

A Regress of Justification? Brandom and Wittgenstein on Certainty and Reasonable Doubt

SYBREN HEYNDELS

ABSTRACT

In order to ward off the global threat of a regress of justification, Brandom argues that some claims in our linguistic practices must be treated as “innocent until proven guilty”, i.e. participants must be treated as *prima facie* entitled when making them. Examples he gives include claims such as “There have been black dogs” and “I have ten fingers”. Brandom calls this idea “the default and challenge structure of entitlement” (Brandom 1994, p. 177). In *On Certainty*, Wittgenstein argues that there are basic certainties (“hinge propositions” or “hinges”) such as “The world existed long before I was born” (OC §84) or “This is a tree” (OC §467) that cannot be meaningfully doubted because they provide the basic frameworks for our language-games in the first place. The aim of this article is threefold. First, it offers an understanding of Brandom’s philosophical project in the light of Wittgenstein’s *On Certainty*. Secondly, it shows how Brandom may help to elucidate some of the more mysterious passages in Wittgenstein’s “third masterpiece”. Thirdly, it outlines a sketch of a promising solution to an old philosophical riddle.

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A Regress of Justification? Brandom and Wittgenstein on Certainty and Reasonable Doubt

SYBREN HEYNDELS

THE MODERN AGRIPPAN OR REGRESS PROBLEM concerns the structure of justification. Accepting (1) that knowledge is justified true belief and (2) that the justification of a certain belief must involve knowledge as well, the question whether the belief (belief₂) that justifies belief₁ is itself justified (by belief₃) may lead to an infinite regress. This argument leads to the so-called “Agrippan trilemma”.¹

The first option is to accept the “trope of infinity”. Contemporary infinitists embrace this option and argue that an infinite regress is not necessarily problematic at all. A second alternative is to accept the “trope of presupposition” and to argue that there are intrinsically credible beliefs that do not depend on further beliefs. Foundationalism defends such a strategy. The third and last option is to accept the “trope of circularity” and is argued for by coherentists who maintain that a belief can be suitably justified in a coherent system of beliefs (even if that means that there are circular inferences).

Both Brandom and Wittgenstein have discussed the regress problem. In *Making it Explicit* (1994), Brandom aims to dissolve the threat of a regress by treating some claims as “innocent until proven guilty”. Examples he gives include claims such as “There have been black dogs” and “I have ten fingers”. Brandom calls this idea “the default and challenge structure of entitlement” (Brandom 1994, p 177). In *On Certainty* (henceforth referred to as OC), Wittgenstein argues that there are basic certainties (“hinge propositions” or “hinges”) such as “The world existed long before I was born” (OC §84) or “This is a tree” (OC §467) that cannot be meaningfully doubted exactly because they provide the basic

¹ In Sextus’s original formulation of the argument, there were five instead of three Modes. Here I adopt the contemporary formulation of the problem. See Williams (2015) for a discussion of Sextus’s original distinction between five modes.

frameworks of our language– games in the first place.

Whereas Brandom refers to Wittgenstein as a major source of inspiration on multiple occasions, he primarily draws on remarks from Wittgenstein's *Philosophical Investigations* (henceforth PI). In *Making it Explicit* (1994), Wittgenstein's rule-following considerations are elaborately discussed in the first chapter. In *Between Saying and Doing* (2008), he systematically works out the "meaning is use"–slogan in order to reconcile the "classical project of analysis" with Wittgenstein's "pragmatist challenge" (Brandom 2008, p. 3). While the *Tractatus* and *Philosophical Investigations* are undoubtedly Wittgenstein's most famous works, his *On Certainty*, written in the last year and a half of his life, is often regarded as his "third masterpiece" (Moyal-Sharrock & Brenner 2005, p. 1). Here he discusses most explicitly the problem of scepticism and the threat of a regress of justification. Taking the similarities observed above as a starting point, this article investigates the relation between Brandom's *Making it Explicit* and Wittgenstein's *On Certainty* in more detail. The aim of this article is threefold. First, it offers an understanding of Brandom's philosophy in the light of Wittgenstein's *On Certainty*. Secondly, it shows how Brandom helps to elucidate some of Wittgenstein's more mysterious passages. Thirdly, it outlines a sketch of a promising solution to an old philosophical riddle.

