his emphasis on the importance of thick concepts such as cowardice, brutality, or gratitude. A proper orientation in “thick” cases, with inextricably embedded features of situation, requires a complex of judgment, emotional reactions as well as culture-related knowledge.

terms. It is not clear in what sense a scenario of events can involve “mean persons”. It does not involve them in the same sense in which it – in the other case – involves people in police uniforms putting someone in a jail.

We would have to account for the entire *particular* history of the interactions between Mrs. Dashwood and Fanny and the ends to which it leads. Only then, in the eyes of someone who is now acquainted with the history, can something like a person behaving in a mean way occur.

It cannot be taken for granted that an action, the meaning of which is from a certain viewpoint quite properly read as “inviting one’s relatives for a visit”, makes *sense* to us “behaving as a mean person”. And this can hardly be parallel to the (in)ability to see that an action means “disinheriting somebody” – here you just have to be familiar with rules governing institutionalised procedures. One can imagine the scenario because one knows the rule as also binding equally unknown – abstract, so to speak – people. One does not have to know them as particular persons.

If Fanny’s conduct has a moral significance and can be judged as wrong, it is not by virtue of an existing institution and of stating who – in the roles of the mourning widow and of the house owner – did what. The situation in which they find themselves must have the capacity to be seen in these terms. The personalities of the two participants and the constellation of events led and amounted to the point in which what Fanny did was wrong. But that may concern only the two people and it is relevant for only one day. Another day, the same action – Fanny’s invitation without previously consulting Mrs Dashwood – might pass as unproblematic.

What makes Fanny’s invitations morally dubious is not its being an instance of an independently existing standard of morally wrong action (as in the case of murder). It is the very action *itself* that has moral import,<sup>129</sup> not because it is an instance of a rule (because the respective rule cannot, in its universality, be provided). What Fanny does now is morally dubious as such. Again, there is also not the inference of the kind: “Fanny is a mean person – therefore anything Fanny does is wrong.” It needn’t be. It is not wrong because Fanny is a mean person; the action shows her as a mean person. But the action alone is not enough to make her a mean person. It would not be possible to understand the action as wrong and Fanny as a mean person without some understanding of the situation in which the lives of the two women crossed.

And just as considerateness – the lack of which can be diagnosed as Fanny’s vice – does not stand here as a clearly defined species of immoral action (in the way murder can be defined), nor is it anything that can be explicitly demanded from anyone by way of an order. It is true that such understanding sometimes does not emerge at all in an explicit form from the practice of a disapproving attitude. But it can be explicit too, since a critique often consists of just making a given “insight” explicit in words. The trouble is simply that many people would find themselves in trouble about how to react properly to such a directive as “pay due respect to widows and orphan daughters”. If someone knows what it means, they will be able to see a particular situation as the “scene” of this rule, and stating that a person involved in the situation failed to follow this rule will mean to them a harsh condemnation of the person. But if they don’t know it, such an instruction would be too vague. What exactly should one do to fulfil such a task (not to violate such a vague rule)?

Upon observing situations in which we can – theoretically – apply the widow rule, it is difficult to determine whether all the concerned agents are bound by the rule or whether they are properly following it. There are also no specific sanctioning mechanisms, which are often expected to constitute a proper rule. It is not the point of this precept to be intentionally

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<sup>129</sup> Phillips (1992, 21ff.)



enforced by anyone in the putative general form “widows and orphan daughters should be paid due respects”. And whatever disapproving reactions Mrs. Dashwood might choose to punish Fanny with for not complying with the behavioural standard “under the circumstances of the Dashwood family...”, it is questionable whether they can be said to have been reasonably *intended* to be a tool for effectively urging Fanny (or anyone) to follow this particular standard.

To say that one and the same rule only theoretically applies to various situations and cases is therefore no simple relativism. I, as an observer, can determine multiple situations in which there are widows and orphan daughters who deserve to be treated with respect, as well as contexts in which the force of such a rule does not hold. I only need to discern whether – with respect to one particular requirement – in a particular situation the agents’ actions are right or wrong, or whether this discrimination is not meaningfully applicable. The trouble is that other observers (interpreters) may set these boundaries differently. The different perspectives can be explained, discussed and *decided* – hence no simple relativism –, but the reason why I evaluate a situation one way and someone else does it another way does not straightforwardly rely on the arguments that we exchange with each other. I may not be taken seriously by my discussion partners, the vision with which they have already come to the conversation may be far from mine, they may not be humble or realistic enough to be willing to truly listen to what the others say... All these things can influence the fact that anything I say to them will likely “fall flat” on their ears.

That is not to say that the primary purpose of evaluative statements is to enable us, as observers, to think whatever each of us is inclined to think without the need to bother with the opinions of others or with “reality”. My point is simpler – we do not seem to use them for exercising their force to establish a piece of (intersubjective) normative reality unless we are talking to small children. The possible variations among critical interpretations points not to our being irreducibly different from one another, but to our forming a reflective perspective, each on his or her own behalf. This perspective may well be quite similar or in agreement between many critics; the important point is not that the possibility of disagreement is open, but that everyone adopts and cultivates the standpoint unique to them and becomes capable of seeing situations in a certain, meaningful light.

Various critical interpreters may thus each think various things about Mrs. Dashwood’s situation; what deserves to be stressed here is not “each has a *different* perspective”,<sup>130</sup> but “*each* has a (different or not) *perspective*”.<sup>131</sup> Mrs. Dashwood reads the situation in which she finds herself, along with her daughters and Fanny, from the point of view of the rule “widows and orphan daughters ought to be given due respect”. What is important about this situation is not that there is a clash of rules between her and Fanny, the result of which will tell us how to understand and evaluate the situation. The importance lies in the serious impact Mrs. Dashwood’s understanding of the situation has on the interpreter *herself*. Moral reflection of this kind forms and edifies the personality of the thinker as a moral subject.

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<sup>130</sup> Certainly, we should not let ourselves be mistaken by the compelling force of Austen’s narrative – that there is an intersubjectively presentable sense in which Fanny’s conduct is wrong doesn’t mean that Fanny’s conduct is not expressive of an equally intersubjectively presentable set of values (let’s say).

<sup>131</sup> D. Z. Phillips reminds us, in a similar context, that his ethical reflections are a part of the polemic, again an abstract notion of reasonableness according to which moral values must have reasons and, since there is just “the one and only” reason, there is only one set of correct moral values (the idea of moral progress). Phillips does not have the goal of proposing a moral relativism; he just emphasizes the real importance of value standpoints preceding individuals’ moral reasoning, and he points out that moralities founding value standpoints upon external reasons may well be shallow and problematic (confusing morality with something we would call today a “lifestyle” one chooses for some reason or inclination). See his “Allegiance and Change in Morality” (in Phillips 1982).

More than one possibility of self-forming is open, self-cultivation as well as distortion. It is no wonder that the mentally most adult member of Mrs. Dashwood's family – Elinor, the eldest daughter – does not spend much time complaining about Fanny's (undisputed) "meanness". She disapproves of her mother and her younger sister Marianne's overemphasis on the rule of considerate behaviour at the expense of the legalistic reading held by Fanny. The principal reason for her disapproval is not that their interpretation is, in itself, materially incorrect (applying an inappropriate rule), or that it is unjust towards Fanny, but that Mrs. Dashwood and Marianne harm themselves in nurturing a kind of self-centred<sup>132</sup> understanding of their situation. It is harmful for their moral development, and, in forming oneself into a distorted, self-centred personality, one will naturally be more inclined to harm others also, being less able to understand and respect their feelings (act considerately).

The perspective of Austen's narrative, shifting from a focus on actions to a focus on human lives or characters tallies well with the renewed interest in alternatives to the Kantian or Utilitarian ethics (including the long tradition of virtue ethics). A remarkable representative of this turn is the contemporary Platonic ethicist Raimond Gaita. Gaita, too, raises doubts about the Kantian view of ethics as concerned with human *conduct*. A situated act of considerateness is good, or praiseworthy, even if there is *no* rule I can clearly refer to. The absence of the rule amounts to certain proximity of such an act to Urmsonian "supererogatory" acts. As we have seen, Fanny's failure to do what Mrs. Dashwood would implicitly appreciate her doing is not approved of by the author herself. But it would be more difficult to prove her *action* as outright blameworthy. While it seems clear that inconsiderateness is indeed blameworthy, the mere failure to perform considerate acts does not make one right away inconsiderate unless there is more to her (inherent "meanness" of character). (Fanny's case may be a little misleading, since her conduct bears obvious marks of being intentional; but this is not necessarily present in all cases lacking considerateness.) Considerateness is not a demand lying in the heart of a rule that one either follows or violates. It is, much rather, a *virtue* – a quality of an agent's character manifest in his or her actions towards others. Gaita would call it the *spirit* in which one acts.<sup>133</sup>

Let us imagine our example from another angle, one in which Fanny shows enough consideration to invite her own relatives to visit Norland but only after asking Mrs. Dashwood for her permission. Meticulous adherence to this routine, combined with the idea of one new guest to be suggested each day, would, in the long run, tend to remind Mrs. Dashwood of the pure *formality* of the procedure (she would *tacitly* be expected to agree each time, with no exceptions), and the poisonous irony in Fanny's approach would indicate to Mrs. Dashwood that she is the mistress of the house only in name. Clearly *here*, as opposed to the original setting in which some space is left for moral disagreement, Fanny wouldn't seem to violate any *rule* by her behaviour. But she would, nonetheless, *still* act in a mean *spirit*. (While "acting in a mean spirit is wrong" seems true, I am not sure if such a statement provides a rule, practiceable on the basis of the statement alone in the manner of mathematical rules.) Through their spirit, in-/considerate actions can be more properly evaluated than through intention (always prone to privacy) or consequences (if in the end an act of kindness results in harm, it does not make it unkind or wrong, but rather unlucky).

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<sup>132</sup> Acting according to or against a certain rule may not be in-/correct in itself, just by virtue of what the rule says. Austen points here at the tricky nature of self-centred interpretations lacking a proper *proportion*; while she indeed pleads for behaving considerately (Fanny's failure to do so is her salient vice).

<sup>133</sup> Gaita (2006); cf. also Gaita (2002). Gaita's account of the *spirit*, as it is presented in his Nun example (Gaita 2002, Chap.1), has also been criticised for being too unspecific, avoiding a statement of any particular thing the Nun did (Hamilton 2008, 183f). It is true that some attempts at specifying the Nun's saintly spirit are not fully convincing – see e.g. Coghlan's (2017, 134) suggestion that such demeanour might involve speaking to the psychiatric patients "as she would to any other adult".

Morality, in Gaita's view, centres round the goodness of *human beings*, not around the goodness of *actions*. To explain an act of considerateness with such reasons as "I do this because I love her" – silly as it sounds – means to provide the *spirit* of one's attitude towards "her" rather than a purpose-oriented or instructions-based logic of one's particular action. Certainly, Gaita's account is much broader, concerning ultimately unconditional goodness towards all others as fellow humans. I refer to him here because his arguments and distinctions show that many situation-specific and person-specific acts of trivial, everyday goodness can also be explained in these terms.

Considerateness is not an action (or, it can be many different actions); it is a matter of attitude towards the other. As we have seen, it is difficult to show how "widows and orphan daughters ought to be given due respect" works as a rule at all. This problem has to do with the difficulty of demonstrating, without doubt, who violates this rule and demonstrating that the violator should be punished for the violation. However, it also has to do with the purpose of such a statement, which is not establishing or describing a normative arrangement but rather making a situation intelligible in a certain light to oneself or to another (whereby one is making *oneself* intelligible). As paying due respect appears to be a matter of the spirit of agency, various specific courses of action can be allowed as being in accord with the precept, depending on the spirit of Fanny's attitude to Mrs. Dashwood and on other circumstances. Critical rules do not establish a normative practice in such cases; they rather help us clarify the spirit of the existing practice. This can certainly contribute to establishing a practice (let us remember parents talking to their small children again), but they can equally well voice an agent's sense of helplessness and despair when encountering an established practice.

#### 4.3 The Rules of "Being Nice" and Their Point

There are many excellent discussions in the field of contemporary ethics that are alternative to the action-oriented framework (in the Platonic tradition, Murdoch or; and, following in the tradition of Aristotelian virtue theory, Foot or, more recently, Julia Annas or Rosalind Hursthouse). I will not pursue them in further detail as my interest lies elsewhere: namely, in the consideration of nature and the role of rules. However, though the virtue ethicists or the Swansea Wittgensteinians have had their own agenda that is largely independent of this issue, their insights can offer much that is useful for tackling some opaque areas of the philosophy of the normative.

I would thus like to add here some more remarks on the point of the rules that I have called critical or reflexive. Again, I would like to stress that my point is not to introduce a typology of rules that is, as such, intrinsically of a different kind. We must not forget that the rules that authorise and establish a legitimate normative practice can also serve as a tool for the critical interpretation of a situation. In fact, *whenever* we have an explicit rule, we can use it for a localised critique: "there are international rules prohibiting military actions in other lands' territories; so I see the occupation of Crimea – a part of Ukraine – by Putin's regime as wrong".

The example of international law shows that the most general "legal" rules can have localised and situation-specific critical applications – otherwise, they would be of little use. (Actually, it also demonstrates that rules that normally are, or used to be, establishing rules shift into a critique if they are *undoubtedly* contradicted by the course of events.) The importance of perspective and the difficulties with demonstrating two or more contexts as unproblematic instances of the "same" or "similar" kind become clearer when we consider the striking similarities, but also significant dissimilarities, of extrapolating the above critique to, say, the American interventions to Afghanistan and Iraq after 9/11.

On the other hand, the “critical” rules, if made explicit in a cautious and handy way, can become foundations for normative practices, typically in the context of aesthetics and social conventions. The reason to put an emphasis on critique is that the ability to reflect upon situated, particular examples from practice is indispensable for developing a more nuanced understanding of normative relationships within which we live. It therefore provides us something more than if the orientation was based merely on those authorising rules that are commonly called for, as these are already written down somewhere and easily available as fixed.

Let us imagine another case that may illuminate the complexity of normative relationships within which we live. Take the example of an organisation guided by its own regulative articles; say, a political party. (I mean a civic institution here – the following remarks cannot, obviously, be applied to regulations holding true in the army, for instance.) Institutions of this kind have their regulations that determine the procedures of establishing chairpersons and other officials and regiment the communication styles and patterns; in short, they institute which steps and actions are correct (“this is the way we, officially, do the things we do; by virtue of which this-and-this can be considered as our official position”) and which are incorrect.

Now, everywhere outside of ideal societies and states regulative articles set a framework within which living practice only more or less fits. The practice of institutions with regulative articles can be sustained only if the protocols are in reality not expected to be kept to the very last letter. The protocols required by the articles are sometimes very complicated and lengthy and issues are sometimes solved in a quicker, less official way. On the other hand, such semi-official procedures can be used for the good of the institution only if the members are on *good terms* with one other personally (that is, use these shortcuts with “good will”, “common sense” or “practical wisdom”). Otherwise, sticking to the official rules as well as bypassing them in the range of the usual “greyscale zone” only becomes a source of paralysing internal discordance.

Therefore, not incidentally, the regulative articles of such institutions also often include a point about preserving good interpersonal relations and respectful conduits between the members. Unfortunately, they are usually so vague – just as in the case of the mourning Mrs. Dashwood – that trials leading to the sanction or banishment of a member only rarely work with these articles. An “unbearable” member is more often dealt with by means of some more “material” article, e.g., if she can be charged for the embezzlement of the club’s money or the like. The violation of the “material” rules can be utilised as an opportunity to sanction the violation of the less “material” rules that may be difficult to pin down (consider here Al Capone’s sentence).<sup>134</sup> Certainly, taking such a liberty with rules application (a genuinely utilitarian stance towards it) can be a cause of a profoundly unhealthy and dangerous internal climate within an organisation.

But even though the relation between a critical rule and a concerned practice is far from clear and cannot provide a firm ground for the steps leading to a sanction, the ability to form critical normative standpoints and adjust one’s conduct according to these critical insights is vital. A society, the normative life of which consists only of clearly sanction-linked, easily

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<sup>134</sup> This *is*, I believe, the one unambiguous practical purpose for these kinds of rules. After all, almost each set of explicit rules is so complex that it is impossible for their subjects not to violate, now and then, some of them. For good reasons, the community overlooks most of these violations or deals with them in the regimes of forbearance, neglect, forgiveness or rehabilitation. However, rules can sometimes be used, on purpose, as a pretext: to use a rule violation to expel or punish, in an exemplary mode, someone the community wants to “deal with”. The true reason why a particular rule-violator is undesirable, contrary to so many others, may have to do with his or her actions colliding with the *sense* or *point* of the rules the community follows. Something of the sense is captured, however idly, by the impractical rules that demand acting in good will or on good interpersonal terms.

determinable rules (i.e., a society the members of which would not be interested in any further rules) would be very different from what we know as living in a society. The importance of the rules we typically apply in the regime I called “critical” (the importance of the fact that they are foremost providing an orienting insight into the society and their importance for the *critics*) should not be overlooked. The smallish, everyday ethical dilemmas often deal with the soft, critical, perspective-including rules rather than with explicit, universal norms; the relationship between children and parents requires understanding sympathy towards the others and the way the spirit of one’s actions affects them, rather than punctual application of laws or rules that can be safely expected from every family. (The latter may be necessary, but it is hardly sufficient.)

But even though the distinction between an “asshole” and a “decent, adult person” is difficult to relate in practice to a rule in an unambiguous, sufficiently precise, universalisable and undisputed shape, it is *not* imaginary. On the other hand, even though an “asshole” has not done anything (yet) for which the police could arrest her or a public sanction would come and her status thus cannot be officially authorised, it is possible and sometimes *vital* to be able to draw the distinction. The reflexive rules thus take the lead in the domains where laws or rules that can be prescribed generally cannot. Critical rules are tools by means of which the agents (either participants or observers) cultivate themselves and let themselves grow into adult moral personalities endowed with specific sets of virtues and with skills to lead their lives in particular ways.

It is not necessary that every last person has a grown moral personality. The need (and possibility) to make obligatory that everybody is a grown moral personality cannot be compared with the need (and possibility) to make obligatory that everybody abstains from murder. And yet, a universal or nearly universal lack of interest in such rules as the one that reflected upon inconsiderate actions as being wrong would make human society a grim and horrible place to live. The failure in Mrs. Dashwood’s case to provide an applicable generalised rule is thus no actual failure. It can be read in two different ways that we need to distinguish clearly: either that, (i) in reality, mourning wives and daughters do *not* always deserve to be paid due respect or that (ii) the purpose of precepts like paying due respects to widows and orphans is *not* to provide a rule that would establish a piece of normative reality (a social contract of a kind).

If we opt for the latter option, what is a critical understanding of the case of Mrs. Dashwood and Fanny good for? The “rule” we discussed allows one who wants to reflect upon the example to highlight its moral (or more broadly: normative) dimension. That is, not only to describe who did or said what. Descriptions, including such elaborate ones as Austen’s, can altogether avoid explicit utterances of what is “right” or “wrong” or what “ought to” be or have been done. On the other hand, reflection on the example provides a certain “theory”. The purpose of this normative theory is not to provide an explicit rule for action in all the future situations of the “same” kind. The idea that there is such a range of situations that are clearly subject to the same rule does not make obvious sense.

The particular, considerate acts I am enabled to in the future by my understanding of the present situation need not be related to what the rule concerning it literally says. My future considerate acts may not involve any widows, and though they might be connected to the case of Mrs. Dashwood by nothing other than the involvement of considerateness, I will be led to them not by the general rule “you ought to be considerate” but rather by my past encounter with “widows and orphan daughters...” related to my *reflection* on the *situation* of Mrs. Dashwood. They will be acts of my considerateness (catalysed in a way by my acquaintance with Mrs. Dashwood’s situation), not extrapolations of a rule from one case (Mrs. Dashwood) to another. The purpose of the reflection is not to enable me to repeat the same action, but to avoid making the same mistake, to avoid “being inconsiderate again” or, perhaps more

accurately, not “again” but just “being inconsiderate in the future”. Reflecting explicitly on Mrs. Dashwood’s case (in either way), one is expressing, as it were, one’s hope that human beings can cultivate themselves into someone better.

It is good to notice that, as Rhees points out, “even the *problem* is hardly ever the same from one person to another”.<sup>135</sup> Everybody faces a particular challenge and is further enabled for another particular challenge. Expressing the theory by means of a critical rule can help each reflecting person cultivate her own moral understanding and edify herself to grow into a better human being. And for this purpose, it is not significant whether the precept used has the more general form “widows and orphan daughters” or is specified as “under the present circumstances of the Dashwood family...”

#### 4.4 The “Engineer Solutions” to the Trolley Problem

Mrs. Dashwood’s example shows, I think, that the specification provided by an example need *not* make the discussed rule any less normative. On the contrary, the specifications facilitate an intelligible evaluation that can be linked to practice. There can be, however, some confusion about what an example is and what it means to specify an issue so that one comes to see what to do. I will discuss these issues using the Trolley Problem, which frequently serves as a basis for illuminating the intricacy of ethical problems.

The Trolley Problem is a well-known ethical exercise. The following is one of its common versions: the main character is an observer standing by a switch lever for trolley rails. She sees a trolley wagon hurtling down the rails, it is beyond control, and there are five people standing in its way. The crash will kill them. The observer standing by the lever, however, has the possibility to switch the trolley and divert it onto a side-track. There is only one person standing there, and they would be killed by the diverted trolley. Now, this classic thought experiment in ethics ends in the question as to what the observer should do.<sup>136</sup>

There seem to be two basic options of action: Either it is (rather) right to switch the lever and send the trolley towards the one person. Or it is (rather) wrong; so should one do nothing and leave the trolley to continue its way towards the five? The true meaning of this exercise lies in the question: can a morally relevant distinction be shown between reasons (or “reasons”) recommending one of these possible actions over the other? On what grounds, if at all, can the answer endorsing the former, or the latter, decision be justified?

It is well possible to argue that such a distinction cannot be found, at least not when the example is presented in the above shape.<sup>137</sup> However, this story is often also used as an instructive example in various introductions to ethics to illuminate the complicated nature of ethical issues and our often blurred moral intuitions. Its presenters organise typically a “poll” in their audience; and it is fairly typical that a slight majority chooses option 1: to switch the lever.<sup>138</sup> A somewhat smaller number of respondents feel reluctant to make calculations about

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<sup>135</sup> Rhees (1999, 50).

<sup>136</sup> This default version of the example can be read, for instance, in Thomson (1985); but there are a number of other authors discussing it, starting with Foot’s classic “The Problem of Abortion and the Doctrine of the Double Effect”.

<sup>137</sup> That is why further, more specified varieties of the problem (starting with the “fat man”) are explored. The ramifications of the Trolley Problem varieties and the distinctions they clarify are discussed comprehensively by Kamm (2015, chap. 1).

<sup>138</sup> To what extent should this result be attributed to the influence of popular culture? Significantly, the consequentialist pattern of reasoning has been famously exemplified in popular culture; it is almost in the same terms that Mr. Spock explains the reasons for his self-sacrifice to his friend Captain Kirk: “Logic clearly dictates that the needs of the many outweigh the needs of the few.” Mr. Spock is repeatedly characterised as “logical” – but there is nothing strictly speaking logical in his consideration; if anything, it is rather utilitarian. This

other people's lives and think that there is more truth in option 2. But there are usually also a few troublemakers who refuse to play the thus outlined game and see the very example as suspicious. I will try to show that there may be good reasons for this last attitude.

One way the example can be understood – a way encouraged by these philosophical polls – is that it should lead to finding an ethical norm, or a rule, that would, as a general principle, justify one's course of action in the described situation. The problem with the Trolley Problem is then that it seems to suggest two such possible norms, hardly compatible:

1. Five lives are more than one. It is right to choose the option that saves (or is beneficial for) more people, at the necessary expense of a smaller number of people. Hence, it is right to switch the lever, in order to save the five lives, even if at the expense of sacrificing the one.

2. Every life is a value in itself, regardless of number, and cannot be sacrificed for the sake of an external purpose. To intentionally do anything that would result in the killing of a person cannot be justified, despite the number of putatively saved lives. Hence, it would be wrong to switch the lever; or to put it otherwise, it is right not to switch it.

The former line of reasoning is sympathetic to the tradition of utilitarian ethics, with its proposal suggested by Jeremy Bentham that good and bad deeds can be measured against one other in terms of their (quantified) consequences. The latter line of reasoning is sympathetic to the deontological, Kantian ethics which prohibits the reduction of any fellow human being to a *means* for reaching an *end* considered as higher or greater good.

That the terms in which the problem is presented are far from self-evident or unproblematic is documented clearly in the cases where the pedagogical practice, described above seems to fail. The problems it meets are (philosophically) interesting. For if the presentation is not directed to an obliging audience – and I feel strong suspicion that most audiences apart from students in Philosophy courses, eager to take it as a serious philosophical exercise, are not obliging enough –, the unwillingness to take the story in its intended form can be considerable.

Thus students of engineering science (for instance), when confronted with the trolley problem within an “Introduction to Philosophy”, may be prone to solutions like “why, if I break the lever, the rail switch will be blocked, which stops the trolley and everybody will be saved”. It takes a great effort on the teacher's part to explain to them that the particular face value of the example is irrelevant, as it should have served only as an illustration of a more general *philosophical* problem. In short, the young future engineers were not asked to find a way of stopping the trolley, but to explore options of morally justifying a course of action in situations containing such ethical dilemmas. Unfortunately, they somehow refuse to understand that.<sup>139</sup>

Some may think: perhaps the reason is that the example itself does not offer enough details. Philosophers themselves have already felt the need to introduce further details or variants to make the relevant norm more obvious. The most popular of these variations presents the “fat man on the bridge”: the observer sees the hurtling trolley from a bridge

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identification of the utilitarian with the logical (or the rational) seems pervasive nowadays (not just in the popular culture). The consequentialist solution is, however, also endorsed by distinguished philosophers, e.g., Kagan (in Kamm [2015, see p. 164f]). On the other hand, Winch (1991) interestingly points out that there is a reason why Mr. Spock's lack of interest in other people as distinctive persons and the particular lives they lead strikes us as very strange. The – most strikingly utilitarian or consequentialist – suggestion that situations of moral dilemmas are always by definition decidable has been the target of a scathing attack by Maclean (1993, 2ff). Maclean notices that underlying it is the assumption that morality is *rational* in the sense of an *expert* knowledge: that way, just as outcomes of medical interventions can be measured as better or worse in medical terms, outcomes of moral decisions have to be analogously measurable by *the* rational (bio)ethical standard.

<sup>139</sup> Anders Sandberg (2013) reported this frustrating, yet humorous teaching experience. The frequency of the “incidents” of this kind can only be expected to increase, since the Trolley Problem becomes more and more intensively employed in discussions about the “training” of autonomous cars.

above the trail, having a fat man by her side. Now the vehicle can be stopped by throwing the fat man down into its way.<sup>140</sup> (Even the fat man option can be further qualified: what if the fat man is someone particularly evil, like Hitler? What if there are little children among the five people in danger?)

In the “philosophy polls” many more people are usually willing to switch the lever than to throw the fat man down, acknowledging implicitly the Doctrine of the Double Effect. And yet, from a certain point of view, both these acts can be interpreted the same way – as doing intentionally something that will (and I *know* it) result in the death of the one person. The likely explanation (drawing on an improved version of DDE) is something like this: it is not the same to “actively” kill someone and so prevent the killing of the five then by doing an action that *may* result in the killing of someone *later*. But we could argue that the pushing of the fat man itself is not lethal, and that it is only the impact of his body with the ground that causes lethal injuries. (Or, perhaps, the fat man scenario opens the possibility, since the observer stands on the very same bridge and since she needn’t be much thinner, to stop the trolley by herself jumping: to sacrifice another in a situation where a comparable option might have been to sacrifice oneself seems despicable.) One important thing showed by these varieties entering the argument is that the face value of the example *does* matter. The reasoning one employs in interpreting the example and in offering a scenario in terms of which switching the lever may appear more acceptable than pushing the fat man is a tool for orienting oneself in morally difficult situations.

Let us recall some of our previous remarks. Human moral reasoning does not begin with an abstract, general reflection upon universally phrased moral rules, but tries to orient itself within various life situations in which one finds oneself. The situation presented in the Trolley Problem has to be further determined, equipped with more details so that it resembles a “life situation”; only then can one decide what to do without a practically unbearable hesitation. (This difference corresponds roughly to Murdoch’s distinction between the need to choose from two alternatives by weighing them against one other in their abstract form and seeing the problem or situation as one of the facts which already has moral bearing.) And subsequently, one can perhaps even justify the decision as corroborated by one rule or the other.

One implicit argument – apart from DDE – that stands against the argument for throwing the fat man down may be: Under further scrutiny, the respondent would reveal that the difference in her decision is underpinned by a difference *with respect to the result* of the act. “It is not the same” because, unlike the fat man doomed to die, the person standing on the side-track could perhaps jump aside or could survive the crash with the trolley because she stands at a greater distance than the five do and the vehicle could perhaps slow down by that time, etc.

In this case, we witness again an attempt to, as it were, cheat oneself out of the exact wording of the example. I enter further details into my reading of the situation so that I needn’t face the difficult task of finding a morally relevant justification for a course of action in a dilemma. This response to the Trolley Problem is an expression of the wish that I could say: there is an option I can choose with a chance that nobody would have to die.

The engineering solutions to the problem – blocking the rail switch, or the many more options that the young engineers are able to offer – are of similar kind. These suggestions, however, should not be understood as attempts at “cheating” the problem. They are attempts to make the example intelligible to a person who – on the one hand – is *not* a trained philosopher, but – on the other hand – has a particular history and a unique sum of personal, familiar, cultural, historical, professional, etc., experiences. Being a trained philosopher contributes to this unique sum for only a few people. Therefore, who it is that I am contributes

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<sup>140</sup> Thomson (1985, 1409).



to whether I see the problem thus outlined as a problem of what is the right thing to do when I cannot save everybody, or rather as a problem of how to save everybody.

The philosopher's objection is: but this really *is* cheating. The point of the trolley problem is to construe a dilemma and against its background to illuminate the problem of ethical norms that might prove to be incompatible. The "engineers" and other smarties only deny that *there is a dilemma*. But, after all, don't dilemmatic ethical situations really occur in our lives, and quite commonly? From a philosopher's point of view, the young engineers are hopeless in their lack of a philosophical imagination, refusing to see what it is that the example invites them to do. (Although, to be fair, from an engineer's point of view, it can be said that philosophers fatally lack a technological imagination, trying to frustrate their audience by an allegedly nonsensical situation that in fact could be solved easily, assuming that the situation could occur at all.)

#### 4.5 Treating a Dilemma

I don't want to deny the existence of moral dilemmas and the need to address them. I only think that posing the Trolley Problem as a useful tool for illuminating moral dilemmas might be missing some important points. As the considered alternatives of action seem abstract and not-specified enough, they only disguise abstract rules standing behind them. The assumption that suggests itself and that seems problematic to me is that a dilemma is a situation in which one decides on the basis of weighing one rule against another (these alternative rules being known in advance as viable options). One has only a few relevant rules options (paradigmatically: two) to choose from and the rules underpinning them are incompatible. But dilemmatic situations do not thematise *rules* in the first place.<sup>141</sup> Dilemmas are situations where the agent has already investigated all the *possibilities* of the course of action that she has been able to see and *has not found any one acceptable*.

