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RECONSTRUCTING INTERSUBJECTIVE NORMS*

abstract

Robert Brandom famously attempts to provide an account of norms that are grounded in intersubjective practices, so dealing with problems raised by Wittgenstein's regress arguments. This relies upon providing an explanation of the correctness of those practices in terms of our dispositions to treat each other's practices as correct or incorrect. The view faces a number of hurdles, however, particularly when it comes to providing a non-circular account of the norms of practice, from within those practices themselves. This essay argues that Brandom's attempt to ground norms in intersubjective practices is circular, and requires communal stability. I go on to suggest that, by taking practices of interaction as foundational, we can ground norms in action coordination. Norms, on this view, become sedimented through our interactions, and explicit normative talk is required to keep our interactions coherent with each other.

1. Brandom's Normative Pragmatics

According to Brandom's (1994) "normative pragmatics", we can think of the way in which our dialogical interactions take place against a background of norms regarding acceptable linguistic activity, the use and application of terms, the inferential associations between our terms, and so on. Yet, it is in these interactions that it is possible to modify that practice, since the processes of speaking together alters those norms. Such norms are not externally imposed, rather they are constructed, reinforced, and modified in and through our interactions with each other. Brandom takes this view to be corrective to *regulism*, in which the possibility of grounding norms in explicit rules yields to a vicious regress. As Wittgenstein argued, if objective rules are supposed to provide words with meaning, then, for any use of a word, there should be a means by which to count that use as correct or incorrect.[1] But, if all such inferential propriety requires an explicitly represented rule, or interpretation of it, we would need to appeal to another such rule or interpretation of a rule in order to determine whether *that* application was correct or incorrect. Famously, Wittgenstein argues that the regress shows "that there is a way of grasping a rule which is *not* an *interpretation*, but which is exhibited in what we call 'obeying the rule' and 'going against it' in actual cases" (Wittgenstein, 2009, §201). Brandom takes Wittgenstein's argument to motivate a pragmatic approach to rules: "there is a need for a pragmatist conception of norms – a notion of primitive correctnesses of performance implicit in practice that precede and are presupposed by their explicit formulation in rules and principles" (Brandom, 1994, p. 21). That is, Brandom's solution to the regress of explicit rules is to look for rules that are *implicit* in our practices. So, norms of reasoning are "instituted" through social practices in which certain rules of reasoning implicit in those practices may be made explicit through their public expression in language games.

Brandom also argues against *regularism*, which in this case, would say that implicit rules could simply be "read-off" from regularities in practice. One problem with regularism is that we could force a finite set of practices to conform to several distinct rules, and for any "deviant" form of practice, it can be made to cohere with some rule or other. As such, any attempt to distinguish between correct and incorrect practices would seem to quickly break down, and the idea that we could "read off" a set of rules from practice would seem to end-up with our "writing-away" all those occasions in which we do not reason according to the norms that

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1 For discussion, see (Kripke, 1982; Schechter and Enoch, 2006; Williamson, 2007).

are supposedly implicit in our behavior. Brandom attempts to deal with this sort of problem by arguing that social norms can be identified by the way we *sanction* each other in ordinary linguistic practice. It is by taking an evaluative attitude towards each other's utterances, and judging them to be correct or incorrect, that we go on to sanction these utterances accordingly. But, as Brandom notes, sanctioning cannot itself be a matter of regularity, or disposition, since that would simply reintroduce the problem of regularist gerrymandering at the level of sanctions, rather than the level of first-order practices. As such, sanctions must themselves be normative, so we have "norms all the way down" (Brandom, 1994, p. 44). That is, Brandom effectively *postulates* the existence of proprieties of practice as normatively primitive, which determine our abilities to evaluate and sanction, each other. Whether or not this avoids the problems of regulism and regularism, is now reliant upon giving a decent account of this activity of sanctioning that is non-circular.

According to Brandom (2008), what is required to *say* something, rather than merely *do* something, is for an agent to both be able to have the algorithmic ability to elaborate practices to employ a vocabulary *and* to have *scorekeeping* abilities, where agents keep track of each other's commitments and entitlements, where commitments are sentences to which an agent is committed (though perhaps unknowingly as consequence of other commitments), and entitlements are sentences to which an agent is justified after having defended them successfully.[2] In the latter, however, we are being asked to think of norms, not as emerging from reciprocal interrelations and interactions between agents, but through a kind of checking-mechanism in the form of a detached observer. It is at the level of the community of scorekeepers, on Brandom's view, that meanings are determined, and norms instituted. The assessment of utterances is made, not by "an addressee who is expected to give the speaker an answer" (Habermas, 2000, p. 161), rather a community plays an authoritative role in considering what our utterances mean, and also which reasons are taken to be correct or incorrect: "what is correct is determined according to what the community of those who have command of the language hold to be correct" (Habermas, 2000, p. 336).