The structure of the article is as follows. First, I situate the role of the "default and challenge structure of entitlement" in Brandom's philosophical project and discuss his response to the Agrippan trilemma. Secondly, I show how Brandom's characterization of knowledge as a complex hybrid deontic status elucidates some of Wittgenstein's more cryptic remarks (with a special focus on entry §13) in *On Certainty*. Both philosophers emphasize the *interpersonal* character of knowledge ascriptions. Thirdly, Wittgenstein's critique of Moore's defence against the sceptic is discussed in light of Brandom's views on the structure of entitlement. Wittgenstein and Brandom both make a distinction between legitimate and illegitimate challenges. By *defending* our basic certainties, Moore implicitly treats the sceptic's challenge as legitimate. But a basic certainty is exactly a certainty that cannot be legitimately challenged. Fourthly, I discuss Brandom's and Wittgenstein's reasons as to why our basic certainties cannot be legitimately challenged. The key consideration here will be that, at a certain point, a challenge to our basic certainties becomes *meaningless* rather than merely illegitimate.

§ 1. Brandom and the “Default and Challenge Structure of Entitlement”

Brandom’s discussion of the “default and challenge structure of entitlement” occurs in the middle of the third chapter of *Making it Explicit* (Brandom 1994, pp. 176–178). In this chapter, Brandom brings together a normative pragmatics (Chapter 1) and inferentialist semantics (Chapter 2) by arguing that material proprieties of inference can be explained in terms of the implicitly normative practices of attributing and undertaking deontic statuses. He calls this “the deontic scorekeeping model of discursive practice” (Brandom 1994, p. 141). The primitive notions in Brandom’s scorekeeping model are the two deontic statuses of commitment and entitlement. There are three central moves in this model: undertaking a commitment oneself, attributing a commitment to someone else and attributing entitlement to someone else’s commitment². The central performance (speech act) in this idealized model of our linguistic practices is the making of an *assertion*. An assertion is a particular kind of commitment, which Brandom calls a *doxastic* (or *cognitive*) commitment. It has a privileged status because only an assertion can function *both* as a premise (reason-giver) as well as the conclusion (reason-demander) of a material *inference*, which is Brandom’s semantic primitive notion³. The scorekeeping metaphor is used to describe how participants in the linguistic practice keep track of one another’s commitments and entitlements. The score of a speaker, her set of prior entitlements and commitments, affects the propriety of performing a speech act (paradigmatically an assertion) in the sense that the speaker’s set of commitments and entitlements plays an important role as to whether or not that speaker is entitled to a new particular commitment. The antecedent score thus constitutes the *circumstances* of the speech act of asserting. The pragmatic significance of an assertion is then simply seen as the *difference* it makes to a speaker’s deontic status, i.e. the alteration of the speaker’s set of commitments and entitlements. This corresponds to the *consequences* of making an assertion⁴.

² Strictly speaking, these three fundamental moves can be reduced to two, as the undertaking of a commitment can be analysed as the attribution of an entitlement to someone else to attribute a commitment (Brandom 1994, p. 166).

³ The assertion’s dual role in the game of giving and asking for reasons can neither be fulfilled by a non-inferential observation report, which can only be used as a premise for a conclusion but never as the conclusion of an inference, nor by an action, which functions as the conclusion but never as a premise for an inference (Brandom 1994, p. 167).

⁴ An assertion might have both *intrapersonal* as well as *interpersonal* consequences. Not only does a speaker’s undertaking of a doxastic commitment have consequences for the further commitments and entitlements of that speaker, it also has the social consequence that it entitles others to attribute that

His discussion of the inferential articulation of assertions leads to the “default and challenge structure of entitlement”. Brandom argues that participants in the scorekeeping model have a task–responsibility to show that one was entitled to make the assertion in the first place. This task–responsibility can be exercised in three ways (Brandom, 1994, pp. 174–175). First, the speaker may justify the assertion by explicitly giving new reasons for it. This evokes a content–based authority, for it amounts to an *intrapersonal* and *intercontent* inheritance of entitlement. The speaker herself justifies her assertion by giving a reason with a different propositional content. Secondly, the speaker may justify the assertion by deferral to the authority of another asserter. This evokes a person–based authority, for it amounts to an *interpersonal* and *intracontent* inheritance of entitlement. The speaker justifies her assertion by citing an assertion with the same propositional content but made by another speaker. Thirdly, the speaker can invoke her own authority as a reliable non–inferential reporter. The threat of regress may occur with respect to the “justificatory” or the “communicational style of vindication”. In the first case, the regress arises because every justification with a *new* content can in itself stand in need for justification as well. In the second case, the regress arises because every justification by deferral (to the authority of another asserter) can in itself in turn be justified by deferral. Given that the first one is the most traditional way of formulating the Agrippan regress problem, it will do to focus exclusively on the former.