This outline of the Trolley Problem hardly covers all the possibilities. When we, having investigated all the options and additional details of a situation, are not capable of seeing any desirable option, then we have to make a "difficult decision". The difficult decisions we make in reality are difficult because we feel – despite all the moral reasoning we perform and despite the decision made to our best knowledge and judgment – that at least one rule can be found and perceived as relevant for the situation, and the chosen course of action is a violation of this rule. We know we have to do something but, for whatever we imagine we can do, there remains at least one relevant point of view from which the action appears wrong.<sup>142</sup>

All the weighed details of the situations provide a basis for the decision as "logical" or natural, *despite* the committed violation of a rule one acknowledges as relevant. In other words, despite the violation of a rule, the committed action can be reasonably explained and perhaps justified. It is not so that once one of the alternative rules has been discovered as the more relevant, the other rule immediately lacks any relevance or authority. This kind of reasoning is a "user's guide" reasoning and its place in our life is different. For a computer user there is a rule "you should not open your laptop, dismantle the motherboard and tamper with its connections". But one can also imagine a rule of the type "when your laptop has completely stopped working, its warranty period has expired and you cannot afford to hire a

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<sup>141</sup> An analogous point, though focusing on different issues, was made by Bernard Williams (1981) in his famous "one thought too many" argument: when a man can save only one person threatened by drowning, he chooses his own wife not because he has interpreted her as an instance covered by the rule "when you can save only one person and one of the endangered people is your spouse, in such situations you ought to prefer him or her", but simply because it is his wife.

<sup>142</sup> Cf. Phillips (1982, 38).

computer repairman or there is none available, it is a reasonable thing to do, providing that you will proceed with some caution, to open the laptop, dismantle the motherboard and check its connections manually yourself.” The two rules are in such a relationship that the latter can cancel the former and in such a case, there needn’t be any remaining regret or doubt. The difficult decisions in our lives do not have this form.

The decision contradicting the authority of a rule does not usually rely on another, perhaps more specified rule, but is explained by listing the particulars of the situation. Certainly, if the situation, the particulars of which we list, is to be believable it can hardly take the form of the Trolley Problem. Much more likely it would have to look like “I cannot throw the fat man down/divert the trolley towards the man on the side track, because it is Harry and I have known him for more than 20 years, since childhood, and we have experienced a lot together”, for instance. And more often, the deliberation is purged of the distracting fantastic setting and takes the shape of everyday musings like “I cannot refuse Harry’s request to provide him an alibi; I know he is cheating on his wife and I don’t like it, but I have known him for more than 20 years, since childhood, and we have experienced a lot together”. In such an explanation of my decision, I appeal to *no* norm or rule, yet my actions are thereby explained and some may even say justified. (Even the dislike for Harry’s cheating needn’t rely on my intuition of a rule disapproving marital infidelity, but on a similar, only shorter, history of personal sympathy between me and his wife.)

It is difficult to determine whether we have to deal with a rule here at all. In one sense, we do. What I say about Harry and myself is intelligible as a point of view from which what I do makes sense as right (as something I ought to do) and something else would appear as less right or even wrong. My explanation can even be introduced into the Brandomian game of giving and asking for reasons. When someone asks me “How could you cover for Harry’s actions? He’s such a scoundrel!”, I can answer “I can’t say No to Harry...” This is a relevant (meaningful) answer, although my interlocutor may not agree as to its being a satisfactory one.

In another sense, it is *not* that clear that my actions follow a rule here. The rule would not be “you ought to do anything Harry asks, because of your shared childhood”, and not even “I ought to do anything Harry asks, because of our shared childhood” (not to mention “you ought to do anything a friend from childhood asks, because of your shared childhood”). It may be right for me to provide him an alibi on the basis of this reason, but perhaps not to help him rob a bank. So, not “to do anything”. The question how anyone else but me could “obey” such a rule only adds to that. How can anyone else but me, and any time else than just in the present situation, follow such a rule? (Let us remember here once again Mrs. Dashwood and Fanny.)

I do not want to deny any universal rules, i.e. to argue that only “individual” rules can exist and exercise a power. Rather, I think that the Trolley Problem and other such similes do not always allow us to focus properly on the *actual* way rules pervade the life and the decisions of an individual. A rule can govern an individual’s action only insofar as it appears meaningful to her, in terms of clarifying the normative dimension of her present situation as she understands and experiences it. A constitutive part of such a clarification is the personality of the concerned “first person” of the situation.

It is important to realise that justifications like “I can’t say No to Harry...” seem to express actual rules insofar as they are able to provide a standard for distinguishing between right and wrong courses of action. The same speaker might perhaps refer to the rule “one ought to help their friends” as one that she follows *here* as well, but it would probably be “only” a translation of the “I can’t say No to Harry...” (since it may not govern her in helping Harry to rob a bank). The translation does not go the other way round; it is not that “I can’t say No to Harry...” actually means “one ought to help their friends”.

In many cases where a general rule does not prove to be a translation of a personalised justification, it fails to act as a rule at all. A person's moral reasoning sheds light in which the whole of how she leads her life makes some sense. Reflecting upon rules, often phrased in quite general terms, can be highly instrumental in this process. It is not uncommon to start consideration about rules as abstract entities with the form "one should do *a* in *s*", the essence and intelligibility of which is independent of whether they have any "instances" or specifications. But we might be unable here to see whether a proposition of that form is intelligible (or whether it is intelligible as a rule) at all; we have to clarify first their central concepts: Who is "one" here? What action is *a*? What situation is *s*?

We conceive of rules in a very different sense when we expect them to be building blocks for universalistic ethical systems and when we follow them shaping and making sense of the (moral) life of individuals within which they play a role. In this sense, the engineers refusing to answer the Trolley Problem in the suggested way – to opt either for the Benthamian or Kantian answer – and finding a uniquely personalised way to orient themselves within the example, may be those who understand the problem more properly: that the test to which we subject our moral intuitions does not relate them to universal moral rules.

The dilemmatic situations, as they occur in our lives and as we experience them, are not decided by introducing a norm that would allow us to decide *any* "such" dilemmatic situation. When regimentations truly determine that and when one decides on the basis of a utilitarian-like calculus, they are not supposed to fulfil the function of deciding a moral dilemma. An example is represented, e.g., by commanding officers of army units who are expected to make decisions to sacrifice a number of their troops for the sake of a successful action by other of their troops or to ensure their lives or the lives of civilians. Or, in agriculture, by a farmer having to kill her livestock in its entirety so as to prevent the outburst of an epidemic of foot-and-mouth disease.

It is no wonder that decisions like that usually prove to be somewhat unsuitable for a subsequent moral evaluation. If I say "I had a mission that I had to accomplish, so I sent these three soldiers to do it", it does not really answer the question "was it *right* that I sent these soldiers on a mission that cost them their lives?" The question is not at all irrelevant, only it doesn't seem to be answered easily by referring to a utilitarian-like calculus. The calculus provides no reason for answering it either "Yes" or "No". This way we can decide whether the action was "practical", "logical" or "necessary" (these are words of praise, too). After all, it is not a rare thing that soldiers can be troubled by doubts about whether what they did in the army, even though it was logical, necessary and strategically quite correct, was *morally* right as well.<sup>143</sup>

In short, the Trolley Problem can at least show us that the reasons, in a dilemmatic situation, for deciding in one way or the other needn't be inherent to the example as abstract, universally reasonable rules. Various reasons are inherent to its assorted, far more specified and personalised readings. When one deals with a moral dilemma, she does not just choose between different rules on offer. The very way she asks the question "what should I do?" and answers it is already strongly conditioned by who she is and how she understands her life. Ethics is thus concerned with the use we make of rules for the sake of orienting ourselves in situated actions "in the first person". The reference to the first person is, in such cases, often an inherent part of the explicitly uttered rule. As such, ethics may be called the "logic of life".<sup>144</sup>

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<sup>143</sup> Gilles Bouche drew my attention to this discontinuity between the morally right and the strategically right that is often perceived by soldiers or veterans.

<sup>144</sup> See Crary (2009). I borrow Crary's term, though I have shifted her point somewhat, which consists in emphasising the self-cultivation needed to attain the sort of practical rationality with a perspective that allows the agent to avoid failures in life.

#### 4.6 Rules Personalised and Involving Those Who Matter

My short excursus to the Trolley Problem was intended to suggest that to evaluate a situation requires that it be specified *sufficiently*. “Sufficiently” needn’t mean to introduce an endless catalogue of details and historical explanations. It marks the Wittgensteinian “transition from quantity to quality”, when one starts to see the (moral) bearing of the introduced facts instead of exploring still other possibilities of rearranging the underdetermined points of the situation so that its results suit her choice.

That said, we have to consider enough – though not all – of the factors that affect the localised framework of the normative situation. In chapter 2 I have tried to point out that many of these factors that result in localised normative constraints take an *impersonal* shape. They rely on habits, cultural contexts, roles that can be assigned to agents, etc. Think about the examples like gender roles or the presidency prospects for children growing up in the slums.

These judgments about what “ought to be”, co-forming the normative barriers present in the respective social contexts, are of an *impersonal* nature. In certain contexts, these expectations just “are there” and virtually anyone can be the one who enforces their fulfilment while nobody in particular is expected to do so. Also, nobody in particular embodies the *point* of the rule: one ought to incorporate the most recent pedagogical techniques, but *not for the sake* of a particular student; a girl ought to adopt certain patterns of behaviour and speech, but *not for the sake* of a particular interlocutor of hers.

On the other hand, presumptive rules can include widely varied contents, far more specific than what is involved in a general familiarity with a social surrounding. There is the example of Mrs. Dashwood and Fanny. It is an unexceptional case of analysis that, if it is to make sense of the normative arrangement, it has to include the two of them. In Mrs. Dashwood’s and Fanny’s case, the presumption of the rule involved an explicit reference to these two agents as *irreducibly essential* subjects of the rule. It appeared that it made no sense to extend the sense of the rule, phrased as “under the circumstances of the Dashwood family...”, to another agent than Fanny alone and to another “object” than Mrs. Dashwood alone. Here we have a specific, localised, *interpersonal* normative situation, expressed in the form of the insight “under the circumstances of the Dashwood family...”

The *particular* interpersonal investment in the presumptive rules is sometimes quite intricate; the binary structure between two participants (or between one participant and a group or between two groups) is only an abstraction. Consider here small groups with complicated internal structures, such as Dumas’ four Musketeers. We have there four very different personalities adopting different attitudes to one other, in terms of which different courses of actions (or different things to say) arise as permissible, necessary or inappropriate. When d’Artagnan in the end of *The Three Musketeers after 20 Years* departs with a sensitive message to the Queen, he urges his three friends not to release the captured Cardinal Mazarin before he comes back. Although he asks three times for, in a sense, the same thing, he addresses each of his friends separately and accents very different machineries of motivations and arguments. (For Aramis it would be wrong to do anything to risk the interests of the Duchess de Longueville and her – as well as his, in fact – future child; while, for instance, the interests of the Duchess are completely indifferent to Athos. Athos cannot be effectively urged to do anything in her interest, but values highly, on the other hand, his friendship with d’Artagnan and d’Artagnan’s life). Not even d’Artagnan can expect all of his three good friends to do the same thing – to the last detail – for his sake; nor do their, otherwise congruous, actions in his favour express the same normative arguments and motivations.

Certainly, this is a fictional example, but there is no sense in denying that real relationships between close friends (or enemies) can display a comparable degree of

complexity. Quite typically, we find such complicated networks of normative arrangements within families. Consider a rule such as “my younger sister ought not to disturb me when I am practicing my piano (and she knows that very well)”. Nothing is said here about whether anyone else is allowed to disturb me – perhaps that would not be seen as a disturbance at all – or whether my younger sister is also bound by similar prohibitions with respect to interference in other family members’ activities.

This example suggests, I think, that the actual rules governing life within a family are not fully reducible to explanations operating with *general* terms like “sibling”, “parent”, “younger”, etc. I can, in a specified context, adopt very different normative attitudes to two family members who could both be described as “my younger sister”. Only one of them might be allowed to be present during my piano practices, which *needn’t* itself signify my special affinity to her – I may well allow something else exclusively to my other younger sister, etc. It is, I believe, only misleading to offer generalising reductive explanations based on such terms as “my favourite family member”.

The reason why Mrs. Dashwood supports Marianne’s romantic inclinations and sensitivity (feeds them somewhat) is not that “because Marianne is her favourite amongst her daughters”, perhaps elaborated through the explanation “and one supports one’s favourite child in whatever she sets her heart upon” (or something similar). The reason is rather “because it is Marianne”. Mrs. Dashwood does not support Elinor in her romantic inclinations not because she does not favour Elinor as much as Marianne, but rather because “it is Elinor” and to speak of romantic inclinations in connection to Elinor doesn’t even remotely make a similar amount of sense as it does in connection to Marianne.

It is also problematic to say that Mrs. Dashwood’s proclivity to support her daughters’ romantic inclinations is only potential (or “sleeping”, as it were) in Elinor’s case and would be activated on an appropriate occasion. In Marianne’s case, such a generally coined reason did not precede its exemplification to Marianne; it just grew along with Marianne growing. It is rather that with Elinor, Mrs. Dashwood did not form a supportive attitude to her daughter’s romantic inclinations at all. “Under the circumstances of the Dashwood family”, the term “supportive attitude to a daughter’s romantic inclinations” is actually no general term at all – as a presumptive rule, it has only one application. It is no instantiation of “mothers should support their daughters’ romantic inclinations”, it is the translated “I [= Mrs. Dashwood] should support Marianne’s romantic inclinations; I understand her and how important this is for her”. This (implicit) rule, if somewhat disapproved by Elinor, sets a standard for the interpersonal relationship between Mrs. Dashwood and Marianne, a standard for distinguishing how each of them ought to act and what they can expect from each other (including feelings of justified disappointment when the expectation is not fulfilled) in a way comprehensible to them both. Elinor forms *presumptions* shaping her normative relationships with her mother in different ways than Marianne.

How is it that “because it is Marianne” can act as a reason that may establish a rule? Since it cannot be fully and clearly explained as an (extremely complicated) instantiation of a more general rule employing “mothers”, “sisters”, etc., and since one cannot expect every person following any such personalised rule to have performed a complicated inference from the universal to the particular before she can follow the rule, it seems more likely that the personalised rule is established as such immediately in the personalised form. We are able to understand such rule as a rule – i.e. why it is followed, what is its point and what kind of normative practice is built around it – only if we became familiar with how the rule was established and how it is “lived”. In other words, one must get to the point where they can see “because it is Marianne” as a foundational explanation for (interpersonal) normative relationships (that is, to get to the point where it does not only “fall flat on our ears”).

The specificities of these kind of normative institutions are clearly exemplified between life partners. The partner cohabitation is something that is *constantly* being established, sometimes for a very long time. The delicacy of the arrangement and agreements that thus arise is necessarily high, simply thanks to the time and to the relative closeness of the relationship. We encounter many highly singular normative habits between married people such as, for instance, the sequences and modes of verbal exchange appropriated to specified parts of daytime routines or specified occasions. Habit is a means for sedimentation and exercise of such particularised normative relationships that may be impossible to issue and enforce in the instant on the basis of an immediate instruction. That there are such normative arrangements is not a matter of something particular done in a particular moment; it is rather expressed by the way people act towards one other who are interconnected in a long-term framework.<sup>145</sup> And within such frameworks they mean various things: preparing a meal for someone everyday is a practice sediment through habit, the way I stick responsibly to this routine and the other's reactions to the episodes of my occasional negligence show that there is a normative expectation (that it is understood as something I ought to do). We refer to such arrangements using words like love, subjection, servitude, resignation or other such words.

The standards of how, for instance, household labour is divided can only concern the particular tasks in the two life partners' household. Setting these standards is not a matter of an immediate, individual decision. That these standards are truly normative shows itself in the fact that when one of the agents deviates from these guidelines, it is responded to by the other as a deviation. It is thus responded to by the agent as well, accepting for instance that some plausible arguments for leaving the dishes unwashed *should* be offered. Remarkably, the fact that in other households people deal with similar problems in the same (or in a strikingly different) ways may not mean much as an argument.

Extinction of a normative relationship of this kind involves shifting the value standpoint which results in the re-interpreting of what has happened in the past, too. If one is not bound by relationship ties anymore, she can see the history of the cohabitation in a different light and respond to it differently. Many things that used to be acceptable – though with difficulties – from a life partner now “show themselves in their true light” as something that “cannot be accepted from anyone” if considered in an “unprejudiced” way. “I can see now that what she was doing regularly was a thing she ought *not* to have done.”

However, a central role to the normative arrangement between two life partners is played by the particular ways of exercising *considerate* regards and mutual respect. These are unique, personalised patterns of things one does for the other because she just ought to do that. The actions themselves are not sufficient to constitute the particular relationship, but only insofar as they are expressions of an *attitude*. The long cohabitation attunes attention to the proper impulse for the expected (or, on the other hand, forbidden) course of action so sharply that one reacts in a differentiated manner to “imponderable” stimuli that would seem irrelevant to a non-insider or completely miss them.

Imagine here for instance a particular tone or speed of recounting the day's events, implying what reaction ought to come from the partner – empathising, attentive, actively interacting/silent, etc. These impulses may easily fall under anybody else's “radar”. The underlying rules stay primarily unspoken. If someone is to talk about her life partner with, say, a psychologist, it takes considerable effort (with uncertain results) to describe the central aspects of their everyday practices and to express the spirit of appreciation of the fine differences, despite the skill that she moves with inside of the everyday practice.

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<sup>145</sup> Rorty's (1986) unique account of the historicity of love provides a valuable analysis. Cf. also Wittgenstein (1967, § 504): “Love is not a feeling. Love is put to a test, pain not. One does not say: ‘That was not true pain, or it would not have gone off so quickly.’”

These rules are paramount examples of presumptive rules. Nobody else is expected to offer me the kind of support or reaction I expect from my life partner. That is not because they are somehow inherently incapable of performing the respective actions, but because it is *from my life partner* that I expect it. (Sexual relationships between two people can exemplify this aspect quite strikingly.)<sup>146</sup> A lot of internal jokes or speech practices originate within the circle of the two people and never leave it. They are not expected to leave it.

All this belongs to the situated interpersonal normative practice with a particular history; any other agent simply fails to meet the crucial presumption of *being one's life partner*. This is not to say that these skills are somehow unique or exclusive themselves. To listen to the other's account of the day's events or to cook a meal (or to be able to eat a cooked meal without making improper comments about it) are not mysterious superpowers. The tricky part is to recognise when and how to display these skills; and again, this "recognition" is not a mysterious capacity on its own, it is just connected to the sum of everyday knowledge and experiences collected during the relationship (as such it cannot, of course, be immediately emulated). The important thing is that these skills and the knowledge of when and how they ought to be employed belong to a *person* and are directed to a *person*. This location is not only a result of a contingent course of the history of the two people, although it could not have been what it is without some link to this history. It is the part of what the rule means that the (two) persons are its *intrinsic* constituents.<sup>147</sup>

That these games allow only limited entries from other players and are sometimes solely confined to the pairing does not mean that they are not properly normative activities. It is not only a matter of the description of *regularities* in practice. They are clearly *rules* – rules that can be followed as well as violated or, on occasions, intentionally bypassed; what one does is subject to the distinction right/wrong. Due to their peculiar nature the usually *impersonal* authority capable of sanctions is missing here, replaced by something much more personal. But the violations are real and the sanctions, normally, too.

If one insensitively ignores the needs and wishes (unspoken, expressed through his or her mood and manners) of one's life partner, one violates a rule sediment through the long-time practice of their relationship. It doesn't matter whether one decides to ignore it. If the reality of the rule consisted only in the impersonal (community-related) capacity of deciding a conflict and attributing a sanction, this would be no rule at all. It would be quite alright to reply: "there are only the two of us, so if I go against it, it is just your word against mine". But even the violating agent's actions show that there is a rule; it is expressed by his or her reactions to the controversial situation. The feeling of a need to excuse oneself, as expressed by the above claim, is also a form of response betraying the recognition of the rule. I understand that I violate what I have hitherto understood as something I should do and the nature of the violation can be explained even to a non-insider. Even the lone couple can acknowledge that there is a standard illuminating what counts – between the two of them – as right or as wrong, as what one "ought to do" or what one "ought not to do". It is expressed by the way they address and respond to each other.

#### 4.7 The Personal Source of the Normative

As we have seen, the explanation of the source of a normative authority may be connected directly to the person's partner. If I ask myself "Why do you do that?" or "Is there a real

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<sup>146</sup> Cf. Rhees' (1999, 147f) remarks concerning the need to distinguish between desire and affection in relationships of a sexual nature.

<sup>147</sup> Cf. Cockburn (1989).

reason why you ought to do that?”, the answer would be something like “(I should do that) for my wife’s sake” or “(I should do that) because it is my wife”.

There are, nevertheless, differences between “I ought to do that because she is my wife” and “(every)one ought to do that for the sake of his wife”. I have already mentioned the difference between a self-binding judgment (perhaps responding to something I see in others) and the judgment that everybody ought to do what I do. The sense of seriousness with which one recognises the normative authority of the arrangement needn’t be, however, any lower in the former case. This can be perhaps best seen in one’s further reactions to the cases where one violates the thereby expressed obligation (explanations, excuses, making amends, etc. – these are all responses perfectly intelligible even in the former case, testifying to its normative nature).

I would like to explore here another important difference. Only some of the *oughts* of the former kind (“I ought...””) can be interpreted as examples of the latter kind of *ought* (“everyone ought...”). Many of the arrangements maintained between married people cannot be reasonably generalised; but that does not render their normative status inferior. It may be wrong, in terms of their life arrangement, if a man doesn’t make tea for his wife in the morning when she leaves for work; but that does not say anything about who should make tea between other married people. Even if other married people keep similar arrangements, it is not because there is a relationship among these particular normative arrangements that would make them instances of one and the same rule. Two husbands making the morning tea for their wives do that because they each perceive it as something *he* ought to do for the sake of *his* wife, not because of what a putative “each husband” ought to do for the sake of his wife. Even though they might *afterwards* (when asked) explain their ingrained practices in terms of a universal *ought* – a typical context of considering one’s reasons –, their practice towards other husbands needn’t express any assumption of universality.

The type of expression “I ought to do that because this is my XY” is perhaps slightly misleading in the respect that it locates the source of the normative authority to the agent *herself*: the situation is normative *qua* related in a certain way to the agent (cf. “because this is my car”). It might be more appropriate to locate the importance, in a sense, at the *second-personal* rather than at the first-personal level. “I ought to do that because this is Marianne”: the normative performance is a response to the recognition of a particular *other*, important to the agent. The reference to the first-person can vanish altogether from the terms in which the situational importance is recognised and reflected upon.<sup>148</sup>

In examples such as that, one’s partner, as a person, is the exclusive addressee of the rule-governed behaviour and at the same time the *authority* warranting for the rule. Some may wonder from the very beginning how a normative arrangement lacking the typical features of familiar normative institutions, such as the impersonality of the “we”, can work. I do not have a clear answer. But it testifies that a viable normative habit can also be established in a non-open context, provided that the authority of the rule the agent follows is situated, as is standard with rules, *outside* the agent herself. In our case, it is in the *person* of the *other*.

I would like to close this chapter by a brief consideration of two conceptual tools offered by two philosophers that could, despite their different motivations, help clarifying the nature of this second-personal location of normative authority. First of them is Emmanuel Lévinas.

In Lévinas’ work, the other (or rather, the Other) plays a key role in explaining how the attitudes that he calls “ethical” arise. “Ethics”, i.e. the bond of responsibility to the Other, does not, in Lévinas’ view, require a plural. In fact, to construe a conceptual tool subordinating all “others” as specimens of one genus would mean to miss the point of the ethical. The Lévinasian ethical stance gives up on making sense of the Other in such terms and admits her

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<sup>148</sup> Cf. Cockburn (2018).



the right of being, to a certain extent, an inscrutable mystery to me. It is exactly on the basis on my admittance of this inscrutability – not in spite of it – that ethical stances can be founded. Clearly, ethical relationships *sensu* Lévinas are epistemic stances, consisting to an important extent in an intentional abstaining from forming one's own idea of who the Other is (that is, an idea conforming to my interests and the systematic way I perceive the world around me).

Lévinas' explanation of how ethical relationships arise at all is connected essentially to his notions of "face" and "joy". Who the Other is, is open to me – to my acceptance thereof rather than making a systematic account thereof – in her *face*. The interpersonal relationship establishes itself as ethical in terms of a face-to-face encounter. Face is the principal means of the particularity of humans; in her face, the Other shows herself to me as someone *transcending* me (different from me), yet on the other hand as a personalised and localised being (familiar to me as a personality). The emphasis put on *face* also signifies that I meet the Other as someone I can see, rather than someone I can *see through* or *into*.<sup>149</sup> Resigning oneself of any notion of being able to see through the Other, the necessary admittance of the Other as being inscrutable and inexhaustible by my perspective follows. And this is perfectly correct, in Lévinas' opinion.<sup>150</sup>

The unique particularity of humans is closely connected to Lévinas' distance towards rationalistic anthropologies such as the Kantian. What makes humans individual – and I can know only individual humans in terms of the ethical stance – is their unique perspective consisting in experiencing joy or in "being at home" somewhere. While reason (rationality) and reasons (arguments) are as such open to negotiations and agreement, all this is irrelevant when it comes to perspective-specific joy, which is irreducible to rational explanations and can never be rendered identical and common for everybody. Humanity, says Lévinas, is not a "community of reasons" because "reason has no plural". I access the Other in a face-to-face encounter in terms of which I accept her as a unique, particular individuality, with a particular perspective of joy.<sup>151</sup>

The Lévinasian account of ethics is, of course, largely independent of what is commonly referred to as "ethics" or "moral questions" in the analytic tradition. However, it points out that an acknowledgment of the other as unique and independent is essential for establishing an ethical relationship to her. Any such ethical relationship is primarily directed towards an *individual* other rather than being derived from a generalisation covering all "others" (as a precept reducing them to a conceptual framework I am in possession of). Also: the crucial acceptance of the Other requires a face-to-face encounter with her life situation, her perspective of joy and pain, which means an understanding of where her life is at home. It is from this perspective that her joy and pain can make enough sense to me to be able to understand them to such extent that I can accept them and treat them with respect to being real (as real as the important points in my own life are). This way, I can *see* them as involving *oughts*, without the need to infer it through an argument.

The strength of the Lévinasian emphasis on particularity lies in suggesting that the particular personalised should not be understood as an instance of the general. Lévinas even suggests that we should understand *all* our interpersonal relationships as always irreducibly personalised to some (different) extent. Lévinas' concept of "face" relates to this point. Normally, face is what allows us to meet the Other as someone particular. Human faces belong to our most primitive cognitive equipment by means of which we are able to recognise all humans as distinguished co-agents within the world and, at the same time, all of them as

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<sup>149</sup> Cf. Wittgenstein's (2009, II., iv, § 25): "The human body is the best picture of the human soul."

<sup>150</sup> Lévinas (1991, esp. sections I. A and B).

<sup>151</sup> Ibid., sections II. A 5 and 6.

individuals.<sup>152</sup> Face is something that makes the Other “someone” and when I encounter, face-to-face, people that I recognise as those with whom I am acquainted (thanks to this way of encountering them), I am able to employ highly differentiated normative stances to them *in the instant*. Faces, in a sense, are anchors that allow me to orient myself, in real time, within the world of people I *know* as individual “someones”.

Again, as with “ethics”, Lévinas’ concept of “face” can be highly illuminating for understanding some essential features of human face-to-face encounters, but cannot be identified literally with all that we routinely call “face” in the sense of a body part. (An extrapolation to “voice” can be imagined without great difficulty.) Through encounters with people who have faces, we do not just visually recognise the others’ identities (who they are). What their faces express opens up certain responses to them as proper and certain others as improper, with strangers as well as with people we know. “When I looked into his face, I realised that this was not the right time to say this thing, at least not to him.”<sup>153</sup>

The Lévinasian concept of “face” also allows us to understand better the somewhat difficult status of the particularity. When social scientists criticise philosophers’ relative lack of real-life examples, they – rightly – point that the invented, abstract examples separated from their situational contexts or backgrounds are in fact artificial and do not capture the actual complexity of communication. It is vital to include the situational context, because only then is the example rich enough and meaningful.<sup>154</sup> That doesn’t mean that the way I think about a situation doesn’t include a reference to a *type* of anything (an abstract term). But the sense of seriousness (typically infusing one’s sense of how important it is to *decide somehow*) seem to require that one’s consideration doesn’t include *only* abstract items (types).

The provision of a “full” account seems unnecessary, not to mention the problem with establishing when the account begins to be really “full”. There is a reason why Borges’ *Funes* is not an example of what it normally means to remember what has happened. Lévinas’ emphasis on the importance of face highlights that the moment I encounter the Other face-to-face, she becomes “someone”. The personalising moment does not amount to the moment I finally know “everything” about the particulars of the other’s personality and life. Such an idea is difficult to make sense of. In such a moment, I rather adopt a stance to the other (acknowledge her) as someone who is different from me, but equally real and individual as I am. Detached from the specific context and atmosphere of Lévinasian thinking, we can rephrase it perhaps as follows: acknowledging the normative load the other sees as meaningful. Or else: reaching the point where it starts to matter to me (with respect to the normative stances I adopt) if it is this particular person or another. I don’t begin to respond in differentiated (individual) manners to people, following from who each of them is, only at the point where I know everything about them. It is when they stop being “just someone” for me.

A similar point, though in a much sketchier form, is made by Rhees. He notes the fact that reasons as they are pertinent to an agent are accessible to another agent (or observer) if the latter is able to go through the former’s situation in terms of a “story”.<sup>155</sup> A situation providing reasons “why” something “ought to” be done takes the shape of a story – a meaningful account that can be conceived as having a beginning and a development (perhaps an end as well).

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<sup>152</sup> Note here how the common racist stereotypes, where statements like “all Asians/all Africans look the same”, go along with the inability or rather unwillingness to acknowledge the ethical personhood of people thus described (the depths of understanding, the nuanced and seriously perceived conceptions they make of their own lives). Gaita (2002, chap. 4) insightfully analyses these aspects of racism in great detail.

<sup>153</sup> Cf. Cockburn (1990, 37f).

<sup>154</sup> So much the method of conversation analysis suggests; see Sacks (1995).

<sup>155</sup> Rhees (1999, 81f, 236f).

This claim of meaningfulness i) does not rule out differences in the way various people understand a case as a story, and, again, ii) it does not require that a story must provide in some sense a “full” account of the case. As for i), the variety of “stories” does not exclude the possibility of comparing them as the more and the less meaningful, those that misconstrue or neglect the reasons and motivations and those that are true to them. A story is something that can be told, followed and understood; or it can be misunderstood, especially if it is presented in a confused or misleading manner. A story is also uniquely connected to the person whose story it is: stories can be learned from and repeated, but *what is told* in a story is never repeated in the same story or in another’s story.<sup>156</sup> The shape of a story provides however a means (though limited and selective) to construe an intersubjectively accessible account of various thrown normativities.

As I suggested above with the case of the Dalai Lama’s lecture, the difficulty does not lie in the listeners’ inability to understand the meaning of his precepts about the illusory nature of all life, which is nevertheless capable of driving us as though it was real and of causing suffering. A complete appreciation of the (tragic and aesthetic) implications of this doctrine might *require* absorbing them in the form of story. Story is a highly suitable (perhaps the only suitable) form to present the transient as real and the real as transient (and what it means to forget that what seems real is not real). A monumental and monstrous exemplification of this insight is Cao Xueqin’s *Dream of the Red Chamber*.

If we remember the explanations of the kind “I ought to have provided Harry the alibi for his cheating on his wife even though I didn’t like what he did because we have been friends for a long time and have experienced so much together”, the difference would be perhaps clearer: many of us might understand why such a thing could serve as a relevant reason for the speaker, while not adopting the perspective of this motivation themselves. In this sense, a reasonably-working and meaningful, if invented, example is possible, only it may require introducing its arguments in the form of a story.

The information that two people have been friends since childhood or since elementary school helps make sense of the peculiar relationship they have between them at present. The normative “field lines” of the relationships often cannot be at present presented as a whole; but they can be explained through their shared story (or history), which is what makes the reasons inherent to the relationship incapable of generalisation. Other people, no matter whether they understand the reasons, needn’t “internalise” them properly (they are not expected to). The story or history, on the other hand, makes the reasons intelligible, because stories display a “logic” that is eventually intersubjectively accessible. One can thus come to see what only the other saw. I will return to that in chapter 6.

