Explaining the Rules

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Imagine the following dialogue:

He: Why should I say 'I do' now?
She: Because you're meant to at this point in the ceremony.
He: But why should *that* rule or custom be part of a marriage ceremony?
She: Because in our culture marriage is a voluntary contract, and saying 'I do' is something that can be taken as a voluntary sign; because it is a simple form of words, not difficult to remember; because…
He: But why should I participate in such an institution as marriage at all?
She: Because it provides a framework within which children can be reared; because it sets needed constraints on sexual behaviour…

There are in this dialogue three levels of 'Why?' question, and three levels of reason-giving answer. The first answer, 'Because you're meant to…', would normally be a sufficient answer, in no way 'short for' something longer and more complicated; nevertheless, if the second or the third question were to raise serious doubts, those doubts would in a certain sense weaken the *force* of 'Because you're meant to…'. To put the point another way: the reason given in the first answer could be called categorical, or at any rate non-hypothetical; but the *force* of the reason is in a certain sense dependent upon there being good reasons for 'going in for this ceremony'.

Why call the reason given by 'Because you're meant to…' categorical? Isn't the statement equivalent to 'If, or given that, you want to get married, then you should now say "I do"', which looks like a hypothetical imperative?

'If you want to get married, you should now say "I do"' is not like 'If you want to get better, you should take this medicine': becoming married is not an *effect* of going through various moves in a ceremony in the way in which getting better can be an effect of taking medicine. Getting married, it is natural to say, simply *amounts* to going through a certain ceremony (in the proper conditions…). And this connects with the fact that it is impossible to specify what mar-

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rying is without using expressions like 'should', 'meant to', 'must', 'can't'[1]. Moreover, one must be introduced to the use of such expressions *before* one can grasp what a rule-in-a-practice, and hence what a given practice (such as marrying) is—though it is in the context of learning a practice (e.g. a game) that one is introduced to these expressions in the first place. When one is first introduced to a statement of the form 'You're meant to phi', or 'You have to phi', intended in the way which we are considering, no reason can be given for phi-ing which cites the practice itself, because one cannot yet know what a practice (or what that practice) *is*. And one does not in later life come to use 'You're meant to…' in a different way from the way one is taught to use it initially. In particular, one does not come to use it as an 'implicit hypothetical imperative'[2].

There are two connected, but distinct, points here. The first is that certain actions can constitute, or amount to, something or other—here, to getting married. The second point is that (in cases of the sort being considered) such actions are enjoined by statements of the form 'You're meant to phi', 'You have to phi', etc. Now the first point holds also of 'non-institutional' cases of amounting to: thus, putting your feet one in front of another alternately can amount to walking. As we shall see it is a significant fact that saying 'I do' (and so on) can amount to getting married in a way that goes beyond the way in which putting your feet one in front of the other alternately can amount to walking. If there is a 'rule' that explains the walking case, it is that one is meant to *call* (many) cases of putting the feet one in front of the other alternately, cases of 'walking'. The rule governs the use of a word. But in learning what getting married is, you don't just learn that certain things are called 'getting married', or that certain things count (or don't count) as getting married; you learn what you *have to do* to get married. It follows that there are really two reasons why 'If you want to get married, say "I do" at this point' is not a pure hypothetical imperative.

[1] … both because of the need for these expressions in relation to the ceremony of marriage, and because of the subsequent obligations arising for those who are married. It is the first sort of fact which I am primarily alluding to.

[2] Philippa Foot famously made a related point in connection with the rules of etiquette, in 'Morality as a System of Hypothetical Imperatives' (in *Virtues and Vices*, University of California Press 1978); though as the title of her article indicates, she also wanted to argue that rules, both of etiquette and of morality, were in a certain sense akin to hypothetical imperatives. But this way of putting matters was mainly connected with Foot's denial that 'pure rationality' lay behind such rules.

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Firstly, getting married is not an effect of saying 'I do' in those circumstances—just as walking is not an effect of putting your feet one in front of the other. But secondly, one can only know what sort of a thing getting married is (namely, a rule-governed practice) if one has already grasped the sense of 'You're meant to phi', where the latter is understood as purporting to give a sufficient reason, i.e. is understood non-hypothetically.

