

The Role of Rules

“The genius shakes off all rules as the fig-tree shakes off fruit.”

J.G. Hamann

What is the significance of the separation between philosophical traditions? It may be of interest to historians that philosophers in different countries (and even within the same countries) have subscribed to quite different understandings of the nature of their subject, but is there any reason why philosophers themselves should be troubled at this divergence? There is one obvious reason why they should.

If philosophy is a rational discipline, if its objective is to discover the truth about some domain or other, then the fact that there are radically different conceptions of the enterprise sets a challenge. As Kant puts it so trenchantly:

When, therefore, someone announces a system of philosophy as his own creation, he is in effect saying that there has been no other philosophy prior to his. For, were he to admit that there is another (and true) philosophy, then he would be admitting that there are two different philosophies concerning the same thing, and that would be self-contradictory.¹

¹ I. Kant, *The Metaphysical Elements of Justice* (Indianapolis: Bobbs-Merrill, 1965), p. 6.

The dilemma is this. Either Kant is right and one tradition (if not both) is simply mistaken. In that case, it is necessary to give some account of the nature of this pervasive error and provide some explanation – a “phenomenology” in Hegel’s sense – of the tenacity with which it has become implanted and maintained. The other, and perhaps more disturbing, possibility is that Kant’s confidence that philosophy is a truth-seeking activity directed at a common subject-matter is itself misplaced: that philosophical traditions can coexist because they do not, in fact, aim at truth in the commonly-understood way and there is no real contradiction between them. If we are to meet this suspicion then the first step is to counter ignorance and prejudice with informed understanding of the different traditions and their history.

There have been, of course, many accounts of the contrast between the analytical and Continental traditions. Rather than adding to them, in this paper I shall try to do something rather less familiar. The question of rules is not an issue that separates the two traditions from one another; rather (perhaps uniquely) it is an issue that appears in recognisably similar form within both analytical and continental philosophy and is the source of divisions within each tradition. My suggestion is that, without denying the real differences between the traditions, it would be productive to adopt for a change a less polarising perspective on them and focus instead more on the internal differences within each camp.

I

The dominant view among those (not everybody by any means) who are prepared to accept the usefulness of the labels “analytical” and “Continental” is that the parting of the ways comes with Frege. As Dummett puts it: “A succinct definition would be: analytical philosophy is post-Fregean philosophy.”² Yet it is also possible to locate the crossroads earlier, with the philosophy of Kant. Seen in this way, the significant division is between those who do, and those who do not, accept the argumentative cogency of the process that in Germany led beyond Kant through to Hegel and beyond.³ It is here that we can find the origins of the debate about rules as it occurs within the “Continental” tradition.

One thing that sharply differentiates Kant from his empiricist predecessors is his account of the basic constituents of mental life. Where empiricism (most obviously in Hume) tends to mental atomism, seeing the mind as a constellation of ideas governed by laws of association similar to the relation between forces and particles to be found in classical physics, Kant’s theory of the mind is fundamentally dualistic. The distinction that he makes between the two basic kinds of representation (*Vorstellung*) – intuitions

² M. Dummett, “Can Analytical Philosophy be Systematic and Ought it to Be?” in *Truth and Other Enigmas* (London: Duckworth, 1978), pp. 437-58, p.441

³ A positive account of this development is familiar in Marxist and neo-Marxist writings. See, for instance, the writings of Lukacs, Goldmann, Marcuse, Adorno and (in *Knowledge and Human Interests* in particular) Habermas. Karl Popper locates the origin of the division at the same point;

(*Anschauung*) and concepts (*Begriff*) – and of the “faculties” – sense and understanding – to which each belongs is a distinction in kind, rather than being (like Hume’s distinction between impressions and ideas) a matter of degree.

There is a certain ambiguity in Kant’s account of the nature of concepts. On the one hand, he describes concepts as particular items of mental awareness: they are a species of the genus “representation”, representations which refer “mediately” to some object “by means of a feature which several things may have in common”.⁴ In this respect, Kant’s concept of a concept resembles the “general ideas” that proved so problematic for his empiricist predecessors. Yet this is not the only element in Kant’s account of concepts. “Concepts”, he asserts elsewhere, “rest on functions”, a claim which he glosses as follows: “By ‘function’ I mean the unity of the act of bringing various representations under one common representation”.⁵ So concepts, for Kant, are not just mental items but, at the same time, *acts* – acts of, in Kant’s celebrated terminology, *synthesis*, performed by the mind. Knowledge, for Kant, requires both an active, conceptual element as well as a passive, sensory one.