Sanctioning practices are inextricably related to the social attitudes defined on the basis of membership in a specific community, where membership in a community may also be understood to be normatively defined by means of those practices. This is both worryingly conservative, and asymmetric from the point of view of agents' ability to disagree and dissent from communal practices and sanctions. Indeed, if we say that meaning is determined by a set of specific inferences, and that those inferences must be at least substantially similar in order for communication to be possible, then not only would agents dissenting from some of those inferences not be able to communicate about the same thing, they may be accused of not even grasping the same concept (Williamson, 2007). For Brandom, scorekeeping practices allow agents to coordinate their commitments and entitlements in relation to other agents. It is through these processes that other agents are then able to understand and assess these utterances in terms of their relative weighting in relation to the commitments expressed by those agents. The obvious issue with this story of communication, however, is that it looks like it would introduce a fairly worrying form of indeterminacy to communication. As Scharp (2003) points out, the "inferential significance" of an utterance would differ from speaker, A, to listener, B, since the scorekeeping commitments of A and B will often (if not always) not coincide:[3]

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2   On scorekeeping, see (Lewis, 1979; Stalnaker, 2002).

3   Scharp (2003) argues that Brandom's approach can deal with these issues by emphasising intersubjectivity. I agree with that emphasis, but argue that Brandom smuggles the third-person into the account by means of the detached perspective present in scorekeeping.

> Thus, B misunderstands A's utterance. The only case when this would not happen would be that in which A and B had the exact same set of background commitments (which is impossible and also eliminates the need for communication) (Scharp, 2003, p. 45).

It is, perhaps, for this reason, that Brandom's approach ultimately requires a surefooted scaffolding of the kind offered by either an implicit logical structure, or a communal perspective (e.g. Hendley, 2005). But, in this context, either would render his account circular since they require that certain norms of reasoning must be in place prior to linguistic interaction, yet are also supposed to be instituted by it.

2. Radically intersubjective norms

According to the above argument, Brandom fails to provide an account of intersubjective norms, and, in the process illuminates the inherent conservatism of social norms insofar as their circular construction is obfuscated. There is reason to think, however, that the coordination of linguistic interaction exists as a kind of shared understanding between agents without requiring objective scaffolding, or implicit rules[4]. In the following, I shall argue that such an account can be developed to construct a thoroughly intersubjective account of norms. Contra Brandom, linguistic interaction may be understood in terms of non-intentional coordination, underlying cooperative activities. Gregoromichelaki and Kempson (2013), provide evidence and argument that communication does not require the manipulation of propositional intentions, since agents often express "incomplete" thoughts without planning or aim regarding what they intend to "say", "expecting feedback to fully ground the significance of their utterance, to fully specify their intentions" (p. 72).[5] Moreover, this kind of coordination between agents is often sub-personal, involving mechanisms by which agents "synchronise" together prior to the level of communicative intention. In making utterances in interaction, we may "start off without fixed intentions, contribute without completing any fixed propositional content, and rely on others to complete the initiated structure, and so on" (Gregoromichelaki and Kempson, 2013, p. 80).[6] As such, it is argued that *meaning* should be understood by means of intentionally underspecified, yet incrementally goal-directed, dialogue.

By thinking of interaction as a form of action coordination, it is possible to see how our dispositions to make assessments of each other's actions may refer *to each other*, and are therefore also involved in the reinforcing and construction of meaningful dialogue. This can be understood in terms of our practical attitudes, which are just dispositions of differential response and interaction with certain patterns of stimuli, where these are typically low-level mechanistic processes that do not require explicit rationalization (Garrod and Anderson, 1987). So, for example, our linguistic expressions, which are mutually and incrementally forged into meaningful statements through our ongoing conversations, are subject to feedback mechanisms determining appropriateness of response at a sub-intentional level. It is through the interaction of our practical attitudes with each other in continuous feedback and adjustment, through which normative assessments become themselves instituted and also implicated within those very mechanisms. Our linguistic dispositions (and broader embodied practices), therefore signal and shape the appropriateness of each other's responses, and so

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4 This builds upon cybernetic, calibrational, and action-coordination, additions to Brandom's account discussed in (Hill and Rubin, 2001; Kiesselbach, 2012; Scharp, 2003).

5 Broadly similar approaches can be found in (Arundale, 2008; Ginzburg, 2015; Pickering & Garrod, 2013). This view also coheres more generally with "interactivism", where cognitive activity (including the construction of meaning) is inextricable from agents' environment, both social and physical (Gallagher and Miyahara, 2012).

6 Pezzulo (Pezzulo, 2011) discusses (often sub-personal) "coordination tools".

our talk *about* meaning, or *about* the norms shaping our interaction, may also be understood to exhibit dispositions that become implicated in the feedback mechanism insofar as it affects those meanings or norms. Norms, therefore, become sedimented through our interactions, and the cases in which explicit normative talk is required to keep our interactions coherent with each other are decreased over time by the convergence of our practices. As Kiesselbach puts it, this gives us a way of understanding "normative talk as essentially calibrational" (Kiesselbach, 2012, p. 123).