## In Conclusion

Chapter 4 departed from the previous chapters in several divergent directions. I wanted to show that the seeming need to work with rules that are subject to an indeterminate multiplicity of qualifications (“X-relative”) and that don’t apply beyond narrowly localised contexts does not have to lead to a particularistic chaotic taxonomy of rules as the sole result. A rule that makes sense of just one particular example is not a failure. Examples are a natural space for reflecting on rules – referring to rules in order to understand particular examples as intelligible is simply what we very typically do with rules.

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<sup>156</sup> Although this line of argument might seem at odds with the Post-Modern view of philosophy and literary criticism, I think it is important to stress that, as far as the difference between a misleading and an honest account of someone’s story matters to its recipients and they respond to this difference as to something serious, it cannot be easily explained away. The seriousness is actually tied to the fact that it is *someone’s* story.

Certainly, such rules that can help us understand an example may need to contain details of the situation. And, in many cases, what the articulated rule means can only be properly understood (in the sense of recognising what kind of action is permitted by the rule and what cannot be recognised) if its description includes a reference to particular persons subject to the rule. These rules – such as the one I discussed in the case of Mrs. Dashwood – make sense only as applied to a few particular persons. Yet, they still express genuine, fully-fledged normative arrangements.

I also tried to elaborate on remarks from the end of chapter 3 and to show that a philosophical treatise of particularised, situated rules should, again, take into account the importance of *perspective*: Even the rules applied to cases like Mrs. Dashwood's can be described in general terms (“widows ought to be paid respects”), but the recognition of the meaning and reach of the rule requires viewing it, as it were, from within the example. That is, to understand it as a translation of “under the circumstances of the Dashwood family...”

The role of, especially, (explicit) moral rules may not then be to effectuate their instantaneous following, but to reflect with their help on one's situation and on the way one leads her life. (This way, one's vision or moral intuitions can be cultivated, which is what may effectuate their following.) What a good life consists of cannot be appropriately described by an exhaustive list of particular rules a good person follows. At least, it can be easily doubted that such a list could be universalised and applied to any other person, or that the rule lists of two undoubtedly good persons must substantively tally with each other. A person's goodness is not completely located in her actions, good as such, but it is, in an important sense, a matter of their spirit, of the attitude she adopts towards others; though, certainly, the spirit of one's actions cannot be (fully) independent of them.

The others' importance also allows for understanding the authority of even quite individual rules. The other, towards whom the rule-governed practice is directed, is not only its “target”, she is also the source of the authority of the rule. Some actions can be properly accounted for by stating such reasons as “(because) she is my sister”. The recognition of the other as a *person* who is valuable as such does not require listing all the situational particulars concerning her and her example; what is needed is the “transition of quantity to quality”. Doing something for the sake of the other starts when one doesn't need to infer the commitment as an instance of a general model anymore (the inability to make oneself do anything for another's sake may have to do with one's inability to think of other reasons besides abstract ones). Lévinas refers to this point of encountering the other by his concept of *face*. A parallel to it can be seen in Rhees' remarks about story; I will return to this topic in greater detail in chapter 6.

## 5. Excursus: Addiction, a Normative Disorder

*Abstract:* The chapter offers an excursus concerning addiction. It shows it addiction not as a matter of weak will, but rather as a more complex disorder of life that involves deficient normative practice. It stresses the need to not overlook the importance of the point or aim of rule-governed practices.

In the previous chapter, I tried to show that rules often exercise their governance, being located strongly in particular situations. These situations inherently incorporate particular persons that are necessary parts of the description of the rules. In order to appreciate what a rule means and its authority (to imagine oneself as subject to it), we may not be able to do away with taking perspective into account: rules mean what they mean and their authority is perceived insofar as they are encountered from somewhere, by a person who has a distinct vision of the evaluated situation/problem.

Since rules are followed by living people, their exercise reflects the personalities and lives of their followers. This can affect the very shape of normative performances and highlight the fact that normative performances occur in various *deficient* varieties, often dissimilar to the ideal examples of rules-following hypothesised by philosophers. In this excursus, I will discuss a seemingly extreme example of deficient normative practice: *addiction*.

In section 5.1, I introduce some influential, typically naturalistic or reductionist, conceptions of addiction and discuss arguments concerning their insufficiency. Then I present a few of the more complex or promising philosophical conceptions, mostly centring around weakness of will (Mele, Levy or Foddy & Savulescu), and explore both the arguments against them and what they can offer to a more balanced view on addiction. In section 5.2, I discuss equivocations lurking in the concept of addiction and various options for its specification or replacement. In section 5.3, I link my argument to the discussions of *akrasia*, favouring the Ancient view on the topic (as discussed by Plato and Aristotle or, more recently, Amélie Rorty) as richer than the more recent, action-oriented accounts of *akrasia*. In section 5.4, I rely upon recent, more complex (Herbert Fingarette's or Carl Hart's) conceptions of addiction as a way of leading one's life. Then I discuss how these conceptions are reflected or paralleled in various ideas concerning the way out of or recovery from addiction (e.g., Mark Ragsin). Section 5.5 offers a synthesis of these discussions in a proposal for understanding the phenomena of addiction as degradations of life (deficiencies in terms of flourishing). The concluding section 5.6 then returns to the initial context of human normativity and attempts to extrapolate the lesson that addiction offers towards understanding the nature of human normative practice and performances. It shows that rules-following involves a certain identification with the aim of the practice (which is where addicts frequently fail).

### 5.1 The Many Theories of Addiction

Addiction is a term that triggers various colourful associations. There are plenty of images of drugs in media, fiction or movies. It is perceived as a problem connected, typically, to the life of people in socially-excluded neighbourhoods, but it can also occur among "better people". There are many reference books for people whose family members "fell into drugs", showing them how to recognise and address the problem.<sup>157</sup>

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<sup>157</sup> E.g., Falkowski (2003)

On the other hand, drugs are being researched by biochemistry or medical science and we already have extensive knowledge concerning their physiological or psychoactive effects. Much of this research concerns specific questions of biology, physiology and pharmacology and may seem disconnected from the stories we know about people we know to have a “drug problem”. And, on yet another hand, there is a mountain of *philosophical* discussions about the issues of will, its weakness and *akrasia* – highly sophisticated and often highly technical. In many cases in which a direct extrapolation to addiction is made<sup>158</sup> one may again experience a feeling of disconnection from the known drug stories and examples, just like with the scientists’ discussions of which brain centre is stimulated by a given drug and through what kind of biochemical process.

As I just said, philosophical discussions of addiction often focus on the assumed core of the problem: the weak will of the addict, which is usually underpinned by the faith in naturalistic explanations of the phenomenon. Addiction is routinely seen as an issue of a weak will or *akrasia*. The core of the problem, on that reading, lies in *craving* and in the agent’s inability to resist it. The impact of craving on the addict’s mind can be understood in different ways: e.g., that craving represents an insurmountable obstacle for our power to resist it (the voluntaristic reading of addiction) or that it deactivates our power to resist and we thus lose the capacity to find any motivation to strengthen up (the fallacy reading of addiction).<sup>159</sup> We may then engage in the discussion as to whether addiction is a rational fallacy or a breakdown of will. The Platonic tradition of thinking about *akrasia* would tend to identify the two (I will return to it later). The view that would keep the two separate from each other could be traced back to Hume, for instance.<sup>160</sup>

The conceptual link binding addiction to questions of weak will and *akrasia* has proven itself to be very influential; until very recently, it had still been common to identify addiction with a craving for a particular abused substance (alcohol, tobacco, heroin, etc.) and the incapacity to resist it. Many action theorists exploring addiction share this view; I would like to quote here at length one characteristic example (by Alfred Mele):

Consider the following science-fiction case. Harry, a heroin addict, is now under the influence of a craving for the drug so strong that he cannot resist it by ordinary means. Although he wants not to be an addict and has some motivation to refrain from using the drug now, the strength of his craving is such that, other things being equal, he will now use the loaded syringe resting on the table before him. Fortunately, however, there is a motivation-eradicating device on the wristwatch that Harry just acquired. He sets the dial to his craving for heroin and presses a button, with the result that he is no longer motivated to use the drug now. Harry wonders whether the watch can be used to eradicate his addiction in one fell swoop. If not, he decides, he will gradually rid himself of his addiction by using the watch whenever he craves the drug; for he judges it best, all things considered, to put an end to his addiction and, consequently, to refrain from using the drug. (...)

...Harry has at his disposal two different means of eliminating the pain. He can satisfy the craving, or he can eradicate it. These means are equally quick and effective, but Harry prefers the second to the first for the very reasons that support his desire not to use the drug.<sup>161</sup>

Mele’s thought experiment reveals certain pre-conceptions typical for thinking about addiction. Addiction is portrayed as an isolated, localised problem; and what is sought after is

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<sup>158</sup> E.g., Mele (2002)

<sup>159</sup> Watson (1999a).

<sup>160</sup> Hume (1738, III. I. I.).

<sup>161</sup> Mele (1987, 65).

a kind of prosthesis that would strengthen the weak point – one’s will – so that it could resist craving or that would eradicate the experience (feeling, bodily state, perception, temptation) of craving altogether. This prosthesis can be provided by medication (e.g., substitute treatment) but, perhaps, also otherwise – as we see, Mele speculates about some kind of electronic device.

In such a perspective, addiction appears to be a bodily “condition” that can be addressed in *one* way supposed to work more or less equally effectively in each patient. This concept of addiction is, in the first place, naturalistic: addiction is understood in causal terms, either reductionist or emergentist. The same therefore also holds true of its treatment – it is a disease that is treated just as diseases *sensu stricto* (angina, meningitis, clinical depression) are treated. The treatment comes in naturalistic terms as well. If we ask the question what is addiction and what overcoming one’s addiction means, we expect the answer to come from the medical sciences or neuroscience.

This much is implied by the once influential concept of addiction as a *disease*, proposed by E. M. Jellinek,<sup>162</sup> which was for a long time the prevalent opinion of addiction after the abandonment of the moralistic view (alcoholism as a moral failure or breakdown, or a symptom thereof). Indeed, it is still favoured by Alcoholics Anonymous. Under this view, alcoholism – the kind of addiction Jellinek focused on – is a phenomenon or a condition of a primarily biological or physiological nature, and, as such, it can only be cured in the same way diseases are cured. Assuming, of course, that there is a cure. The development of alcoholism follows the natural (inborn) predisposition of a drinker: the higher this is, the faster alcoholism can develop following the first encounters with alcohol. (Depending on what one’s predispositions are and how much one drinks, alcoholism may not develop at all, even though one is not a teetotaler.) Just as with other diseases, alcoholism has stages that follow one after the other in a fixed sequence. Consequently, the drinker’s responsibility is, at best, weakened – it is difficult, if not impossible, to blame somebody for actions caused by a disease from which she suffers.

The disease concept, though originally coined from a medical viewpoint, has never been much fancied among *scientists* (physicians or psychologists) and is mostly popular among laypeople. Various arguments against it were offered in a comprehensive whole by Herbert Fingarette,<sup>163</sup> among others. Fingarette points out that extensive national surveys in the US have shown a wide, very undisease-like, variety of forms that drinking problems take. The emphasised “loss of control” sometimes occurs with drinking, but other times not; sometimes it also brings about financial, job or family problems, other times it does not. And unlike the case with genuine diseases, many people are able to just “grow out” of their former drinking problems. The “unique sequence of stages and regular pattern of symptoms” postulated by Jellinek failed to be proven as well.

It has also been mentioned that surveys of drinkers who underwent the AA programs displayed a surprisingly higher rate of relapse than those who helped themselves through individual, self-administered methods. The successful individual strategies dealing with addiction problems often relied on cognitive coping techniques (such as thinking about the negative impact of smoking or drinking on one’s health or finances).<sup>164</sup>

In more recent drug scholarship, the prevalent view is that addiction cannot simply be identified as a disease. Alcohol dependence, e.g., is more often a *secondary* problem derivative of problems with anxiety or depression. There is also no test capable of discovering the underlying cause. Despite growing knowledge about the mechanisms of alcohol effects in the human organism, we still do not know what the underlying cause of alcoholism is and are

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<sup>162</sup> Jellinek (1960).

<sup>163</sup> Fingarette (1988).

<sup>164</sup> Peele (1987).

not even certain that there is such a thing (be it genetics or an actual physiological state). And there is no idea of how to “cure” the disease. In substantially broadened, bio-psycho-social terms, alcoholism might be considered a disease in a sense similar to high blood pressure: that disease also does not have one clear, underlying cause and there is no cure for it other than suppressing the symptom itself.<sup>165</sup>

However, some aspects of the disease concept are clearly compelling, especially its *naturalism* and *reductionism*, both of which are favoured by many philosophers as well: addiction is *caused*, by means of the substance’s pharmacology, by its effects on the *organism*. It is, as such, a *physiological* state of the addict’s organism. This is in itself doubtful, because it leaves unexplained why high percentages of people who have taken a drug at some point (even repeatedly) do not develop a harmful pathological habit despite having taken the same substance as those who did; not to mention cases where a “substance” is missing altogether (pathological gambling). But some theorists are not that interested in the actual mechanisms of addiction and its cure; they instead investigate addiction as a peculiar, naturalistically induced state of mind, as is exemplified in Mele’s scenario.

Motivation and the complexity of shape it assumes (motivation not just to take the drug, here and now, but to lead one’s life the way one does, which comprises many other choices, decisions and proclivities) is only rarely taken into account in such perspectives. It is assumed (taken for granted) that the addict’s core, or sole, problem is the *craving* that prevents her health or “normality”. The problem is thus reduced to a problem of how to turn the craving off. In so far as the whole problem is seen as a problem of switching off a neuro-physiological process, this can be, supposedly, once again best achieved by mechanical, neuro-physiological means. Once this means is found, nothing obstructs the addict from being normal, fit and happy again. She only has to take the single step of pushing the button, taking the magical pill, or the like.

The naturalistic scenario, upon which Mele relies, works with the traditional image of *akrasia*, discussed and criticised already by Plato and Aristotle, but which remains popular now. The addict recognises something as the more reasonable thing to choose but, pushed by overwhelming desire (craving), acts in an alternative, worse direction. Interestingly, in Mele’s (but not only his) eyes, it is self-evident that the addict knows what she wants and that she wants something specific, only she cannot achieve it. That thing is *to overcome the “ill habit”, to get rid of it*.

I will return later to Platonic arguments against folk opinions about the so-called *akrasia*. Here it might suffice to point out that so many addicts clearly do not (try to) fight against their dependence while Mele’s character does. Such a thing may not even enter their mind. What they think about and what they spend their time with can include many varied things and the desire assumed by Mele needn’t be among them.<sup>166</sup> The weak points of Mele’s and similar

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<sup>165</sup> This summary of the mainstream scientific view on addiction relies on Hart et al. (2008), a standard college textbook on that topic.

<sup>166</sup> The autobiographical novel *Zoo Station* offers many illuminating insights into the everyday life of an addict. The most chilling are perhaps those that describe its “idyllic-looking” moments, such as the following: “A white car pulled over next to me. There wasn’t a child’s seat in the back, but the guy didn’t look very dangerous. I got in without thinking a second thought, and we agreed on a fee of thirty-five marks. We drove to Askanischer Place. There was an old, abandoned train station there that belonged to the DDR’s national railway. The whole thing didn’t take long. The guy was nice, and right away I had that wonderful feeling again. I even forgot that he was a customer. He said that he’d like to see me again, but that it couldn’t be anytime soon since he and his wife and kids were going on a vacation to Norway in a few days. I asked him if he would do me a favor and drive me to Hardenberg Street, to the technical university over there, and he said it would be no problem. There was a big drug scene over by the university in the mornings. It was a beautiful warm day, May 16, 1977. I remember the date well because it was two days before my fifteenth birthday. After he let me out, I walked all around the area and talked to a few guys. I stopped to pet a dog. I was happy.” (p. 251)



ideas about the nature of addiction can also be shown clearly using the example of *economic* models of addiction.

These models portray addictive behaviour as embodying a peculiar kind of rational calculation, which is in itself an interesting counterbalance to naturalistic reductionism; for they thereby consider addicts as *rational agents* (rather than victims of a disease). George Ainslie, for instance, reports empirical evidence in the case of heavy smokers in orthodox Jewish communities who were, so as to abide by the strict religious regulations, able to reduce substantively their smoking during Sabbath despite the strength of their habit.<sup>167</sup> A conventional-looking factor or motivation is shown to be able to suppress an otherwise “objective” and insurmountable obstacle of morbid bodily condition. This does not mean that addiction is something one can easily command to come and go. It is not straightforwardly subject to one’s decision, but it *is* subject to certain normative motives.

At any rate, events and decisions within an addict’s life seem not to go beyond the procedures of giving and asking for reasons. Some instances of an addict’s behaviour (not “normal” in the case of someone who does not share the habit) can be given reasons for; some of these reasons are more likely pretexts, but some are not – there can be a meaningful discussion about it. Criticism and persuasion (but also occasional acceptance that there *is* something about what they say in their own defence) are meaningful *responses* to addicts or people in whose lives addictive substances play a not-recommended role.

There are multiple economic models of addiction. Some analyse addiction as being a rational investment of time and energy into a perceived future profit and a rational preference for one thing of interest over other subjects of interest. Even scientists’ devotion to their research, resulting in the neglect of personal relationships or off-job hobbies, can be understood as an addiction but of such a nature that there needn’t be anything inherently wrong about it.<sup>168</sup> Most economic theories of addiction, however, admit the distorted (non-standard) character of addictive perceptions of losses and profits and account for it in terms of a non-standard economical calculation. Thus, Ainslie sees the addicts’ economical behaviour as underpinned by a hyperbolic discounting of the sort that assigns any future harms and losses lower significance than to the immediate pleasures and benefits (the further away is the possible harm, the less relevant it is for the cost-and-benefits analysis). Ainslie calls this line of reasoning a “devaluation of the future”.<sup>169</sup>

Just as Mele presupposes that his addict Harry has a target to achieve, laid out in front of him, so the economists assume that addicts perform cost-benefit calculations oriented towards the future. At least the perceived present profit must outweigh in their eyes the future losses, because otherwise they would not take the drug. The underlying assumption is: they *know* the drug is *bad* for their future and, without a counterbalance, they would prefer *not* to take it. If only i) their will was strong enough – which is the problem in Mele’s view. Or if only ii) they were able to calculate the ratio of profits and losses correctly to see properly the drug as bad enough so as not to be worth it – which is the problem in Ainslie’s view.

However, there are studies pointing out that future profits or consequences may play no significant role. Drug-taking triggers and is sought after for the experience of the “cancellation of time”.<sup>170</sup> Or it deepens and facilitates experiences of *absorption* and a focus on the present, highly-valued in various spiritual traditions and exercises.<sup>171</sup> A similar

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<sup>167</sup> Ainslie (1999).

<sup>168</sup> See Becker – Murphy (1988); and criticisms thereof, e.g., in Rogenberg (2004).

<sup>169</sup> See, e.g., Ainslie – Haslam (1992).

<sup>170</sup> See, e.g., Keane’s (2002) case study of nicotine-smoking.

<sup>171</sup> See Nelson’s (1994) reinterpretation of the putative cannabis amotivational syndrome.

phenomenon is described beautifully by Proust as a kind of “pure phenomenism”.<sup>172</sup> The phenomena connected to the so-called amotivational syndrome or the *empty* heroic confidence Proust describes suggest that the future may play only a reduced role here. The inability to follow the real *future* consequences of one’s actions or to make the real effort that certain future (planned) achievements may require is among characteristics of drug-related states, experiences, lifestyles or phenomena. Time, or its full awareness, is, as it were, cancelled in favour of a certain experience (or conception) of one’s life located fully in the present moment. In this light, addiction could just as well be described as a normative disorder rather than a weakness of will or disease – a disorder consisting in the inability to see what future commitments are entailed by one’s present actions or by the present situation, to put it in Brandomian terms.

There are, however, also philosophical views on addiction that tend to adopt a standpoint opposite those portraying it as an induced physiological state of powerlessness or weakness of will. Thus, for example, Foddy and Savulescu in their remarkable proposal of a “liberal account” of addiction retain the notion of addiction as underpinned by the neuro-chemical, etc., processes caused by the consumption of the drug. They, however, abstain decidedly from the common way of describing these phenomena as pathological. Such a way of putting it is, as they say, “illiberal” – that is, judgmental and moralising.

According to them, even though drugs affect the dopamine receptors in the brain, this is not a fundamentally different phenomenon from other desires that we strive to satiate. Pleasure-seeking behaviour is not in itself unnatural or unreasonable; we are only accustomed to seeing it as such in connection to illicit drugs while in connection to sex, coffee or other legal sources of pleasure we do not judge the pleasure-seekers badly. Also, seeking the pleasure that is contained in coffee, sex or movies is not considered pathological or irrational; what people do, motivated by these desires, is neither irrational in itself nor does it testify to the agent’s disturbed or incapacitated rationality and, in effect, *responsibility*. So why should (illicit) drugs be treated differently? Foddy and Savulescu oppose the “demonization” of drugs. They try to show that agents seeking pleasure in drugs do not differ fundamentally from those seeking it elsewhere, including the appropriateness of judging their behaviour and actions as responsible. Addiction may be “about” insurmountable craving for a source of pleasure, but there needn’t be anything wrong with it.<sup>173</sup>

Even earlier, there were attempts at interpreting the phenomena of addiction in a way quite opposite to the naturalistic reductionism. For instance, addiction can be seen as a “disorder of choice”: though nobody chooses or decides, properly speaking, to become an addict, that does not make the objects of addiction genuinely irresistible: “everyone can stop using drugs, when the costs of continuing become too great” – it is only a matter of being able to draw one’s choices in a global, not local perspective.<sup>174</sup> And there are also forthright statements that the concept of addiction as something that makes people do things against their will is a “myth”, to the effect that “most people who use drugs do so for their own reasons, on purpose, because they like it, and because they find no adequate reason for not doing so; rather than because

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<sup>172</sup> “I now found myself the victim of a sort of moral ataxy, the alcohol that I had drunk, by unduly straining my nerves, gave to the minutes as they came a quality, a charm which did not have the result of leaving me more ready, or indeed more resolute to inhibit them, prevent their coming; for while it made me prefer them a thousand times to anything else in my life, my exaltation made me isolate them from everything else; I was confined to the present, as heroes are or drunkards; eclipsed for the moment, my past no longer projected before me that shadow of itself which we call our future; placing the goal of my life no longer in the realisation of the dreams of that past, but in the felicity of the present moment, I could see nothing now of what lay beyond it (...) I was glued to my immediate sensation, with no extension beyond its limits, nor any object other than not to be separated from it.”

<sup>173</sup> Foddy – Savulescu (2010).

<sup>174</sup> Heyman (2009).

they fall prey to some addictive illness which removes their capacity for voluntary behaviour”.<sup>175</sup>

The latterly quoted John Booth Davies doesn’t deny the far too numerous cases of people who got stuck in a cycle of substance abuse with tragic consequences. But he insists that to see addiction as something that just *happens* to people is fundamentally flawed. Addiction results from a complex interplay between one’s environment and one’s choices, decisions, and preferences. There is thus no reason to exempt addicts from the realm of responsible agents. It is, on the other hand, fair to add that Davies speaks at the same time very vigorously against anti-drug policies that urge sanctions against drug use as being illegal.

These accounts of addiction share one thing. This is their conviction that – as far as it makes sense to judge and approve or reprehend addicts’ actions at all – there is no need to call for a special, different measure taking into account that the self-control of addicts works in a significantly different way than in “normal” agents or that it does not work at all. They are capable of distinguishing, practically-speaking, between what one ought to do and what one ought not to do.

I do not think, however, that it is that easy. We are acquainted with the phenomenon we describe as “falling into drugs and not being able to get out of it”. There just *are* such cases one can recognise in their environment, among their acquaintances. And there are sedimented, differentiated patterns of response to actions performed in such a context: “it’s the drinking that’s speaking for him – it’s not him, he would never say such a thing”. Very often, the distinction in response to a person and to her actions “caused” by alcohol never vanishes, as it is based on a more primitive attitude of love, friendship, loyalty, care or compassion that one has for the addict.<sup>176</sup> The reactions of other people may sometimes reveal this tolerant attitude as excusing the inexcusable; but sometimes they also show a certain approval or even admiration of such tolerance as being good and praiseworthy.

It is impossible to show that “falling into drugs...” is only a (irreversible) neurophysiological pathology; we still know too little about this. But neither is it easy to “fully” blame the person for her drug consumption and the actions conditioned by it; addicts fall short of a standard of “normal” normative practice. In his memoirs from his psychiatric practice, Theodore Dalrymple mentions a number of stories of encounters with prisoners with heroin addiction. His anecdotal evidence shows that it is highly questionable whether there is such a thing as heroin addiction at all. He argues against the idea of an actually *irresistible* addiction, like the one so often invoked by the philosophical musing about the corruption of the will by a drug: his patients’ “insurmountable” craving often only lasted until the moment when they saw that he was really *not* going to prescribe the dose to them.<sup>177</sup>

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<sup>175</sup> Davies (1997, 13).

<sup>176</sup> Cockburn (1989) argues that although one’s attachment to a person may have originated in connection to the person’s personal characteristics (qualities), my commitment is to the *person*, not to her qualities; it is neither *caused* by them nor expected to last only as long as the initial qualities are there.

Cockburn’s argument is much in line with the better-known polemics of Williams (1981) against Parfit’s view on human identity, concerning a person’s ground projects and their change through time: even if one’s projects – or one’s attitude towards her projects – change through time, a part of how she understands the change is that it is a change in the same person’s project. One is obliged to her own former “future projects”, including the cases when she abandons them (abandoning former projects that one does not endorse anymore is something different from not being identified with someone else’s proposed project, which is quite close to one’s own former project). The reasons for abandonment are intrinsically related to the change she underwent and to making sense of it. The difference between one’s projects and another’s projects is of a different kind; explanations of this difference may shed no interesting light on who one is, as a person, and on the course and development of her life. One’s motives for endorsing a project are inherent to its being a personal project, in a way completely independent of whether another has a similar personal project (whether one’s project happens to be, so to speak, statistically unique) or not.

<sup>177</sup> Dalrymple (2007).

Dalrymple is far from being sentimental towards his patients or making excuses for them. On the other hand, though craving seems overestimated, he doesn't fail to see the *complex* problem his patients obviously *do* have. If it was neurophysiological, it would be rather easy to cure: "It is easier, after all, to give people a dose of medicine than to give them a reason for living. That is something the patient must minister to himself."<sup>178</sup> But it is not something for which the solution would be available on order.

Though deeply sceptical concerning any theories of drugs as actually incapacitating one's will by means of craving, Dalrymple is thusly reserved in blaming his patients. A typical example of a blameworthy action is one performed with full awareness, intentionally, with apprehension of purpose and consequences. The people in whose life a drug problem is visible often fail to meet one or more of these conditions. Can someone whose life is a mess be blamed for their life being a mess? Dalrymple's numerous case anecdotes seem to suggest that addiction, as far as it constitutes a problem (as in the case of clients who ended up in jail for drug-related crimes), has more to do with the way one leads one's life than with an irresistible neurophysiology. It is a life from which something seems missing. Dalrymple calls it "a reason for living", but it can also be called: purpose, sense, organisation or even an alternative source of positive reinforcement.<sup>179</sup>

## 5.2 The Equivocation of Addiction

Much of the confusing disagreements about what is "addiction" can be attributed, I think, to the equivocation inherent to our use of the term itself. There are a lot of drug-related phenomena or conditions, and their interconnection is rather loose. It is thus good, for the sake of the clarity of further arguments, to distinguish between them because they very often do *not* co-occur.

(1) There is the *short-term effect* (typically psychoactive) of the drug on the organism while it is still present in it – the hallucinations caused by LSD, the peculiar kind of relaxation induced by marijuana, etc. There is a certain variability, depending on one's predisposition to further conditions (still discussed, but not enough confirmed correlation to the occurrence of psychotic states or schizophrenia) that may be triggered by drug use, or depending on one's created tolerance to the substance, but the mechanism of producing the momentary effects of drug consumption is rather well known and much can be predicted from it.

(2) There are the *chronic effects* of the long-term use of some addictive substance on the organism, such as liver damage caused by long-term excessive drinking. Typically these effects are harmful.

(3) More specifically, some of these physiological effects are closely, if not causally, connected to what is often substituted for being addicted: *physical dependence* on the drug, the clearest and most typical symptom of which is the occurrence of the *withdrawal syndrome* that follows the established tolerance of a drug and withdrawal of its regular use. (Medical professionals nowadays prefer talking about "dependence", easier and more precise to define and diagnose – it is appropriately classified by the Diagnostic and Statistic Manual of the APA –, rather than about addiction, which is a notoriously unclear, vague concept.<sup>180</sup>)

(4) Apart from physical dependence – manifest mostly in the various forms of withdrawal syndrome – there is also *psychological* or *behavioural dependence*. This generally means that it is difficult for the person to get along without using the drug and that getting and using it requires much of the person's time. It is also characterised by increasing dosages of the drug

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<sup>178</sup> Ibid., p. 6.

<sup>179</sup> Hart et al. (2008, 34ff).

<sup>180</sup> Ibid, p. 33.

and repeated, unsuccessful attempts at stopping its use. These attempts are reportedly blocked by various forms of craving or compulsion, but these obstacles needn't always take a physical form (such as the withdrawal syndrome).

Serious research studies have been performed mapping the mechanisms of (1) through (4) and the causal link or correlation to the use of addictive substances has been more or less known in (1) through (3). Less known, however, is how the behavioural dependence works in cases like pathological gambling where no psychoactive substance is used, despite the similarity of some typical symptoms to substance abuse. That alone could be enough to suggest that “addictive” patterns of behaviour occur even where the thing cannot be accounted for in naturalistic terms (human physiology influenced by a substance).<sup>181</sup> The naturalistic link is also lacking, however, in the case of other effects attributed to the working of drugs:

(5) As I suggested, philosophers' discussions concerning addiction often centre round a *weakness* or *disruption of will*, or some form of *akrasia* caused by drugs. It is, however, unclear how exactly this can be caused by the common psychoactive substances; not least because we are not able to locate unequivocally such a condition in the human organism – what exactly is happening, and where in one's body is it happening, when one experiences a breakdown of will “caused” by drugs? (We are not talking here about the effects of a kind of Rohypnol consumption.) There are no satisfactory answers to these questions. Additionally, again, it also occurs where no substance use is involved (gambling) – weak will is routinely blamed as being at the core of the inability to succeed in attempts at stopping the behaviour.

(6) More generally, drugs and their effects on their users are blamed for *anti-social and/or criminal behaviour*. (It is in this context that a “war on drugs” is usually declared.) It seems even more difficult to establish a link here between drug use and these tendencies than in (5). There is a huge variety, depending on the culture or sub-culture where one is at home, in what is considered anti-social behaviour. As for drug-related criminality, many of the statistical results are a by-product of the particular legal settings: making drug possession (even in small amounts, satisfying only personal needs) illegal clearly raises the amount of drug criminality. Local experiments with prescription heroin (such as Dr. Marks undertook in the early 1980s) show that the notorious petty theft, etc., can be diminished in this way. And it is less and less clear that violent crimes are *directly* caused by drugs, as they seem to be a part of more complex social problems related to poverty, low education and social exclusion.<sup>182</sup> Most common drugs work (and were designed to work) as relaxants, stimulants or hallucinogens. It is perhaps alcohol rather than most illicit drugs that is commonly associated with the cases of exacerbated violence or aggression.

The problem with the equivocation is that these six conditions needn't occur all together, sometimes only some of them co-occur, sometimes we witness only one of them. These are independent cases: i) someone whose life is marked by her overwhelming alcoholism; ii) a person who only drinks a few beers on “special occasions” and induces herself into a “mood”; iii) a once-heavy-drinker with a damaged liver leading a now quite sedate life; or iv) a philosopher succumbing to an irresistible compulsion to take another piece of fine Belgian chocolate. (For some reason, chocolate-indulgence occurs not once among examples used by philosophers to elucidate the nature of addiction.) They needn't be present in one person's life at the same time.