Kant’s dualism is basic to the appeal of his philosophy. In differentiating between an active and a receptive component of perception and

however, it is precisely in going beyond Kantianism that, in his view, the Continental tradition goes wrong.

⁴ *Critique of Pure Reason*, A320, B377

judgement Kant was in the forefront of the transformation of the understanding of the mind from, in M.H. Abrams's phrase, a mirror to a lamp.⁶ Attractive as Kant's conception of the mind has proved to be, however, his position is, in fact, highly philosophically problematic. On Kant's account, concepts guide the way in which the mind orders and sorts what is given to it. Yet on what basis do they do so? Is the application of concepts a process that is to be thought to be arbitrary in relation to the materials on which it operates, in the way that we might sort a pile of bricks in any order we like? Or is it itself, in some way, to be judged as "appropriate" or otherwise? If so, however, what makes it so? Are concepts supposed to be adequate to the nature of what is given from outside the mind? But how could that be? On the one hand, concepts and intuitions are represented as heterogeneous, the one universal, the other particular; how, then, can we be supposed to make sense of the idea that the one is adapted to the nature of the other? What governs or controls this process?

It is at this point that Kant invokes the notion of a rule: "A concept is always, as regards its form, something universal which serves as a rule."⁷ The model for the relationship between universal and particular is that of the subsumption of a particular case under a general rule. Yet Kant himself saw clearly the difficulty that lies in the model. In fact, Kant's recourse to the idea

⁵ *Critique of Pure Reason*, A68, B93

⁶ See M. H. Abrams, *The Mirror and the Lamp*

⁷ *Critique of Pure Reason*, A106

of concepts as rules governing mental activity highlights, rather than resolves, the tensions in his dualistic theory of the mind. If concepts are rules, then what about the *application* of concepts? As Kant explains in a famous passage:

If [general logic] sought to give general instructions how we are to subsume under these rules, that is, to distinguish whether something does or does not come under them, that could only be by means of another rule. This in turn, for the very reason that it is a rule, again demands guidance from judgement. And thus it appears that, though understanding is capable of being instructed, and of being equipped with rules, judgement is a peculiar talent which can be practised only, and cannot be taught.⁸

For Kant's successors, a satisfactory resolution of the tension between sensibility and understanding was absolutely fundamental. Rather than simply discarding Kant's dualistic account of the nature of judgement many took a different, more complex and, ultimately, more radical line: they believed that the tensions in Kant's theory of judgement reveal something important about the nature of judgement itself. According to Hegel, for example, the limitations of the Kantian account of the understanding are not limitations in the account so much as limitations in the understanding itself. Something similar can be found in Nietzsche's adaptation of the Kantian theory. For Nietzsche human cognition is a process of conceptualisation that is

⁸ *Critique of Pure Reason*, A133, B172

intrinsically inadequate to its object. In judging, according to Nietzsche, we must universalise and falsify our experience. “We simply lack any organ for knowledge, for ‘truth’”⁹ Our human constitution both limits and falsifies our experience.¹⁰ On the other hand, the “falsehood” of the process by which we identify and reidentify the items of reality is, according to Nietzsche, no reason to reject the process; on the contrary, we could not have survived without it.¹¹

II

This theme is strikingly continued in two of the central works of twentieth-century German philosophy: Gadamer’s *Truth and Method* and Adorno’s *Negative Dialectic*. Although they come from different intellectual backgrounds – Gadamer is clearly and explicitly a disciple of Heidegger, while Adorno’s thought emerges from the tradition of Hegelian Marxism – there are notable similarities in the way that each takes up the problems left by the Kantian theory of judgement.

⁹ *Die Fröhliche Wissenschaft*, para. 354

¹⁰ “The habits of our senses have woven us into lies and deception of sensation: these again are the basis of all our judgment and ‘knowledge’ – there is absolutely no escape, no backway or bypath into the *real world*? We sit within our net, we spiders, and whatever we may catch in it, we can catch nothing at all except that which allows itself to be caught in precisely *our* net.” *Daybreak*, trans. by R.J. Hollingdale, (Cambridge: C.U.P., 1982)

¹¹ “Those, for example, who did not know how to find often enough what is ‘the same’ as regards both nourishment and hostile animals – those, in other words, who subsumed things too slowly and cautiously – were favoured with a lesser probability of survival than those who guessed immediately upon encountering similar instances that they must be the same.” *Die Fröhliche Wissenschaft*, para. 111.