Elizabeth Anscombe called expressions of the sort in question 'stopping modals' ('can't', etc.) and 'forcing modals' ('must', etc.), and wrote:

> '…in such a case [learning a game] you are told you 'can't' do something you plainly *can*, as comes out in the fact that you sometimes *do*. At the beginning, the adults will physically stop the child from doing what they say he 'can't' do. But gradually the child learns…It is part of human intelligence to be able to learn the response to stopping modals without which they wouldn't exist as linguistic instruments and without which these things: rules, etiquette, rights, infringements, promises, pieties and impieties would not exist either.'[3]

The temptation to interpret 'You're meant to' as an implicit hypothetical imperative arises partly from the fact that citing the practice or institution itself *can*, on occasion, constitute giving a reason, for those who have already mastered the concepts—as in, 'You're meant to say that, it's part of the marriage ceremony'. But, as Anscombe points out in connection with 'You can't sit there, it's N's place':

> 'We can't explain the "You can't" on its own; in any independent sense it is simply not true that he can't (unless 'they' physically stop him). But neither does "it's N's…" have its peculiar sense independent of the relation to "you can't". Of course, *once these linguistic practices exist,* we can detach the two parts from one another and "it's N's" can appear as an independent reason, e.g. a reason why one will not do something.'

'It's N's place' can be given as a reason why someone shouldn't sit somewhere; but note that the nature of this reason is not explained *simply* by saying that it alludes to an institution, or to an institutional fact. 'You can't say that—it would be an insult' could supply a reason (when in a foreign country, say), a reason that related to the institutional fact of something's counting as an insult, but whose

[3] G. E. M. Anscombe, 'Rules, Rights and Promises', in *Ethics, Religion and Politics: Collected Papers Vol. III* (Blackwell 1981), p. 101.

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force was purely prudential; being connected with the hypothetical imperative, 'If you don't want to risk a *fracas*, don't insult him'. The uses of 'You can't…' which we are considering are not of this kind. For the stopping modal in 'You can't sit there, it's N's place' is itself integral to the notion of N's place, and to that of ownership and quasi-ownership in general.

The fact that 'You're meant to…' thus provides what could be called a categorical (non-hypothetical) reason does not, however, detract from what we observed earlier: that one can 'step back' from a practice and ask of *it*, 'Why?'. But the tension between (a) the categorical nature of reasons given within a practice and (b) the existence of reasons for going in (or not going in) for the practice—this tension has some fairly profound philosophical implications.

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Wittgenstein compared the uses of language with the playing of games, the most obvious point of comparison between the two activities being that both are rule-governed: in both activities there exists a distinction between correct and incorrect 'moves'. But there was a further feature of Wittgenstein's use of the 'game' analogy, to do with the possibility of there being no explanation or justification of a given rule, custom, or practice.

Many rules of games are simply arbitrary, in that there is no real answer to the question 'Why this rule?'. It is useful to distinguish two versions of this question. There is: 'Why do we have *this* rule here, as opposed to some other?'—and there is the unqualified: 'Why do we have this rule?'. Let us begin with the first. You can't justify the convention that there are six rounds in a game of piquet, as opposed to eight. The choice of six is, in a certain sense, arbitrary. But this arbitrariness is of a kind that is encountered in much everyday practical deliberation, and with arbitrariness of this kind there *is* an answer of sorts to the unqualified query, 'Why have this rule?'—namely, 'We need *some* decision-procedure (or number of rounds, or…), and this procedure (or number, or…) will do as well as any other'.

With some rules of games, 'Why have this rule?' is not susceptible of even this sort of answer. 'Why can knights jump over other chess pieces?' Of course, there *may* be some plausible answer to this question, along the lines that the rule about knights is conducive to a more enjoyable (elegant, multi-faceted, challenging…) game. (Such an explanation would correspond to that given in the second reply in our opening dialogue.) But clearly there may be no such

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explanation or justification of a rule of this type. This is not to say that having the rule is an utterly brute fact; for, given that we want to have a game we can play, we must have rules—of *some* kind—that govern the playing of the game. But the question 'Why have this rule?', as distinct from 'Why have any rules at all?', may be unanswerable. And in that case, all one can say is: 'That just is the rule': the urge to explain the rule should be quelled or dropped.