It is the problematic and presumptive condition (6) that is – though not identical – perhaps closest to capturing what the word “addiction” phenomenologically refers to. This constitutes, again, a separate subject of distinction, not identical to any one of (1) through (6):

(7) *Addiction* as a certain problem that one has with one's life, a problem that may be difficult to see at first, but that may end in clear, visible degradation of that life. “Symptoms”

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<sup>181</sup> Cf. the curious and remarkable study of “Harry Potter addiction” made by Rudski et al. (2009).

<sup>182</sup> See Hart (2013).

of such degradation, described in relative agreement by many guidebooks for the public, include: abusive, (self-)destructive and secretive behaviour; minor criminal troubles like shoplifting; money missing from households; a decline in responsibility towards school or work; unexplained absences or delays; lack of motivation; excuses and pretexts; complete unreliability of what one says; etc.<sup>183</sup> The symptoms of a “normative disorder”, as suggested above, are inherent to many of them.

Although these anecdotal observations can help to diagnose the start of drug troubles, it would be hard to explain how such a diverse bundle of “symptoms” (that never occur all at once) could be caused by a substance through a physiological process. Addiction in the heterogeneous sense is something different from any of (1) through (6) and broader than any of them. After all, the guidebooks about “addiction” for parents that try to enable their readers to recognise and face the problem, or social programs of drug prevention that try to eradicate it, address *this* problem – not *any* drug use as such. I assume that some parents or some school drug-prevention programs would be happiest if the children never once tried marijuana (for instance). But even for them, the second-best and quite acceptable outcome would be that the children, after they tried and used it, perhaps even more than once, form a reasonable attitude to drugs, resulting in no malignant, problematic “lifestyle”.

This harmful condition, addressed by guidebooks and prevention programs but also referred to, for example, in our small talk about people of our acquaintance who have a “drinking problem” is, I think, what best corresponds to cases covered by the use of the umbrella term “addiction”. The connection of addiction, in this sense, to drug use itself (either sporadic or repeated) is not straightforward. Neither is it self-evident that what lies at the heart of addiction is a weakness of will, so favoured in philosophical discussions. At least, it is unclear whether such analysis is useful for the question of *what to do about it*. Could one resort to a single, universally applicable procedure known as will-strengthening in all cases of addiction? Many things that one does can *indirectly* amount to will-strengthening: let us think of the exercises little children’s parents or sport coaches perform with those in their charge. But could they be successfully “applied” to those whose will is not just “underdeveloped” but – allegedly – seriously malfunctioning?

### 5.3 The Equivocation of Weak Will and *Akrasia*

Weakness of will is something that is difficult to see. Also, its relationship to a variety of symptoms indicating problems with addiction is far from clear. Yet, it is given a prominent position in the philosophical discussions of addiction as an explanation of its core. Various authors suggest that being an addict consists in having a problem with the proper functioning of one’s will.<sup>184</sup>

It is also often connected with *akrasia* in its recent (rather than Ancient) sense: will is independent of reason, that is, rational arguments (reasons) alone are not enough to motivate us to do something if one’s desires lure one in another direction and will does not back up reason (which it necessarily doesn’t). Thus, one may be aware that keeping their drug habit is bad (for various reasons), but, due to a desire for the pleasure provided by the drug, there is not a strong enough will to move in the direction recommended by reason and the drug habit therefore remains. One thus “acts against one’s better judgment”; *akrasia* in this sense means to do something while knowing you should do something else, but being unable to stop yourself from doing it.

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<sup>183</sup> E.g. Falkowski (2003, 59ff).

<sup>184</sup> Levy (2006), Watson (1999b), Wallace (1999) or Mele (2002).

This is what addiction is supposed to be about: one knows that the drug habit is bad and would even like to stop it, but one does not have a strong enough will to achieve it. One therefore continues to do what she knows is bad. *If* the problem with addiction is about *akrasia* in this sense, it is about considering alternatives of *action* in terms of better and worse (taking the drug vs. not taking drug [anymore]) and not being able to carry out the result of one's decision or judgment.

This intuition of the nature of *akrasia* reaches as far back as Plato and Aristotle. In the *Republic*, Plato discusses the possibility of conflicting motivations: Leontios wants to look at the dead bodies, even though his reason does not approve of this desire.<sup>185</sup> Aristotle in his *Nicomachean Ethics* develops a systematic exposition of the minutiae of *akrasia* and *enkrateia*. Addicts could be akratic both in the sense of weakness – not being able to act in accord with what one reasons to be good – and impetuosity: to regret afterwards something one has done rashly. The feeling undermining one's reason is in the addicts' case probably appetite for pleasure rather than anger.<sup>186</sup>

The emphasis on the individual *actions*, characteristic of the recent accounts of *akrasia*, is, however, problematic. Why should an individual, episodic action where an agent did not act according to her reason be such a problem? Addiction does not consist in taking the drug alone, done against one's better judgment. If I drank two beers instead of one yesterday evening and I regret it now, it does not mean that I am an alcoholic. If I did the same thing ten or twenty times during the last year, it also needn't mean that I am an alcoholic. True, if I am an alcoholic, it can manifest itself in my drinking one beer too many several times during a time-span. But this is not the same. "Being an addict" – addict *qua* akratic – does not mean exactly either the drinking episode or the chain of drinking episodes by themselves. If it did, one might ask: was I alcohol-addicted when I was drinking the second beer, but not the first? Was I addicted in the meantime, between the alcoholic evenings? Was I addicted only during those evenings in which I, afterwards, regretted the second beer? (I may have thought the second beer was quite alright on some other occasions.)

When addiction is located, through a particular conception of weak will, into episodic actions, these questions are inevitably asked. But one cannot resist the impression that something important goes amiss this way. This feeling can be, I think, explained by pointing at the fact that the post-Platonic and post-Aristotelian conceptions of action, will and *akrasia* are often simplistic compared even to the sketchy and ambiguous accounts of the two Ancient philosophers.

For the Aristotelian *akrasia* is a chronic, long-term state of the person. This is not just due to the repetition or multiplicity of the akratic "events". What one is like, in terms of their character and its strength etc., does not result, as a conclusion, from a chain of events; these events result instead from the state of one's character. Aristotelian as well as Platonic notions of what is going on in the situations referred to as *akrasia* consists in a *characterological* observation. If something is fundamentally flawed with your soul or with your life (with you, as a person) it may result in episodes described as *akrasia*. To say that one is an akratic – or, for that matter, an addict – thus expresses more than a description of her episodic incontinent actions concerning a drug. It is a description, or a judgment of the person's character and life.

The important thing is that there is more to a person than the actions may (or may not) reflect. One's character involves, rather than just one's actions, a complex of one's thoughts, desires (including desires that are "only" experienced but not satisfied), inclinations, emotional reactions to or judgements of other people's actions, etc.<sup>187</sup> It is in these terms that it makes sense to say that one is an addict even between her "episodes" or that a recovered,

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<sup>185</sup> Plato (2004, 437b-441d).

<sup>186</sup> Aristotle (2014, VII, 1-11).

<sup>187</sup> See Hursthouse (1999, chapter 1).

former addict is still, in a sense, an addict, even though she may have already been “clean” for years.<sup>188</sup>

More recent accounts of *akrasia* or addiction have emphasised, as it were, only the conflict between the different motivational constituents of a soul. But if we take, for comparison, the Platonic tripartite division of the soul, what we see is an explanatory model for the complexity of human nature and human actions, rather than its actual description. It may be wiser not to be too literally fixated on an idea of two or three *clearly* distinguishable motivating factors (parts of the human soul) and their perspicuous conflict.

After all, in *Protagoras* Plato provides famously a different view on the so-called *akrasia*, which refuses the genuine possibility of such a conflict as was admitted to in *Republic*. Here, Plato’s Socrates says that the agent is not at all in an actual conflict of which she would truly be aware of. The reason is that the alleged akratic does not *really* see what she should do. Socrates does not deny that one can experience a kind of conflict and *think* that something else than what one actually does is the good thing to do. But then one only thinks that one knows what is good (*doxa*); it is not true knowledge (*episteme*).<sup>189</sup> Though the actual arguments Socrates uses to get to this conclusion can easily leave the impression of mere sophistry, the message is an interesting and powerful piece of moral psychology.

It is the important Socratic notion of the “ignorance of one’s own ignorance” that we encounter here. Heda Segvic shows in her nuanced interpretation that Plato’s conceptions of what it means to want something and to know that something is good are not independent of each other. Knowledge and volition involve each other. Knowledge is inevitably *practical* in the sense that it influences the value frameworks of our actions; if it does not show itself in any way in them, it is not knowledge. In true knowledge, no obligation that is entailed by what is known can be omitted. “Knowledge” of any other kind is only a fake. Certainly, people in what they perceive as akratic states do experience a kind of “ineffectual volition” with which Socrates’ concept of “wanting” seems to be at odds. But, according to Segvic, Plato does not want to postulate a separate, special concept of wanting, but rather to highlight certain important aspects of wanting that often go unnoticed. If to want something really means to know the thing as good, then one cannot fail to do the thing or at least honestly try to do so.<sup>190</sup>

If an “akratic”, e.g., an addict, thus claims to want to quit (taking drugs) because she “knows” it would be a good thing but fails to take appropriate steps, it is because she in a sense did *not* truly know it was a good thing and only thought she knew it, whereby her genuine volition to quit was questionable.

This may seem patronising, but Plato wants to point to an important difference. We sometimes say that one regrets what one has done. But it is justly noted that a true regret involves a genuine endeavour to make amends or to avoid repeating the same mistake. Gaita’s profound analyses of *remorse* shows that true remorse requires one to realise the importance of the *victim* of one’s wrongdoings as a human being and the impact on the victim’s life. With this full realisation, it is impossible for the wrongdoer to not try to make amends – in that moment, the wrongdoer stops being the central point of the situation and it is instead “about” those who were harmed.<sup>191</sup>

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<sup>188</sup> Wittgenstein’s former student Maurice Drury (1973, 19f), a practicing psychiatrist, remarks with palpable irony that what makes an alcoholic an alcoholic is not the actual abuse accompanied by related symptoms like shaking hands or a red nose. It consists rather in an “abnormal” and “sinister” *relationship* to the drug and the pattern of its consumption. The abnormality needn’t have much to do with frequency or amount

<sup>189</sup> Plato (2010, 352a-358e).

<sup>190</sup> Segvic (2000).

<sup>191</sup> Gaita (2006, chapter 4).



Gaita's ethical Platonism is informed by Murdoch and, especially, was profoundly influenced by the Platonic thinking of Simone Weil. Both Weil and Murdoch stress a *realistic* knowledge of oneself and others. A full realism is the knowledge of the reality of the other person as an independent being, equally real as oneself. Murdoch suggests that the seemingly regretful or remorseful musing of one's actions that affected another's life – if they do not go beyond a bad feeling of oneself (where one is still the central focus) and thereby do not result in an outward-oriented action that would show one's profound and genuine interest in the other who was harmed – amount to nothing more than *masochism*.<sup>192</sup>

This peculiar interpretation of Plato's arguments concerning *akrasia* can shed light also on addiction. Undoubtedly, addicts can experience very unpleasant feelings about themselves and their actions; they might feel haunted by the harm they did to *others*, etc. But, as far as they are unable to emancipate themselves from pondering their own badness towards *actual* actions of amendment (starting with actual drug-quitting), it may be argued that they do not truly *see* what they do as bad. They are not capable of a realistic knowledge of the impact of their actions on others' lives as well as on their own lives; their remorse is not therefore realistic either.

Such may be the meaning of Plato's emphasis on the importance of *knowledge* rather than will in the case typically labelled as *akrasia*. Focusing on will often takes the shape of investigating a "capacity" inherent to individual episodic actions that one is, in the decisive moment, either able or unable to perform. But what is misleadingly analysed as *akrasia* is, in Plato's view, much more a matter of (disrupted) harmony within a person's soul or overall life. The complex of one's desires, thoughts, values, inclinations, emotional responses, etc., is relevant and can be judged as good or bad even when the question of whether one's particular action is good or bad is not currently open.

Certainly, neither Plato's nor Aristotle's discussions of *akrasia* are directly relevant for the topic of addiction. Nevertheless, they provide illuminating insights into (moral) psychology. The lesson from these discussions can be that: 1) Episodes of weakness will follow from a more complex problem of the agent's disturbed (disharmonic) *life*; and that 2) who it is that one is shows itself as a complex of the person's cognitive abilities, emotional inclinations, desires, thoughts, emotional and evaluative responses, etc. In order that one can state a conflict between will, reason and desires, one would have to first separate these factors and their respective working and effects. But if a sufficiently specified case of addiction is introduced, this may not be easy or even possible to do with its particular events. They are all permeated by a characteristic atmosphere or vision of things and this vision is neither the pure working of reason, nor of will, nor of appetite.

The problematic actions of an addict have to do with the problem of the addict and her life which is still "there" even when she is neither actually drinking, nor still intoxicated, nor experiencing a craving, etc. (cf. the above listed conditions [1] through [6]). There are no convincing reasons for blaming the person's will for the problem as opposed to the person's knowledge and *vision*. The breakdown of one's life concerns not only the will to "solve the problem", but also the ability to see certain kind of problems as problems at all.

## 5.4 Addiction as a Way of Life and Ways Out of It

The previous two sections have aimed to show that a lot of confusion clouding the discourse of addiction is caused by 1) the equivocation inherent to the concept within which seven (perhaps more) different things can be distinguished and by 2) the too simple, episodic

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<sup>192</sup> Cf. Murdoch (1970, 67ff) on masochism (or sado-masochism).

interpretation of the conflicting states of human personality discussed originally by Plato and Aristotle. The inappropriateness of locating addiction within the episodic actions (drug-taking) of an addict is a call to consider the need to investigate what the life of an addict looks like as a whole, or in a more complex framework.

Fingarette suggests that what it means to be an addict (rather than what, clinically speaking, addiction is) can be seen from the way a person performs in other domains of her life *not* directly related to addiction. This is not a matter of the enumeration of what one is able to do, but rather of the manner. For such purposes, Fingarette introduces the explanatory concept of “central activity”. Such a central activity of interest is one that plays a principal role in the way we organise and prioritise all our activities and interests, what far-reaching choices (with respect to other-than-central interests) we make, what dispositional attitudes we adopt, etc. Typically, for many people the place of the central activity is occupied by their family, their job or their beloved hobby; heavy drinking or the like is the central activity only for some.<sup>193</sup>

The “central activity” serves, at the same time, as a tool of orientation. Its centrality is of a logical nature, in the later-Wittgensteinian sense. It is *anything* needed to understand the course of the addict’s life (or a “family guy’s” life, or of a work-dedicated person’s life), including those of its domains where the central activity or interest is not thematised. The reference to the – perhaps hitherto unknown – central interest may produce the reply: “Ah, now I can see why he behaves in so-and-so a manner, now it does make sense to me!”

If I introduce someone’s central activity, it enables me to characterise this person aptly, and this characterisation is useful for a wide range of further orientations within the interactions with the person. If I provide the information that someone is drinking alcohol often and I am talking about a person that does not actually have a “drinking issue”, I do not provide a useful clue to her particular work performance or interpersonal performance or her peculiar choice of leisure time interests and personal investment in them or anything else. It tells us or explains virtually nothing about many people if we are informed that they are not teetotallers – except for the isolated fact that they sometimes drink.

It can tell us a lot if a person’s referred to alcohol-relation introduces their central interest or activity. In Williams’ terms, it is a “ground project” that tells, or defines, one’s identity.<sup>194</sup> To say that a person is an alcoholic means to provide information about *who* she is; that doesn’t mean that she is not someone’s spouse or daughter or an artist or a convinced Marxist or whatever. But to omit the piece of information that she is also an alcoholic means to omit a piece of information also characterising *how* she acts as a spouse, an artist or a Marxist political activist. A lot of her actions in these domains may be unintelligible without this bit of information because we only make an incomplete or distorted picture of her personal “projects” and, consequently, of who she is. Her actual actions or responses may then be unexpected or surprising in a way they usually are not in people we know rather well. In their case, “surprise” may mean an ingenuous birthday present, in her case it may be that she steals a sum of our money out of the blue.

The influence of the central activity on the non-central interests is usually such that it limits their space or the amount of attention paid to them, exposing them as secondary. “Secondary” does not need to mean: unduly neglected. Most people have more than one important interest or focus of attention in their lives and they for the most part pay a more or less acceptable amount of attention to all of them. But typically only one is the *most* important thing in the person’s life; and, if we know what it is, it can help us understand the reasons for and the nature of this secondary position of one’s occupational responsibilities, for instance.

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<sup>193</sup> Fingarette (1988, 99ff).

<sup>194</sup> Williams (1981a).

However, in contrast to other typical central interests, addiction is perhaps characterised by its relatively more aggressive and predatory relationship towards non-central activities: very often, they truly *are* neglected by the addict. If it is the most important thing for someone to devote much time and attention to a spouse that she loves dearly, it needn't mean she is *indifferent* to her job during working hours (perhaps only that she does not pay extra attention to it beyond what she simply must). Addiction, as is listed among its informal "symptoms", often brings about the inability to keep this balance with respect to what one would acknowledge as something one ought to do (even though it is not truly central for one's life). If a focus on one's sexual adventures or job disrupts, in a comparable manner, one's non-central activities, one's attitude to the central activity becomes pathological; in short, a problem in the sense that addiction can be. Steve McQueen's 2011 movie *Shame* is a good illustration of a life "infected" by the problem of addiction.

It is tempting to identify, as the core of addiction, the predatory nature of one's central interest disrupting one's other interests. But this is still overinclusive. A person for whom her political career is everything – so that she loses her family and all her friends and no longer has any hobbies or leisure interests – could be called "politics-addicted". But the concept of "addiction" would thus become too vague. What distinguishes the excessive focus on politics from addiction in a narrower sense is that engaging in politics means engaging in activities and projects with a rich and complex internal structure of a *temporal* nature: politics involves planning, strategies and differentiated reactions to the moves of those who one perceives as rivals or opponents (or allies), etc. Politics is not defined by the simple pleasure it provides that would lie at the very centre of *all* political activities and that, if necessary, could be obtained and consumed in a cheaper, surrogate form. One could indeed be infatuated by political *power* but that is the *end* result, the attaining of which requires a complex succession of steps which cannot be easily substituted by the kind of "cheaper" power that one might get relatively quickly. The blurred temporality and the economics of cheap surrogates, characteristic of genuine addiction, is shown graphically in McQueen's film.

Apart from their predatory and aggressive nature, addictive central interests are also characterised by a certain amount of *self-deception*: not so much a self-deception about whether "one has a problem" as about its *nature*. The underlying self-deceptive assumption is that addiction is something that happens to a person, just like a disease does, and that whatever one does under its influence it does not completely make sense to hold the person responsible for it.<sup>195</sup> Under this description, it would be pointless to ask an addict for the reasons that she did something – it "wasn't her" who did it and she certainly didn't have any reason that would be "her reason for that action of hers".

Fingarette wants to deny the popular opinion, connected also to the disease concept, that addicts are in this sense simply irresponsible. But full responsibility cannot be easily claimed either. The issue of one's responsibility for particular *actions* usually has to be judged on a case-by-case basis with a variety of alleviating conditions even in *non-addiction* cases: intention, motives, full knowledge of consequences, etc. – all these are scrutinised and one's judgment clouded by drug-related states *can*, depending on a consideration of the case's particulars, play the role of an alleviating condition.

The very *state* of addiction, as such, is not something the addict could easily be "blamed for" either; no more than it makes sense to blame a person for the particular shape her whole life has taken. Francis Seeburger points out that hardly anybody *intends* to become an addict or starts taking a drug with this plan in mind.<sup>196</sup> Similarly, nobody *intends* to live a life full of greyscale compromises and, although it is they who made all the decisions that have led to it,

<sup>195</sup> Fingarette (1985); cf. also Levy (2003) or Peele (1987). The excessive excuses and pretexts frequently applied by addicts are listed in the reference books describing the symptoms of addiction.

<sup>196</sup> Seeburger (1995).

it does not make sense to morally judge the life that they, as a result, lead in the same way as to judge the particular things they do. If one does something wrong, it is an appropriate and legitimate response to condemn the action and to want to hold the agent responsible.

But the life the agent has been living – that has led to the wrongdoing – *can* excite another's compassion rather than condemnation even though they don't approve of the agent's actions (perhaps all the more for this reason). One can love a person even though they do not find anything lovable in the person's actions. Actions sometimes quite rightly deserve punishment. But it is much less clear what it would mean that a person deserves punishment for who she is and for the life she leads. How would an appropriate punishment for a particular, messed-up life be determined? What would it look like? If such a punishment can be imagined at all, isn't it, in a sense, the life itself rather than anything inflicted by an external authority?

It is in terms of this shift that Seeburger proposes to see addiction – instead of as an action, a property, condition or behaviour – as one of the fundamental possibilities of human life. Addiction is a possibility that is on a par with such characterisations as finding or losing oneself or living fully or barely living. “It is a way in which we can be”; addiction should be understood through understanding the addicts' lives as a *whole*. In what respect does this particular life possibility differ from others? Seeburger's answer, not really satisfying, is that addiction is a form of enslavement: a case of life ceasing to be one's own life.

Empirical studies of addiction offer more specific answers; it is often suggested that the specificity of addiction is connected to the role of *reinforcement* in life.<sup>197</sup> Some of the things we do are followed by effects that raise the probability of repeating the actions: with drugs, this is typically their pleasurable, mind-altering effect. But the mechanisms of reinforcement are not always physiological: they also include motivating reactions like others' applause to one's artistic or athletic performances, etc. Positive reinforcement – a “feedback” that keeps and confirms us in our particular line of repeated actions or behaviour – is a powerful motivating factor and can account for the working of non-physical dependency as well.

Although there are attempts at explaining the mechanisms of reinforcement by dopamine effects in the human brain, they do not seem satisfactory. Reinforcement itself is a complex phenomenon, and a lot of the cases of addiction can be explained by investigating the variety of possible sources of reinforcement for the agent. Carl Hart suggests that it is mostly the general lack of *alternate* sources of positive reinforcement – rather than the actual reinforcement provided by the drug alone – that can be blamed for the occurrence of drug problems. The (*perceived*) availability of other areas of interesting self-realisation is crucial.<sup>198</sup>

According to Hart, the lack of these sources is typical of a certain social standing and it thus occurs most often among the poor, marginalised and deprived people; the culture of poverty, in short. At least in the US, this is exemplified by poor black communities and the neighbourhoods they inhabit. The association of drugs as something that civilised society is in war against and the image and lifestyle of people living in such neighbourhoods is corroborated also by the media pictures of what “typical” drug users look like. These images, though not fabricated, fail to show that there is a larger problem of a *social* nature, with *poverty* and social exclusion at its heart.

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<sup>197</sup> Hart et al. (2008).

<sup>198</sup> Hart (2013). In a recent interview for [alternet.org](http://alternet.org), Hart offers a characterising summary of these alternate sources of positive reinforcement: “the ability to earn income, learn a skill, or receive some respect based on your performance in some sort of way (...) skills that are employable or marketable, education, having a stake or meaningful role in society, not being marginalized”. (<http://www.alternet.org/drugs-addiction>)

The remarkable “Rat Park” experiments seem to corroborate the importance of other, non-drug sources of reinforcement for limiting the attractiveness of drugs.<sup>199</sup> Though their “subjects” were rodents only – creatures whose psychological and social life differs significantly from human life – their findings are not without interest. From another, purely philosophical angle, a complementary argument is offered by Amélie Rorty’s analyses of *akrasia*. According to Rorty, *akrasia* needn’t be a *conflict* situation of a will blocked by an insuperably strong tendency or desire that opposes reason. Quite often, the akratic alternative is simply the easiest to choose, since the other alternative, the “right” one, is weak and uninteresting. This deliberation needn’t be conscious; we make a lot of practical decisions of this kind based on *habit*.<sup>200</sup>

In one respect, Hart’s analyses seem to be not exhaustive. For a “drug problem” also occurs in social classes where poverty is not the primary issue. The abovementioned “money missing from households” is a fairly typical symptom, yet a somewhat “middle-class” one: there has to be some considerable amount of money present for it to disappear. The lack of positive sources of reinforcement can have other causes than socially-systemic and can also be a reflection of the individual and psychological aspects of the particular case (such as growing up with cold, unloving parents who are rarely satisfied with and not really interested in their child), along with its moral atmosphere.

These cases, not related directly to the culture of poverty, offer a specification of the aforementioned important difference of drugs from other central activities or sources of reinforcement: their peculiar temporality complementing the predatory and self-deceptive nature of addiction highlighted by Fingarette. As I suggested, the more “respectable” central activities usually exhibit a network of internal connections spanning through time. To be invested in one’s love for someone or in one’s job means to recognise and endorse the internal connections between what one does (or what is happening) now and what one can be expected to do tomorrow. Engagement in various central activities typically has a normative dimension, the recognition of which (in its “normal”, expected shape) the agent testifies to in her practice. The commitment to these normative connections requires an investment of time and endeavour. (To bring about any “effects”, be it a job or hobby achievement, or a firm interpersonal relationship one can rely on, an investment of time and endeavour is usually needed.) Drugs, on the other hand, appear to have the capacity to give their users “something for nothing”, as it were, and to give it *on the instant*.

While this capacity of drugs acts innocently in the lives of most people who only use a drug now and then, the problem occurs where drugs become the principal source of positive reinforcement due *directly* to their perceived power to give one something for nothing. To suggest where and why this is likely to happen would require extensive psychological and sociological research that is beyond me. I can instead only relate my impression that there may be a connection between this particular aspect of a relationship to drugs and the culture and value system of capitalism, with its emphasis on profiting as much as possible from as

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<sup>199</sup> Alexander et al. (1980; 1981). In 2010, Alexander remembered somewhat sentimentally the experiments in the popular text “Addiction: The View from Rat Park”: “This required building a great big plywood box on the floor of our laboratory, filling it with things that rats like, such as platforms for climbing, tin cans for hiding in, wood chips for strewing around, and running wheels for exercise. Naturally we included lots of rats of both sexes, and naturally the place soon was teeming with babies. The rats loved it and we loved it too, so we called it ‘Rat Park’. (...)”

We ran several experiments comparing the drug consumption of rats in Rat Park with rats in solitary confinement in regular laboratory cages. In virtually every experiment, the rats in solitary confinement consumed more drug solution, by every measure we could devise. And not just a little more. A lot more.” (<http://www.brucealexander.com/articles-speeches/rat-park/148-addiction-the-view-from-rat-park>)

<sup>200</sup> Rorty (1985).

small an investment as possible.<sup>201</sup> This assumption could shed some light on why “drug problems” also occur in families where economic poverty is not the issue (but emotional or moral poverty may be). But I do not want to push this sketchy hypothesis any further.

What the authors I refer to sympathetically here share is their suspicion that addiction is not the *cause* of anti-social or criminal tendencies but is rather a *manifestation* of a certain disintegration or degradation of the life an addict leads, including possible anti-social or criminal aspects. In order to understand and tackle addiction properly, a focus on the way people probably succeed in emancipating themselves from it might be instructive. Again, it is a “healthy” way of leading and organising one’s *whole* life that is the point of therapies rather than finding an artificial prosthesis for a weak will and “injecting” it into the addict’s organism. Addiction manifests itself as a corrupted sense of responsibility along with a lack of realistic interest in oneself and the world outside that is connected to a predatory central activity with a defective temporality which provides positive reinforcement “for nothing”. Redirection towards a life centring around a healthier central activity thus arguably requires work on responsibility; the way to recovery involves a restitution of its sense.

According to Seeburger, the sense of responsibility has to be “enforced” to the addict: the responsibility is simply given to the addict to take care of. Similarly to little children, more and more difficult and demanding tasks are imposed on the subject who is supposed to deal with them. This is why therapeutic programs work so often with tasks such as taking care of a plant or an animal: the addict’s attention is attracted by an object demanding an interconnected complex of work and responsibility. The subject is expected to keep a survey and to stick to the routine by her own capacities. Here, the addict is not an object, i.e. something to perform an expert “procedure” on. She is treated as a *subject*, a person: an agent capable of making choices, give reasons for them and take responsibility for them.

Of course, to address an addict as a subject (a person) rather than as an object to perform an expert procedure on is not an easy thing. The attitude preferable in such situations is not: “So, what is to be done with the problem you have?”, but rather: “Please tell me what you have done and what you are going through.”<sup>202</sup> The interest has to be *shown*, rather than plainly stated. Only thus can the viewpoint be opened to the client, from which she could see for herself some (currently neglected) possibilities of her life as being interesting and important. The vital difference of the therapist’s attitude is that which lies between handling a case according to a manual and with encountering a person who can never be fully reduced to a cluster of general diagnostic criteria. An (autonomous) *subject* can be entrusted with some responsibility and her success or failure matters and is something that it makes sense to work on further with the purpose of achieving progress; a broken object is only repaired or fails to be repaired by an expert mechanic.

Approaches taking these considerations into account – such as the remarkably successful recovery approach promoted by Mark Ragins<sup>203</sup> – centre round rebuilding motivation. The client is guided towards finding a sense in her own life again. Although support by medication in addiction recovery may also be useful, or even indispensable, the key is to identify what is meaningful in the particular client’s life and to rebuild (awake) her motivation towards it.<sup>204</sup> But there is no one thing that could be used as a motivator equally for all addicts. The recovery of a complex of *hope*, endeavour and motivation – the idea of there being a “sense” to one’s life along with the conviction that it makes sense to make decisions and assumptions directed to the future – is to be established in a unique, individual way in each case.

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<sup>201</sup> Cf. Rorty’s (1997) analysis of akrasia as induced by conflicting societal systems of values: such as Methodist morality of caring for others and neoliberal promoting of aggressive self-interest.

<sup>202</sup> Cf. Rhees (1999, 257f).

<sup>203</sup> Ragins (2010); cf. also Anthony (1993) or Slade (2009).

<sup>204</sup> Ragins (2006).

The *core* of addiction therapy, as suggested by the approaches sketched above, thus seems to consist in various types of work and practical activities rather than in psychoanalysis or another kind of “talking therapy”. However, the therapist or any helper-and-companion can create favourable conditions and an environment for the addict’s therapeutical “work on oneself” if she pays due attention to the particular events of her life that would be useful or necessary. If both the addict and the helper-and-companion attain some clarity about the origin and history of the former’s addiction, possible directions for her future recovery will suggest themselves more clearly. These directions will differ, just as the histories of what “led” to one’s addiction differ.

Therapy thus can make use of the attention directed to the particular and individual aspects of the individual cases, that is, to the individual addicts’ lives and the options of their restitution. Attention needs to be paid to the addicts’ unique *perspectives*; as I said in my previous references to Winch’s deliberations, in order to appreciate properly the meaning and moral loadedness of the facts and events in one’s life, one’s perspective has to be taken into account. It can allow us to appreciate somewhat better the *individualised* attractiveness of a drug – to answer more appropriately the question “what did *you* see in the drug?”

This question of the drug’s attractiveness cannot be answered by pointing at either its actual or long-term *physiological* effects. They are quite similar in most users of a drug. But most people using a drug once or even repeatedly never develop a habit or dependence. We have to capture the decisive points of the addict’s life and of her point of view on it: to explain how it could happen to *her in particular*. This question is not trivial. As far as the motivation (the “goodness” of the drug) is inherent to a perspective, the therapist must inspect the particulars of the particular addict’s life to understand what the drug’s goodness consists in.

Fingarette thus warns that the fatal mistake that the proponents of the disease concept he is criticising make is that they see alcohol dependence as being a problem *impersonal* in nature. What they overlook is that excessive drinking is a form of a *particular person’s response* to the particular events (problems, troubles, etc.) of her life.<sup>205</sup> If the question is “why does XY have a drinking issue?”, then I am afraid that the answer “it is because of what dopamine does in her brain” is practically worthless. To say that a man has a drinking issue because, say, his wife has left him and he cannot come to terms with it may be a simplification, but a simplification that tells us something interesting and important about the man’s life. And, by the way, about his relationship to alcohol as well.

The explanation lies in the drinker’s life, not in a textbook description of the effects of alcohol on the human organism. It is then possible to suggest a certain distinction between addiction and psychic diseases such as depression: while the therapy in the latter cases should, too, take the particulars of one’s life into account, *some* – considerable – place within the treatment usually *is* occupied by medication (antidepressants). Although there are various forms of Opiate Replacement Therapy, not all cases of addiction have, by any means, their methadone.