English-speaking readers coming to *Truth and Method* for the first time commonly find its opening section rather bewildering. Expecting philosophical authors to announce some thesis or other and then set out to argue in its favour, they find instead a rather diffuse, if erudite, treatment of the history of such concepts as “taste”, “common sense” and “*Bildung*” whose philosophical point is not particularly easy to see. In fact, however, Gadamer’s discussion is a good deal more substantial than it might at first seem. The title that he gives to the first part of his book is “The question of truth as it emerges in the experience of art” and its significance is to record – and, in recording, call into question – a change, as Gadamer sees it, in the understanding of the nature of judgement. What concerns Gadamer is precisely that change that leads to Kant’s contrast between the subject-matter of the *Critique of Pure Reason* (and the *Metaphysical Foundations of Natural Science*) and that of the *Critique of Judgement*. He chronicles what he takes to be a shift by which the ideal of knowledge epitomised in the account of judgement given in the first *Critique* comes to be taken to be the uniquely possible form of objectivity.

What has been lost according to Gadamer is the sense of judgement in the strong sense of “*Urteilkraft*” as a faculty that operates not automatically, according to rules, but which comes into play at just that point at which rules give out:

... the ordering of life by the rules of law and morality is incomplete and requires productive supplementation. Judgement is necessary to

make a correct evaluation of the concrete instance.... It is always a question of something more than the correct application of general principles. Moreover, our knowledge of law and morality is always supplemented from the individual case, even productively determined by it.... Every judgement about something that is intended to be understood in its concrete individuality, as the situations in which we have to act demand of us, is – strictly speaking – a judgement about a special case.¹²

The false belief in the rule-governed nature of cognition, Gadamer argues, is the result of a change in the structure of Western thought. Forms of judgement (aesthetic ones, for example) and modes of argumentation (rhetoric) that fail to match the deductive-nomological structure of (natural) scientific explanation are held to be merely subjective or dismissed as irrational. One consequence of this historical change is the loss of awareness of the distinctiveness of the kind of knowledge embodied in history. So far from being secondary in relation to the mathematical ideal of causal

¹² Gadamer, *Truth and Method* (New York, N.Y.: Continuum, 1975), pp. 36-37. Gadamer makes the point about the way in which the appeal to rules involves a regress in relation to Kant: "... the work of judgement, subsuming a particular under a universal, recognising something as an example of a rule, cannot be logically demonstrated. Thus judgement requires a principle to guide its application. In order to follow this principle it would need another faculty of judgement, as Kant shrewdly noted.... It is something that cannot be learned, because no demonstration from concepts is able to guide the application of rules." *Truth and Method*, p. 30

explanation championed in the *Critique of Pure Reason*¹³ historical knowledge actually has a certain philosophical priority, according to Gadamer, for its possibility is tied to the most distinctive of human attributes – the possession of language.

As *Truth and Method* slowly unfolds it becomes apparent that it is the nature of language and the misunderstanding that follows, in Gadamer's view, when we see it as primarily a vehicle for objective, quasi-scientific judgements, that is its ultimate theme. The final part of the book is an extended essay on what hermeneutics tells us about the nature of language. Its conclusion is that language embodies just the kind of hermeneutic creativity that would resist reduction to any kind of system of fixed, established, inert rules:

It is obvious that speech, even if it involves a subordination of what is meant in each particular case to the universality of a pre-established verbal meaning, cannot be thought of as the combination of these subsuming acts, through which something particular is subordinated to a universal concept. A person who speaks – who, that is to say, uses the general meaning of words – is so oriented towards the particular features of the observation of an object that everything he says acquires

¹³ Cf. Kant's remark in the *Metaphysical Foundations of Natural Science*: "I maintain, however, that in every special doctrine of nature only so much science proper can be found as there is mathematics in it." *Metaphysical Foundations of Natural Science*, p.6

a share in the particular nature of the circumstances that he is considering.¹⁴

In the end, then, Gadamer is out to defend the (as he sees it) irreducible creativity of language against a picture that takes its cognitive function to be the subsumption of individual cases under a system of general rules. Just as Hegel celebrated the idea of “intuitive understanding” for recognising a form of universality that was “at the same time apprehended as essentially a concrete unity”¹⁵ so Gadamer celebrates the way in which the “linguistic consciousness” is “far removed” from “the universality of the genus and the classificatory formation of concepts”.¹⁶ To see language as a system of rules is to miss that essential, transformative element by which new meanings are developed, not arbitrarily or mechanically but creatively.¹⁷