To justify by giving a reason with a new content is one way the speaker may fulfil her task: the responsibility to vindicate her original assertion. However, a regress looms when we realize that every new justification by appeal to a new doxastic commitment may itself stand in need of justification. Either, we (1) embark on an infinite regress, (2) end up in a circle, or we (3) must accept that our original claim depends on a dogmatic —because unjustified— foundation (these three options make up the “Agrippan trilemma”). Brandom’s response is to understand the task– responsibility of the asserter as *conditional* on the appropriateness of the challenge. The problem of a regress only arises if we take the challenge to have a privileged status in the sense that the challenge itself does not need to be vindicated. A way to reject this privileged status is to understand these challenges themselves as assertions which may stand in need of justification. At a sudden point, the challenge to our entitlement to a particular kind of commitment may itself become the target of a demand for justification. Claims such as “I have ten fingers”, “There have been black dogs” and “Red is a colour”

commitment in the first place, or, if entitlement to the commitment is attributed, that it is endorsed by other interlocutors as well (Brandom 1994, pp. 168–172).

should be treated as “innocent until proven guilty” by the community and can only in very special circumstances be *legitimately* challenged (if they can be legitimately challenged at all). The task–responsibility of the one making an assertion is thus a *conditional* one, for many claims that we make will be treated as claims we are *prima facie* entitled to (or entitled to by default). By opening the possibility to challenge the challenge and thus shifting the burden of proof onto the challenger, the threat of regress disappears. As Brandom summarizes:

Even if all of the methods of demonstrating entitlement to a commitment are regressive (that is, depend on the inheritance of entitlement), a grounding problem arises in general only if entitlement is never attributed until and unless it has been demonstrated. If many claims are treated as innocent until proven guilty —taken to be entitled commitments until and unless someone is in a position to raise a legitimate question about them — the global threat of regress dissolves (Brandom 1994, p. 177).

Brandom further distinguishes between “two senses in which a belief can be said to be justified” (Brandom 1994, p. 204). First, the belief may be the result of an explicit conclusion of a process of *justifying* it. Secondly, the belief may have a *positive justificatory status*, which amounts to the possession of the deontic status of entitlement to a claim in the first place. From this, it follows that a speaker may be entitled to a doxastic commitment that has not been the result of a process of justification. *Justifying* a claim is only one way for a claim to have a positive justificatory status. The implicit presupposition of the Agrippan regress problem is that it narrows down the set of entitlements to commitments to the set of entitlements that can be the result of a process of justifying it. Another way to phrase his response to the Agrippan trilemma is then that in order

to avoid embarking on a foundationalist regress it is necessary to acknowledge that a commitment may have a positive justificatory status without having been justified (indeed, without that entitlement having been defended in anyway, whether *intrapersonally* by inference or *interpersonally* by deference) (Brandom 1994, p. 204).

But as Brandom explains in the beginning of chapter 4, there is not only the worry of a regress as regards the *premises* of our reasonings that vindicate our original commitment; there is also the possibility of a regress on the side of the inferences (Brandom 1994, pp. 204–206). When entitlement to a commitment to *p* is vindicated by asserting *q*, not only the entitlement to *q* but also entitlement to the inference from *q* to *p* may be challenged. By connecting the *default and challenge structure of entitlement* with a regress on the side of the inferences,

Brandom returns to his elaborate discussion of rule-following in chapter 1 and, by doing so, he adds an interesting new dimension to the problem. As Brandom's inferentialist semantics characterizes propositional content in terms of its *inferential* articulation (i.e. its ability to appear as a premise or conclusion in material inferences), a global challenge to our entitlement to endorse material inferences would not only have *epistemic* consequences (a lack of justification), but *semantic* ones as well. For it is exactly the proprieties of these material inferences that give life and meaning to our linguistic expressions in the first place. Aware of this semantic challenge, Brandom argues that we must be *prima facie* entitled to make inferences, or, in other words,

[o]ne must start with a notion of taking or treating inferences as correct in practice. [...] Once the game is under way, the practical inferential attitudes it involves can then, on suitable occasions, be made explicit in the form of endorsements of conditionals. But what those conditionals express is intelligible only in terms of the underlying inferential practice (Brandom 1994, p. 205).