Therapy that is interested in what was missing in one’s life and which would be a candidate for filling the putative “say No to drugs, say Yes to X” approach has to proceed on a case-by-case basis. No two cases of addiction can be cured by the same “medicine” because drug-taking in each case responds to a slightly different need or lack. The transition to recovery does not require an explicit formulation of the “drug was good”, “now the drug is bad”, and not even “I saw work as dull or irrelevant but now I see that work is important and interesting”. This needn’t be mentioned at all; the client just has to begin to see work/family/studies as interesting (again) which would be manifested in her practice.

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<sup>205</sup> Fingarette (1985).

Although approaches proposed by Seeburger or Ragins involve (or result in) what seems to be “will-strengthening”, the procedures used do not address directly and explicitly such an aim. On the other hand, they tend to aim at leading the addict to a particular “central activity” of a non-addictive kind. This central activity has a proper, internally complex structure with a temporal dimension and links of responsibility instead of reinforcing the client in her search for “something for nothing”. The sense of responsibility instilled in this way should help the client keep some equilibrium between her central activity and other, non-central ones that are nonetheless important as well.

## 5.5 Addiction and Flourishing

From what I tried to show in the previous sections, there are arguments indicating that addiction – in the sense of (7): a complex of problematic behaviour harming both the agent and her environment, as it is described by symptoms listed in the reference books for the public – is not something straightforwardly caused by a drug. Not least because those who favour any such causal explanation could not come to an easy agreement with each other about whether the causation should consist in the actual, momentary effect of the drug present in the organism, in a chronic physiological effect of its long-term use or in another possible mechanism, either a combination of the former two or of a different nature.

Rather than preceding or founding the overt problem in a person’s life, the drug issue (addiction (7)) seems to be one of its symptomatic aftermaths. I do not want to deny that the attractiveness of a drug and the difficulty of extirpating the cycle of abuse has much to do with what the drug does to one’s body (organism). But to reduce the problem to this aspect means to obfuscate the nature of the problem as a problem. Let us just remember that the detoxication programs *precede* the actual therapeutic process. Once the drug is out of the organism and the withdrawal syndrome recedes, what kind of problem is it that still has to be addressed by the subsequent therapy? We have already seen that the problem addressed by therapies shares similar features in many cases irrespective of whether a substance has been involved (pathological gambling).

I would like to suggest that it might be useful and illuminating to look at addiction phenomena as a symptom of a broader degradation of the addict’s life – which is what should be addressed rather than the narrow problem of substance abuse. Not that such a philosophical “discovery” was actually required by therapeutic practice: I pointed to some of the effective techniques of therapy that already exist, without the need to wait for philosophy to instruct them. Philosophy can help to clarify what we talk about when we talk about addiction, especially when the connections between important points of this subject matter tend sometimes to be obscured by other, influential areas of the “addiction” discourse. I think that listening to Plato, Aristotle or Amélie Rorty as they oppose the folk ideas of *akrasia* and weakness of will can help with this endeavour.

As I suggested, for Plato wanting is not independent of one’s cognitive capacities. The problems perceived as weakness of will are indeed real, but underlying them may be the incapacity to truly see or know what is better and what is worse (the better alternative has somehow disappeared from the addict’s life horizon). The difference between the capacity and incapacity to see this is not the same as the capacity to perform a logical argument at the moment (perhaps under someone else’s guidance). The former results from a *long-term* cultivation sediment in the mechanisms of habit that help one perform various decisions and actions even without a conscious focus, as Rorty points out. The question when someone became addicted (when their addiction started) cannot be answered with the same kind of precision as the question than when one has first come to master addition and subtraction.



In order to explain why and how someone could overlook the fact that not continuing in their drug abuse would be, so to speak, “healthy” and better in so many substantial senses (which is self-evident for so many others), philosophy as well as folk wisdom about addiction often resorts to the insuperably powerful capacity of drugs. If addiction was “taking place” in the very moment of a “decision” between a drug and, say, going for a country trip with friends even while one was quite aware of the drug’s badness, then choosing the former would really require a powerful pressure as the explaining motivation. But, as Rorty shows, the “worse” alternative can be chosen also just because the other one was simply, from various possible reasons, more difficult to perceive (to see) as available or interesting.

Preferring the drug is not a mistake in the nature of being a bad calculation. Neither can it be easily compared to a fictional scenario in which the agent “sees” the result of the correct calculation, but is “forced” to write down the incorrect one. The problem has to do with what has become of the agent as a *person*, not with an “illness” affecting a part of her organism or brain or an “error” caused by an external factor. If a person’s life takes a “wrong turn” – which is not the same as to be a victim of an accident or misfortune – what went wrong here is not of the same kind (and cannot be repaired in the same way) as what went wrong in a mathematical miscalculation.

The main character of Tolstoy’s *Resurrection*, Nekhlyudov, wants to make amends for his previous wrongdoing and to restore give back a proper life to his victim, Katya Maslova, whom he seduced in his youth, by proposing to marry and thereby “save” her. But he is surprised to see that she is not, as a person, in a condition anymore to see what it is that he is offering her and to take seriously what it is that he intends by the proposal. She partly mocks him, partly tries to exploit him and partly expresses her genuine confusion.<sup>206</sup>

To put it in Hart’s words, Katya is not able to see alternate positive sources of reinforcement in her life anymore, even though one offers itself to her in front of her eyes. Again, analogously to Hart’s analyses of addiction, one may attribute this effect to a long-term habituation caused by surrounding social mechanisms of poverty and degradation.

To see the nature of the problem, it may be useful to remember the Aristotelian emphasis on the (explanatory) precedence of the whole (virtuous) life to individual actions. Though Aristotle would probably not be happy with such an elaboration of his conception, it seems to me that a virtuous person needn’t be seen only as one who has a will strong enough to resist the momentary temptation. That is, even a virtuous person *may* succumb to a momentary temptation now and then – what a good life means in the first place is not to succumb to *long-term* weaknesses like *akrasia*. That requires a balanced complex of cognitive capacities to

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<sup>206</sup> “There’s nothing to redeem. What’s been has been and is passed,” she said; and, what he never expected, she looked at him and smiled in an unpleasantly luring, yet piteous, manner (...)

“This woman is dead,” Nekhludoff thought, looking at this once sweet, and now defiled, puffy face, lit up by an evil glitter in the black, squinting eyes which were now glancing at the hand in which he held the note, then following the inspector’s movements, and for a moment he hesitated. (...) “You can do nothing with this woman,” said the voice; “you will only tie a stone round your neck, which will help to drown you and hinder you from being useful to others. Is it not better to give her all the money that is here, say good-bye, and finish with her forever?” whispered the voice. (...)

“No; I shall try to see you again, somewhere where we can talk, and then I shall tell you what I have to say – something very important.”

“Well, then, come; why not?” she answered, and smiled with that habitual, inviting, and promising smile which she gave to the men whom she wished to please.

“You are more than a sister to me,” said Nekhludoff.

“That’s odd,” she said again, and went behind the grating.

(...)

Before the first interview, Nekhludoff thought that when she saw him and knew of his intention to serve her, Katusha would be pleased and touched, and would be Katusha again; but, to his horror, he found that Katusha existed no more, and there was Maslova in her place. This astonished and horrified him.

understand properly what one has done, of emotions, desires and tendencies one experiences (many of them may never be “actualised” in action), emotional reactions and responses to situations and other people’s actions, etc. What makes one virtuous can be seen from what she *makes of* an episode of eating an amount of chocolate that exceeds one’s better judgment, rather than from the occurrence of the episode itself. (Although a puristic Aristotelian reading would probably rule out the occurrence of *any* episodes of one’s acting against one’s better judgment in life as being truly good.)

Aristotle describes the good life as consisting in *eudaimonia*, usually translated as “flourishing” or “happiness”. This happiness is not just an emotion of pleasure or overall contentment with oneself, it has necessarily to do with the harmony of one’s life where reason, will and desire do not struggle against each other and it is realised as *activity* in accord with reason and virtue, avoiding extremes.<sup>207</sup> Such a virtuous life can and needs to be cultivated. One who has the addiction problem is one whose life is disordered and does not flourish – the visible episodes of weak will succumbing to temptations are only the tip of the iceberg.<sup>208</sup>

For a modern reader in Ethics informed mostly by Kant and Mill, Plato and Aristotle are irritatingly unspecific when it comes to providing an applicable guideline to what is the right thing to do – to state rules delimiting a “good life”. They focus instead on the importance of self-cultivation and harmonising one’s character. Yet even the two of them see the point of considerations in practical philosophy in its directedness towards other people and to the city or state (*polis*). Whether one is a virtuous person can naturally be seen in her interactions with and attitudes towards other people, her fellow citizens. The dealings in this realm have their normative dimension that can be described using rule-like statements.

But the competence required here is understood very differently by Aristotle than as being a technique to be instilled blindly. Instead, Aristotle characterises the capacity of *phronesis* (practical rationality or practical wisdom) as the ability to judge what is good, inextricably intertwined with the capacity to identify and opt for the appropriate course of action to achieve or bring about what is good. This dual nature of practical rationality – as opposed to the unity of knowledge-how that seems to be assumed by the Wittgenstein-inspired philosophy of the normative – might explain something of the difficulties with instilling a normative conformity to people who lack the functioning connection between judgment (of the good) and action. They just get lost, even though they can be forced (blindly trained) to do some things.

Aristotle presupposes that there is more to practical competence than this “being forced”. The incapacity to “run” one’s *phronesis* indicates that there is some disorder inside her character: and it is (practical, implicit) judgment rather than a skill, in a narrow sense. In children it takes years to acquire the capacity of judgment, which is why they (during childhood) cannot be blamed for this kind of a lack of practical wisdom. In their case, this lack is considered something to be overcome. Adults, on the other hand, can be blamed – and are blamed – if they do something they ought not to do. But while they are blamed (and sometimes punished) *because* being an adult means that *they should know* that they ought not to do this-and-this, children are – to an important extent – reprehended and punished *in order that* they *come to know* (to be able to judge) that they ought not to do this-and-this.

I think various interesting and important aspects of the problem that addicts face can be highlighted by reference to this Aristotelian observation. Addicts are often not lacking in more or less frankly meant expressions of pity and good intentions – they do not “want” to

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<sup>207</sup> Aristotle (2014, X, 6).

<sup>208</sup> Matthews (2010, 26) says, in what seems to me a remotely Aristotelian vein, that “addiction in this sense is indeed a problem that needs help, because it isolates the addict from the kinds of relationships with others that best express our humanity.”

harm others by their actions, they “know” it is wrong. But these intentions are, as it were, *empty*: practical wisdom is not employed to carry out the connected actions, practically appropriate to the intention. (Again, this is not just a matter of actually performing the action without flaw or hesitation every time, but also of embodying a complex of appropriate reactions to the relevant practices. Truly good intentions, even if they go wrong, are followed by an endeavour at their reparation, honest attempts at explanation or assuming responsibility, etc.) Without a connection of practical wisdom that links the momentary emotion or resolution to its realisation that lies beyond the perceived present (in the future), what is left is hardly more than self-pity or masochism, to put it in the terms of Murdoch’s reading of Plato.

Under this reading, a healthy character necessarily has to do with *realism* – the admission of other persons as equally real, with equally real feelings, needs, etc., as I have, who are sometimes difficult to see properly instead of fantasising. To fantasise, in this Murdochian sense, means not just to indulge *consciously* in daydreaming, but to *deal* with others in a way that reflects one’s self-indulgent vision of them rather than an honest attitude towards the others as *persons*, equally important as oneself.

To live well, to flourish, thus seems impossible without this “realistic” attitude towards others. Those who struggle with addiction can be found to suffer from a deficiency of realism. Aristotle emphasises civic practice, an indispensable part of which consists of the complex of citizens’ everyday dealings with others, as an element of the good life. In this sense, the remedy to addiction problems cannot lie outside practice, where the practical normative orientation is manifested. It is in acting reasonably in matters of desires, impulses, conflicts, interactions with others, etc., that the positive sources of reinforcement are typically found, not elsewhere. And it is also here that the therapeutical attempts try to (re)lead their clients. How complicated an enterprise this re-establishment is, how difficult it may be to specify what its aim consists of and how to achieve it is shown by the ethical writings by Plato and Aristotle. Clearly, there is no simple, specific know-how for making one a good person, a good citizen (or re-establishing her in this capacity).

## 5.6 Addiction and Normativity

I would like to return here to the normative aspect of addiction. I have tried to argue that addiction – if we do not see it in a narrow, naturalistic sense as a physiological state induced by a “substance” – is a symptom of a degraded life, cemented in this state by various patterns of habit and clouded vision rather than just by an episodic weakness of will. I have also already briefly touched a few times on the fact that an important aspect of this condition can be captured by pointing to the defective normative performance of an addict: she does not observe properly the structures of commitment and entitlement following from her present actions and interlinking them with the future (but with the past as well). Addicts appear to be unable to follow rules in the proper sense in which “normal” people who do not have this problem are able to follow them.

That such an ability is routinely expected from adult people and that most of them respond in some way to this expectation is a part of what renders them agents *responsible* for their actions. That does not mean that all that they do and all consequences of their actions are fully in their powers. But it is assumed to be a matter of one’s responsibility to try to cope, as much as she can, with an ingression of “moral luck” into the situations in which she acts. Our actions are, to *some* extent, subject to luck, but that does not amount to our being irresponsible. At the very least, we are expected to give some reasons as to why we are not to blame for the consequences of our actions – these reasons sometimes prove sound, sometimes not. That it makes sense to address an agent with such a request is an important part of what it

means that we call certain creatures “responsible agents”. We do not treat animals or little children this way – which does not mean that they do not deserve to be treated considerably or with love.

The restitution of responsibility in more or less these terms is the point of many addiction therapies. Seeburger’s proposal of “just” putting the subject into the situation of responsibility parallels Wittgenstein’s remarks about “blind” training. Normative rehabilitation of addicts can thus resemble what Wittgenstein says about the nature and the form of the initial language acquisition in little children: they are trained, by means of pressure, sanctions and rewards, to conform to the requested pattern of activity.

If children are really led to rules by means of drill, the same is perhaps to be done with the normatively deficient addicts: the status of responsibility and “health” can be reached through drill in rules-following. However, the experiences from therapeutic practice suggest that it does not really work that way. Even though the desired resistance to the drug has much to do with the agent’s ability to recognise her responsibilities and to follow the relevant rules, the addict cannot be just forced to that. Repressive or violent strategies of “therapy” never worked well. And threatening with sanctions is a simplistic misunderstanding of the nature of the problem: for a person who has already “fallen” into the problem sanction threats are not enough, unless they come in the moment when has already touched bottom.

Underlying this simplification might be the fact that the Wittgenstein’s very picture of language rules acquisition is probably unsatisfactory. A child is not a machine, a dead matter into which some “software” has to be mechanically instilled. She *takes an interest* in learning all those things (not just speaking) that her parents want (and help) her to learn. The parents’ positive role and guidance in this process is, no doubt, significantly facilitated by the relation of *trust* between them and the child, as well as by their interest in her well-being. The child *wants* to learn and play the acquired game as well as possible.

In his Wittgenstein-critique, Rhees argues that the point of speaking a language is not just to stick to its rules: we want to speak and we speak because we are interested in saying various things to each other, because we want to understand the others and to be understood. And we have a sense for the difference between a better and a worse mutual understanding, and it *matters* to us to be understood as best as we can manage to achieve. If we fail to see that when we speak we do not just play a game, we miss something important about language. A game can be played repeatedly; a conversation we have cannot. Not in the same sense, because it *develops*. We can be straightforwardly instructed about the point of a game, but not about the point followed in talking to each other. A game distinguishes between correct and incorrect moves; conversation distinguishes between deep and trivial things to say. This latter distinction has to do with the development of conversation; trivial things to say are not necessarily such that they violate a rule.<sup>209</sup>

I believe that these criticisms can be, to certain extent, extrapolated to the bold, complex and sophisticated philosophies of the normative that have come in Wittgenstein’s wake. The point of rule-governed activities is *not* rules-following itself. One can hardly be led and motivated to participate by focusing on this only. A rule-governed game has a certain *point*, it is *about* something. It is with respect to this point that we distinguish if it is played better or worse; this difference is not the difference of rules-conformity vs. rules-violation.<sup>210</sup>

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<sup>209</sup> Rhees (1959); also – in a more extended shape – Rhees (2006, 81ff). Cf. also Cavell (2002, 41) who identifies *timing* as what makes a thing one says deep. Similarly, Ryle (1953, 179f) points out that only the things we say (our *sentences*) can be deep; while what is governed by rules – our use of *words* – is neither stupid nor clever.

<sup>210</sup> There is a remarkable illustration of this difference to be found in *Jane Eyre*: the protagonist says that consenting to live with Mr Rochester as, *de facto*, his mistress (knowing that his wife was still alive) would be “an error of principle”, while accepting St John’s offer of marriage would be “an error of judgment”.

The acceptance of this point, along with the motivation to play the game better rather than worse (because this difference *does* matter), is vital in leading (not: instructing) anyone to do anything, so that they are motivated to stick with it. Among the rules comprising and defining the game of football, we do *not* meet the following: “you ought to (try to) win”. Similarly, it is doubtful whether “you ought to (try to) make yourself intelligible” is a rule of language in the sense Wittgenstein speaks about its rules. One can play football and not violate any of its rules even without investing much effort in winning the game; on the other hand, if we do not understand the importance of trying to win a football match, something significant is missing from our understanding of what it *means* to play football.<sup>211</sup>

“Mere” rules-following, in a way, opens to an extent the possibility of a parasitic exploitation of the status in question. So long as I am able to *prove* that I do keep a rule, I am entitled to claim that I am a proper citizen, employee, etc. A criterion is always somewhat narrower than the whole of what it is a criterion of. I can thus, by focusing on the most salient criteria of what it means to be an employee, a student, etc., and by sticking to them demonstratively, *bypass the point* of the respective status. In the course of proving whether I work somewhere I can purposively concentrate on the dullest requirements listed in my job contract (such as being present nine to five at a workplace) and bypass the question of caring about the point of the job at all. This strategy may not be tenable in a long term, but something can be achieved this way. Those addicts who still somehow manage to keep their jobs or school positions without any actual investment demonstrate this parasitic possibility quite clearly.

This is, paradoxically, a sense in which the talk of addicts performing a rational “economic” calculation of losses and profits would seem to take on more meaning than as a model of their drug-taking. It shows, nevertheless, that addicts are able to participate in a wide range of social interactions and only “crack” when the pressure of the standard of a “normal” agent put on them is too big. The above sketched parasitic skill shows, among other things, that addicts are in fact quite open to the game of giving and asking for reasons. Many of them live providing rationalisations and excuses day-by-day. For instance, even though the ill-habit is acknowledged as something one ought *not* to give way to, there are certain reasons why the resistance may be postponed, such as that “one more cigarette/drink could not harm me or anybody else”. These arguments can be argued against, but it is not a trivial task; they are not meaningless just as the arguments with which we try to oppose them are not meaningless. These and similar explanations and justifications, routinely occur in our procedures of giving and asking for the reasons of our actions and attitudes.

One cannot easily tell pretexts from genuine reasons here (if there is such a thing). But we respond to addicts and things they do as to something that can be explained and sometimes grounded. We appeal to addicts assuming that it makes sense to appeal to them using reasoning and arguments. Criticism and persuasion (but also occasional acceptance that there *is* something about what they say in their own defence) are meaningful responses to them. Even normatively deficient agents such as addicts have the status of those with whom it makes sense to have a talk about reasons.

The particular shape of their participation in this talk is often less than satisfactory when measured against the standard of a “rational agent” known from philosophical books. But they are not given this status on the basis of their performance, carefully assessed. On the other hand, we are familiar with the experience of assessing particular people’s normative performances as insufficient on the basis of the expectation that it makes sense to address them as normative agents. The – quite frequent – experiences with irrational and unreliable

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<sup>211</sup> It is not the case, as Ryle (1953, 176) points out, one who plays better is more skilful rather than aware of some more rules missed by one who plays worse. Cavell (2002, 28f) would call “you ought to (try to) win” a principle, rather than a rule of football.

others are indeed irritating, but it's not the end of the world, so to speak. Imperfection and insufficiency are inherent parts of our rational, normative interactions.

I have tried to suggest that imperfect agents such as addicts need help or rehabilitation with respect to their relationship to the *point* of the normative practices. *Some* acknowledgement of this point is what seems to keep rules-governed practices alive. To claim that *anyone* who acknowledges as relevant, in his or her practice, the point of rules governing human interactions is doing that principally out of a fear from sanctions seems like a misunderstanding. Whether sanctions have played a constitutive role in the development of human institutions is another question and these two should not be confused. As long as people are not interested, sanctions help a little. At least, what is achieved in this way is something else than what is achieved when people are interested.

The imperfect agents one meets every day are not imperfect in terms of their "objective" incapacity to follow this-or-that rule. They are rather imperfect human beings, either incapable of seeing the point of the rule, uninterested in it, distracted by different normative expectations they recognise as more pressing, and so on. Being responsible means that one has to face up to the requests to justify oneself or bear the responsibility – that one has, by default, the status of a rational, responsible being, *despite* his or her imperfection. One's normative performances and actions are inherently shaped and affected by one's "normative condition". And yet, people have to face the consequences of their actions. Though how we perform, what we do and what consequences result are *not* fully in the power of our free decision-making, we have to live with *our* actions as good or bad. They are *our bad actions*, even though we weren't actually our "fully rational" selves, and they transform our lives significantly. Judgmentalism thus may not be the most appropriate reaction to our imperfection: it seems to call rather for compassion.<sup>212</sup>

It seems to me that addiction is an extreme form of such a normative imperfection. Addicts' imperfection consists in their insensitivity to the point of various human normative practices. Due to its extreme nature, addiction can clearly highlight that inhabitants of the space of reasons are imperfect, despite the primitive expectations that they, *qua* human beings, act rationally and responsibly. They have to face the consequences of their incorrect, wrong or morally bad normative performances – to live with them – even though they very often "know not what they do" and it is not fully in their power to determine the consequences.

Even though luck or unfavourable conditions take a share in deciding that something I do results in making another's life a mess, it would be a misunderstanding to dismiss my considerations about my guilt and responsibility so that I succumb to self-suggestion or illusion. What has happened may have the profound importance to me as a matter of my wrongdoing even though I may have never intended it and no particular moment – where I just should (and could!) have done something else that would have reverted the whole thing – can be easily found. To overlook this or to try to explain it away would mean to misunderstand something about the complexity and seriousness of human interactions. Another lesson from addiction is therefore that compassion or understanding may be an equally relevant response as sanctions to performances that have failed, proven unsatisfactory or gone wrong – if not more so.

Another remark I would like to add at the very end: even though the methodologies of therapy suggest that there is a significant space left for *one's own activity* (which is, however, sometimes very difficult to stimulate or trigger), that does not amount to the optimistic

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<sup>212</sup> I am touching here on the complex issue of "moral luck" initiated by the Williams – Nagel exchange. The reading of it I am suggesting here – acknowledging the reality of the ingression of moral luck and yet retaining the sense of moral responsibility (which reflects the tragic nature of many morally-loaded situations calling for our compassion) – relies strongly upon Browne's (1992) rather exceptional approach to the discussion.

assumption that the key to the emancipation from addiction lies, in principle, within the reach of each addict himself or herself. The problem can be almost impossible to surmount if addiction doesn't reflect a strictly personal problem to be processed through individual therapy but grows out of a wider social issue requiring a considerate social policy.

## In Conclusion

Chapter 5 attempted to present addiction not only as a problem of craving and weak will, but as a broader existential situation, a particular, degraded way of leading one's life. This existential mode seems to involve, as its remarkable symptom, a normative disorder: an inability to participate in the "normal", temporal structures of responsibility, i.e. to follow rules properly. This condition probably cannot be proven to be *caused* (in a naturalistic sense) by the consumption of drugs; it is a particular kind of a "wrong turn" that one's life can take.

The restitution that is needed cannot consist only in forcing the addict to stick to rules, just as it is doubtful whether children are only blindly trained to normative practice and speaking in the first place (in this sense, Wittgenstein's analyses of language-acquisition seem somewhat simplifying). It mustn't be overlooked that rules-governed practices have their *point*, connected with the difference between performing badly and performing better (and trying to) in the game. This difference is not the difference between following and violating its rules, but it matters just as much. The relearned responsibility also involves the appreciation of the point of the normative practices one understands and is interested in; this appreciation and interest arguably cannot be instilled *only* by the threat of sanctions.

Addiction thus highlights that the essence of rule-governed practices is a certain interest (motivation) in performing better rather than worse but – at the same time – that most of normative agents are in some way imperfect. This imperfection does not concern the very capacity (the skill) to follow rules, but rather one's relationship to their point that one is unable or unwilling to see clearly (and to identify herself with it). The lives we live are not, in the case of most of us, lives of fully rational, responsible agents who are not negligent or destructive towards themselves or others. Addicts are only an example of the exceptionally striking variety of this phenomenon. A brief sketch of the workings of addiction and recovery can thus suggest that something is missing from the picture of man as a normative creature: the richness of *disappointment* experiences that follows in most cases when we initially address the others as rational, responsible agents. This initial attitude to others is an important part, but not the whole, of our conception of human beings.

The example of addiction also shows that the appreciation of the "wrong turn" of one's life requires evaluating the importance of the events in the addict's life, which means to take her perspective into account. Not only does the insight into one's perspective thus allow us to appreciate the rules one perceives as relevant, it also allows us to appreciate the history and the particular shape of one's normative deficiencies.

## 6. Beyond Perspective, Towards a Story

*Abstract:* The chapter returns to issues discussed in Chapter 4, with greater caution being given towards the notion of perspective and suggests replacing it, as a tool of orientation, with the concept of *story* of the agents' lives.

In the previous chapter, we considered the importance of the real, *limited* practice of non-textbook agents for our claims about the inherent normativity of human conduct and interactions. I have tried to show that, apart from the rules themselves that govern a practice, the point of the rules-governed practice is no less great in its importance. Addiction is an exceptionally vivid example of a disturbance within one's attitude to the point of her normative, responsible practice. But despite the expectation that a human being (*any* human being) is essentially a dutifully responsible rational agent, it is not just an exception – like in the case of addicts – but rather a rule that human agents fail and disappoint this expectation. Human beings are, as normative agents, imperfect – each in a slightly different way – and their imperfection may be expressed in their relative in-/capacity to do justice to the point of some rules-governed practices they engage in.

In this chapter, I will discuss some further consequences stemming from the observations of addicts; in the beginning, I would like to return to the preceding chapters where we discussed moral practices and moral intuitions as embedded within the lives of *individuals*. The issues discussed in chapter 4 led to the (tentative) concluding consideration that a proper understanding of a situated action required acquaintance with the situation's participants. "Who" they are determines the evaluation of what is right or wrong in the inspected situation.

In section 6.1, I try to sketch how equilibrium is balanced in our attempts at an understanding of others between the focus on particular individuals and the intuition that there are a few basic "human types", parallel to the level of abstraction and extrapolation that a novelist applies while creating a realistic character. Section 6.2 returns to the notion of perspective, introduced and employed from different angles in the previous two chapters, and explores its treacherous points connected to the pitfalls of private language analysed by Wittgenstein. Section 6.3 returns to the notion of story, introduced briefly at the end of chapter 4, and discusses it more thoroughly as a more appropriate tool (than the concept of perspective) for capturing and appreciating the normative standpoints of individual people. Section 6.4 elaborates on that point and Heidegger's and Dilman's discussion of thrownness and finitude: the notions that characterise contents introduced to appropriately flesh out stories about other people. In section 6.5, I try to show that the encounter with particular normative practices in the form of stories (rather than examples) allows us to understand the agents as persons who have precious lives (captured by their biographies). In section 6.6, I discuss the possibility of understanding properly, on the grounds of the focus on the particular, the rules that have an impersonal (universal) claim ("you ought not to murder"). I suggest that both localised (particularised) rules and rules with a universal claim are an expression of what *matters* to those who are subject to them.

### 6.1 Individuals and "Human Types"

As we saw in the example of providing Harry with an alibi that was introduced in section 4.5, the normative fact present within the situation stems from the history of the personal relationship between the confessing speaker and Harry. It was right for the speaker to provide Harry the alibi, because they have known each other since childhood and have experienced



many things together. In fact, this may not directly be the speaker's motive for helping Harry, at least that she would explicitly profess or be conscious of. But it is a description of the practice of their mutual relationship within which this help manifests itself as a right thing to do.

It doesn't matter that in any other practical framework or in the relationship to other people providing alibis can be revaluated as a wrong thing to do. The reach of rules is often limited to a certain context, sometimes spatial. Harry's case only presents a rather narrower limitation than is perhaps usual. But it does not cast any doubt on the fact that there is a segment of situated practice with a *normative* dimension allowing the participants distinguishing, in the respective context, right things to do from wrong things. The description of helping Harry as being a right thing to do is not a description of an illusion.

Outsiders might offer perspectives showing the speaker's position as inappropriate or outweighed by other considerations or facts she may not be aware of, but they cannot deny the weight the speaker gives to her consideration of Harry. If the right thing to do was helping Harry rob a bank because..., then the dissenting stance of, say, the police would not prove the speaker's stance illusory. The police's position would not show that the relationship between the speaker and Harry have never been such as to render some things a kind of obligation in terms of the relationship. It only shows that there is another context or segment practice in terms of which helping Harry was not a right thing to do and that there are some serious and quite compelling reasons to prefer this latter context to the former one.

The personalities of the participants contribute essentially to the meaning of the former context. The reasons for desirable actions (that is, the explanations of the normative facts present there) cannot be conveyed or expressed at all without saying "who" the two of them are and how "who they are" relates to each other's lives. On the other hand, the stance of the law rather sternly disregards the personalities of the agents. The rules it enforces, expressed in the codified form of laws, state that robbing a bank is a wrong thing to do *no matter* who does it and why (for the sake of whom). (Morally wrong is clearly not the same as illegal: even a policeman, as a *person*, may under certain circumstances tend to agree that something illegal might be the right thing to do.) Even such non-personal rules as laws are in reality contingent and can be outweighed or replaced by other rules; though a parliament might have to institute a change in a bill or even a constitutional amendment might be needed to do this. But I don't want to claim that any rule is actually contingent. In fact, many rules, as far as they are open to any number of players (rather than for a particular few of them), presuppose that they hold universally. *Anybody* who wants to compose a trochaic poem ought to conform to certain metrical rules; otherwise it would not be a trochaic poem. And so on.

Nevertheless, the example of Harry can show us that we live within a network of *various* normative regimes, permeating one other. Some of them clearly take into account *who* the concerned agents are; some of them claim to disregard it. The ambiguity of the speaker's position with respect to Harry can be shown more clearly if we imagine a case where Harry does not ask anything illegal from her. Let us imagine that the speaker – let us call her Emma – is asked by Harry to help him write a novel (for the two of them used to be members of a writer's club and always dreamed of writing a great novel together). Emma, however, is married now, and her husband is slightly suspicious about her renewed contact with Harry whom he knows to have had deleterious influence on Emma's well-being in the past. Hence, Emma 1) *ought to* help Harry write the novel, "because they have known each other...", but also 2) she *ought to* maintain only a limited contact with Harry, for the sake of herself, "because that could damage her well-being", and perhaps also 3) she *ought* not to see Harry regularly, "because that causes her husband unnecessary worry about her". There might be further oughts, both in favour of her collaboration with Harry and also against it that might engage other persons as well. For instance, Harry might be married too, and in terms of the

normative practice he shares (and constitutes) with his wife, it might be the right thing for Emma to help him because the renewal of his literary interest might help him resist his temptation to drink, a task his wife is unable to manage alone. Or, it might evoke his Bohemian, artistic past, along with the propensity to drink. And so on, and so forth.