'That just is how we go on—don't look for a further explanation or justification.' Readers of Wittgenstein will be familiar with this advice, advice that can be invaluable when discussing certain aspects of our 'conceptual scheme'. However, Wittgenstein was also at pains to point out how our various 'language-games' are rooted in actual life, and hence in the diverse customs and practices that constitute much of the lives of social beings—customs and practices like buying and selling, marrying, mourning, joking, teaching, dining, exorcising, and so on and so on. And with the customs and practices of human society, the question 'Why is this done?' is one that *prima facie* demands an answer, both as applied to the individual rules that make up a practice and as applied to the practice itself. This question, by the way, is not one that presupposes that we 'have a choice' as to whether to go in for, or continue going in for, the practice at issue; nor does it presuppose that the practice came into being as a result of any sort of decision, collective or otherwise. On the other hand, it does, I think, presuppose that our going in for the practice is a contingent fact—in the sense that it will be because of the sort of creature we are that we do go in for it. (Where the practice is universal among human beings, as language-use is, we are perhaps dealing with facts of such a basic sort as to invite the phrase, 'form of life'.)

'Why is this done?' is a question that *prima facie* demands an answer; and this goes for ritual customs as well as non-ritual ones—it is simply that one must not think that every explanation of a custom (of any kind) will refer only to the *effects* of going in for the custom. 'Because…' has a wider range than that. But reference to the effects of going in for a custom can often play a large part in making sense of it, and to that extent of 'explaining' or 'justifying' it. Where the effect or effects referred to concern a human good, the existence of the custom can be, in Anscombe's terms, an 'Aristotelian necessity' for us.

Take promising. The effects of having the institution of promising include: that one can get another person to do things without relying upon force (or upon the other's love, or upon a tit-for-tat

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set-up); hence, that people can trust one another to do things in a wide variety of circumstances; hence, that many kinds of co-operative enterprise are possible. As Anscombe puts it:

> '… such a procedure as that language-game [that of promising] is an instrument whose use is part and parcel of human activity and hence of human good; of the supplying both of human needs and of human wants so far as the satisfactions of these are compossible.'[4]

Thus there is such a thing as explaining or justifying a language-game (and the rules that constitute it). To say that there is *no* such thing must be a gross overstatement, and whatever the 'autonomy of grammar' means, it cannot mean *that*. After all, if, in answer to 'Why should I do that?', one receives the reply, 'That just is the rule', a question arises as to what force such a rule can have. It is here that the 'categorical' nature of rules may provide a false refuge: we have seen in what sense citing a rule can be regarded as providing a categorical reason—it has to do with the 'basic' role of stopping and forcing modals—and this is not a sense that nullifies further demands for reasons. Such demands were voiced (and answered) in the opening dialogue, and there appeared perfectly reasonable.

Indeed, even when it comes to playing games, explanation and justification are possible: reasons corresponding to those of the second and third replies in the opening dialogue can often be given. Reasons of the third kind would be reasons why we go in for playing such-and-such a game, perhaps even why we go in for playing games at all, and they would concern human psychology in an obvious sense. But they may have a philosophically puzzling feature: that of being framed in terms which can only be understood, or given due weight, by those who participate, or who have participated, in games ('the challenge of an even combat', 'the joy of winning', 'the beauty of the rules themselves', 'that special camaraderie', etc.).

Which brings us to an important question. Can something count as an explanation or justification of a practice, which can only be properly grasped by those involved in the practice?

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One answer to the last question might go as follows:

[4] 'On Promising and its Justice', ibid., p. 18.

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'For many practices (and many language-games), it is only possible fully to understand the concepts involved if one is a participant. Moreover, since participating in a practice is a practical matter, it necessarily goes with taking some things and not others as reasons for doing or thinking something—thought is bound up with action; and the expression of these reasons will require the use of the concepts of the practice. Justifying a given thought or deed within the context of the practice will thus be internal to that practice. To "justify" the practice itself would then be to "justify" its standards of justification, among other things; and this could only be done by one who understood what those standards were, i.e. by a participant. It would then be a foregone conclusion that the practice could not be found wanting: it must either appear entirely justified, or alternatively the question of its justification must be said not to arise at all.'

The argument here will be familiar. Variants of it can be found in the writings of Winch, Strawson, McDowell and others[5]. To assess its application to any given practice or language-game would require attention to the details of that case, and I shall not be attempting any such enquiry here. I want, rather, to take the argument as having a general application, and to point to an aspect of it that is problematic. If the general form of the argument is thus problematic, then, needless to say, so may particular applications of it turn out to be.

What is the attraction in the very first claim made by our imaginary philosopher, two paragraphs back? Why should only the participants in a practice be trusted to ('fully') understand its concepts?

