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Review of the habilitation thesis: Ondřej Beran. *Living with Rules: Wittgensteinian Reflections on Normativity*

This thesis concerns the rule-governed nature of human existence. It considers human lives in terms of normative practices and structures, i.e. actions that are right or wrong.

As the title suggests, the thesis draws on Wittgensteinian ideas about rules and rule-following. These ideas gave rise to two traditions that are relevant for Beran's thesis: Sellars' and Brandom's inferentialism and the 'Wittgensteinian ethics' advanced by Rush Rhees and Peter Winch. The thesis primarily concentrates on developing the ideas of the latter two thinkers, as Beran acknowledges.

The argument centres on two interrelated questions: 'Is human reality rule-governed through and through?' and 'What is a rule?' One cannot, of course, expect clear and definitive answers to these questions, and the thesis provides only hints and suggestions that (perhaps surprisingly) are more in line with Rhees and Winch than with Sellars, Brandom and Wittgenstein. Beran does not draw on Wittgenstein's ideas about ethics, as presented in his early *Tractatus* and slightly later 'Lecture on Ethics'. Rather, he develops the later Wittgenstein's insights into the social embeddedness of language in general and rule-following in particular. Within this vast domain, he focusses on the problematic relationship between more or less general rules and specific examples.

I shall briefly summarize each chapter before setting out the central thesis of the thesis. After
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the introductory chapter, Chapter 2 presents Sellars' and Brandom's inferentialist ideas, as well as Kukla and Lance's Neo-Kantian and pragmatist critique of these ideas. Their main criticism, which Beran adopts, is that many rules are relative to an agent and to a certain place or time. Beran also invokes Heidegger's notion of thrownness. Actual rules are highly specific and particularized.

In Chapter 3, Beran introduces his first major example from fiction, Agatha Christie's Miss Marple. Unlike Hercule Poirot or Sherlock Holmes, Miss Marple's crime-solving is guided by insights into people's personalities and characters rather than by raw empirical evidence. The point is that highly particularized rules are derived from (or secondary to) people's characters. The thesis's other major example from fiction is taken from Jane Austen's *Sense and Sensibility*. Minor examples are drawn from Dostoyevsky's and Tolstoy's novels, Dumas' *The Three Musketeers*, Steve McQueen's movie *Shame* and the TV series *Game of Thrones*.

Chapter 4 investigates rules that hold for particular persons and in localized contexts. Beran's discussion of the 'engineer solution' to the trolley problem is especially illuminating. The trolley problem is an ethical thought experiment designed to test our intuitions about Kantian and consequentialist rules. The abstract situation is intentionally so constructed that one can follow either a Kantian (deontic) or consequentialist rule. An engineering student who fails to grasp the point of the experiment may suggest a third way: for instance, breaking the lever in order to stop the train so that nobody dies. Beran interprets this not as a failure, but rather as a correct intuition. If a situation is described in sufficient detail (and not deliberately taken in an abstract way), there is always a third option. The either-or logic that forces us to choose between general deontic and consequentialist rules poses a false dilemma. This discussion shows something important: we do not deduce or adopt general rules and then apply them in specific situations; rather, we adopt very specific rules bound to particular agents and situations, which may (or may not) then be generalized. The chapter concludes with a discussion of particular personalized rules whose source of authority is not any general rule, but rather the person that the rule concerns: I help her in virtue of her being the particular individual she is (e.g. my life partner), not because of the general rule that we ought to aid our neighbours. Such particular rules take into account their subjects' perspective.

Chapter 5 takes a brief digression to look at the phenomenon of addiction. Beran argues that addiction is not just a failure to follow rules (weakness of will). It is an existential situation, a wrong turn in one's life. The addict fails to see any point in following certain rules, and consequently is bad at following them.

In Chapter 6, Beran proposes replacing the subjective notion of a perspective with that of a story. A subjective perspective alone cannot be a source of authority for a rule, because it fails to capture the person's thrownness. An extended story of one's life (a biography) can, however, be part of an intersubjective justification for a particularized rule focusing on that person. A story can be taken as a response to one's thrownness. A story provides a more comprehensive picture of one's character and, ultimately, opens up the Sellarsian space of reasons. The chapter concludes with a discussion of impersonal rules such as 'Murder is wrong'. Do they not matter at all? Beran suggests treating them like Wittgensteinian 'hinge propositions' which do not need any justification. Such general rules frame a specific space of

reasons. We do not need to justify the judgment that murder is wrong. 'Murder is wrong' is like a grammatical statement expressing what 'murder' and 'wrong' mean.