Admitting the importance of these little, personalised normative facts is necessary if we want to understand the nature of human existence as that of *complex* normative creatures. In our practical deliberations as to what to do, the category difference between personalised versus impersonally considered normative respects needn't enter into it at all. In order to understand human normative practice for what it is, it is vital to take the possibility into account that categorically different rules can be and often are considered and weighed against one other as alternatives. (Which is why there *are* dilemmas: if we *practically* acknowledged that some of the considered rules are "logically superordinate" to others we wouldn't need to feel at all trapped in a dilemma but in which, in many cases, we actually do.) As far as we see explicit rules as expressions of normative *facts*, facts engaging *particular* people need to be included just as the normative facts of the most general form.

However, we often understand particular individuals in terms of there being a few basic "human types". We have seen a convincing elaboration of this folk-psychological assumption in Agatha Christie's mystery stories, especially in her Miss Marple books. Miss Marple's intuition that there is a limited number of human types can, in a way, account for the putative missing shared rule in the case of two husbands keeping – independently – similar kinds of arrangements with their wives. For whatever reasons, there are a limited number of relevant evaluative descriptions of the ways that people act towards each other: some are liberal-minded and cheerful, some are petty and jealous. The statements of particular *oughts* with which we describe particular couples' practice differ, of course, immensely, but the above evaluative descriptions pick up on similarities that often go along morally relevant lines.

This account is, however, not exhaustive: the greater detail we go into, the more patterns of human practice (and, consequently, the more "human types") we find. Even the most skilful *connoisseur* of human characters can be surprised by an action performed by someone she had previously evaluated as a particular kind of human and the reason why the person did it can puzzle her. The elements of surprise in the intuition of our peers' psychologies are not always explained by additional material data that has already been present (only we didn't know about it). Sometimes the other just proves to be, in a partial respect, someone different than who we thought she was.

But usually we content ourselves with *some* level of "typification". An insightful observer of human character can perhaps more cleverly choose the applied "grain". In that respect, whether there really are only a few basic "human types" or whether there is a more substantial heterogeneity depends on the degree of our descriptive refinement. The description of what strikes two particular people as being funny can sometimes do well with a few distinctions between typical national or cultural kinds of humour (such as English versus French). But sometimes the appreciation of why and under what circumstances the two of them are disposed to do funny things and make funny comments (and of what kind) requires a deep descent into their individual peculiarities, the history of their relationship, etc. We may thus end up with observations whose meaning, however insightful, does not extend beyond these two people.

The need to stop at a limited number of "character types" is, however, crucial for our effective strategies of navigating in our world. An illuminating example is provided by what a novelist does. If there were no such thing as a "realistic type" one could not create – in fiction – realistic characters, because the only realistic characters would be the existing, actual individual people. The distinction between the realistic and the schematic in fiction would disappear. But a writer is expected to think up, to invent her characters – they are, expectably,

derived somehow from what she knows about real people around her and about the world. And to the extent she not only *describes* real people (so that her creation would be unequivocally received as a description of real people),<sup>213</sup> her derivation of her invented characters has to work with a certain level of abstraction and variation and to assume the “realistic types”. We are used to this as a viable and legitimate way of making sense of professed narratives.

The importance that human types have in our considerations thus suggests that the task of a philosophy interested in practical normativity needn’t become descriptive in such detail as to give up on capturing any generality. After all, philosophy is not ethnography or sociology aiming to describe the actual particulars of human normative practices. It is interested in the features of those practices that are distinctly human. Indeed, it must take into account that human normative relationships occur in many heterogeneous facets. But considering this heterogeneity is what fleshes out the sense of unity we may hope to find within this multitude: i.e. in what sense the concerned agents are distinctly human.

## 6.2 Problems with Perspective

The introduction of trivial looking examples with local range (such as that of a husband for whom making the morning tea for his wife is something he *ought* to do) should have served the aim of stressing an aspect of rules often neglected when we consider examples of more universal rules. That aspect is that appreciating the rule means delving deep into the situated lives of the people subject to the rule. The intelligibility of such a rule as the above tea-making rule both requires and enables an insight into what is going on in the couple’s life.

As we have already discussed, this is the point where a “perspectivism” can enter the discussion. I have suggested that perspective may be the key to understanding the “thrown rule”; it is what makes it intelligible as something one has to respond to and what makes the reasons it expresses cogent. From an agent’s perspective, I fully appreciate (I *see*) what it is that ought to be done with respect to whom and under what circumstances and conditions. I appreciate the meaning of the rule as something *I have to do*. This perspective tells me that preparing the morning tea is what I ought to do, as well as for whom (my wife) I should prepare it and for whom not (anybody else); it is from such a perspective that I judge circumstances under which this obligation can be extended to other people or under which its target people can be relieved of it.

On the other hand, there are problems relating to an emphasis on perspective. One of them relates to what I discussed in connection to addiction. The addict’s “perspective” is that which explains the attractiveness of the drug: what she sees in it, so to speak. The therapist indeed knows that the drug attracts or attracted the addict but is not attracted to it herself – she does not *understand* it in terms of *empathising* with the addict. On the other hand, another addict (someone with her own experience of addiction) appreciates the drug’s attractiveness. This is something that can be productively used in therapy, but on the other hand, the mere company of another addict can equally well tempt the addict attempting recovery into a relapse.

The therapist does not aim, in the first place, at a delving into the addict’s perspective for the sake of seeing the attractiveness oneself; therapy strives at motivating the addict to be interested in other life options and responsibilities *apart from* the drug and to see them as something that has a *point*. The insight into the addict’s perspective can be useful in some respects: as far as each case is individual, the appeal the drug has to the addict and its triggers

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<sup>213</sup> Actually, such an assumption is quite problematic in itself – given that even the most thorough biographies of real people offer a picture that can miss something that the readers may have known about the subject personally.

are individualised too, responding to her life events. The therapy investigates the individual patterns of what appeals to and triggers the patient's addictive response, and then incorporates these insights into a process of rebuilding the motivation. If there is something *shared* in the *perspectives* of various addicts, it might perhaps lie in the experience of their craving for the drug while the appeals and triggers (connected to a certain *lack* in their lives) are rather individualised. One person might need to find meaning in her daily routine and avoid the feeling of boredom; another person might be best helped if her negative relationships with the members of her family improve; someone else might have to process and overcome a terrible, traumatic experience in her past, etc.

Clarification is needed, however, of how such a thing as perspective can be, strictly speaking, *shared*. To the extent we understand perspective as something internal and private, we face the same problem as with Wittgenstein's "beetle"<sup>214</sup> – we cannot meaningfully ask whether the two hidden things two people supposedly have are identical. It is essential to see that it needn't be asked, to the extent that the exchange of experiences and perspectives is possible when talking to each other. The moment of sharing another's perspective could be compared to the moment when one comes to see an aspect of meaning to which she was previously "blind". That can happen in (and thanks to) a conversation with someone else who already sees it.

Another problem is that if it was perspective that explains the structure of normative facts one *perceives* as relevant and cogent, two people with shared perspectives would have an equally serious problem with drugs. Another addict could not tell me anything more than I could tell myself; and since I am not able to help myself, nor is the other. An addict (or a former addict) *able* to help another addict who is not able to help herself thus never quite shares the same perspective about life with the drug.

Winch's emphasis on perspective was connected to our *personal* investment in our actions. Perspective is a ground, standing on which one can see the complex of normative facts that concerns her as making sense. The agent is, however, an *agent*, and not just a "seer"; the difference between what two agents recognise as important aspects of a situation is expressed in how they act within it and react to it – and, as such an expression, the differentiated courses of action (such as that of Emma and that of a police officer) seem to presuppose there being a difference in recognition. One's *standpoint* embodies a perspective in that the situation makes sense as oriented, structured – inviting to a certain course of action. One has to know that what one does goes together in a meaningful, integral way. It might be thus said that an agent's personal integrity and the integrity of her *agency* cannot be explained and presented without taking the agent's perspective into account.<sup>215</sup>

But there is a reason why we should rather disregard the *term* itself, bearing "private" associations. "Perspective" is supposed to enable us to understand the true meaning of a *situation* and the way the agent responds to it. Why did I attack Dr. Smith who had told me I was going to die soon? What was going on there? A possible explanation might have been: so many times various doctors were telling me that I was going to die, most of them with the intention of scaring me to death. I might be a wealthy bachelor without close relatives and fond of my doctors (hence, one who can be expected to bequeath them a fortune). And so on. From that point of view, my actions make sense – they are coherent with my life standing and the episodes in my life – and they may also, under the viewpoint of certain (not that eccentric) systems of moral values, seem to be something I *ought* to have done. They seem so to someone in particular (me), not to a "disinterested observer"; and this viewpoint is intelligible.

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<sup>214</sup> Wittgenstein (2009, § 293)

<sup>215</sup> Winch (1972, p. 189ff).

Yes, there are people for whom another's viewpoint would be distant, perhaps unintelligible. But the trouble is not with the *essential* impossibility of attaining another's (inner) perspective.<sup>216</sup> What I have summarised a few lines above is not an insight into someone's head (which might be suspected to be unintelligible for each outsider, by definition). I presented an arrangement of facts and events in the form of a story; and a story is something that undoubtedly is often quite unintelligible, but never by definition. We exchange stories and tell them to each other every day.

### 6.3 Reasons and Stories

Let us explore the concept of story in some detail, elaborating on Rhees' sketchy remarks. Rhees suggests that within the form of a story we are presented with a *life*. A life is something changing and *developing*, something *lived together* with other people and which involves difficulties and problems to be decided. These decisions are perceived as necessary and can be understood as better or worse (even tragic) with respect to the past and the future of the deciding person and of the others who are connected to her.<sup>217</sup>

A story – an *account* of a situation that has particularised features (the features of the story of a person) – has the capacity to make sense to its recipients. One must not, however, confuse “story” in this rather vague sense with “stories” as contrived by writers of novels. Stories, so to speak, are presentations of *specific* agents who have a certain *identity*. The proposition “I offended him”, though meaningful and intelligible as such, does not make sense as a story, since it introduces no characters with an identity illuminating the network of normative facts surrounding the “I” and the “him” (the particularised *oughts*).<sup>218</sup> “I” might be whoever with whatever reasons to offend “him” or with no reasons at all; “I” might have been in such a situation that I was perfectly justified in addressing “him” in an offending manner, or again that I ought *not* to have offended him. “My” reasons (justifying what I did as something I *ought* to have done) might be accepted by almost anybody, or only by a few.

As far as a sense-making story conveys *reasons*, reasons are something that can be shared or criticised (approved or disapproved). It makes sense to say that the reason why I ought to have done something that I did is the same as the reason why somebody else ought to have done (and did) something else. We can even agree with each other about that. “John is a despicable person and he ought to have been stopped, no matter what – that is why I could not help telling his girlfriend that he was an assailant and blackmailer (even though it was not my business), and that is why Bob refused to help him with his political campaign (even though John would be a good city councillor). And I think Bob did the right thing.”

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<sup>216</sup> Winch (1972, 163 and n. 14) himself acknowledges briefly that it is no trivial thing “to ask myself what I would have said and done if faced with the same circumstances as Vere”. The troubles with imagining *oneself* – who stays *oneself* – in another's situation for what it means to the other led Winch to distance himself from the term “perspective” (e.g. Winch [1996] and his discussion of presenting, in a lively way, *different* or even dissenting voices; cf. also Cockburn [2018]). I don't think, however, that one has to go to such lengths as to deny the very intelligibility of “asking oneself...” After all, Winch has indeed never been bestowed with the responsibility of captaining his majesty's ship, but neither has the character's author – Melville. And yet Melville succeeded in offering an intelligible account of Vere's dilemma. It doesn't seem to me that it would make sense to demand an even closer and more intimate account, if the difference was supposed to be not just the difference of a more elaborate story, but of a different *quality* or kind of access.

<sup>217</sup> Rhees (1999, 234).

<sup>218</sup> A story is not something that has to have a “plot”, “intrigue” or “ending”; identity-endowed agents whose actions make or would make sense within a network of *oughts* can be introduced by lyrical poetry (or epic poetry lacking any introduction or ending of the plot – like Homeric poems), by visual art, movies, etc. On the other hand, one can doubt to what extent, for instance, works from the tradition of *le nouveau roman* present a story in this sense. I suspect that they don't; which needn't diminish the merit of the creation.

Unlike these reasons, reference to a “perspective” doesn’t really explain the alliance of reasons and actions between “me” and “Bob”, or of the non-alliance between “me” and a “Pete” (who might be backing John no matter what because they have known each other since childhood, have been boy scouting together, etc.). *Reasons* are shared between people, despite their relatively singular, personalised character in some cases. They can be presented, shown, questioned or accepted, even though, certainly, they sometimes come in a rather obscure and not easily intelligible form. Doing something “because this is Sarah, my wife” is certainly a kind of reason that may be relatively difficult for the other to see along the same lines as the speaker understands it (to appreciate its cogency). In that sense, it may be illuminating to refer it to a unique personal perspective, although it may, at the same time, be confusing to suggest that such a perspective is by definition something intransitive or “internal”.

Can an account of morality informed by the arguments offered by Wittgensteinian ethicists do without “perspective”? I think it can, without becoming necessarily de-personalised. Let us consider again the framework of the story-like access to the evaluated cases. The proper answer to the question “why did you provide Harry with an alibi?” does not relate in any substantial way to the perspective of Harry’s friend. The answer is, as we have seen, “I had to help him, because we have known each other since childhood...” Not helping Harry could not be reconciled with the integrity of the whole of the speaker’s life in the sense that it is – at least for the speaker herself – unthinkable that *she* would not help Harry: if there is a person who can imagine not helping Harry, it could *not* be *her*. Integrity is, in this respect, “integrity within the framework of the *following history* of who I am”. We could start with narrating stories from the shared childhood of Harry and her – if Harry has been someone who always backed her up against older and bigger bullies, it makes good sense that it is a matter of her *integrity* to back him now, when *he* is in need. For he has built, in a sense, the person who she is today – he embedded the bond between the two of them to the framework of the way she leads her life.

We should, however, be careful in identifying an episode from the speaker’s life with *the* compelling reason for helping Harry. There is always *more than one* way of organising a connection of life episodes as reasons and there is always the requirement to make the episode a *meaningful* whole that conveys the motivational force. If I choose the line with bigger bullies, I must, for instance, represent it so that the listeners can observe the foundational importance of the episode for the bond between the speaker and Harry. (If the saviour was their schoolteacher or a random policeman who was passing-by, the representation of the bond that justifies the complicity of the future alibi would be more difficult). The story of a person’s life, introducing other persons, is the *source* of compelling reasons: as far as an episode is presented in such a way that it bears the meaning of an important moment of the person’s life, it can provide a reason. It is no coincidence that a brief, but reasonable explanation reads “because we have known each other since childhood”. This relatedness to the source of reasons makes the episodes within it reasons; episodes that another might have just reported as separate episodes, such as that Harry happened to save the speaker from the bullies in the schoolyard.

Is thus “because we have known each other since childhood” *the* reason? In a way, it is. Let us consider a situation in which their shared history does not contain any single episode so striking that it would *prima facie* justify the alibi complicity. “Has Harry saved your life? Has he offered you money when you were broke? Did he introduce you to the love of your life?” There are many questions of this kind; and the speaker may answer “No” to each of them. The “banal” statement “he has always been my true friend” needn’t be reduced to a single dramatic act of Harry’s heroism. Harry’s being the only friend cannot be easily identified with anything particular he has done once or a few (countable) times. The speaker could provide Harry the alibi even though Harry has never done anything of that kind for her.

Even so, this needn't be because of manipulation, duress or stupidity. We often acknowledge rules pervading normative relationships to have arisen *without* dramatic stimuli. Consider here a perhaps more obvious example: the bond between siblings. That one ought to offer non-trivial help to one's brother or sister – even though one does not bear constantly in mind a memory of anything in particular they did to earn such help – is not considered a surprising explanation (justification) for many of the things that people do. Then why is it so? “Because he is my brother.” It *is* a reason; it *stands* in the heart of a *rule* I perceive as constitutive of our relationship; it does not concern anyone but me and my brother; and it also does not bind me to anybody else besides my brother. (I may offer similar help to somebody else, but then it has its own, separate reason: “he is my best friend”, not my brother.)

The presentation of an explanatory story sometimes needs to guide the listener, as it were, through one's whole life. Presenting life as a story, whose participants are “characters”, allows one to focus *intersubjectively* on the non-intersubjective features of the explanations. To say that the reasons for providing Harry with an alibi are inherent to a perspective does not explain anything; an acceptable explanation comes only with presenting the life-long bond between the speaker and Harry in *a* story-shaped form. The point is not to tell a story but to lead, by means of a story, the listener herself to the capacity to consider and distinguish between the reasons from a competent standpoint which she could again refer as to a “perspective”.

## 6.4 What Stories Talk about

The form of a story is also instrumental in another respect: it should draw attention to the finitude and irreversibility of human lives. Each individual's life with its present normative framework shows itself as a continuation of her past (origin, experiences, decisions, actions). Due to the finitude, the past very much matters because it renders the particular score (the aftermath) of actions motivated by rules that one is subject into something that cannot be cancelled and reinstalled again in a second trial. Though stories representing one's life can be many, they represent it as the one and only life the person has and will ever have.

Not only does one's life thus make *some* sense, but it is also important that the single life one has is a meaningful and *good* whole. The relationship between what the story conveys as a whole (the perspective of the finite, irreversible life) and the content of the story (the banal episodes of one's life) is complicated. It is no surprise that a story that *literally* says “I did it because from my perspective Harry was someone for whom I would do that” or “I have appreciated my life as a unique, irreversible story which will end someday” fails to communicate these contents to the listener. The difference is between what can be said (the episodes) and what must be shown (the sense of the whole), to use Wittgenstein's words.<sup>219</sup> That one “cannot speak” of a perspective or about life's finitude thus does not mean that it is literally impossible to utter meaningful and intelligible sentences employing these words, but that what life episodes *mean* – if they have a bearing on one's life – has to be shown: only thus can another see it herself.

What is the place of a person within stories? If I want to understand the rules relevant to a situation, what I have to describe are the significant connections of the *situation*; not just

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<sup>219</sup> Apart from the notorious places in *TLP*, see, for instance, Wittgenstein's criticisms of the *laudatio* on Moritz Schlick included in the Vienna Circle manifesto: That someone is a great man cannot be just-so said, it has to be *shown*. In fact, saying it explicitly means to *question* his greatness (McGuinness 1967, 18). Interestingly, this is an aesthetic rather than a scientific observation. The attempts to introduce characters in stories through explicit statements of their qualities are prone to be campy or midcult rather than artistic and deep. A good poem about a beautiful flower not only needn't explicitly use the word “beautiful”, it perhaps even *shouldn't*.

something that is inherent to a participant's perspective. I provide the history of the situation, not just the history of the subject/observer. What I want to show is something that is intersubjectively intelligible: who the speaker and Harry are is, of course, an indispensable constituent of the description. But we don't need to bother (always) with attempts to show what the two participants think or feel. I need to provide an account of the two of them as friends. Or, in another case, as enemies. Only then does an account of one's life present problems inherently involving other people (who are *someone* as well) and can tell, as Rhees puts it, "the course of one's life". The story of the developing course of one's life, with its successes and failures, is the story of the development in the "position from which he faces men, the ground he stands on".<sup>220</sup> Who a person is and becomes stems from a rich and intricate context.

In order that the story provides such a sufficient account, one may need to tell things that, strictly speaking, overreach both the speaker and Harry. They may have gone through a war experience together, and the account of a war experience requires giving a picture of the particular war (concerning not only the speaker and Harry, but intelligible even without including the two of them). The significance of the particular alibi to be provided may be required as well. And so on. Thus, although the personal histories are principal, they employ parts of the broader history of the *situation* that we usually fully appreciate if we also introduce details that are not directly connected to the concerned persons. If the account includes reported emotions and thoughts, these have to be *intelligible*, too, no matter how difficult this sometimes is – though people are sometimes quite blind or dumb towards what others think or feel, that does not mean they are *essentially* or necessarily blind. The explanation of values and rules one perceives as important does not stem from inside of a perspective, however personalised these values and rules may be, but from the visible bearing they have on the individual's life.

The "public" contents of our histories are often "thrown" in the Heideggerian sense. And people are *engaged* in their thrownness. They do not adopt an indifferent attitude towards it. İlham Dilman points out that the Heideggerian "thrownness" is not just enforced on us. It is, at least partly, also chosen and received; something with which, in a sense, we identify ourselves. Receiving may not take the shape of acceptance or willing identification. But the circumstances of one's life (one's birth) are received by her in the sense that they provide her material for the value distinctions and decisions she will apply in her life.<sup>221</sup> If one chooses not to identify herself with a part of her birthplace conditions, she responds to them as a material through the opposition to which she builds who she is. This relationship to one's thrownness makes it *normative* (what one defies is a norm). The way one disposes of her thrownness is open to her *freedom*; the resulting rules, by which she binds herself, have to do with her decision. One cannot choose one's skin colour, but one *adopts* (though not necessarily *deliberately* chooses) an attitude towards the politics of race and this attitude is expressive of a number of various *oughts*.

The rules that one accepts as being her responsibility to follow shouldn't be identified with what is expected from her. For instance, as a feminist in a traditional, patriarchal society, one deliberately subjects *herself* to a system of *oughts* differing from the *oughts* imposed by one's surroundings. If one complies with the rules most people around her comply with, her attitude of responsibility is backed by the pressure and reactions from the others. This pressure itself is, however, only a bogus foundation for responsibility. Everyone faces the pressure and sanctions, even if they do not acknowledge, as their own rules, the rules for the violation of which they are sanctioned. Sanctions may thus be a vital part of establishing a rule, but they don't seem to set a foundation for assuming responsibility. A lonely feminist in

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<sup>220</sup> Rhees (1999, 234f).

<sup>221</sup> Dilman (1993, 138f).



a patriarchal society understands her choices and actions as a matter of responsibility at least to herself, despite the absence of any factual, external pressure that urges her to follow her feminist rules.

Arguably, such responsibility in the relative absence of outward pressure has to do with what I have called “integrity”. The integrity of my attitude towards what I perceive as injustice around me makes sense within the framework of my life. “My life” is, again, a story; not just the raw thrownness by birth into a place, a time and a physiognomy, but the intelligible whole of how I dispose with this equipment to which the others can accordingly respond.<sup>222</sup> A story can be presented to another person, conveying a message; a rule distinguishes normatively between right and wrong, regardless of the actual number of agents performing the action – this capacity consists in the very possibility of giving a (intelligible) linguistic account. Therefore, if a lonely feminist within a patriarchal society holds as a rule that female circumcision is wrong (something one *ought not* to do), it is not just her feeling. She also assumes responsibility for the attitude, because it makes sense in terms of the integrity of her life: given the person she is, it only makes sense that she is vigorously against it and not that she is only remarking on the nuances of the technique (in the way a poetry lover registers and enjoys nuances in a particular poets’ verse technique).

It is a genuine rule because it can be presented as such within a narrative of her life and anyone who understands the narrative can assume it as a rule that is natural for her to follow and, at the same time, something that *can* be followed by others. Responsibility to oneself isn’t “private” simply because I don’t presently know of anybody else who would follow the same rule and take responsibility along the same lines. Only that it must be possible to provide a meaningful linguistic account of the foundational integrity. That the statement “the tradition of female circumcision *ought* to be stopped” has the status of a “rule” (is capable of governing human actions) and is acknowledged by someone does not depend on how many people in her “circle” actually follow it.<sup>223</sup>

Is personal engagement central to there being a rule and to its meaning? Let us return to the example of Emma helping Harry to rob a bank. The explanation, i.e. the formulation of the rule, might be (have been) “I ought to help him, because Harry and I have been friends since childhood and have experienced a lot together”. She may help Harry for some such reason; but she may not be very enthusiastic about it. She may have quite a bad feeling about it (“I wish Harry never asked me for such a thing; we will both end up badly”). How does one acknowledge the rule? To state one’s personal engagement is not a sufficient answer, instead she presents herself and Harry as lifelong friends. The rule has been established through their shared personal history. If someone wants to understand what rules are at play here, they have to study the peculiar relationship between the two of them. Another person might be able to guess what kinds of obligations bind the speaker to Harry (Helping him in crime? Lending him money? Offering spiritual support?), even if neither of them ever tells what kind of reasons, motives or rules they see in their relationship. (How they feel it.) The perspective can represent a part of the *description* of the situation. But the reference to it is not something a story of Harry and Emma *has* to contain; it is only one of its possible elaborations (*additional* interpretations) by means of which it can be made more obvious or compelling.<sup>224</sup>

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<sup>222</sup> Dilman (2007, 121) notes that “I cannot change where I was born, but I can take full responsibility for making it my home, for feeling gratitude for the good I find there.”

<sup>223</sup> This crucial distinction – between privacy and solitude – is at the core of one of the first polemics about Wittgenstein’s private language argument between A. J. Ayer and Rush Rhees; unlike Rhees, Ayer fails to see this distinction and its importance. See Ayer – Rhees (1954).

<sup>224</sup> Cf. Wittgenstein (2009): “The point is not to explain a language-game by means of our experiences, but to take account of a language-game. (...) Regard the language-game as the primary thing.

And regard the feelings, and so forth, as a way of looking at, interpreting, the language-game!” (§§ 655-656)

## 6.5 Responding to Persons

Though rules can be extremely useful in elucidating a part of a personal story or of a situation, there is a reason why it may be misleading to suggest an explanatory priority of a rule as something that actually, materially governs the subject's practices. For this is the way in which rules govern *games*. But in a game, as Rhees points out, it is the *moves* that count, while who the people are that are performing the moves seems secondary. Understanding a game, such as chess, is a matter of understanding its *organisation* that follows from its rules. Understanding a story of someone's life requires taking her *problems* into account, and the conflicts and clashes with other people's lives that she might have. Unlike players in a game, people are entangled in the situations they undergo and face in their lives. Disregarding who the particular people are would mean overlooking what the situation means.<sup>225</sup>

Engagement and integrity, as central features of a story, thus highlight that stories are – to put it with borderline-silly simplicity – about persons. Though this observation may seem trivial, it illuminates certain important differences between stories and “mere” examples. Let me return briefly to the Trolley Problem to clarify what I mean.

There is an important sense in which it is misplaced to claim that a legitimate “understanding” of a story might come in terms of offering a hypothetical “what if...” scenario. Let us, on the other hand, remember the engineers' solutions to the Trolley Problem: e.g., “What if I broke the switch lever...” Here, the very situation invites one to read it as a puzzle or a test. It is as if the interlocutor wants to outsmart us and we have to show we are not easy prey. But once we provide *such* composition and a sufficient amount of further details to the example so that it becomes situated in the life of people, the response “what if...” is not possible anymore. Quantity has been changed to quality, to put it in Wittgenstein's words.

Consider the example of Mrs. Dashwood and Fanny. Although the question as to which one of them has right on their side in their dispute is, in some respects misleading, it is not nonsensical and is worth investigating. Now, there are various plausible ways of reflecting upon the example that eventually places one of the parties into a more favourable light; more often, but not necessarily always, that would be Mrs. Dashwood. But none of proper, intelligible responses takes the shape of a hypothetical “what if...”: “what if Fanny is the only person to know that Mrs. Dashwood actually secretly poisoned her husband, but – having no evidence – can only punish her by petty, everyday slights?”

Austen's narrative is not *open* in the way that the Trolley Problem is. The reason is not that the novel introduced *all* the imaginable details of the scenario. Film or TV adaptations of *Sense and Sensibility* introduce various details that are not included in the original book, yet it does not mean they are trying to outsmart the author's intention to outsmart her possible adaptations. The question of being unfaithful to the original work does not come in terms of introducing further, perhaps surprising details. (Although being an unfaithful adaptation, or ceasing to be an adaptation of *SaS* at all, has to do with that.) It is a matter of a response to stories as being different in kind from abstract, invented examples. Story is not what calls for the response “what if...” following one's strong impression that the other tries to outsmart her. Although it is not always easy to get into the narrative of a two hundred year old classic, and though one can learn much from it (acknowledging that the author is, in an important sense, smarter than the reader), one's understanding of what a “novel” means doesn't involve “a battle of wits”.<sup>226</sup> With abstract examples, arising in the middle of a philosophical

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<sup>225</sup> Rhees (1999, 236).

<sup>226</sup> Fan fiction can be seen as a counterexample to my point; but I don't think its authors are trying to outsmart the original author (whom they would see, in this scenario, as their adversary). Fan fiction involves, I believe, a different kind of response than the “what if”, even though it often introduces quite revolutionary shifts in

conversation, it is a precautionary reaction to assume that one came to find herself in the middle of a battle of wits.

Stories introduce *characters* – personalities with integrity that render certain responses to the story unintelligible or nonsensical, given the plot. The Trolley Problem could also be rephrased in such a form that its participants are given names. But that doesn't change the situation substantially: these names are hardly more than just labels, "X" or "Y". The participation of *persons* with whom I can become acquainted is what distinguishes stories from abstract examples. Stories involve agents with actual identities.

In my previous discussion of the Trolley Problem I tried to show that supplying enough specific details about it might be necessary for an observer to perceive the problem as involving a need to make a difficult decision and not just as an invitation to a battle of wits. What constitutes "enough" varies, of course, considerably. In my example with Harry, a rule is not stated (a reason is not produced) if we just say "one should support their friends". Such a statement opens no story; or, more precisely, it opens a wide variety of stories within which the agents take various courses of actions, mutually incompatible. "Helping a friend" can mean helping her commit a crime, but also reporting her intention to commit a crime to the police. Only if the speaker (Emma) substitutes herself for "one" and Harry for "friends" is it possible to tell whether "helping Harry" means participating in his criminal scheme or turning him in. What it means is thus, in a certain irreducibly personal sense, what it means to her.

However attenuated the meaning of a "rule" in the case of "I ought to help Harry..." becomes "friend", it does not, even though it is a highly normatively loaded term, refer clearly enough to an actual person and thus fails to constitute a viable rule. The impersonality of the term is just what is needed for it to appear in a rule; but what is needed for expressing the motivational appeal seems to be something different. A participant in a story carries such a load of normative orientations; if we speak only of a case when "X" helps "Y" rob a bank, we can state at best what they have done, but not for what reasons or what they ought to have done. If "Y" is to become somebody (Harry) and if "X's" deeds are to be not just a behaviour but genuine *actions* taken for a reason, we cannot satisfy ourselves with the *present* description. A person (having an identity) spreads out through time. The example would have to stick with X and Y for some time and tell us something about them; in short, to tell us *how* they got into the situation where they ended up and where quite particular things occur that they perceive as something they ought to do. The situation then elaborates on previous events in their lives.

There are various levels of understanding a story. If it is vague, confusing and expressed in an uninteresting way or if – for whatever reasons – the listener does not pay sufficient attention to it, the story can collapse into something very similar to the abstract, empty example. Without proper attention, one may be unable to remember the characters of the story, their names and who they are. The story then fails to *show* her anything, and she does not know more than what the sentences of the narrative literally *say*. When one reads in the middle of a book (not read properly from the beginning), let us say *Dream of the Red Chamber*, something that Baoyu says to Daiyu, she necessarily fails to understand the relationship between the two (perhaps will fail to remember their names at all just a few moments later). She is left with the word exchange alone. Just as when I do not listen to a complicated story told by someone and when I wake up in the middle of it and hear "I should have let him go", I indeed understand the utterance, but I am unable to capture the kind of "appropriateness" evoked by it and identify the reason for letting "him" go, if there is any

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depicting the central characters, etc. If anything, fan fiction is foremost an expression of love and respect for the original work or the wish to deepen one's or others' relationship with the original or some aspects of it, such as its most beloved characters. Certainly such an intention, harmless or even laudable in itself, can take an undesirable or quite twisted turn. But that is another issue.

such reason providing a plausible, convincing “ought”. I cannot see the reason, when all I am left with is the utterance “I should have let him go”.

Only when we start to see the characters in the story as persons equipped with an identity and a past, are we able to consider relevantly the reasons standing behind their actions. Without that, we can only state that the speaker obeys Harry or indulges his request (literally: does what Harry tells her to do – nothing more or less). But we cannot fully appreciate why, i.e. how she does it for a reason and, consequently, whether it makes sense to say that she ought to have done it. As we have seen, this insight into the reasons concerned is still not the same thing as actually accepting the reasons as being relevant oneself.