The claim may simply derive from the observation that where a concept is deeply embedded in the thought and talk of a society, it will be that much more difficult to grasp its use, let alone to get a clear overview of that use. Such a concept will have numerous and subtle interconnections with other concepts. Only one who has lived in the society for an adequate length of time, it might be thought, could arrive at a proper mastery of such a concept.—But to live in a society need not be to 'endorse' all its practices, and an observant eye (an anthropologist's eye) may enable one to attain a real understanding of the concepts of those among whom one is living. Indeed, it seems something of a prejudice to say that reading in depth about a society, reading what's written by its members, etc., couldn't give someone a good grasp of a society's characteristic concepts.

[5] For example, P. Winch, *The Idea of a Social Science* (Routledge 1958); P. F. Strawson, *Introduction to Logical Theory* (Methuen 1952), ch. 9, sec. 2; J. McDowell, 'Values and Secondary Qualities', in *Morality and Objectivity* (ed. Honderich).

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There is, I think, a deeper motivation for the claim in question, and a less 'empirical' one. It can be explained by reference, once again, to stopping and forcing modals.

To know what 'check' means in chess, you have to know that when your king is in check, you must move it out of check, if you can. To grasp a rule of a game is to grasp that a stopping (or forcing) modal has application in a certain situation: here, the modal expression is 'must'. Knowing what 'check' means involves knowing a certain rule, or certain rules—a rule or rules, N.B., relating not just to the use of the word 'check', but to what to do with your king. Now it is tempting to reason as follows. In order to know the meaning of 'check', you have to know that you must move your king, etc.; but if someone knows that in certain circumstances they *must* do so-and-so, then surely they will be ready, in those circumstances, *to do* so-and-so. This will go for all the other concepts in chess as well. So a person who grasps all those concepts is someone who is prepared to move their king when in check, allow certain moves from their opponent, admit defeat when checkmated, and so on. In short, such a person will either be a participant in the practice (i.e. a chess-player), or at any rate will not be an outsider to the practice, an alien for whom its rules have no force.

It is true that, to have been introduced to modals like 'must', one must have been prepared, in the context of the practice one was being taught as part and parcel of being taught the modals, to act in certain ways. (Initially, as Anscombe says, one may well have been gently coerced into acting in those ways by adults.) But for someone who is already a master of these modal expressions, it is possible to recognize the applicability (in some situation) of 'must' without being a participant in the practice in question. One source of the illusion that this is not so is, I think, the perfectly correct idea that, in accepting the applicability of a 'must', you are not simply accepting some hypothetical imperative. As we saw, there is something wrong with construing rules, e.g. the rules of a game, as providing reasons for action that are implicitly conditional upon one's aims or desires. And once one has seen the truth of this, it is natural to go on: 'But if you accept a certain "must"-statement as categorical, aren't you then somehow committing *yourself* to what is enjoined by the statement? Aren't you recognizing the force of the "must"-statement as universal, and hence as applying to yourself as well as to everyone else?'

What this line of thought appears to conflate are the two notions of 'having force' and 'applying'. In the opening dialogue between He and She, the former may have recognized that the rule about saying 'I do' applied to him (in that situation); but he was in doubt

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about whether the rule had any real force—whether, that is, the practice of which it was a part could be justified, or whether *its* being a part of such a practice could be justified.

Here is a rather more vivid example. In describing a custom I have read about, I say: 'At this point in the ceremony, the harvest priest is meant to cut open the victim's chest'. I am also aware that it is a custom among the people in question that any male stranger to visit them during harvest-time is deemed, if the harvest is a fruitful one, to be a harvest priest for the duration of his visit. (It is in no way entailed by the notions of 'rule', 'custom', or 'role' that a person can only have a role through having taken it on voluntarily—cf. the role of citizen in many societies; not is it entailed by those notions that a person can always resign from his or her role—cf. the roles of soldier or of pope.) Now if in my travels I stumble across a community of such people, during their season of harvest, does the fact that I have described their sacrificial customs using expressions like 'meant to' mean that I recognize the rule about the harvest priest as now applying to me?

Why not? I could write in a letter home: 'Tomorrow is the day of the great sacrifice of a hundred, and as a harvest priest, I have to attend, and even to kill some of the victims. I can't possibly do that. I must escape.'—The tribe's customs apply to me—but they have no force, since they themselves serve no good, only evil. In the text of my letter, the modal 'have to' indicates the application of a rule; the different modals 'can't and 'must' indicate how there is every reason not to obey the rule.