... if a person transfers an expression from one thing to the other, he has in mind something that is common to both of them, but this need t be in any sense generic universality. He is following, rather, his widening experience, which sees similarities, whether of the appearance of an

¹⁴ Gadamer, *Truth and Method* (New York, N.Y.: Continuum, 1975), pp. 388

¹⁵ *Enzyklopädie der philosophischen Wissenschaften I, Werke*, VIII, para. 55

¹⁶ Gadamer, *Truth and Method* (New York, N.Y.: Continuum, 1975), p. 388

¹⁷ “If we stick to what takes place in speech and, above all, in all intercourse with tradition carried on by the human sciences, we cannot fail to see that there is a constant process of concept-formation at work. This does not mean that the interpreter is using new or unusual words. But the use of familiar words does not proceed from an act of logical subsumption, through which an individual is placed under a universal concept. Let us remember, rather, that understanding always includes an element of application and thus produces a

object, or of its significance for us. It is the genius of linguistic consciousness to be able to give expression to these similarities. This is its fundamental metaphorical nature, and it is important to see that it is the prejudice of a theory of logic that is alien to language if the metaphorical use of a word is regarded as not its real sense.¹⁸

III

Turning now to the *Negative Dialectic*, there are considerable similarities between it and *Truth and Method*. This may seem unlikely considering the depth of the hostility between Adorno and Gadamer's teacher, mentor and friend, Heidegger,¹⁹ but it becomes less so when one appreciates how far Adorno too approached philosophy from a critical appraisal of Kant's theory of judgement. Although he was undeniably influenced by both Hegel and Marx, there is a sense in which Adorno remained, ultimately, a philosophical Kantian, for he refused both the Hegelian idea that the subject-object division could be transcended in favour of the higher perspective of *Geist* and the Marxist doctrine that philosophy should be read as a mere epiphenomenon of underlying social processes.

constant further development in the formation of concepts." Gadamer, *Truth and Method* (New York, N.Y.: Continuum, 1975), pp. 364-65

¹⁸ Gadamer, *Truth and Method* (New York, N.Y.: Continuum, 1975), pp. 388-89

¹⁹ Gadamer himself, interestingly, thinks that this antipathy on Adorno's part (which he considers to be primarily political) blinded the latter to the

Like Nietzsche, however, Adorno believes that Kant's account of judgement as the subsumption of particulars under universal rules tells us something important (and highly negative) about the way judgement actually operates. The replacement of primitive, mimetic modes of thought by the formal structures of conceptual judgement inevitably separates us from the object that we are trying to know, Adorno claims:

The moment of non-identity in identifying judgement is directly apparent inasmuch as every individual object subsumed under a class has determinations that are not contained in the definition of that class.²⁰

Adorno's picture of human beings as cut off from the specificity of reality by the intervening, truncating effect of a matrix of concepts obviously owes a great deal to Kant. Rather than accepting Kant's strategy of consoling ourselves for the unknowability of things in themselves with the knowability of the world of appearances, however, Adorno appears to yearn to transcend the framework set by the knowing subject. Many of Adorno's commentators have found this difficult to take seriously. In their view, Adorno is either advocating regression to some primitivist, mimetic ideal of pre-conceptual knowledge or else his goal of bypassing the intervention of concepts is simply (as it is for Kant) a transcendental ideal with no practical application. In fact,

resemblances between his own views and those of Heidegger. See *Philosophical Apprenticeships*.

²⁰ Adorno, T.W., *Negative Dialektik* (Frankfurt a.M.: Suhrkamp, 1975), p. 153

however, Adorno takes neither of these positions. Philosophy, he believes, can aspire to capture the intrinsic nature of the object by “inverting” the synthetic process of conceptualisation:

The self-critical transformation of unifying thought is still dependent on concepts, congealed syntheses. The tendency of synthesising acts must be turned around and made to consider what they do to the manifold. Unity alone transcends unity. Affinity, forced back by the progress of unity, still hibernates within that unity, secularised and no longer recognisable and it is here that it keeps its right to existence.²¹

Thus philosophy, for Adorno, is the endeavour to “get out beyond the concept, by means of the concept”.²² Adorno agrees with Gadamer that the denigration of rhetoric in recent philosophical history is a symptom of the fact that awareness of the way in which language transcends the formal structure of rules has been lost. Only in mystical theories has a sense of language’s true, creative power survived.