Here, I want to only point out that the full *normative* dimension of one’s actions is disclosed only after we shift from an abstract example to an example that is *specified* in such a way that it introduces particular *persons*. Only then are the re-imaginings of the “what if...” kind rendered inane. This does not mean that the example has to be introduced in its putative entirety corresponding to the lifelong history of its character, or that it cannot be fictional. The shift from an abstract example to a story enters once reasons emerge; that is to say, when they are *shown* to the audience and they could state these reasons, even if they were not *told* them explicitly. It usually takes some time to reach this point, but a good storyteller is able to pull her audience into the world of her characters’ motivations and reasons after a short exposition. Story is what opens the Sellarsian “space of reasons”, but the variety of stories shows that there is a variety of spaces of reasons, partially or wholly permeating one another. Various stories introducing the same characters may contradict one other; just as various particular sub-spaces of reasons may fail to be integrated into one. Consider a story of Emma accepting Harry’s strong sense of morality and guidance and deferring to his authority (not blindly, but based on their shared history). And then a story in which she concludes that it is the right thing for her to do to report his bank robbery scheme to the police (that it would only be for Harry’s good). Each story articulates its own interconnected system of reasons (rather than just one reason), reflecting a somewhat different long-term viable normative practice.

Dilman points out that the answer to the questions about people’s reasons is, in its core, *biographical*. When we are searching for Emma’s motives, i.e. for the explanation of her actions concerning Harry, we can explain her agency as stemming from her loyalty or fidelity to Harry. The reasons for her agency cannot be understood unless we appreciate her loyalty towards Harry. This appreciated loyalty allows us to understand that such a thing as lying for the sake of a cheating man can be presented as an *ought-to-do*; but without some understanding of what loyalty is, the explanation referring to it cannot be accepted as satisfactory. If one does not possess the concept “loyalty” or is unable to understand that Harry’s and Emma’s shared history can reasonably establish any such relationship between the two, she will not be able to see what the reason is that Emma feels bound to oblige Harry (the normative fact withdraws and all that is left is the mere statement of her assisting Harry with his questionable plans). In this sense, biographical explanations are not free from introducing general concepts such as “loyalty” (concepts that may occur in quite general – and plausible-looking – speculations about the mechanisms of human motivation), because they partly constitute their open intelligibility. On the other hand, a part of the intelligibility of these general explanatory concepts consists in their applicability in biographical accounts (neither the general nor the particular can stand on its own).

The very justification of loyalty may not be easy (or possible) to make explicit: Emma is not necessarily loyal to Harry because... (let us substitute here a particular, delimited and clearly identifiable necessary and sufficient determinant of the loyalty). The question does not read “*Why* is she loyal to Harry?”; or, rather, there is no simple and uncontested answer. A proper explanation of the bond of loyalty between the two has to come in terms of the question “*How* did they get here”, i.e., to the situation where it is a right thing to do to provide

Harry the alibi. The answer is their *biography*, or its considerable part; only rarely do we get the textbook answer providing a clear, sharp, single answer (such as the cliché “Harry saved my life”).<sup>227</sup>

As the explanation and justification is inherent to an agent’s biography, so is, in a sense, the cluster of problems she faces and solutions she finds. This cluster plays a role central to her ending up in her actual normative situation. If we get familiar with the troubles the speaker had to face and the solutions she found and the role Harry played in these experiences, we will be able understand her reasons. And yet, understanding another does not have a direct bearing on the situations we find ourselves in. They are solved by each agent in her own practice, and the “lesson” one takes from understanding others can facilitate as well as confuse one in her own actions.<sup>228</sup> Even though the key one finds to her dilemma is opting for loyalty to her friend, this offers no straightforward solution for other people in dilemmas where loyalty plays a role. But the fact that all these stories can be told as stories of loyalty reflects the fact that there is a connection and that one can learn a lesson. For instance, a story of loyalty may be capable of showing Emma that she shouldn’t be loyal to Harry.

The trouble with loyalty as a source of reasons is that it justifies courses of action that can be presented as incompatible. In itself, loyalty thus does not constitute a rule. “You should be loyal to your friends” is, in a sense, no *rule*, since it does not distinguish in a *coherent* manner whether a particular described course of action (“reporting a friend’s bank robbery plan to police”) is right or wrong with respect to the rule of loyalty. (I discussed the problems one has to overcome in understanding rules of this form and the limitations of this overcoming in chapter 4.) We can only talk about encountering a rule in this case when we shift from an example to a story involving persons. We take persons seriously – persons matter to those who see them as persons – which allows us to see a normative load even where a mere description such as “reporting a friend’s bank robbery plan to police” would be insufficient for a decision.

## 6.6 Impersonality of Rules and Conveying What Matters

But is such an investment of personal information as I stressed in the previous section always necessary? Not really; presumptive or exclusive features of some rules often involve *open* contextual information (a geographical territory, a social role). Only when the rule (its description) involves a particular person is it non-open by definition. However, there still remain many rules typically coined or described in a fully impersonal form and yet they are such that we would like, even so, to hold them to be generally valid regardless of the person whose practice is concerned. Often, these are moral contexts: what about “murder is wrong”? We would very much like to maintain that this is a rule expressing an unambiguous and universally valid discernment between right and wrong courses of action.

One has to consider the role of “grammar” (in the Wittgensteinian sense) here. Grammatical rules are strongly independent of the practice of *individual* speakers. Although

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<sup>227</sup> Dilman (2007, 139) discusses the example of compassion thusly: “Suppose now that he gives to the poor out of pure compassion. Why does he do so? Why does he feel compassion? Answer: because he is compassionate. Nothing ‘makes’ him compassionate. How did he come to be so compassionate? This is a biographical question in which one wishes to see and understand the way he has developed through his personal history. It might go something like this: ‘He was a compassionate child even when he was very young. His father was well to do, but lost his money during the depression. His experience of poverty left its mark on him and opened his eyes to what it was like to manage with the bare minimum in life.’”

<sup>228</sup> Rhees (1997, 384), in his discussion of religious life, points out that though religious difficulties may seem more or less the same for generations of believers, it is appropriate to understand the difficulties faced by each believer anew.

they could not have arisen otherwise than as a function of the practice of particular agents, grammar itself (rules of flexion, for instance) determines for speakers what is correct and what makes sense in language and how they should proceed if they want to be understood by others. Thus, words like “and” or “good” have a meaning each speaker more or less has to comply with if they want their speech to be meaningful. Their meaning is supported by the rules one has to stick to; these rules are not further justified, at best they can be claimed to be determined by nothing less than the mass of biographies and life practices of the past and present speakers of the language. Determined does not mean justified; the historically sedimented linguistic practice is, so to speak, a material out of which the body of rules has emerged, but these rules are not *about* their own history.

Thus, if there is a rule such as “murder is wrong”, it could hardly have been established without a long history of many, many people abstaining from murdering others and expressing attitudes of disapproval towards the act. And yet, the rule does *not* mean “there is this well-established tradition and that makes it something worth continuing”; what the rule approves or disapproves of (not to mention: states) is not the history of all human agents’ attitudes. It disapproves of murder. And in our moral discourses it typically occupies the position of the Wittgensteinian “hinge propositions”.<sup>229</sup> That murder is wrong is not a statement that undergoes further justifications. It serves itself as pointing towards the kind of wrongness one sees here. “I know Bob did great harm to you, but how could you kill him? That was wrong!” – “Why?” – “How can you ask ‘Why’? Murder is just wrong.”<sup>230</sup>

It seems very unlikely that we could say “Murder is wrong because...” and fill in this statement using whatever justification would preserve the relatively universal status of the rule “murder is wrong” *ohne weiteres* and that would, at the same time, be able to convey something stronger, more cogent, than is the plain statement “murder is wrong”. If we fill in a theological argument – e.g., that taking another’s life should be left only to God – the rule only loses its universal appeal.<sup>231</sup> “It is the right thing to do to provide Harry the alibi, out of loyalty” is a judgment arising from *my* biography and seeing it as justified needs familiarity with the biography. With “murder is wrong”, or even “murdering Harry is wrong”, it is different. The unquestionable status of “murder is wrong” allows people to have meaningful individual moralities. Moralities differ, sometimes deeply and painfully; but disapproving of a moral standpoint that admits capital punishment (seeing it as “bad morality”) differs from the difficulty of imagining something that admits murder. If there are people whose system of values regularly admits of murder, I don’t know if there might not be confusion if we called *both* this system and the more familiar, “conventional” ones “morality”.

In those cases that we identify as murder, our grammar, as it were, prevents us from seeing murder as something to give approval to. The basic conceptual equipment with which we make sense of our own moral lives and the lives of others would not be such as it is if this was not embedded in it. We can discuss and question anybody’s actions, we can doubt whether it was wrong that someone killed someone, but it seems impossible to reconcile the status of a killing as murder (if we eventually agree upon that) with its not being wrong.

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<sup>229</sup> Wittgenstein (1969, § 152).

<sup>230</sup> There can be a serious disagreement as to whether this makes the hinge propositions a privileged class of propositions in language. Rhee (2003, *passim*) suggests that there is no such class defined by a distinctive property – the only thing that these propositions probably share is not that they are talked about with a feeling of reverence or acknowledgment, but that they are not talked about at all. They cannot be doubted because as soon as we try to enter them into the discourse in such a position that the possibility to doubt them might seem opened, the discourse collapses as it doesn’t make sense anymore.

<sup>231</sup> Rhee points that the grammatical nature of the wrongness of murder makes it in fact the justification for God’s disapproval of murder rather than the other way round; God’s approval of a murder in a particular case does not make it the right thing to do (Rhee 1999, 121). Rhee thus positions himself on the other side of Euthyphro’s dilemma than did his teacher Wittgenstein.

“Impersonal rules” such as that prohibiting murder wouldn’t seem intelligible (they would not make sense) if the demand they expressed did not apply to everybody. In a sense, it is debatable to what extent murder is a matter of *rule*. Rules come in terms of ought; and ought involves aspects of negotiation, revaluation, second thought. “I would like to go to the cinema instead of the afternoon lecture, but perhaps I ought not to.” – “I would like to murder him, but perhaps I ought not to.” There is something unintelligible about the idea of considering murder as a regular alternative of action and finally *deciding* against it based on an *ought*. Bernard Williams (and he is not alone) thus argues that morality proceeds in terms of unconditional *must* or *cannot*, rather than *ought*.<sup>232</sup>

Just as it would only cause confusion if someone doubted the wrongness of murder or wanted to justify it, it would only produce confusion if the rule was supposed to be presumptive, holding only for some cases and irrelevant in others. The *absence* of a specification of the agents is a part of the meaning of the rule. The grammatical rules concerning non-murdering differ from the non-grammatical status of rules concerning alibis for Harry. But, although they seem to have a greater normative force in this respect, it doesn’t mean that they represent a general form of any (moral) rule applied to our practice. Personalised rules have a limited range because different respects emerge in the lives of different people; from a reverse point of view, the general wrongness of any murder (murder as such) reflects the preciousness of each individual’s life because, in each life, there are things that matter to the person and each person can matter to someone.

I have already (in chapter 4) suggested that the sense of everybody’s preciousness comes along with adopting a considerate attitude towards them, acting with a certain (good) spirit towards them rather following a rule that could be made tellingly explicit.

Gaita introduces his recollection of a nun approaching mentally ill patients without the condescension typical of many doctors and nurses. Even though they all did, in a sense, the same thing (they took care of the patient), the nun’s attitude struck him as something to approve or praise (admiring), while the others’ attitude filled him with regret and disappointment.<sup>233</sup> This difference of response, perfectly meaningful and relevant in itself, was not directed so much at the difference in what the hospital staff did – a rule the nun followed, while the doctors and nurses violated it –, but rather to the difference in the spirit in which they did what they did. Let us imagine a shift in our tea-making example: even if there is a settled arrangement between a husband and a wife concerning the morning tea and even if he sticks to this routine, he can perform the action in such a way – such a spirit – that it becomes, instead of an act of care and of support for the other, an act of demoralisation and humiliation. He can, for instance, take advantage of the time duration needed to drink the tea and use it to say things to the other (things she, sipping slowly the tea, cannot properly avoid hearing) that makes her feel sad, self-doubting and humiliated. It is hard to say whether he violates any *rule* by making her the morning tea. But he acts in a mean *spirit*. The attention to *spirit* is a different kind of evaluation than focusing on the intention or consequences.

Certainly, one can reflect on Gaita’s example by saying “you ought not to treat patients with condescension, but rather with compassionate attention towards their humanity”. But I do not think we would thus phrase a rule – i.e. a rule *violated* by the doctors. There are no *actual* sanctions enforcing the rule and they would hardly be an appropriate response to the “violators”.<sup>234</sup> What is needed is not that the doctors and nurses finally decide or learn to follow a rule that there is; they have to, as persons, grow into the capacity to act with such a spirit, as did the nun. They cannot be pushed to that by sanctions, and until they grow into the capacity, the appropriate response to them is sadness or regret.

<sup>232</sup> Cf. Williams (1981b; 1985, ch. 10; or 1995),

<sup>233</sup> See this example discussed in detailed in Gaita (2002, ch. 1).

<sup>234</sup> Cf. Urmson’s (1958) supererogatory acts.

Acting in a good spirit means to acknowledge, as Gaita would put it, the inexhaustible preciousness of every human being. From a normativist point of view, this is also a way of accounting for situations where the other is a complete stranger to me. I cannot state explicitly a rule binding me to help her (especially when so many rules that make sense of our lives are conditioned by or presume particular situations or particular other people), and yet I do help her because I have a sense that I ought to do that. To an attentive eye, every human being (every “neighbour”) is a precious being that matters.

Goodness towards the other is also *unconditional*. Explanations employing terms like “end in itself” are less rather than more clarifying, because one would seem to have to establish and specify the sense, in which a particular human being that one sees (that one sees a particular human being is more or less unquestioned) is, e.g., an “end in itself” (this might sometimes seem rather less evident or less intelligible). To be good towards a person that one sees as just a (precious) human being is a *similarly* unconditioned attitude like acknowledging that murder is wrong. Although to approach a particular person with this attitude means, in effect, to approach everybody in this way, this is not to say that a consideration of what is due to everybody (perhaps by virtue of some universally human characteristics shared by them) precedes and founds the possibility of being good towards an individual.<sup>235</sup>

The space for meaningful manoeuvring with expressions of these attitudes is surprisingly narrow. On the other hand, they don’t seem straightforwardly grammatical. Entering doubt into play does not amount to undermining a meaningful discourse but to tearing down the unconditionally good person’s standpoint. Once Gaita’s nun would start to see the patients as someone whose precious humanity is open to further justification (with an unclear result), she would not be a person acting towards them in the spirit of unconditional goodness.<sup>236</sup>

Acting in a compassionate spirit thus does not seem subject to a rule (so that an intelligible social mechanism of sanctions can be established). On the other hand, where there can be explicit rules at play, an option of rectifying the state of affairs is open. Little can be done about those who act in a mean spirit but evade the trap of rule-violation. But rules can substitute, to certain extent, for the moral shallowness and emptiness of people who are unable to approach others compassionately, as fellow humans, as far as the concerned actions are described by a rule. While no sanctions fall on those who fail to be saints, there are various – both legal and informal; either actually effective or just taking the shape of intelligible condemnation – sanctions available when someone breaks an unproblematic rule like “you should not steal from sickly little children”. The rules’ inability to capture the full richness of the value dimension of our particular lives is compensated by their capacity to articulate (to make it intelligible; to make it a palpable “social fact”) that murder or theft or violence or fraud is wrong. What cannot be prescribed by a rule is left to self-cultivation and one’s moral insight.<sup>237</sup>

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<sup>235</sup> Gaita (2004, xiiiff) devotes some space to Simone Weil’s remarks on the difficultness of compassion with others, untainted by condescension, impartial and at the same time respecting the other and her life as sacred. Such a spirit means to pay equal considerateness to Adolf Eichmann as to an afflicted poor. Gaita quotes Weil’s famous aphorism from “The Love of God and Affliction”: “Thus compassion for the afflicted is an impossibility. When it is really found we have a more astounding miracle than walking on water, healing the sick, or even raising the dead.”

<sup>236</sup> Cf. Cockburn’s (2004, 113) distinction between unintelligibility resulting from someone’s calling blue things “purple” and the *significant* difference it makes in one’s life if she calls her stealing another’s bike “borrowing”.

<sup>237</sup> Perfect goodness is indeed only rarely present in our practice, but it is a powerful conceptual term useful for directing and making sense of our actions, intentions and motivation (cf. Murdoch’s [1970] interpretation of the idea of good). It is something one can strive for; to formulate *oughts* understood as oriented towards good making sense in practice. Desiring evil *under the description* “evil” would seem self-contradictory (Dilman 2005, 134).

Konstantin Stanislavsky in his theoretical works (1967, 185f, 195ff) on acting argues that a good performance in the role of an evil character requires finding a “human” or “natural” motivation for the character’s evil actions



The *oughts* we follow in practice are not essentially (though they sometimes can be) expressions of psychological mechanisms, but expressions of what makes sense to us as valuable, what matters to us. This is where the difference between the moral and the (“mere”) psychological is based. Our failures to do what we ought to do are sometimes explained not as a matter of making reasonable decisions, but as a result of various psychological factors. Self-deception, fear of authorities, the desire for praise, laziness, callousness, cruelty: these are *psychological* descriptions and we often regard these conditions as causing people to fail *vis-à-vis* moral or other challenges. “I wanted to help the drowning man, but I was afraid” – it was *me* who had the noble intention, but it was *something* else (my fear) that prevented me from realising the intention. On the other hand, when I find enough courage to jump into the water, it was *me* who did it and not my momentary rush of bravery. “I overcame my fear.” Failures or evil actions can, in this sense, be made intelligible to others as having *causes*, while good actions don’t. As far as they are good actions (not necessarily heroic or saintly), they can only be understood as having *reasons*.

Certainly, one can jump in after a drowning man from a desire to become famous as a hero. In such cases, we talk about false morality which can, again, be explained in psychological terms (as caused by hypocrisy, or a Freudian fear of authority, etc.). But if it makes sense to speak of the difference between false morality and a person who jumps into the water just for the sake of saving the drowning man, it is misplaced to explain the accordingly true morality in purely psychological terms.<sup>238</sup> The descriptions in psychological terms often invoke utilitarian mechanisms of motivation: doing something for the sake of attaining something that is desirable to me personally. The obvious problem of attempts to explain all our actions (including the morally most admirable) in these terms is that they make the conceptual difference between selfishness and selflessness much smaller than we would like to have it, if not completely non-existent. That is why it is so important to retain the sense of the difference as to whether what overcame my fear was myself or my desire to become famous as a hero. These descriptions mean different things and, accordingly, are responded to differently.

The answer to the question “where did Pete find the courage to jump in after the drowning man?” is thus not a purely psychological one, but it has an indispensable moral dimension. It may concern his social background or his particular psychological qualities, but it does not state them as exhaustive *causes* for the action; we instead ask what the situation *meant* to Pete as a person. Although the answer employs events from his life, it does *not* attribute the role of causes to them in relation to Pete’s actions; however, the way he used his psychological make up formed through his history (intelligible in his biography) is the reason, or at least an explanation, for the actions that *he* did.<sup>239</sup>

In this respect, such a question asked in the first person is not in a privileged position compared to the third person. “Where did I find the courage?” To answer this question, I do not introspectively investigate myself in a putatively direct way that is impossible with the others. I am interested in how I got into such a position, how I grew into such a person. I am searching for an organising viewpoint on my own life, just like I do with others. And in my own case as well as in the case of others I am struggling to express appropriately what matters to the concerned agent and that expression can take the shape of a rule-like statement involving an ought. “I ought to help if I see a person in danger.” The organising viewpoint –

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– a performance built on a motivation towards evil for the sake of evil itself would be psychologically untrustworthy (but also potentially harmful to the actor).

<sup>238</sup> Dilman (2005, 84ff). Cf. also Dilman’s reply to Freud’s analysis of religion as fake (determined by suppressed psychological structures): that it only highlights the core of the difference between false, perverted religious manifestations (analysed acutely by Freud) and true religion (p. 96ff)

<sup>239</sup> Dilman (2005, 88ff) elaborates on this point.

that helps me to see the meaning of someone's actions or my own actions as expressed and illuminated by the above rule – requires a capacity to see the matters of importance in people's lives. There is no reason why we should think that we learn to recognise these connections in our own lives and in others' lives in different ways; we always need guiding "objects of comparison", the referential reservoir of stories or examples showing the paradigms of "heroism", "cowardice", etc.<sup>240</sup>

The accounts – the stories – of the concerned agents' lives are not mere descriptions or enumerations of facts. Once we use rules or rule-like observations to provide these accounts, we enrich them with a normative dimension; we express thereby what matters to the agents. And, more specifically, since many situations we elucidate using rules involve other people, the stories we tell about human lives express that what matters are the other people. They are stories of love, friendship, etc. Jumping for a drowning man without giving a thought to one's own possible gain is an act of love. For the answer to the question "does X love Y?" one should look into the story of X's life. It does have to do with X's "inner" life only insofar as we make clear that any inspection of one's inner life is a natural part of the inspection of one's life – a part that may be more opaque than other parts but not inaccessible by definition. The others that one loves (or one is friends with) are not just a fact: they matter to her. The normative nature of love and friendship expresses certain *oughts* and *ought-nots*: to be in love with someone means that there is a lot of what I ought or ought not to do with respect to her; to be in love does not mean that I just *am* in love (these *oughts* are often trespassed, and we respond to these trespasses accordingly). What is personal and intransitive about these normative contents is not private (an internal perspective) but *pragmatic* – done, lived.

I have suggested in the beginning of this section that "impersonal rules", like the one prohibiting murder, could not be understood (they would not make sense) if the demand they express did not apply to everybody. Especially in chapters 2 and 4, I have tried to show that by no means are all rules of this type: some of them are supposed to matter only to some. These different ranges of "mattering" correspond to different patterns of what "mattering" means in the respective cases of rules. In some cases, the rule would be unintelligible if it mattered equally for outsiders: consider the rules holding between life partners. Some rules only matter in the way that they do when applied to a certain defined group of agents empirically subject to them: rules from the domain of politics (laws of particular states, army regulations) or rules cementing a different (often disadvantaged) status of a particularly defined group, such as gender-specific rules.

Rules are expressive of what matters, of what is important in the lives of (particular) people. A story of this importance can be told, though not always easily or in short, and it is the story of the person in question. What "one ought" to do is thus an expression of what matters to one. We mustn't, however, hasten to conclude that the respect that has been expressed is genuinely precious to the person's heart. Let us keep in mind the gender-specific expectations that so many women acknowledge in practice (respond to as something to be taken seriously), yet often do not really like.

## In Conclusion

In this chapter, I have attempted to shine a questioning light on the concept of perspective explored in the previous chapters, as it is burdened by various problems typically concerning intersubjective access to a perspective. I have tried to elaborate a view on the nature of

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<sup>240</sup> That there is no privileged mechanism in understanding oneself as opposed to understanding others (as well as in understanding one's own culture as opposed to understanding an alien one) is argued for by Winch (1997).

interpersonal normative arrangements (including the moral) as situated and particular using the concepts of *story* and biography. Story – rather than perspective – is the form that provides a meaningful (communicable) account of one's life as the situational source of applied value judgments and normative expectations.

While there can always be doubt as to whether a person's perspective has been accessed or represented properly, a story is an intersubjective form that is also intelligible to others. Within a story, the weight of our reasons can be expressed, actual *persons* can be encountered and the preciousness and finitude of their lives appreciated (attachment is primitively directed to persons, not justified by reasons or by general qualities found in them, as Williams or Cockburn show). The transition from an abstract example to a story is marked by a certain closure, ruling out non-committal responses as inappropriate.

Stories of people's lives are not merely enumerations of facts and events; they are told as stories of what it is that matters to these people that can be expressed by rule-like statements involving various *oughts*. Some rules (e.g., murder is wrong) would lose their sense and capacity to matter if they were specified or stood in need of further justification.

While rules in this sense help tell a person's story with valuable insight, it is less clear whether *all* the richness of human moral standpoints and attitudes can be conveyed in the form of explicit rules. Even though a saint's actions can be understood as expressing a certain *ought* that matters to her, that doesn't mean that, put in *general* terms, this is a rule violated by one who does not act the way she acts (in the same spirit). There is no sanction that would be a reasonable response to this "violation". All the same, the discourse of rules can be instrumental in pushing people at least halfway towards keeping a certain standard in dealing with each other if they lack a sufficient sense of the others' personal values.

## 7. Conclusion: The Difficult Blessing of Being a Normative Creature

*Abstract:* The chapter summarises the preceding argument. Most importantly, it suggests that, if our understanding other people through the rules shaping their lives is attentive and sensitive enough, the resulting attitude towards human agents subject to rules would be compassionate rather than judgmental.

The book's introduction promised a certain – in the details perhaps somewhat unusual – clarification of the notion of human beings as normative creatures. The conclusion I tried to approach could also be paraphrased, in a non-promotional way, as follows: There are various senses of what rule-following means and various aspects one can focus on when focusing on practices that are, in one sense or another, normative. I put an emphasis on a discussion of examples of more *specific* rules *recommending* particular courses of action; however, rules are often also portrayed as boundaries delimiting a space within which we are permitted to move, bouncing off of them.<sup>241</sup> I don't want to reject outright this latter view, but it seems to me that it has relative disadvantages. It focuses on the *boundaries* of the rule-delimited spaces, considering the most important difference to be the one between fitting into the space and falling out of it. It also tends to look at the cases of failing to "give justice" to the rule as at *exceptional* incidents, to be corrected by taking sanction measures. Human beings, as normative creatures, are not supposed to face significant problems following the rules, apart from the isolated cases of (by definition) exceptional slips.

In the previous chapters, I tried to explore the importance of the differences *within* our normative practice in the cases when no rule is clearly violated (differences related to the *point* of the practices). I also tried to show that we often fail – for widely varying reasons – to keep up with the normative standards imposed upon us and that, irrespective of whether sanctions follow (which they often do), we simply cannot be easily kept within the permitted space. For it is often impossible for the agents to do so, either by definition or due to their particular imperfections. The variety of responses, including the responses of the concerned agent herself, to the cases of rule-violations is most instructive. These responses disclose the various meanings the normative deficiencies and disorders can take: we understand them as instances of comedy, tragedy (that is more frequent), failure, disappointment, shame, resignation. One may also quite well reach such a point in her life that she is indifferent about her failing to live up to the normative standards imposed on her by most people she knows. This can say much about her life.

That "(all) human beings are normative creatures" seems to be, rather than stating a matter of fact (an *empirical* totality), a *conceptual* observation: what is meant by "human being". That human beings follow rules is itself a prescription – the attitude towards another as towards a human being is constituted by the very varied forms in which one expresses one's expectation that it makes sense to apply this measure to them. There is a whole complex of these emotional reactions and practices of acting towards the other who is human. It is only a *human* individual's failures in rules-following that provide grounds for a variety of particular responses to *expected rule-followers*: disappointment, criticism, puzzlement or the demand of further explanation (this needn't mean "to give reasons", strictly speaking). We don't respond in such ways to entities (for example animals) towards which we typically do not adopt a foundational attitude towards a normative creature.

"Humans are normative creatures" thus means, at least partly, that rule-governed, normative behaviour – subject to the evaluation correct/incorrect, independent of the agent's

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<sup>241</sup> E.g. Peregrin (2014a, chap. 4.2).

opinion – is as such something that is expected from them. People address each other and try to understand who the others are and what goes on in their lives in this way. Otherwise, a lot of our meaningful responses to others would lose their point.

The responses accommodating the others' normative failures or deficiencies are of extreme importance in the sense that these are not, by any means, just reactions of *sanction*. Such rules, with which most people struggle and many fail, are not at all unusual in our lives; sometimes personal growth or self-cultivation of a kind that cannot be taken for granted is needed, other times it is next to impossible to “make it”. Certain rules are not easy and may not even be possible to follow regularly; but these may suggest the point or purpose of the practice, though not always intended and almost certainly never reached in their perfection. They allow us to imagine what “perfection” in this or that area of human rule-governed activity would look like. “One ought to be a good person” is one such rule; but, in a sense, it could also be said about “one ought to always do all that one ought to do”. Particular rules of, say, football are routinely followed in an agent's individual moves and violated by other, typically less numerous, of her moves, and these are followed by sanctions. It is perfectly possible to imagine a football match in which the referee would not even once need to interrupt the game by blowing the whistle or waving the flag. Can a human life equally easily be imagined in which one never fails in relation to any normative standard that is imposed on her (such that a normative deficiency would be out of the question in it)? This picture would seem to me to be at odds with what “human life” means.

The thrown, particular and imperfect character of human normative practice contributes to explaining humanity and human individuality. Brandom presupposes that human beings arise as individuals (that is, persons) only in the space of “positive freedom”, attained only after one adopts the respective rules.<sup>242</sup> This ontological/anthropological perspective can also be shifted: it is only about the beings that have the foundational status of persons (individuals) that we can say they are rules-following. For it is *individuals* that cope with the claim to be normative creatures; and it is only about persons that it makes sense to say that the way they struggle with claims matters to them. Their status as rule-followers is not really given by their imperfections, but their individuality as rule-followers is, though not constituted by, then expressed by, failures, negligence, choices and endeavours in relation to the rules they (and the people around them) perceive as pertinent and their responses to these failures.

For although much about what it means for something to be a rule and how it is realised in practice can be provided by game-theoretical explanations of processes *establishing* rules or *sanctions enforcing* their following, this is not a complete picture. Normative expectations arise within the lives of persons, and without a certain insight into these normative patterns as something that matters to these persons, their understanding would be partial at best.

The somewhat misleading tendency to consider rules as capable of governing normative practice independently of the personality subject to them may partly have to do with the emphasis on reason(s) and rationality. “Rational creature” is a concept narrower than that of “normative creature”; human beings are not always rational and, what's more important, they are not always responded to as such.<sup>243</sup> They are responded to as normative creatures whose

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<sup>242</sup> Brandom (1979). Cockburn (2004, 115f) responds cautiously to Brandom that, since his inferential rules are also supposed to capture context-sensitive inferences (the geography of Pittsburgh and Philadelphia), it is unclear whether there can be such a *set* of rules underlying language as such that *all* of its speakers could reasonably be claimed to have mastered. (These rules are essentially open-ended.)

<sup>243</sup> Cora Diamond remarkably defends the “human prejudice”, pointing out that a human being (who has certain rights, etc.) is not human *qua* rational being. Humanity does not rely on further requirements of a physical or psychological nature; it is the Wittgensteinian “bottom of our convictions”. See Diamond (1991) or Diamond (2001, 319ff). A similar point is made by Williams (2006), who also remarks that “in relation to [animals] the only moral question for us is how we should *treat* them”, whereas we (primitively) approach humans in a way that exhibit higher moral complexity (or a different kind thereof).

individuality lies in the different things that matter just to them, as particular persons. I have tried to stress the personal(ised) nature of so many normative arrangements pervading our lives; but I do not attempt to fully parallel Dancy's ingenuous distinction of agent-neutral and agent-relative *reasons*.<sup>244</sup> Although I have suggested that in presenting an agent's story one conveys her reasons, my conception of reasons is broader and – perhaps – vaguer than Dancy's. The examples of “reasons” I introduced could be characterised just as well without using the term: perhaps as examples of the agent's intelligible (and communicable) motivations; in short, as examples of what matters to her.<sup>245</sup>

It was from this angle that I tried to shift somewhat the normativistic viewpoint outlined in the introductory chapter. I said: we respond to (other) people – as opposed to the way we respond to animals – as to creatures of rules. To creatures whose life is an expression of acknowledgment not only of *facts* but of various normative respects: what matters to them, what expectations they accept as relevant and serious, what they acknowledge they have to deal with, but also what they are capable of *reflecting* upon as such. It is, I believe, only with people that we can say that they do not simply practically acknowledge certain normative expectations as relevant. The recognition of their seriousness exhibits a variety that far exceeds mere practical acknowledgement: a demand for further justification, an open protest, a joyful embrace, a resentful resignation – these are responses taking place in the reflexive distance from a rule. And the reflection, of course, need not at all proceed in the form of a rational argument.

