Abstract: The Place of Ordinary Rules in Practical Reason

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Rules of various kinds are often treated, by those who follow them, as sources of a distinctive kind of practical reason. Drawing on Foot, Rawls, and Korsgaard, we can sketch a picture according to which rules are distinctive in being viewed as sources of 'requirement'. The initial contrast is with reasons deriving from an agent's 'ends'. In one familiar sense of 'end', that one has a given end does not as such prevent one from contemplating any of one's other ends as one decides whether and how to pursue that end in action. As a first approximation, we might say that the sense of requirement attaching to rules consists partly in the sense that it is inappropriate to weigh one's ends in this free-form way when one finds oneself under a (valid) rule. How might we explain this sense of requirement attaching to rules?

In *Life and Action*, Michael Thompson draws a metaphysical distinction between sources of action which are 'particular' and those which are 'general'. The former are associated with instrumental action. When I break some eggs 'in order to make an omelette', the 'end' of my action – my making the omelette – is a particular event. The latter are associated with the concepts of 'disposition' and 'practice'. Thompson argues that the goodness of particular acts of promise-keeping, for instance, cannot be properly understood without seeing them as instantiations of something 'general', i.e. the practice of promising itself.

Thompson introduces his concept of 'practical generality' in order to explain the goodness or rationality of keeping a promise in what he calls a 'tight corner'. A classic example is the secret deathbed promise to do something costly and trivial – we might anticipate no good coming from keeping the promise, considered in itself, yet we often think that keeping the promise is still the right thing to do. By treating the rule that "promises must be kept" as something 'general', we mark the fact that it can be the source of an indefinite number of particular actions of promise-keeping, which we can treat as its 'manifestations'. The goodness of the rule itself has a role in explaining the goodness or rationality of the particular

acts of promise-keeping which manifest it, independently of their features as particular actions. The generality of the rule that "promises must be kept" thus explains its ability to 'extend into the tight corner', and it is this ability that helps to explain the sense of requirement attaching to rules.

Yet it is a consequence of the way Thompson sets things up that generality goes along with a feature he calls 'transparency'. Roughly, the transparency of a good rule or practice implies that *any* action which manifests that rule or practice will also be good. It is possible that the practice of promising is 'transparent' in this sense, but it is implausible to think that it holds of *ordinary* practices or institutions, such as games, clubs, schools, etc. On the contrary, we generally think that it must sometimes be right to break the rules of such practices. Thompson's picture does not leave any room for such rules. If only 'transparent' rules can apply in a tight corner, then we have no explanation of the sense of requirement which attaches to ordinary rules.

I suggest that this feature of Thompson's account is a consequence of a view I call 'rigourism', which holds that if a valid rule applies to a situation, then it completely determines what is to be done in that situation. A rigouristic approach to the rules of ordinary practices is clearly untenable, for the reasons mentioned above, but I argue that there is logical space for a non-rigourous interpretation of ordinary rules, which still allows them to cover at least some tight corners. There is room for generality without transparency. In the final section of the paper I raise the concern that a non-rigourous interpretation of ordinary rules will itself undermine the explanation of requirement, and offer some initial reasons for thinking that this need not be the case.