IV

For Adorno and Gadamer then, in their different ways, the distinctiveness of human language lies in its non-rule-governed nature. It is fair to say, I think, that theirs has been the dominant view in German (and, indeed, French) philosophy in the twentieth century. But it has been by no means

²¹ *Negative Dialektik*, pp. 160-61

unchallenged. In particular, it is important to note that a diametrically opposite position is taken by Adorno's successor, arguably the most important German philosopher now active, Jürgen Habermas.

The idea of the rule-governedness of language emerges in the second phase of Habermas's philosophical development. In the nineteen-fifties and sixties, Habermas had been principally concerned to establish a philosophical position in relation to the ruling triumvirate of classical German philosophy: Kant, Hegel and Marx. His major work of the nineteen-sixties, *Knowledge and Human Interests*, seeks to defend a position that one might call materialised Kantianism with strong Hegelian overtones. Habermas there presents philosophy as an exercise in interpretation – a *hermeneutics* – whose object is the recovery of social meaning.

Subsequently, however, Habermas (under the influence, particularly, of his friend, Karl-Otto Apel) came to look towards twentieth-century Anglo-American philosophy with a great deal more sympathy and his account of the nature of social meaning changed correspondingly. By the time of *Communication and the Evolution of Society*²³ Habermas had come to define society as a “symbolically pre-structured segment of reality”²⁴ resting on a system of conventions. Society was open to what he called “communicative

²² *Negative Dialektik*, p. 27

²³ London: Heinemann, 1979

²⁴ *Communication and the Evolution of Society*, p. 66

understanding” and the task of the philosophical interpreter was to make explicit what that understanding consisted in, namely, a system of social rules:

The interpreter attempts to explicate the meaning of a symbolic formation in terms of the rules according to which its author must have brought it forth.... He attempts ... to peer through the surface, as it were, and into the symbolic formation to discover the rules according to which the latter was produced.²⁵

Evidently, the equation of meaning with “production according to rules” was crucial to Habermas’s position for it guaranteed the possibility of interpretation: the idea that what was meaningful was, at least in principle, an object of systematic knowledge.

V

Habermas’s equation of meaning with production according to rules was derived from his reading of Anglo-American philosophy. In turning to the treatment of this theme in the analytical tradition, it is important first to note a contrast. For German philosophy, at least, the problem of rules arose in the context of a theory of “judgement”, a term which refers both to the structure of (assertoric) language and to perception. For Kant and his successors the two are necessarily connected – the application of universal rules to particulars determines the structure of both perception and language. Part of the Fregean

²⁵ *Communication and the Evolution of Society*, p. 12

revolution, however, was to suggest that this connection should be broken: that the proper object of philosophical study was the *Sinn* of language – its public meaning – not the psychological means by which individual concepts were applied to sense-experience. Yet, of course, the nature of the relationship between language and the world did not disappear from Anglo-American philosophy. How could it have and still been philosophy worthy of the name? By the late nineteen-fifties, the idea of rules was being invoked to explain both the nature of language and its connection to the world.

It is inherently difficult to substantiate the claim that a certain philosophical view is dominant at a particular time and place because, for that very reason, it tends to recede into the background of what is taken for granted rather than being presented as something controversial and in need of defence. So it is with the equation of meaning and rules. The thesis is presented unusually explicitly, however, in John Searle's *Speech Acts*, a book which, although published in 1969, represented a development of the author's 1959 Oxford doctoral thesis, written under the supervision of Austin and Strawson. Searle's book thus usefully articulates many of the ideas and assumptions that motivated philosophical work in Oxford in the nineteen-fifties and early sixties.²⁶ According to Searle, its "main hypothesis" is that "speaking a language is engaging in a (highly complex) rule-governed form of behavior",

²⁶ As the reviewer for *Mind*, quoted on the back cover of the paper edition, notes: "The brilliant but programmatic insights of Austin's *How To Do Things*

underpinned by “a (system of) rule(s) of the form ‘X counts as Y in context C’”²⁷

Two features of Searle’s position are worth noting. The first is what he terms “the principle of expressibility”: namely, that “whatever can be meant can be said”.²⁸ In other words, language is first and foremost a system of public rules; the private use of language must be in some way parasitic on that public existence. Moreover, uses of language that are original, deviant or in some other way transgressive simply fall outside – fall outside in principle – the limits set for that meaningful common discourse. The contrast with Gadamer and Adorno could not be clearer. Where they take the non-rule-governed use of language to be its creative essence, Searle sees the existence of rules as necessary for the intersubjective intelligibility of language.