It is, moreover, through understanding the interactional nature of dialogue and the institution of norms as consisting of primarily *sub-intentional* processes (Gregoromichelaki and Kempson, 2013), that we are able to understand the role that our embodied actions, feelings, and habits play in the coordination and socialisation of our dispositions. In other words, norms are just the regularities produced by adjustment and correcting mechanisms of feedback internal to interactions with each other, where these lead to the reinforcing of stabilities in those interactions, and their recognition as being appropriate or inappropriate (Hill and Rubin, 2001). Interactions give rise to norms when the relevant interactional activities reinforce certain patterns of behaviour as acceptable, or unacceptable, in social practices through recursively acting upon those underlying patterns. This can be understood in terms of recursive feedback loops that are generated through the interactions between patterns of behaviour, and so are apiece with the mechanisms that also generate patterns of behaviour, through mechanisms of differential response. As such, behaviour that can be understood in terms of norms is the same-in-kind with pattern-governed behavior.[7] So, rather than think about norms in terms of rules against which our practices can be judged, perhaps we should consider there to be a plurality of practices, of forms of interaction, and of distinct contexts, in which the norms of our language are felt, reinforced, and revised. In most communication, there is a continuous adjustment of phonological, gestural, lexical and grammatical features (Clark, 1996). These primary feedback and adjustment mechanisms shape the forms that norms will take, and are already shaped by the normative structure of our relationships.[8] We then employ normative statements as part of a mechanism to repair conversations, or to sanction certain practices, which become implicated in feedback mechanisms to further embed those norms in our practical attitudes. If the processes and mechanisms of coordination and feedback go on smoothly, such normative language is not required to keep the interaction going. The use of normative vocabulary, then, would seem to come into play when agents are required to conceptualise interactional performances in which there is a need to engage in explicit deliberation, or to repair a conversation using explicit sanctions.[9]

3. Norms, Reasons, and Revisability

Norms, according to the above account, emerge from, yet also exert significant pressure on, our social and linguistic practices. The conservative nature of normative practice is endemic to Brandom's approach. Here, however, whilst our ability to diverge from accepted usage comes with a cost, the process of explicitly reasoning and considering our norms and the way in which they are sculpted is made possible by the fact that there are no precise normative rules (implicit or explicit) that we may appeal to in order to adjudicate those activities in the first place. Furthermore, whilst Brandom's account relies upon communal stability and the normative constraints of group membership in which a system of norms becomes visible

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7 Extricating "rationality" from social norms in this context is both impossible and wrongheaded, since it would take an individualist approach to reasoning as assessable by external standards in a social vacuum.

8 See, for example, the analysis of power and control in conversational repair as including mechanisms of silencing, interruption, control of access to common ground, and so on (Schegloff, Jefferson, and Sacks, 1977).

9 In (Gregoromichelaki et al., 2013) there is a similar analysis of group tasks.

to that community, this approach suggests that it is not possible for a group to become explicitly aware of a system of norms that is being reinforced across that community. Indeed, by embedding the account in intersubjective interactions, we need not rely upon a notion of a stable "community", preferring instead to think of relatively stable groups, across which there are multiple and intersecting relationships. As such, the "harmonious" nature of much linguistic interaction may be understood to be an effect of the sedimentation of norms through the sanctioning of linguistic practice.

In these settings, whilst it is certainly the case that there are relative points of stability maintained through reinforcement and feedback through adjustment, calibration, and sanctioning (where required), even the activity of sanctioning would give rise to the possibility of *revising* local norms by explicitly reconstructing those norms in our interactions. This is because, unlike the effectively third-person standpoint of sanctioning practices required by Brandom, for us, the practice of sanctioning is "brought into the loop", so the sanctioning agent is equally implicated in their own practice of sanctioning. In this way, rather than understand sanctioning as simply reinforcing equilibrium, we may rather think of sanctioning as making available normative-talk for the reconstruction of differential patterns of linguistic activity. As such, interactions always have potential to construct new forms of activity that begin to construct new *norms* of practice. But note that this is not a matter of making explicit, since reasons, here, are emergent from interactions, rather than constitutive of speech-acts in the sense understood by Brandom. That is, reasons should not be thought of as driving communication, but rather as "discursive constructs" (Gregoromichelaki, Cann, and Kempson, 2013), which allow for explicit deliberation, particularly when the coordination of underlying dialogue breaks down. So, interactions are the foundation through which reasons may be constructed *a posteriori*, since we cannot determine in advance of the interaction, either what counts as a reason, or the meaning of expressions involved. On this, interactional, approach, we think of the construction of reasons over the course of a linguistic interaction through the coordinated relationship between agents who are directly involved in that interaction. All reasons, in this sense, are "joint reasons" in that they are the result of a process of joint articulation that is not reducible to, nor derivable from, facts about the individuals involved in the interaction.[10] Moreover, the norms structuring our reasoning together, and through which the meaning of terms are constructed, are always possibly modifiable, and indeed are constantly modified simply by the practices of interaction. These ideas require further development, particularly regarding the relationship between interactional practices and social power, to which I shall return in further work.

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10   See the discussion of "we-reasons" in (Laden, 2012).

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