This connects with his reading of Wittgenstein's response to the threat of a regress of rules in *Philosophical Investigations*. In order for our language-games to make sense, Wittgenstein argues, conceptual rules should not merely be seen as explicit principles, but first and foremost as *implicit* in our practices. Without this prior notion of implicit rule-following, which is first and foremost a way of *acting*, there would not be any meaningful language-game in the first place. Or, again, in Brandom's words:

If claiming is to be possible at all, some of those content-constitutive implicit inferential proprieties must in practice be taken for granted, treated as *prima facie* in order — not as innocent until *proven* guilty, but at least as innocent until indicted on the basis of reasonable suspicion (Brandom 1994, p. 206).

§ 2. Wittgenstein and Brandom on “to know”

Wittgenstein opens his *On Certainty* with a reference to Moore's proof for the existence of an external world. With this proof, Moore responds to the sceptic who claims that we do not know that there are external objects. Moore proves that there are external objects by the act of holding up his two hands and saying “Here is one hand” followed by “Here is another” and thereby concludes that he knows that there are external objects. Wittgenstein's answer consists of saying that Moore is wrong in claiming that he *knows* he has two hands. Simultaneously, he

criticizes the sceptic who claims that Moore *does not know* he has two hands. His critique is that both the sceptic and Moore misunderstand the rules that govern our use of the expression “I know”. Both of them fail to see “how very specialized the use of ‘I know’ is” (OC §11) and are, as it were, “bewitched” by it (OC §435). What follows is an in–depth *grammatical* (in his idiosyncratic *semantic* and not just syntactic use of the term) investigation of the concepts of knowledge and certainty, as well as related concepts such as doubt, belief and trust. Such an investigation aims at delineating the framework within which these concepts have their meaningful application.

In §13, Wittgenstein summarizes three observations that will be at the centre of his grammatical investigation of “to know”. He remarks:

For it is not as though the proposition “It is so” could be inferred from someone else’s utterance: “I know it is so”. Nor from the utterance together with it’s not being a lie. —But can’t I infer “It is so” from my own utterance “I know etc.”? Yes; and also “There is a hand there” follows from the proposition “He knows that there’s a hand there”. But from his utterance “I know ...” it does not follow that he does know it (OC §13).

Wittgenstein thus makes the following three observations:

- (1) From someone else’s utterance “I know p”, it does not follow that p.
- (2) From my utterance “I know p”, it does follow that p.
- (3) From “He knows p”, it does follow that p.

A lot depends on what is meant by the claim that p *follows* from the antecedent. I shall discuss three readings and argue that only the third reading, which interprets §13 in terms of Brandom’s characterization of knowledge as a complex hybrid deontic status, is the correct one.

First, it is clear that Wittgenstein is not saying that *my* utterance “I know p” would somehow *make* p true and *someone else’s* utterance “I know p” would *not* make p true. The mere utterance of “I know p” is not the truth–maker of p. It is not because I claim to possess knowledge that therefore it follows that I, in fact, possess knowledge that p and thus that p is true. To say that “I know” is different from saying “I promise ...” in this respect. Whereas the performative act of uttering the latter *does* amount to the making of a promise, the utterance of the

former does not make it the case that I indeed possess knowledge. This would make knowledge ridiculously easy to achieve, for knowledge would then be attained merely by uttering that one has knowledge. Furthermore, it would be mysterious why Wittgenstein's utterance would and Moore's utterance would not make *p* true.

