

The 'Natural Unintelligibility' of Normativity

Anscombe on 'Hume's Circle'

1. Aim and Background

We suggest an account of normativity, according to which there are three fundamental normative 'entities': rules, rights and promises. These are created as part of socially-shared practices — practices that involve the use of certain modal locutions, e.g., “must” and “may.” Even though rules, rights and promises are human creations, the ‘objectivity’ of specifically moral demands they *inter alia* impose is anchored in something largely independent of human practices, namely the good human life. This account develops ideas originally suggested by Elizabeth Anscombe.

Our presentation focuses on the following strand of Anscombe’s argument for the claim that rules, rights and promises are created by socially-shared practices: (1) A defining feature of rules, rights and promises is that they create a special kind of necessity to carry out (or to omit) certain actions. (2) This necessity cannot be explicated without bringing in the notion of a rule or a right or a promise again. Since this circularity was already noticed by David Hume, it is sometimes called ‘Hume’s Circle’ (see *Treatise* 3.2.5, § 7). Both Anscombe and Hume suggest that the solution is to understand this necessity as created by a socially-shared practice. Why, though, must any attempt to explicate the necessity created by rules, rights and promises run in a circle?

2. Anscombe’s Challenge

Rules, rights and promises necessitate actions. One *has to* move one’s king if he is in check; one *must* get up from someone else’s seat; one *must* pay back one’s debt. Claims that express or report rules, rights and promises can be reformulated as claims that express or report this specific kind of necessity.

Say, Juliet promises to Romeo to mow the lawn tomorrow. Then her claim: “(I promise:) I’ll mow the lawn tomorrow” can be reformulated as: “I hereby create a necessity for myself to mow the lawn tomorrow;” and a report of this happening can be formulated as: “Juliet created a necessity for herself to mow the lawn tomorrow.” Call this kind of necessity “necessity_{promise}”, and the analogous two kinds of necessity “necessity_{right}” and “necessity_{rule}”. Anscombe asks: “But what sort of necessity is that?” (“Rules, Rights and Promises,” *CP III*, p. 99). And she claims that we cannot explicate ‘necessity_{promise}’ without bringing in the notion of a promise again, and similarly for the other two kinds of necessity.

3. A First Attempt to Break out of Hume’s Circle

Both Hume and Anscombe use the example of promising to set up the circle. They ask: What is ‘necessity_{promise}’? Obviously we are not talking about a physical or logical necessity here (which is why Hume called promises “naturally unintelligible”). In what sense, then, is it necessary for people not to break their promises?

One might think the necessity to keep one's promises is the necessity not to act unjustly. Perhaps it is necessary for Juliet to mow the lawn in that she would act unjustly if she did not mow the lawn. As Anscombe argues, however, this does not enable us to leave Hume's Circle.

We may say: the necessity is one of making the description come true — *or* being guilty of something. Of what? Of breaking a promise. [...] Not just to go on running round in the circle let's try again and say: of an injustice, a wrong against the one whom the sign, the description, was given. But what *wrong* was that? The wrong of breaking a promise ... We are back in the circle after all. [...].

Let's have a sign for its being [a promise], say [...] "I blip". It's not the prediction by itself that it's an offence not to make come true, it's the 'blipping' of it, or its being a blip. And what is the meaning of its being a blip? That it's an offence not to make the attached description come true. But what offence? The offence of going contrary to a blip. It seems clear that we just haven't explained what blipping is at all. (ibid., 99-100, paragraph break added)

Our original question "What sort of necessity is that?" has become "What sort of injustice is that?" And in order to specify the sort of injustice done, we need to mention again that it is the injustice of breaking a promise.

4. A Second Attempt – and Why It Fails

As a remedy, someone might suggest the following (not discussed by Anscombe): We can specify this necessity further — and thus break Hume's Circle — by adding a general criterion of justice. Perhaps Juliet would act against the greatest good of the greatest number if she did not mow the lawn; or she would act on a maxim on which she could not possibly want everyone to act; or ...

Given, though, that whatever criterion we pick is supposed to characterize all (un)just actions, it would apply to, say, the necessity created by a right, too. Therefore, "It is necessary_{promise} for Juliet to φ " and "It is necessary_{right} for Juliet to φ " should mean the same. In other words, "Juliet promised Romeo to φ " and "Romeo has a right that Juliet φ " should mean the same – and that is clearly false. In order to distinguish the two, we must say something like: "It is necessary for Juliet to φ in that, by not φ -ing, she acts against the greatest good of the greatest number by breaking a promise." Hence we are still trapped in 'Hume's Circle.'

5. Implications

We cannot break out of Hume's Circle; in other words, there can be no non-circular explication of rules, rights or promises. As Anscombe points out, though, such an explication 'proper' is not the only way to understand something. The best option here seems to be a perspicuous description of the social practices within which rules, rights and promises occur. It can be shown that if we must explicate the relevant kinds of necessity in this way, then these kinds of necessity are created by the social practices within which they occur. (It can also be shown that a commonly ensuing worry regarding such accounts is ungrounded: The account suggested does not entail an implausible moral relativism.)