Thus in describing the rules of a practice, you may well have to admit that such-and-such a rule applies, or would in such-and-such a situation apply, to you yourself, as to anyone else. *This* is what you must be 'prepared' to do: admit that the rule applies, etc.—rationality does not also require that you be prepared to *follow* the rule. So it is not only participants in a practice (those prepared to follow its rules) who can give a proper account of that practice; it is not only they who can do justice to the practice's 'normative aspect', as that is expressed by means of stopping and forcing modals. Conversely, an outsider is not doomed to mere descriptions of behaviour. And for both insider and outsider, the question of whether the practice can be justified may well be a real one.[6]

[6] Though the notions of 'applying to' and 'having force for' are distinct, they are non-contingently connected. (This is largely because learning about rules must involve learning to follow particular rules.) The person who only ever recognized rules as applying to him, never as having any force, is no doubt inconceivable. Indeed, to have a language at all one must be a rule-*follower*.

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I have been speaking especially of practices characterizable in part by reference to the actions performed 'within' them: actions like moving your king (chess) or returning money (promising). It was partly because of this practical feature, combined with the 'categorical' nature of the rules relating to such actions, that the two ideas, (a) that only participants could properly understand a practice, and (b) that a practice must be unsusceptible of non-trivial justification, appeared attractive—though in fact mistaken.

What of those roughly-delineated practices for which Wittgenstein coined the term 'language-games'?—Although every language-game will involve rules relating to the use of words, not every language-game need involve rules relating to specific kinds of action. If a given language-game has no obvious connection with specific kinds of action (other than the actions constituted by uttering sentences, etc.), what sense are we to make of the question I have been treating as perfectly reasonable—namely, 'Why go in for this practice?'? If the practice at issue is simply the use of these and those expressions to make assertions, ask questions, and so on, what now could constitute justification?

It is, however, open to doubt whether a language-game could be unconnected with all kinds of actions except those of 'making moves in the game'. A language-game that was autonomous in this sense would really resemble a game and nothing more—indeed, it would resemble something less than a game, since answers of sorts can be given to 'Why do we go in for this game/these games?'. But it does at any rate seem possible that a language-game have no specific connection to particular *kinds* of action. That may be alleged of promising, since one can promise to do all manner of things; but in fact there is a (typical) connection with actions that are wanted or needed by the promisee or by someone connected with the promisee, which thus form a 'kind of actions'. ('I promise to break your legs' is a threat, rather than a real promise.) The sort of uses of language I have in mind are rather ones such as those involving 'psychological vocabulary'. Why do we go in for first-person psychological utterances?—second-person psychological questions?…Or, if more specificity is needed, why do we go in for using a concept like 'memory'?

'For all sorts of reasons' seems the only sensible answer to such questions. One is reminded of Wittgenstein's 'Why does man think? What use is it?'.[7] And yet, as Wittgenstein indicates, the latter is not wholly absurd; for

[7] L. Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe (Blackwell, 3rd ed., 1967), par. 466.

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> '…one can say that thinking has been found to pay. That there are fewer boiler explosions than formerly, now that we no longer go by feeling in deciding the thickness of walls, but make such-and-such calculations instead. Or since each calculation done by one engineer got checked by a second one. So we do *sometimes* think because it has been found to pay.'[8]

The phrase 'because it has been found to pay' ('weil es sich bewährt hat') has to be taken in a certain way, of course. What is clear is that activities like calculating boilers' measurements *make sense*, in terms especially of associated benefits to human beings; and these benefits are seen most clearly in relation to the relevant human actions, such as those of measuring, building, testing, and finally making use of.—At the same time, in many *other* cases, the right thing to say will often be: 'Thinking (of this sort) is just something that human beings do'.

Do (any of) our various uses of psychological language 'make sense'? Or will the thing to say, always or usually, be: 'Talking in these ways is just something that human beings do'? The issues here are connected with another set of issues, to do with what constitutes a proper grasp of a psychological concept. I will start by turning to these latter issues.

A part of competence with some psychological concept will very often be the capacity to recognize when another person falls under the concept, to speak à la Frege. For a word like 'angry' to be successfully taught and successfully used, it is necessary that people be capable of noticing when other people are angry. And this capacity is highly sophisticated: it relies on a multitude of subtle and various symptoms and clues, manifested in the appearance, behaviour and words of others. These symptoms and clues are not what are first taken conscious heed of—indeed, it is frequently very difficult to articulate what has led one to judge that another person is angry (or jealous, or in pain, or guilty, or amused…). Our responses here are largely instinctive, though experience refines them.