Secondly, Wittgenstein is not concerned in §13 to say that the *truth* of the utterance "I know *p*" or "He knows *p*" implies that *p*. This is, of course, not to say that he would not agree that this is indeed the case. Evidently, if it is true that someone knows *p* it follows that it is true that *p* as well. But that he does not simply point at this truism can be seen from the fact that he talks about "the *utterance* of 'I know *p*' implying *p*" and his emphasis on the difference between what can be inferred from someone else's utterance of "I know *p*" and my own utterance of "I know *p*". If Wittgenstein just wanted to make clear that the truth of "I know *p*" implies the truth of *p*, it would be mysterious why *p* would follow from Wittgenstein's (first-personal) true utterance "I know *p*", but not from Moore's (third-personal) true utterance "I know *p*". For if these utterances are true, then in both cases *p* would follow.

One has to consider a third reading in order to understand what Wittgenstein is aiming at in §13. According to this reading, Wittgenstein is concerned with the question of what it is that one must be *doing* in order to count as *attributing* knowledge to someone or oneself. The example features a dialogue between an "I" and a "Thou" that is essential to the point Wittgenstein is making. What he wishes to make clear is that by *attributing* knowledge to oneself or someone else (by *asserting* "I know *p*" or "He knows *p*"), one *commits* oneself to *p*. If one takes herself or someone else to know *p* she also takes it to be that *p*. This is a grammatical remark about the proper function of the verb "to know", for it does not make sense to say that "I know that you have a copy of *Making it Explicit* and you don't have a copy of *Making it Explicit*" or "He knows that the table is red and the table is not red". That these possibilities are excluded amounts to an important feature of the proper use of "to know". It is in this sense that an attribution of knowledge differs, for example, from an attribution of a mere belief, since one can say that "[h]e believes it, but it isn't so" but not "He knows it, but it isn't so" (OC §42)⁵.

Wittgenstein here treats the philosophical question "What is knowledge?" from a perspective that investigates what it means that one must be *doing* when

⁵ Wittgenstein also compares "I know" with "I see" and observes that "I knew he was in the room, but he wasn't in the room" is like "I saw him in the room, but he wasn't there" (OC §90).

one attributes knowledge to someone. The same (pragmatist) strategy is pursued by Brandom when he characterizes knowledge as a “complex hybrid deontic status” (Brandom 1994, pp. 201–204). A knowledge claim can be explained in terms of the deontic scorekeeping model with its three pragmatic primitive notions of attributing and undertaking commitments and attributing entitlement. What one is doing when treating an assertion as a knowledge claim (i.e. when one is properly *using* the verb “to know”) is (1) attributing a doxastic commitment, (2) attributing entitlement to that commitment and (3) endorsing that commitment oneself. These conditions parallel the conditions of the classical account of knowledge as justified true belief, but characterize the justification of a belief as something that must be *attributed* and the truth condition as fulfilled by the attributor who *endorses* the claim itself. This explanation of the *use* of “I know” in attributions of knowledge (“He knows p”) or in claims to knowledge (“I know p”) does not preclude the possibility that we later realize that what we *had taken* to be knowledge did not amount to knowledge at all. But this dialogical account of the *use* of “know” does shed light on Wittgenstein’s remark that Moore’s utterance (*his* utterance) “I know p” does not imply that p, whereas Wittgenstein’s own claim (*my* utterance) “I know p”, on the other hand, does imply that p. The difference is that, from the perspective of the attributor, the attribution of knowledge of p *commits* oneself to endorse p as well. From these observations, Wittgenstein concludes that Moore’s utterance “I know that I have hands” does not amount to anything more than a mere *claim* to knowledge or an assurance [*eine Versicherung*]. It is meaningful to say that Moore claims to know that p but it is not the case that p. “A personal experience”, Wittgenstein observes, “simply has no interest for us here” (OC §398). From Moore’s utterance “I know p” it does not follow that p, but only that Moore is personally convinced that p.

§ 3. Reasonable Doubt, Legitimate and Illegitimate Challenges

One of Wittgenstein’s central claims in *On Certainty* is not only that Moore’s utterance “I know that I have hands” does not *objectively* establish that he has hands (OC §15–16), but, moreover, that it is both meaningless to say that one either *knows* to have hands (as Moore wishes say) or *doesn’t know* to have hands (as the sceptic would want to say). “I know”, after all, is essentially linked to the possibility of justification (OC §40, §91, §175, §243, §484, §504) and it is exactly because of this link between knowledge and justification that Wittgenstein will reject the idea that we know various basic certainties as well as that we do not know them. For these propositions are *beyond* the status of either being justified

or unjustified (OC §359). They are not properly defended by characterizing them as objects of *knowledge* (and therefore within the realm of possible justification or rejection). To say that I *know* that I have hands (or “that the earth existed for long before my birth” (OC §234)) is already to participate in the sceptic’s game who claims that we do not *know* these propositions. This crucial point is repeated throughout *On Certainty*:

I know that a sick man is lying here? Nonsense! I am sitting at his bedside, I am looking attentively into his face. — So I don’t know, then, that there is a sick man lying here? Neither the question nor the assertion makes sense (OC §10).