The second noteworthy feature of Searle’s position is his assertion that there is no sharp line of distinction to be drawn between language and action. It is their common rule-governed character that connects the two, Searle claims: “...a theory of language is part of a theory of action, *simply because* speaking is a rule-governed form of behavior”.²⁹ This has consequences for the way in which we think of language as being connected to the world, a point made a decade earlier, in the first paragraph of Sir Stuart Hampshire’s *Thought*

With Words are systematically developed and integrated with the more recent work of philosophers such as Grice, Rawls and Searle himself...”

²⁷ *Speech Acts* (Cambridge: C.U.P., 1969), pp. 12, 52

²⁸ *Speech Acts*, p. 19

²⁹ *Speech Acts*, p. 17, my emphasis.

and Action. As Hampshire puts it:

Reality and experience cannot be thought about *unless we have rules that correlate particular groups of signs with particular recurrent elements in reality and experience*, in such a way that any familiar use of a particular group of signs will be taken as a reference to some particular element in experience.³⁰

The rules thesis, then, lay at the centre of analytical philosophy as it was practised in Britain from the fifties to the seventies. The doctrine supported a particular conception of philosophy (so-called “ordinary language philosophy”) as being essentially an exercise in the articulation of certain kinds of tacit knowledge – “a demythologised version of Plato’s doctrine of anamnesis”, in R.M. Hare’s description.³¹ The equation of meaning and rules and the associated ordinary language conception of philosophy enjoyed further prestige, for they were taken by many philosophers to be the central doctrines to be extracted from the fragmentary and oracular pronouncements of Wittgenstein’s *Philosophical Investigations*.

So why does the rules thesis now appear to be so discredited in analytical philosophy? Most seriously, it suffers from a fundamental intellectual weakness. It fails to solve the difficulty of – indeed, in the end, leaves even more mysterious – what it purports to explain, namely, our

³⁰ S. Hampshire, *Thought and Action*, Second Edition (London: Chatto and Windus, 1982), pp. 12-13, my emphasis

capacity to speak and act meaningfully. To see this, let us turn to the work of one of the rules thesis's most explicit protagonists, Peter Winch. According to Winch's *The Idea of a Social Science*, Wittgenstein had shown in the *Philosophical Investigations* that any simple observation of behaviour could be brought under a plurality of rules. In other words, in moving from observation to rules one would be faced by a case of what Quine calls the *underdetermination of theory by data*. Yet this does not show – so Winch claimed – that the rules thesis is false or empty. On the contrary, in Winch's view, the existence of underdetermination merely shows that the question of *what* rule is being applied cannot be established by empirical observation alone; it by no means refutes the central claim that meaningful behaviour is not just regular but *rule-governed*.³²

Given that the existence of a rule cannot be inferred merely from the empirical behaviour that it (supposedly) governs, how does the advocate of the

³¹ R. M. Hare, "Philosophical Discoveries", in R. Rorty (ed.), *The Linguistic Turn*, (Chicago: Chicago U. P., 1967), p. 208

³² P. Winch, *The Idea of a Social Science* (London: Routledge and Kegan Paul, 1958), p.29. This is to leave aside a considerable further difficulty, however: it is not just that any sequence of behaviour may be captured by a plurality of rules, but that the rules themselves fail to specify the circumstances of their application. Take a rule of the standard form "In circumstances A_1 to A_n do (or say) *phi*". What is to say that circumstances A_1 to A_n obtain? Do we need a further rule? It seems that not only can we not, without further information, explain the behaviour that we observe by reference to a rule (since, by assumption, more than one rule is applicable) but nor, given a rule, can we infer from it to a particular pattern of behaviour (the rule itself does not show how it is to be realised in practice): as well as the underdetermination of theory by data, we have to reckon with the underdetermination of data by theory.

equation of meaning and rules believe that we come to have access to meaning? How is the interpreter to understand *what* rule is being employed if behaviour itself does not allow us to make the inference? The rules thesis leads to a picture of meaning that is, at the community level, similar to the Cartesian picture of the mind at the individual level. For the Cartesian, consciousness is something that each individual must know for themselves. About others we can, at best, form suppositions by analogy with our own case. The rules thesis places language communities in a similar situation in relation to one another: each community would seem to be self-enclosed, with its own grasp of rules informing its meaningful actions. Of course, as a matter of fact, we enter language communities, whether in childhood or later, but what our ability to do so consists in is left quite mysterious. The existence of underdetermination suggests that it is unlike any merely empirical feat of learning based on observation – some special kind of “understanding” that is, perhaps, unique to human beings would seem to be involved. And again, as with Cartesianism, the rules thesis provokes its own form of scepticism: is there anything to tell us that our understanding – what *we* take to be the rules of a language community – is correct?