But is the term 'recognitional capacity' completely adequate when it comes to the ascription to others of psychological predicates? We are not, after all, mere observers of one another's behaviour: as social animals, we interact. And it seems undeniable that bound up with our abilities to perceive things about each other go tendencies to respond or act in certain ways towards each other. We may be disgusted, alarmed, indignant, relieved, solicitous, cautious. If this is so, it can be argued, an important part of a proper grasp of

[8] Ibid., par. 469–70.

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many a psychological concept will be a tendency to *act* in certain ways. And this in turn seems to offer a route whereby 'objectivity' in ethical discourse can be established; for if, in Wiggins's phrase[9], there is often 'nothing else to think but that p' (because anyone who fully grasps the relevant concepts will judge that p), so there could often and analogously be 'nothing else to do but phi' (because anyone who fully grasps the relevant concepts will want to phi). Phi-ing might be, for example, helping a wounded child. A person who to any significant degree lacked the 'normal' sympathetic responses to others would, it might be claimed, also lack a full grasp of many psychological concepts, in a way that could show up in their psychological judgements as well as in their actions—and a person who 'couldn't see why' one should, e.g., help a wounded child would either be humanly and conceptually deficient or be corrupted and confused by the wrong sort of thinking (as Raskolnikov is corrupted by quasi-Nietzschean ideas in *Crime and Punishment*). The wrong sort of thinking can make you commit other kinds of conceptual solecism, after all.

I think there is a lot to this way of looking at matters. It relies on (i) pointing out the close affinity between the ethical and the psychological, and (ii) highlighting that element of competence with psychological concepts which consists in tendencies to respond or act in certain ways; and it (iii) draws the conclusion that many ethical requirements will be of the nature of conceptual requirements, and not just requirements to judge that so and so, but also requirements to do such and such. However, as it stands, the position I have sketched faces various problems. It is surely going too far to state that a proper grasp of concepts like 'pain' will invariably go with 'normal sympathetic responses'. It may even be going too far to state that helping people who are suffering before one's eyes is the 'normal' response at all, in the sense in which 'normal responses' are meant to be what underlie agreement in response and hence conceptual objectivity. Selfishness and callousness are not *strange* phenomena. Worse still, there are psychological facts of the kind alluded to by Bernard Williams in the following passage:

> 'Malevolence…is often associated with the agent's pleasure, and that is usually believed to be its natural state; but there exists a pure and selfless malevolence as well, transcending even the agent's need to be around to enjoy the harm that it wills. It differs from counterjustice, a whimsical delight in unfairness. That

[9] E.g. D. Wiggins, *Needs, Values, Truth* (O.U.P., 3rd ed., 1998), Essay 4, sec. 7.

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> is heavily parasitic on its ethical counterpart, in the sense that a careful determination of the just is needed first, to give it direction. With malevolence it is not quite like that. It is not that benevolence has to do its work before malevolence has anything to go on, but rather that each uses the same perceptions and moves from them in different directions. (This is why, as Nietzsche remarked, cruelty needs to share the sensibility of the sympathetic, while brutality needs not to.)'[10]

If cruelty shares the sensibility of kindness, if they use the same perceptions only to move from those perceptions in different directions, then it is surely impossible to classify a cruel person as somehow conceptually deficient, in virtue of *lacking* the right sensibilities and perceptions. Or rather, it seems too easy to insist that a necessary part of the sensibilities that count as enabling competence with psychological concepts should be an inclination to *act* in certain (benevolent) ways.

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The psychology of cruelty is deep and dark, and it would be impossible to go into it in much detail at this point. I suspect that there is more room for error and confusion in the mind of the cruel person than is perhaps implied by Williams, or by Nietzsche for that matter. Be that as it may, one can, I think, make good sense of why certain ways of acting should be not just contingently associated with the use of psychological concepts. A language-game has its locus in the real lives of social beings; the language-game of 'pain' connects in even more multifarious ways with human life and activity than does that of promising. We can ask: Does teaching a child the word 'pain' involve stopping and forcing modals *that relate to action as well as to word-use*, in the way that teaching it the word 'promise' does? Is 'You should loosen the dog's collar if it's hurting him' like 'You should let your sister play with that if you said you would'?

Clearly, the two cases are not exactly alike. As Anscombe saw, the relationship between 'promise' and 'must', 'can't', etc., is a very intimate one. An attempt to say what promises *are* which fails to take account of the 'basic' status of stopping and forcing modals appears circular: 'Promising to phi means making it necessary that you phi; i.e. making it the case that if you don't phi, you commit a wrong; the wrong, namely, of breaking a promise'. By contrast, an account of what pain is that eschews reference to stopping and forcing modals will not, it seems, suffer from this defect.