The perhaps distracting case of gender-specific rules illuminates an important point here. For in this context especially, we often meet mutually *incompatible* rules, that is, normative expectations that *cannot* really be met all at once. To enlist them, to tell a story of a person in whose life such mutually incompatible rules occupy a position of “something to be taken seriously” is to tell a story of struggle and *injustice*. Sometimes tragic injustice. (Animals such as wolves or chimpanzees live in groups with an intricate internal hierarchy, as a result of which some of the individuals of these species can never live their lives as “fully” as can, for instance, the leading males. Though their lives can strike us as being harsh, cruel, or even pitiful, we don't see them as being *unjust*. Why?) Stating these incompatible, unjust rules explicitly helps to show what the life of the people subject to them looks like. It helps us understand their life, its difficulties and pitfalls.

Obviously, the skill for stating the rule(s) central to another's life does not come equally naturally for everyone. The ability to understand the other properly – to see the important points of her life, not to be constantly surprised by her actions or misjudge them – goes along with the ability to identify those normative outlines of her life that shape it *significantly*. Some identified rules, although not cases of misidentification, do not capture anything that goes very deep in the person's life; at least not in her life in particular as opposed to the lives of other people. I am not sure that this insight is a skill that could be established by a simple explanation in the way addition or subtraction could be. It seems to require much experience or perhaps a unique gift (such as is depicted in the Miss Marple stories).<sup>246</sup>

The identification of the relevant rule, insofar as it can be said to truly hold in a given situation, may have to go into impossible details. We have seen that in the case of Mrs. Dashwood and Fanny. This example also suggests that a description aiming at a grasping of the actually followed rule is a complicated and uncertain enterprise and that the scope of the findings is rather narrow. But that doesn't matter much to the extent that one is not interested

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<sup>244</sup> Dancy (1993, esp. chap. 10).

<sup>245</sup> Cf. the complexity with which Cockburn (1990, chap. 1) employs the concept of reasons in his explanation of the distinctive attitudes towards human beings.

<sup>246</sup> Wittgenstein (2009, II, xi, § 355) notes that the rules one follows in understanding other people are rather “unlike rules of calculation” and are more of the kind that is underlying a complex judgment (*Urteilkraft*).

in a general *Naturgeschichte* of humankind and only needs to adopt an appropriate attitude to the particular other person(s) in the moment. If one thus successfully “gets” into her personal story – rather than into her personal perspective –, it gives her a sense of certainty that is much needed in the “choice” of an appropriate responsive attitude.

Living the life of a creature of rules fundamentally transforms one’s life. Indeed, not *everything* that matters to a person need be *exhaustively* described as a matter of rules (e.g., her emotions towards other people). But a certain, well-oriented survey of rules acknowledged by a person is a legitimate (and often surprisingly illuminating) way of how her story can be outlined. Clearly, Basil Blake’s story can be told in different ways. But it is worth noticing that the properly insightful story – the story that presents him as a man for whom, e.g., the *ought* that truly matters in the decisive moment is “making a joke at the expense of the stiff old Colonel” – happens in his case to be a story centring round a question of life and death.

But even though one does not deal every day with other people in matters so serious as life and death, the appropriate response *is*, very often, that of sympathy. This is because the story comprising rules is not necessarily a story of freely self-imposed rules, rules that are easy to follow or rules of such a type that their following is a matter of simply following an order. We therefore tell stories about people that show them as variously failing or being exposed to luck in their tackling the challenges into which they are thrown – challenges that they may not have chosen freely, if they had any choice at all –, but which come to them under the description “this is to be taken seriously”. Such stories reflect the fact that events in people’s lives, and the way that they react to them, matter to them, and that their successes and failures matter to them as well.<sup>247</sup> Failing in some respect that matters to one means the necessity to live with consequences that are often unpleasant, afflicting or destructive. This way, the person’s story is presented from the viewpoint of (attitude of) sympathy and compassion.

Very often, the rules-governed nature of human reality is understood as opening the possibility to *judge* people. Even in the simplest actions people are liable to discriminate as to whether they did well or not. That they are *not* doing well – be it a lousy performance, yet still within the confines of rules, or a rule-violation – is not at all uncommon. This aspect of the normative dimension of people’s lives opens wounds in them. Imperfection and failures (often essentially incorrigible, irredeemable) in what matters to one are unpleasant, humiliating or painful. Acknowledging that man is a normative creature is acknowledging that man is a unique kind of creature in whose life the particular dimension of failure, disappointment or this kind of suffering (but also of joy) is essentially open. (A philosopher could specify this observation and remark that “although there is certainly suffering, and although there is also certainly grieving and joy, there is not what you could call either comedy or tragedy in the lives of animals.”<sup>248</sup>) Exactly the fact that people can be judged and condemned because they are creatures of rules makes it possible to also feel pity and compassion for them in other ways *beyond* the compassion we feel for animals.

Insight regarding the particular relevant rules thus facilitates one’s appropriate response, and the clearer the insight is, the closer the resulting response is likely to be to sympathy, compassion or pity. I do not know if Kant, Wittgenstein or Sellars themselves were particularly judgmental or compassionate thinkers. But the perspective on human lives that their philosophies promote undoubtedly opens the way to *compassion*: in terms of their

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<sup>247</sup> Weil (2000, 55) claims that our mistakes and imperfections bear the mark of our personality, while there is always something essentially impersonal in perfection.

Let us also recall the odd aphorism that opens Tolstoy’s *Anna Karenina*: “Happy families are all alike; every unhappy family is unhappy in its own way.”

<sup>248</sup> Rhee (1999, 183).

philosophies its foundations are provided and illuminated. As such, what they offer is a truly humanistic understanding of other human beings.



## References

- Ainslie, George. 1999. "The Intuitive Explanation of Passionate Mistakes and Why It's Not Adequate". In Elster (ed.), *Addiction: Entries and Exits*, New York: Russell Sage Foundation, 209-238.
- Ainslie, G. – Haslam, N. 1992. "Hyperbolic Discounting." In Loewenstein – Elster (eds.), *Choice Over Time*, New York: Russell Sage Foundation, 57-92.
- Alexander, B.K., Hadaway, P.F., Coombs, R.B. 1980. "Rat park chronicle". *British Columbia Medical Journal* 22: 54-56.
- Alexander, B.K., Beyerstein, B.L., Hadaway, P.F., Coombs, R.B. 1981. "The effects of early and later colony housing on oral ingestion of morphine in rats". *Pharmacology, Biochemistry, & Behavior* 15: 571-576.
- Anscombe, G. E. M. 1958. "Modern Moral Philosophy". *Philosophy* 33: 1-19.
- Anthony, William. 1993. "Recovery from mental illness: The guiding vision of the mental health service system in the 1990's." *Psychosocial Rehabilitation Journal* 16: 11-23.
- Aristotle. 2014. *Nicomachean Ethics*. Transl., introduction and notes by C. D. C. Reeve. Indianapolis: Hackett Publishing.
- Ayer, A. J. – Rhees, Rush. 1954. "Can There Be a Private Language?", *Proceedings of the Aristotelian Society, Supplementary Volume* 28, *Belief and Will*: 63-94.
- Becker, G. S. – Murphy, K. M. 1988. "A Theory of Rational Addiction." *Journal of Political Economy* 96: 675-700.
- Beehler, Rodger. 1978. *Moral Life*. Oxford: Basil Blackwell.
- Beran, Ondřej. 2014. "Wittgensteinian Perspectives on the Turing Test". *Studia Philosophica Estonica* 7.1: 35-57.
- Beran, Ondřej. 2017. "The Role of the 'Private' in the Inter-gender Misunderstanding". *Organon F* 24: 142-165.
- Bicchieri, Cristina. 2006. *The Grammar of Society: the Nature and Dynamics of Social Norms*. New York: Cambridge University Press.
- Blommaert, Jan – Collins, James – Slembrouck, Stef. 2005a. "Spaces of Multilingualism". *Language & Communication* 25: 197–216.
- Blommaert, Jan – Muylaert, Nathalie – Huysmans, Marieke – Dyers, Charlyn. 2005b. "Peripheral Normativity. Literacy and the production of locality in a South African township school". *Linguistics and Education* 16: 378–403.
- Brandom, Robert. 1979. "Freedom and Constraint by Norms". *American Philosophical Quarterly* 16: 187-196.
- Brandom, Robert. 1994. *Making It Explicit*. Cambridge, MA: Harvard University Press.
- Brandom, Robert. 2000. *Articulating Reasons*. Cambridge, MA: Harvard University Press.
- Brandom, Robert. 2002. *Tales of the Mighty Dead*. Cambridge, MA: Harvard University Press.
- Broome, John. 2013. *Rationality through Reasoning*. Oxford: Wiley Blackwell.
- Browne, Brynmor. 1992. "A Solution to the Problem of Moral Luck". *The Philosophical Quarterly* 42: 345-356.
- Cameron, Deborah. 2008. *The Myth of Mars and Venus*. Oxford: Oxford University Press.
- Cameron, Deborah. 2009. "Sex/Gender, Language and the New Biologism". *Applied Linguistics* 31: 173–192.
- Cavell, Stanley. 1979. *The Claim of Reason*. New York: Oxford University Press.
- Cavell, Stanley. 2002. "Must We Mean What We Say?" In Cavell, *Must We Mean What We Say?* Cambridge: Cambridge University Press, 1-43.
- Christie, Agatha. 1977. *An Autobiography*. St. James Place: Collins.

- Cockburn, David. 1989. "Commitment to Persons". In Phillips – Winch (eds.), *Wittgenstein: Attention to Particulars*, Basingstoke: The MacMillan Press, 74-91.
- Cockburn, David. 1990. *Other Human Beings*. Basingstoke: Macmillan.
- Cockburn, David. 2001. *An Introduction into the Philosophy of Mind*. Basingstoke: Palgrave.
- Cockburn, David. 2004. "Meaning, Rules and Conversation". *Language Sciences* 26: 105-123.
- Cockburn, David. 2018. "Practical deliberation and the first person". To appear in Chappell – van Ackeren (eds.), *Ethics Beyond the Limits: New Essays on Bernard Williams' Ethics and the Limits of Philosophy*, London: Routledge.
- Coghlan, Simon. 2017. "The Essential Connection Between Human Value and Saintly Behavior" *The Journal of Value Inquiry* 51: 123-140.
- Crary, Alice. 2007. *Beyond Moral Judgment*. Cambridge, MA: Harvard University Press.
- Crary, Alice. 2009. "Ethics as the Logic of Life". *SATS: Northern European Journal of Philosophy* 10 (2): 5-34.
- Curry, Michael. 2000. "Wittgenstein and the Fabric of Everyday Life". In Crang – Thrift (eds.), *Thinking Space*. London: Routledge, 89-113.
- Dalrymple, Theodore. 2007. *Junk Medicine*. Petersfield: Harriman House.
- Dancy, Jonathan. 1993. *Moral Reasons*. Oxford: Blackwell.
- Davies, John Booth. 1997. *The Myth of Addiction*. Amsterdam: Harwood Academic Publishers.
- De Waal, Frans. 1997. *Good Natured: The Origins of Right and Wrong in Humans and Other Animals*. Cambridge, MA: Harvard University Press.
- Diamond, Cora. 1991. "The Importance of Being Human". In: Cockburn, D. (ed.), *Human Beings*. Cambridge, Cambridge University Press, 35-62.
- Diamond, Cora. 2001. *The Realistic Spirit*. Cambridge, MA: MIT Press.
- Dilman, İlham. 1993. *Existentialist Critiques of Cartesianism*. Basingstoke: Palgrave Macmillan.
- Dilman, İlham. 2005. *The Self, the Soul and the Psychology of Good and Evil*. London: Routledge.
- Doyle, Sady. 2011. "Enter Ye Myne Mystic World of Gayng-Raype: What the 'R' Stands for in 'George R.R. Martin'". Retrieved online from: <http://tigerbeatdown.com/2011/08/26/enter-ye-myne-mystic-world-of-gayng-raype-what-the-r-stands-for-in-george-r-r-martin/>. Last accessed: 15 September 2017.
- Dreyfus, Hubert. 2002. "Intelligence without representation – Merleau-Ponty's critique of mental representation". *Phenomenology and the Cognitive Sciences* 1: 367-383.
- Drury, Maurice O'C. 1973. *The Danger of Words*. London: Routledge.
- Eckert, Penelope – McConnell-Ginet, Sally. 1989. "The sexual (re)production of meaning: A discourse-based theory". In *Language, Gender and Professional Writing: Theoretical Approaches and Guidelines for Nonsexist Usage*, New York: MLA Publications, 35-50.
- Ehrlich, Susan. 2001. *Representing Rape*. London: Routledge.
- Elster, Jon. 1989. *The Cement of Society*. New York: Cambridge University Press.
- Falkowski, Carol. 2003. *Dangerous Drugs: An Easy-To-Use Reference for Parents and Professionals*. Center City, MN: Hazelden.
- Fausto-Sterling, Anne. 1992. *The Myths of Gender*. New York: Basic Books.
- Fedden, Sebastian – Boroditsky, Lera. 2012. "Spatialization of time in Mian". *Frontiers in Psychology* 3: 485. doi: 10.3389/fpsyg.2012.00485
- Fingarette, Herbert. 1985. "Alcoholism and Self-Deception". In Martin (ed.), *Self-Deception and Self-Understanding*, Lawrence: University Press of Kansas, 52-67.
- Fingarette, Herbert. 1988. *Heavy Drinking*. Berkeley: University of California Press.

- Fishman, Pamela. 1977. "Interactional shitwork". *Heresies: a feminist publication on art and politics* 2: 99-101.
- Foddy, Bennett – Savulescu, Julian. 2010. "A Liberal Account of Addiction". *Philosophy, Psychiatry, and Psychology* 17:1-22.
- Foot, Philippa. 2002. *Virtues and Vices and Other Essays in Moral Philosophy*. Oxford: Oxford University Press.
- Gaita, Raimond. 2002. *A Common Humanity*. London: Routledge, 17-27.
- Gaita, Raimond. 2006. *Good and Evil: An Absolute Conception*. London: Routledge.
- Glüer, Kathrin – Wikforss, Åsa. 2009. "Against Content Normativity". *Mind* 118: 31–70.
- Gustafsson, Ylva. 2009. "Illusions of Empathy". In Gustafsson – Kronqvist – McEachrane (eds.), *Emotions and Understanding*, Basingstoke: Palgrave Macmillan, 145-164.
- Hämäläinen, Nora. 2015. *Literature and Moral Theory*. New York: Bloomsbury.
- Hamilton, Christopher. 2008. "Raimond Gaita on Saints, Love and Human Preciousness". *Ethical Theory and Moral Practice* 11:181–195.
- Hart, Carl. 2013. *High Price*. New York: HarperCollins.
- Hart, Carl – Ksir, Charles – Ray, Oakley. 2008. *Drugs, Society and Human Behaviour*. New York: McGraw-Hill.
- Hattiangadi, Anandi. 2006. "Is Meaning Normative?" *Mind and Language* 21: 220–240.
- Heath, Joseph. 2011. *Following the Rules*. New York: Oxford University Press.
- Hegel, Georg Wilhelm Friedrich. 1820. *Grundlinien der Philosophie des Rechts*. Retrieved online from: <http://www.zeno.org/nid/20009181148>. Last accessed: 15 September 2017.
- Heidegger, Martin. 1954. "Dichterisch wohnet der Mensch". In Heidegger, *Vorträge und Aufsätze*, Pfullingen: Neske, 187-204.
- Heidegger, Martin. 1977. *Sein und Zeit*. Frankfurt: Klostermann.
- Henley, Nancy – Kramarae, Cheris. 1991. "Gender, power and miscommunication". In Coupland – Giles – Wiemann (eds), *Miscommunication and Problematic Talk*, Newbury Park, CA: Sage, 18-43.
- Herman, Barbara. 2007. "Making Room for Character". In Herman, *Moral Literacy*, Cambridge, MA: Harvard University Press, 1-28.
- Heyman, G. M. 2009. *Addiction: A Disorder of Choice*. Cambridge, MA: Harvard University Press.
- Hume, David. 1738. *Treatise of the Human Nature*. Retrieved online from: [http://www.gutenberg.org/files/4705/4705-h/4705-h.htm#link2H\\_4\\_0002](http://www.gutenberg.org/files/4705/4705-h/4705-h.htm#link2H_4_0002). Last accessed: 15 September 2017.
- Hursthouse, Rosalind. 1999. *On Virtue Ethics*. Oxford: Oxford University Press.
- Ingold, Tim. 2000. *The Perception of the Environment*. London: Routledge.
- Ingold, Tim. 2007. *Lines: Brief History*. London: Routledge.
- Ingold, Tim. 2011. *Being Alive*. London: Routledge.
- Jellinek, E. M. 1960. *The Disease Concept of Alcoholism*. New Haven: Hillhouse.
- Johnson, Peter. 2004. *Moral Philosophers and the Novel*. New York: Palgrave Macmillan.
- Kamm, Frances. 2015. *The Trolley Problem Mysteries*. Oxford: Oxford University Press.
- Kant, Immanuel. 1788. *Kritik der praktischen Vernunft*. Retrieved online from: <http://korpora.zim.uni-duisburg-essen.de/kant/aa05/>. Last accessed: 15 September 2017.
- Keane, Helen. 2002. "Smoking, Addiction and Time." In Keane, *What's Wrong with Addiction?*, Melbourne University Press, Melbourne, 89-109.
- Korsgaard, Christine. 1996. *The Sources of Normativity*. Cambridge: Cambridge University Press.
- Kukla, Rebecca. 2005. *Mass Hysteria: Medicine, Culture, and Mothers' Bodies*. Lanham: Rowman and Littlefield.

- Kukla, Rebecca. 2008. "Measuring Mothering". *International Journal of Feminist Approaches to Bioethics* 1: 67–90.
- Kukla, Rebecca – Lance, Mark. 2007. *'Yo!' and 'Lo!': The Pragmatic Topography of the Space of Reasons*. Cambridge, MA: Harvard University Press.
- Kukla, Rebecca – Lance, Mark. 2014. "Intersubjectivity and Receptive Experience." *The Southern Journal of Philosophy* 52: 22-42.
- Kukla, Rebecca – Kuppermann, Miriam – Little, Margaret – Lyerly, Anne – Mitchell, Lisa – Armstrong, Elizabeth – Harris, Lisa. 2009. "Finding Autonomy in Birth." *Bioethics* 23: 1–8.
- Lacey, Nicola. 1998. *Unspeakable Subjects: Feminist Essays in Legal and Social Theory*. Oxford: Hart.
- Lakoff, Robin Tolmach. 2004. *Language and Woman's Place. Revised and expanded edition*. Oxford: Oxford University Press.
- Lance, Mark. "Some Reflections on the Sport of Language". *Philosophical Perspectives* 12: *Language, Mind, and Ontology*: 219-240.
- Lance, Mark – Kukla, Rebecca. 2010. "Perception, Language, and the First Person". In Wanderer – Weiss (eds.), *Reading Brandom: On Making It Explicit*, New York: Routledge, 115-128.
- Lees, Sue. 1997. *Ruling Passions: Sexual Violence, Reputation, and the Law*, Buckingham and Philadelphia: Open University Press.
- Lefebvre, Henri. 1991. *The Production of Space*. Oxford: Blackwell.
- Leudar, Ivan – Costall, Alan (eds.). 2009. *Against Theory of Mind*. Basingstoke: Palgrave.
- Lévinas, Emmanuel. 1991. Transl. A. Lingis. *Totality and Infinity*. Dordrecht: Kluwer.
- Levy, Neil. 2003. "Self-Deception and Responsibility for Addiction". *Journal of Applied Philosophy* 20: 133-144.
- Levy, Neil. 2006. "Autonomy and Addiction." *Canadian Journal of Philosophy* 36: 427-448.
- Lucy, John. 1992. *Language, Diversity and Thought: A Reformulation of the Linguistic Relativity Hypothesis*. Cambridge: Cambridge University Press.
- Lyerly, Anne Drapkin. 2006. "Shame, gender, birth". *Hypatia* 21: 101–118.
- Lyotard, Jean-François. 1988. *The Differend: Phrases in Dispute*. Transl. G. Van Den Abbeele. Minneapolis: University of Minnesota Press.
- MacKinnon, Catharine. 1987. *Feminism Unmodified: Discourses on Life and Law*, Cambridge, MA: Harvard University Press.
- Maclean, Anne. 1993. *The Elimination of Morality: Reflections on Utilitarianism and Bioethics*. London: Routledge.
- Matthews, E. 2010. "Explaining Addiction". *Philosophy, Psychiatry, and Psychology* 17: 23-28.
- McAvan, Emily. 2011. "Game of Thrones: It's Grim Oop Norf". Retrieved online from: <http://tigerbeatdown.com/2011/05/05/game-of-thrones-its-grim-oop-norf/>. Last accessed: 15 September 2017.
- McConnell-Ginet, Sally. (1989) "The sexual (re)production of meaning: A discourse-based theory". In Frank and Treichler (eds), *Language, Gender, and Professional Writing*, New York: Modern Language Association of America, 35-50.
- McGuinness, B. F. (ed.). 1967. *Wittgenstein und der Wiener Kreis. Gespräche aufgezeichnet von Friedrich Waismann*. Frankfurt: Suhrkamp.
- Mele, Alfred. 1987. *Irrationality*. New York: Oxford University Press.
- Mele, Alfred. 2002. "Akratics and Addicts". *American Philosophical Quarterly* 39: 153-167.
- Merleau-Ponty, Maurice. 1967. *La structure du comportement*. Paris: PUF.

- Miller, Paul K. – Grimwood, Tom. 2015. "Mountains, cones and context: The case of 'ordinary language' in philosophy and social scientific method". *Philosophy of the Social Sciences* 45: 331-355.
- Monk, Ray. 1991. *Wittgenstein. The Duty of Genius*. New York: Penguin.
- Moyal-Sharrock, Danièle. 2009. "Wittgenstein and the memory debate". *New Ideas in Psychology* 27, 213–227.
- Murdoch, Iris. 1956. "Vision and Choice in Morality". *Proceeding of the Aristotelian Society, Supplementary Volume* No. 30: 32-58.
- Murdoch, Iris. 1970. *The Sovereignty of Good*. London: Routledge & Kegan Paul.
- Nelson, P. L. 1994. "Cannabis Amotivational Syndrome and Personality Trait Absorption: A Review and Reconceptualization". *Imagination, Cognition and Personality* 14: 43-58.
- Nussbaum, Martha, 1985. "'Finely aware and richly responsible': Moral attention and the moral task of literature". *Journal of Philosophy* 82: 516-529.
- Nussbaum, Martha. 1998. "Exactly and responsibly: A defense of ethical criticism". *Philosophy and Literature* 22: 343-365.
- O'Neill, Onora. 1995. "The Power of Example". In O'Neill, *Constructions of Reason*, Cambridge: Cambridge University Press, 165-186.
- Peele, Stanton. 1987. "A Moral Vision of Addiction". *Journal of Drug Issues* 17: 187-215.
- Peregrin, Jaroslav. 2014a. *Inferentialism: Why Rules Matter*. Basingstoke: Palgrave.
- Peregrin, Jaroslav. 2014b. "Rules as the Impetus of Cultural Evolution". *Topoi* 33: 531–545.
- Phillips, D. Z.. 1982. *Through a Darkening Glass*, Notre Dame: University of Notre Dame Press.
- Phillips, D. Z. 1992. *Interventions in Ethics*. Albany: SUNY Press.
- Phillips, D. Z. 2000. "Beyond Rules". *History of the Human Sciences* 13, 2: 17-36.
- Plato. 2004. *Republic*. Transl. C. D. C. Reeve. Indianapolis: Hackett Publishing.
- Plato. 2010. *Plato's Protagoras: Translation, Commentary, and Appendices*. Transl. and ed. J. A. Arieti and R. M. Barrus. Lanham: Rowman and Littlefield.
- Ragins, Mark. 2006. "Integrating Mental Health and Substance Abuse Treatment Within a Recovery Framework". Retrieved online from: <http://bit.ly/1LNSO16>. Last accessed: 15 September 2017.
- Ragins, Mark. 2010. *A Road to Recovery*. Los Angeles: MHA.
- Regan, Tom. 2003. *Animal Rights, Human Wrongs*. Lanham: Rowman and Littlefield.
- Rhees, Rush. 1959. "Wittgenstein's Builders". *Proceedings of the Aristotelian Society*, New Series, 60: 171-186.
- Rhees, Rush. 1997. *On Religion and Philosophy*, Cambridge: Cambridge University Press.
- Rhees, Rush. 1999. *Moral Questions*. Basingstoke: Macmillan.
- Rhees, Rush. 2003. *Wittgenstein's On Certainty: There – Like Our Life*. Oxford: Blackwell.
- Rhees, Rush. 2006. *Wittgenstein and the Possibility of Discourse*. Cambridge: Cambridge University Press.
- Roediger, Henry L. 1980. "Memory metaphors in cognitive psychology". *Memory and Cognition* 8, 231-246.
- Rosenberg, Ole. 2004. "Taking Absurd Theories Seriously: Economics and the Case of Rational Addiction Theories." *Philosophy of Science* 71: 263–285.
- Rorty, Amélie O. 1985. "Self-Deception, Akrasia and Irrationality". In Elster (ed.), *The Multiple Self*, Cambridge: Cambridge University Press, 115-131.
- Rorty, Amélie O. 1986. "The Historicity of Psychological Attitudes: Love Is Not Love Which Alters Not When It Alteration Finds". *Midwest Studies in Philosophy* 10: 399-412.
- Rorty, Amélie O. 1997. "The Social and Political Sources of Akrasia". *Ethics* 107: 644-657.
- Rorty, Richard. 1991. *Essays on Heidegger and Others*. Cambridge: Cambridge University Press.



- Rudski, J. M. – Segal, C. – Kallen, E. 2009. "Harry Potter and the end of the road: Parallels with addiction." *Addiction Research and Theory* 17: 260–277.
- Ryle, Gilbert. 1953. "Ordinary Language". *The Philosophical Review* 62: 167–186.
- Ryle, Gilbert. 1971. "Jane Austen and the Moralists." In Rosenbaum (ed.), *English Literature and British Philosophy*, Chicago: The University of Chicago Press, 168–184.
- Ryle, Gilbert. 2009. *The Concept of Mind. 60<sup>th</sup> anniversary edition*. London: Routledge.
- Sacks, Harvey. 1995. *Lectures on Conversation*. Oxford: Blackwell.
- Sandberg, Anders. 2013. "What Do Cars Think of Trolley Problems: Ethics for Autonomous Cars". Talk at the conference *Beyond AI 2013: Artificial Golem Intelligence* (12–14 November, Plzeň, Czech Republic).
- Seeburger, F. F. 1995. *Addiction and Responsibility: An Inquiry into the Addictive Mind*. Crossroad: New York.
- Segvic, H. 2000. "No One Errs Willingly: the Meaning of Socratic Intellectualism". In Sedley (ed.), *Oxford Studies in Ancient Philosophy*, vol. XIX, Oxford: Clarendon Press, pp. 1–45.
- Sellars, Wilfrid. 1949. "Language, Rules and Behaviour". In Hook (ed.), *John Dewey: Philosopher of Science and Freedom*, New York: The Dial Press, 289–315.
- Sellars, Wilfrid. 1956. "Empiricism and the Philosophy of Mind". In Feigl – Scriven (eds.), *Minnesota Studies in the Philosophy of Science, Volume I*, Minneapolis: University of Minnesota Press, 253–329.
- Sellars, Wilfrid. 1969. "Language as Thought and as Communication". *Philosophy and Phenomenological Research* 29: 506–527.
- Skinner, B. F. 1974. *About Behaviorism*. New York: Vintage.
- Slade, Mike. 2009. *100 Ways to Support Recovery*. London: Rethink.
- Stanislavsky, Konstantin. 1967. *Stanislavsky on the Art of the Stage*. Transl. D. Magarshack. London: Faber and Faber.
- Stekeler-Weithofer, Pirmin. 1995. *Sinnkriterien*, Paderborn: Ferdinand Schöningh.
- Stirk, Nigel. 1999. "Wittgenstein and Social Practices". *Environment and Planning D: Society and Space* 17, 35–50.
- Thomson, Judith Jarvis. 1985. "The Trolley Problem", *The Yale Law Journal* 94: 1395–1415.
- Todes, Samuel. 2001. *Body and World*. Cambridge, MA: MIT Press.
- Urmson, J. O. 1958. "Saints and Heroes". In Melden (ed.), *Essays in Moral Philosophy*, Seattle: University of Washington Press, 198–216.
- Wallace, R. J. 1999. "Addiction as Defect of the Will: Some Philosophical Reflections". *Law and Philosophy* 18: 621–654.
- Watson, Gary. 1999a. "Disordered Appetites: Addiction, Compulsion and Dependence". In Elster (ed.), *Addiction: Entries and Exits*, New York: Russell Sage Foundation, 3–28.
- Watson, Gary. 1999b. "Excusing Addiction". *Law and Philosophy* 18: 589–619.
- Weil, Simone. 2000. "Human Personality". Transl. R. Rees. In Miles (ed.), *Simone Weil: An Anthology*, New York: Grove Press, 49–78.
- Werlen, Benno. 1993. *Society, Action and Space. An alternative human geography*. London: Routledge.
- West, Candace – Zimmermann, Don. 1987. "Doing Gender". *Gender & Society* 1: 125–151.
- Williams, Bernard. 1981a. "Persons, Character and Morality". In Williams, *Moral Luck: Philosophical Papers 1973–1980*, Cambridge: Cambridge University Press, 1–19.
- Williams, Bernard. 1981b. "Practical Necessity." In Williams, *Moral Luck: Philosophical Papers 1973–1980*, Cambridge: Cambridge University Press, 124–131.
- Williams, Bernard. 1985. *Ethics and the Limits of Philosophy*. London: Routledge.
- Williams, Bernard. 1995. "Moral Incapacity." In Williams, *Making Sense of Humanity and Other Philosophical Papers*, Cambridge: Cambridge University Press, 46–55.

- Williams, Bernard. 2006. "The Human Prejudice". In Williams, *Philosophy as a Humanistic Discipline*, Princeton: Princeton University Press, 135-152.
- Winch, Peter. 1972. *Ethics and Action*. London: Routledge & Kegan Paul.
- Winch, Peter. 1980-81. "'Eine Einstellung zur Seele'". *Proceedings of the Aristotelian Society*, New Series, 81: 1-15.
- Winch, Peter. 1987. "Text and Context". In Winch, *Trying to Make Sense*. Oxford: Blackwell, 18-33.
- Winch, Peter. 1990. *The Idea of a Social Science and its Relation to Philosophy*. London: Routledge.
- Winch, Peter. 1991. *Social Science 375* (1991/1994). Unpublished Lecture Notes. Peter Winch Archives, King's College London, box 3.
- Winch, Peter. 1996. "Doing Justice or Giving the Devil his Due". In Phillips (ed.), *Can Religion be Explained Away?*, New York: St. Martin Press, 161-173.
- Winch, Peter. 1997. "Can We Understand Ourselves?" *Philosophical Investigations* 20: 193-204.
- Wittgenstein, Ludwig. 1922. *Tractatus logico-philosophicus*. London: Kegan Paul.
- Wittgenstein, Ludwig. 1964. *Philosophische Bemerkungen*. Frankfurt: Suhrkamp.
- Wittgenstein, Ludwig. 1967. *Zettel*. Berkeley: University of California Press.
- Wittgenstein, Ludwig. 1969. *Über Gewissheit*. Oxford: Basil Blackwell.
- Wittgenstein, Ludwig. 1977. *Vermischte Bemerkungen*. Frankfurt: Suhrkamp.
- Wittgenstein, Ludwig. 2009. *Philosophische Untersuchungen. Revised 4th edition*. Oxford: Wiley.