VI

A most striking feature of the receding of the rules thesis from its previously dominant position has been the transformation – in fact, the direct inversion –

of previously accepted interpretations of Wittgenstein's later philosophy. Where Wittgenstein had been taken by the majority of his first interpreters to lend his authority to the equation of meaning and rules, over time a growing number of authors have made public their conviction that the true import of Wittgenstein's later philosophy of language was to call into question that very thesis.

The pioneer of this view was undoubtedly Stanley Cavell. In 1962 Cavell published an article, "The Availability of Wittgenstein's Later Philosophy" which was, in effect, an extended review of a book, *The Later Philosophy of Wittgenstein*, by David Pole.³³ Pole had presented Wittgenstein as a defender of the equation of meaning and rules. According to Cavell, Pole wholly missed Wittgenstein's intention; in fact, Wittgenstein's purpose, in Cavell's view, is the direct opposite of the one attributed to him by Pole:

[Wittgenstein] wishes to indicate how inessential the "appeal to rules" is as an explanation of language. For what has to be "explained" is, put flatly and bleakly, this:

We learn and teach words in certain contexts, and then we are expected, and expect others, to be able to project them into further contexts. Nothing insures that this projection will take place (in particular, not the grasping of universals nor the grasping of books of rules), just as nothing insures that we will make, and understand, the

same projections. That on the whole we do is a matter of our sharing routes of interest and feeling, modes of response, senses of humor and of significance and of fulfillment, of what is outrageous, of what is similar to what else, what a rebuke, what forgiveness, of when an utterance is an assertion, when an appeal, when an explanation – all the whirl of organism Wittgenstein calls “forms of life”. Human speech and activity, sanity and community, rest upon nothing more, but nothing less, than this. It is a vision as simple as it is difficult, and as difficult as it is (and because it is) terrifying.³⁴

I would like to draw attention to two theses that appear to be contained in this remarkable passage. The first we might call the *no-support thesis*. Cavell’s point is that the appeal to rules suggests a kind of transcendental guarantee of the success of our linguistic practices without in fact providing one. Just as it was once supposed that it was helpful to explain causal processes by appealing to the existence of “hidden powers” governing their operation, so the philosopher who appeals to the existence of shared rules seems to be invoking a similarly occult entity to reassure us about the reliability of systems of social meaning. The appeal to rules is explanatorily

³³ D. Pole, *The Later Philosophy of Wittgenstein* (London: Athlone, 1958). Pole was, in fact, a colleague of Winch’s.

³⁴ S. Cavell, “The Availability of Wittgenstein’s Later Philosophy”, in *Must We Mean What We Say?*, (Cambridge: Cambridge University Press, 1976), pp. 44-72, p. 52

empty, Cavell appears to be arguing, for it cannot guarantee that systematic operation; in fact, nothing can.

But the appeal to the idea of language as a system of rules, though empty, is not harmless. For while it fails to explain language's systematic character it obscures at the same time another aspect of language: its innovativeness and creativity. Let us call this the *innovation thesis*. The equation of meaning and rules suggests that whoever is able to speak a language must already be in possession of those rules that set limits to the way in which we can legitimately employ its terms. Novel uses of language can be meaningful only within the static framework of the shared rules that competent speakers already possess; those shared rules already set the limits of meaning. In attacking this image of linguistic competence in favour of a frank acknowledgement of the absence of anything to guarantee our ability to "project [words] into further contexts", Cavell, consciously or not, is making on Wittgenstein's behalf exactly the point that we find in Gadamer's account of the "constant further development in the formation of concepts".³⁵

In the course of the nineteen-seventies, more and more readings of Wittgenstein were made public that were broadly in agreement with Cavell. Most important perhaps were those of John McDowell (who did) and Saul Kripke (who did not) acknowledge Cavell's influence on their own interpretations. McDowell's approach is particularly significant for the way in

³⁵ See note 17 above.

which he has explicitly taken up and developed what I called above the innovation thesis.