[10] B. A. O. Williams, *Ethics and the Limits of Philosophy* (Fontana Press 1985), pp. 13–4.

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But despite this difference between the case of 'promise' and the case of 'pain', a parallel certainly exists. Take the two statements:

(A) You mustn't do that—you promised not to.
(B) You mustn't do that—it hurts.

Uses of 'mustn't' backed up by reasons in the way shown in (A) constitute a language-game whose benefits to the participants are clear (see pp. 601–2). Uses of 'mustn't' backed up by reasons in the way shown in (B) constitute a language-game whose benefits to the participants are, if anything, clearer. A child who hurts others will encounter 'Don't do that!', especially from the lips of those others; she will be given the reason ('That hurts'), a reason which she will in turn be able to give why others should not hurt her. Everything is conducive to the adoption, by human beings, of a language-game in which statements like (B) have force, for those making or hearing them. Of course, 'Don't do that!' is a mere imperative. But accompanied regularly by a certain sort of reason, in a certain sort of context, and taken on board and internalized by the learner, it is metamorphosed into a modal statement: 'You mustn't do that'. Similar remarks will go for 'You should phi [e.g. take its collar off]'.

Should we call 'mustn't', 'should', etc., in these last-mentioned cases, stopping (or forcing) modals? As I have mentioned, there are manifest differences between such cases and cases like, 'You should do it if you promised to', and using a cover-all term to apply to both sorts of case may allow us to forget those differences, if we are not careful. Perhaps in the end it is simply a case of noting the similarities between the cases and judging their significance. On a purely textual level, Anscombe's original use of 'stopping modal' was not restricted to institutional cases and the like: one of her own examples is, 'You can't wear *that*!'[11]. And one could argue that, not only is the custom or practice whereby one can say 'You can't do that' and back it up by saying 'It hurts' of tremendous value to us (see previous paragraph), but it is also true that we would feel a sort of puzzlement or repugnance at someone's not *accepting* X as a reason, *both* when X is 'But you promised' *and* when it is 'But that hurts'. More precisely, someone must have a good countervailing reason if they are going to break the promise or to inflict the pain; if they just say, 'Well, I want to' or 'I feel like it', they will provoke puzzlement or repugnance.

There will clearly be a spectrum of cases here. At one extreme are the 'pure' hypothetical imperatives: 'You should get onto this train pulling in now'; 'But I'm not going to London'. The force of the

[11] See 'Rules, Rights and Promises' (p. 101).

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'should' is entirely conditional upon what the person happens to be aiming at. If the train is bound for London, but the person doesn't intend to go to London, then that settles matters: this particular 'should' has no force.—At the other extreme, the person's saying 'I want to', or 'I don't want to', will appear mad or incoherent (or, more likely, frivolous); as: 'You can't think p *and* q'; 'Why not?'; 'Because q entails that not-p…you'd be contradicting yourself'; 'But I want to contradict myself'.—And in between is a range of cases. 'You can't wear that! You'd look appalling!'; 'But I'm only interested in spending as little as possible—I don't care how awful I look'. Or again, and more towards the 'categorical' end of the spectrum: 'You mustn't—you're hurting him'; 'But I want to see him cry'. Puzzlement and repugnance obviously come in different varieties; but *one* possible measure of how categorical, how non-hypothetical, a given use of 'You can't…' is, has to do with how out of order it is to reject the given reason (e.g. 'It hurts') *as* a reason—or, correlatively, how out of order it is to present 'But I want to' as an adequate reason.

I spoke earlier of the 'benefits' that arise from there being a language-game in which statements like (B) have force. What are these benefits?—They are benefits for the participants in the language-game, and also for those creatures, such as dogs, whom we include within the range of our sympathetic responses. As with promising, the benefits relate both to what is needed and to what is wanted. In general, we want not to suffer pain; this, you could say, has the status of a conceptual truth. And to suffer pain is bad for us—a human being needs to be free, on the whole, from pain. This is especially because of what pain goes with: it goes with injury, disease and incapacity, distracts us from what we are doing and thinking, is a potential source of psychological trauma, and so on. (All this is in no way at odds with the fact that people who are incapable of feeling pain are very unfortunate, often dying as a result. The *capacity* for feeling pain has a biological function, and in this sense is something that we need.)