The queer thing is that even though I find it quite correct for someone to say “Rubbish!” and so brush aside the attempt to confuse him with doubts at bedrock, —nevertheless, I hold it to be incorrect if he seeks to defend himself (using, e.g., the words “I know”) (OC §498).

Moore’s mistake lies in this —countering the assertion that one cannot know that, by saying “I do know it” (OC §521)⁶.

Wittgenstein’s claim that our basic certainties are not to be characterized as the objects of knowledge can be elucidated by his distinction between reasonable and meaningless doubt. Reasonable doubt is doubt for which *specific* reasons can be offered (OC §323, §458). I may for example doubt whether or not there is a piano in the room next to me or whether or not I lent a book to a particular person. The reasons I may give for these particular doubts are for example that I heard someone saying that he will move the piano to another location very soon or that I am sure that I lent the book to someone but do not remember exactly to whom. Reasons can be given not only for the assertions they challenge, but for the challenges themselves as well. This parallels Brandom’s claim that “[...] challenges have no privileged status: their entitlement is on the table along with that of what they challenge” (Brandom 1994, p. 178).

Challenges themselves can be challenged: indeed, this is what dissolves a possible regress of justification in the first place.

Let a *legitimate* challenge be a challenge that is the expression of a reasonable doubt for which specific reasons can be given. Let an *illegitimate* challenge be a challenge that is the expression of an unreasonable doubt. A *basic certainty* is a certainty that cannot be legitimately challenged. Wittgenstein’s critique of Moore is that by defending himself (uttering “I know I have hands”), Moore implicitly

⁶ A last example: “And it properly means “There is no such thing as a doubt in this case” or “The expression “I do not know” makes no sense in this case.” And of course it follows from this that “I *know*” makes no sense either” (OC §58).

treats the challenge as legitimate in practice. But as a basic certainty cannot be legitimately challenged (which, of course, Wittgenstein still has to argue for), Moore's defence is incorrect because it treats the challenge as something that it is not (that is, as a *legitimate* challenge). Therefore, saying that he *knows* he has hands already concedes too much to the sceptic, for it implicitly endorses the legitimacy of the sceptic's challenge.

While both Brandom and Wittgenstein argue that challenges should not be seen as occupying a privileged place *outside* the game of giving and asking for reasons, their accounts of these basic certainties seem different at first sight. Brandom argues that these basic certainties are *claims* or *assertions* we are *prima facie entitled* to⁷. As he later makes clear, “[i]n the deontic scorekeeping model of inferentially articulated linguistic social practices, asserting is making a knowledge claim” (Brandom, 1994, p. 203). To possess the complex hybrid deontic status of knowledge is to have been practically recognized as having the authority the assertion implicitly aimed for. If this is the case, however, Brandom would seem to make a similar mistake as Moore for he too characterizes our basic certainties as claims or assertions and thus as claims to knowledge. Furthermore, Wittgenstein argues that these assertions are “beyond being justified or unjustified” (OC §359), whereas Brandom claims that we are *prima facie entitled* to these claims in the first place. A possible objector might ask: would Brandom, according to Wittgenstein, not have to say that these basic certainties are certainties we are neither entitled nor *not* entitled to?