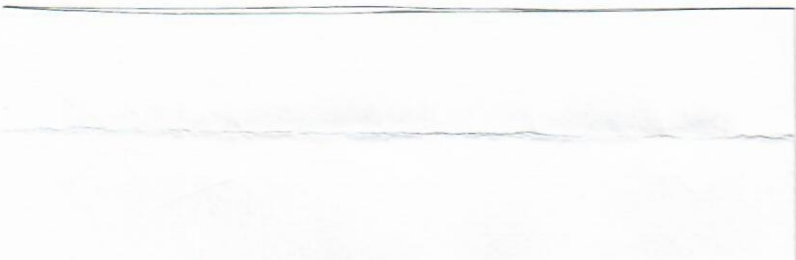
The main argument of the thesis is perhaps best expressed negatively, as a rejection of the picture that there are general rules (rationally justified in a Kantian or consequentialist manner) which people adopt (or fail to adopt). The thesis offers a more open picture: we follow rules because of stories about our lives. Moreover, these rules become part of these stories, and thus shape our lives.

Beran presents a clear argument that is in many respects original and illuminating. Despite its merits, there are still a few criticisms to be made. I opened this review with two core questions: 'Is human reality rule-governed through and through?' and 'What is a rule?' In my view, a certain indecisiveness about answering these questions undermines the thesis's main argument. Let us begin with the latter question: for if we define the notion of rule broadly enough, the answer to the former question would be obviously affirmative. Beran mainly discusses ethical rules governing our action (helping a friend, committing murder, etc.). But there are also conceptual and grammatical rules. Grammar is taken either in the ordinary sense (e.g. rules of inflection) or in Wittgenstein's idiosyncratic sense (e.g. rules of chess). Moreover, there are mere regularities which are sometimes called rules (e.g. having tea every morning). The thesis addresses all these kinds of rules, and consequently the notion of rule is so broadly conceived that the thesis of the omnipresence of rules in our practices fails to present any profound insight.

This brings us to the other question: is human reality always rule-governed? Beran takes the insight that it is as his point of departure. But later he admits both that this is 'a *conceptual* observation' and that 'not everything that matters to a person need be *exhaustively* described as a matter of rules'. This seems to be a tension within his theory, which I believe stems from the multitude of traditions the thesis draws on. If human reality were intrinsically rule-governed, we would demand a justification for such a metaphysical claim, and could then set up empirical studies to find out what the actual rules are. I think both the Sellarsian–Brandomian tradition and Wittgensteinian ethics pursue such a programme, albeit in different ways. The problem with this approach is, as Beran repeatedly points out, that such rules are immensely complicated due to their context-sensitivity. There is, however, another approach pursued by Wittgenstein himself, but not by his pupils (such as Rhees) nor by Sellars and Brandom. Rules can be taken as objects of comparison: our actual practices (as complex as they may be) can be compared with abstract rules to highlight or clarify certain points. This approach is indifferent to the actual nature of human reality (which Wittgenstein never claimed was always rule-governed.) As objects of comparison, such rules must necessarily be abstract, simplified and general in order to have any explanatory power. By contrast, what would be the point of invoking highly particularized rules that hold for single subjects? It is not necessarily always apt to object (as Beran does) that someone is working with abstract rules that are too simplistic compared with actual praxis. Taken from a broader perspective, this is an instance of a familiar objection that can be made to any logical or formal system; see Oskari Kuusela's recent *Wittgenstein on Logic as the Method of Philosophy* (OUP, 2019) for a detailed argument that this objection does not apply to the later Wittgenstein as Beran seems to suggest.

This worry does not rebut the main argument. Rather, it suggests an alternative (and truly Wittgensteinian) way of understanding the rule-governed nature of human reality. Despite all this, the thesis, and especially the insight that some rules cannot be taken as instances of general principles, presents an important contribution to contemporary debates in ethics.

All in all, the present thesis **meets** all necessary requirements for a habilitation in philosophy.



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