Notice that I am not proposing that the benefits that arise from there being a language-game in which statements like (B) have force are benefits simply in virtue of the putative fact that pain is 'intrinsically bad'. Such a phrase *might* be used to express something true: namely, that in responding to another's suffering, or indeed in 'responding' to one's own, no thought of the associated evils mentioned above (injury, distraction, and so on) need be the basis or grounds of one's response. The response to pain as 'something to be avoided/ameliorated' is typically a direct and instinctive response,

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which indeed explains why it can be so hard to say exactly what behaviour it was on a given occasion that elicited one's response (see p. 607). But the idea that pain is 'intrinsically bad' seems often to be invoked as if it could *explain* the sympathetic response to pain—or as if it could explain one's own aversion to pain. This it surely cannot do; and nor can it explain what the benefits are of there being a language-game in which statements like (B) have force. The notion of a 'benefit', if it is to do any work at all, must be a substantial one: it must mean more than just 'something that prevents or reduces what is intrinsically bad'.[12]

But even if the saying that pain is intrinsically bad will tend to be one lacking any explanatory power, it may nevertheless be used in an attempt to express something true. I have already mentioned one such thing. Here is another: in the admonition, 'You mustn't do that—it hurts', we encounter a categorical sort of reason, in the sense adumbrated above. 'Categorical' does not mean 'unsusceptible of further justification', as we have seen; but in normal circumstances, the giving of a categorical reason suffices. Someone who doesn't accept 'It hurts' as supplying a *prima facie* adequate reason for 'You mustn't do that' is out of order. (One could add that, insofar as not accepting an obviously good reason *as* a good reason is a mark of one kind of irrationality, such a person is in a certain sense being irrational.) These thoughts could all be summed up by saying that pain 'just is' bad.

The argument of this section has dealt only with 'pain', and there is a vast amount of 'psychological discourse' left over. I have presented a picture of non-contingent connections, backed up by stopping and forcing modals, between a grasp of psychological concepts and an understanding that in certain situations one must act (or not act) in certain ways, and whether this picture is generally applicable would need to be shown. But my discussion of 'pain' was only meant to indicate two things: first, how a certain way of delineating 'ethical objectivity' might proceed; and second, how (once again)

[12] There are various reasons why 'intrinsically bad' can appear misleading, as applied to pain. (i) The notion may carry with it the same false air of explanation and the same ultimate uselessness as does Moore's notion of goodness as a simple, non-natural property. (ii) Calling pain 'intrinsically bad' threatens to cast as irrelevant, or as merely contingent, the 'extrinsic' evils connected with being in pain—such as physical injury or disease, incapacity, distraction, psychological trauma. (iii) It seems odd to call 'intrinsically bad' the small, unworrying pain in your little toe, or indeed the self-inflicted pain of the soldier or athlete who is training himself in stamina and fortitude. (What would the point of such an epithet be, in these cases?)

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sense can be made of the attempt to justify or explain a language-game, in terms of human and other goods.

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It may help to end by setting out a summary of the points made in this paper.

(1) There is a class of speech-acts employing expressions such as 'can't, 'must', and 'meant to', which are distinct both from simple commands (requests, etc.), and from 'implicit hypothetical imperatives', and which have a paradigm role in stating the rules that govern a practice, in a wide sense of 'practice'. These expressions, following Anscombe, can be called stopping (or forcing) modals.

(2) Despite the fact that 'You can't…', etc., are *not* implicit hypothetical imperatives, it nevertheless makes *prima facie* sense to ask of a given practice why we go in for it, what the point of it is; in short to ask for 'justification' or 'explanation'.

(3) The sense of a tension between (1) and (2) can be alleviated by making a distinction between a rule's *applying to* someone and its *having force* (for that person). This distinction allows us to see why it is false that only the participants in a practice can fully comprehend its concepts.

(4) Where the practice at issue is a language-game, the question 'Why do we do this?' still makes *prima facie* sense, largely because of the multifarious connections between language-use and action.

(5) In relation to the language-game of 'pain', the question arises whether 'You mustn't do that—it hurts' involves a stopping modal. There are similarities and differences between this case and more central cases, e.g. 'You mustn't do that—you promised not to'. The similarities concern (a) the good of there being a language-game in which such statements have force; and (b) the repugnance or puzzlement that we feel towards those who don't accept such statements as supplying a sufficient reason.

(6) To the extent that 'You mustn't do that—it hurts' *can* be seen as involving a stopping modal and as giving a non-hypothetical reason, there appears to be a partial explanation of why it is we are tempted to call pain 'intrinsically bad'. There also appears to be a way in which one kind of 'ethical objectivity' can be made out and argued for.

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