In a paper published in 1979,³⁶ McDowell offers his own gloss on Cavell's interpretation of Wittgenstein in the context of an attack on what he calls the "deductive paradigm" of rationality: the idea that, whenever we regard a practice – for instance, the practice of extending the use of words to new contexts – as rational "there must be a formulable universal principle suited to serve as a major premise in syllogistic explanations".³⁷ According to McDowell, the deductive paradigm creates the following apparent dilemma for those engaged in the application of concepts in new or otherwise problematic contexts:

Consider, for instance, a concept whose application gives rise to hard cases, in this sense: there are disagreements that resist resolution by argument, as to whether or not the concept applies... One horn [of the dilemma] is that the inconclusiveness of one's arguments stems merely from an inability, in principle remediable, to articulate what one knows... That would elevate one's argument to deductiveness... If this assimilation to the deductive paradigm is not possible, then – this is the other horn of the dilemma – one's conviction that one is genuinely

³⁶ "Virtue and Reason", originally published in *The Monist* 62 (1979), reprinted in *Mind, Value and Reality* (Cambridge, Ma.: Harvard U.P., 1998), pp. 50-73

³⁷ "Virtue and Reason", p. 62.

making a correct application of a concept (genuinely going on in the same way as before) must be an illusion.³⁸

Freed from this prejudice, however, the way is clear, according to McDowell, to acknowledge the possibility of an Aristotelian conception of moral judgement as a skill in which principles are matched to individual cases in a non-deductive way. This commitment to something like the Aristotelian idea of *phronesis* offers the basis of a *rapprochement* between Wittgensteinian analytical and “hermeneutic” Continental philosophy, for it was precisely this doctrine that the Gadamerian view of language was concerned to defend.³⁹

VII

Though the adherents of the equation of meaning and rules and those, like Gadamer and Adorno, who hold that the nature of language cannot be captured within the formal structure of rules, are obviously opposed to one another, there is a sense in which both views of language are the products of a common concern. In emphasising the discontinuity between language and the subject-matter of the natural sciences Winch and Gadamer in their different ways are

³⁸ “Virtue and Reason”, p. 62.

³⁹ See *Truth and Method*, Part 2, II, 2 (b) “The hermeneutic relevance of Aristotle”. A sympathetic account of Gadamer’s interpretation of Aristotle’s concept of *phronesis* is to be found in Ronald Beiner, *Political Judgement* (London: Methuen, 1983), Ch. 4, “Aristotle’s Concept of Prudence”. Some analytically-trained philosophers reached a very similar position *without* recourse to Wittgenstein, most notably Alasdair MacIntyre. MacIntyre takes issue with the equation of meaning and rules in a series of publications

offering answers to one of the besetting problems of twentieth-century philosophy – analytical or Continental: does philosophy have a distinctive subject-matter of its own? Their answer is a reassuring “yes”. The task of philosophy, they agree, is understanding and its subject-matter is the distinctively human one of social meaning – language in its widest sense. In each case, language and meaning are seen as irreducible. Thus Winch is at pains to argue that the “rule-governedness” of language is something quite different from the “regularities” that form the subject-matter of the natural scientists (biologists included). Likewise Gadamer’s account of linguistic consciousness claims the creative nature of language sets it apart from any representation in an artificial system of signs.⁴⁰

As the debate between the defenders of the equation of meaning and rules and their critics now appears increasingly to have been settled in the latter’s favour, it leaves behind a more far-reaching question. Should we – can we – do philosophy “from the inside”, as both sides in the debate about meaning and rules suppose? That is, can we see philosophy as an exercise in self-understanding that remains basically untouched by the discoveries of

culminating in an extensive discussion of the issue and its consequences in *After Virtue* (London: Duckworth, 1982).

⁴⁰ “... language is something other than a sign system to denote the totality of objects. The word is not just a sign. In a sense that is hard to grasp it is also something almost like an image. We need think only of the other extreme possibility of a purely artificial language, to see the relative justification of such an archaic theory of language. The word has a mysterious connection with what it represents, a quality of belonging to its being.” *Truth and Method*, p. 377

natural science or should we seek to connect the one with the other so that our conceptions of language and mind (to take the case in point) are continuous with the best theories available from outside philosophy? This is a profound and complex issue, but by no means a novel one or one that is confined to any particular tradition of philosophy.⁴¹

Michael Rosen

Lincoln College, Oxford

⁴¹ For a discussion of analytical and Continental philosophy that opposes the “understanding” and “Enlightenment” conceptions of the philosopher’s task in more detail see my Introduction to S. Mitchell and M. Rosen (eds.), *The Need for Interpretation: Contemporary Conceptions of the Philosopher’s Task* (London: Athlone, 1983)