These *prima facie* differences can be overcome. First, Brandom distinguishes, as we have seen, between two senses of “being justified”. A claim can be justified even if it has not been the result of a process of *justifying* it. If this is the case, these claims will still have a *positive justificatory status*. For the possession of this status can be achieved by default, as is the case with claims that cannot be legitimately challenged. To say that these basic claims are “beyond being justified or unjustified” is then absolutely correct if it means that these are claims that cannot be the result of any process of *justifying* them. For a claim to be a possible result of a process of *justifying*, the claim must be taken to be the possible object of a legitimate challenge as well. But our basic certainties are exactly the sort of claims that cannot be legitimately challenged and thus cannot be said to have the possibility of either correctly following from a process of justifying it or of failing to follow from such a process of justification. If to be “justified” is understood in

⁷ [c]laims such as “There have been black dogs” and “I have ten fingers” are ones to which interlocutors are treated as *prima facie* entitled (Brandom, 1994, p. 177).

this narrow sense of being the result of an activity of *justifying*, then it follows that our basic claims are “beyond being justified or unjustified” for they cannot be the result of a process of justification. Nevertheless, they are “justified” in Brandom’s idiosyncratic use of the term in the sense that they have a *positive justificatory status*, i.e. we are entitled to these basic certainties by default even though they cannot be the result of a process of justification.

The distinction between two different senses of justification sheds light on Brandom and Wittgenstein’s *prima facie* disagreement as to whether or not we *know* our basic certainties. Wittgenstein is very clear in stating that the use of “I know” is essentially tied to the activity of *justifying* it:

If e.g. someone says “I don’t know if there’s a hand here” he might be told “Look closer”. — This possibility of satisfying oneself is part of the language–game. Is one of its essential features (OC §3).

“I know it” I say to someone else; and here there is a justification. But there is none for my belief (OC §175).

One says “I know” when one is ready to give compelling grounds. “I know” relates to a possibility of demonstrating the truth. Whether someone knows something can come to light, assuming that he is convinced of it (OC §243).

If someone believes something, we needn’t always be able to answer the question “why he believes it”; but if he knows something, then the question “how does he know?” must be capable of being answered (OC §550)⁸.

Brandom’s claim that our basic certainties can be stated as claims or assertions (and thus as knowledge claims) is compatible with Wittgenstein’s claim that our basic certainties cannot be stated as knowledge claims, for Brandom’s characterization of assertions as knowledge claims is broader than Wittgenstein’s account of them. For Brandom, it does not necessarily follow from the fact that something is an assertion or a claim that it can be legitimately challenged and therefore counts as an intelligible result of the activity of *justifying* it. Some assertions cannot be legitimately challenged and thus cannot be the result of a process of justification. For Wittgenstein, however, to utter “I know ...” is already to concede that the sceptic’s challenge is legitimate and thus that the object of

⁸ Two other examples: “Upon “I know that there is my hand” there may follow the question “How do you know?” and the answer to that presupposes that *this* can be known in *that* way. So, instead of “I know that there is my hand”, one might say “Here is my hand”, and then adds *how* one knows” (OC §40) and “In these cases, then, one says “I know” and mentions how one knows, or at least one can do so” (OC §484).

knowledge is the possible result of such a justifying activity. Given that a basic certainty cannot be the result of such an activity, the basic certainty cannot be *asserted* or claimed to be *known*. As long as Brandom's and Wittgenstein's different accounts of assertion and knowledge are kept in mind, however, there is no need to see them as being involved in a genuine conflict. They both agree that our basic certainties *cannot* be the result of an activity of *justifying*⁹.

§ 4. From Illegitimate to Meaningless Challenges

Wittgenstein's critique of Moore consists of two parts. First, Moore's utterance "I know that I have hands" does not amount to anything more than a personal conviction. Knowledge ascription, and specifically the attribution of entitlement is something that is done by an *ascriber* who attributes this entitlement and endorses Moore's commitment as well. Wittgenstein's summary of his grammatical remarks in §13 and related passages was elucidated by Brandom's characterization of knowledge as a complex hybrid deontic status. Secondly, Moore is wrong to emphasize that one could have knowledge of our basic certainties in the first place. For the use "I know ..." is essentially tied to the activity of *justifying* it and to allow for the possibility of *justifying* a claim, one implicitly treats a challenge to the knowledge claim as legitimate. This parallels Brandom's outline of the "default and challenge structure of entitlement" in the third chapter of *Making it Explicit*. But an important question remains. Wittgenstein has argued that our basic certainties cannot be legitimately challenged, but why should this be the case? Certainly, someone who challenges our basic certainties (such as the sceptic) would not take our basic certainties to be immune from legitimate challenges. In order to avoid dogmatism, an argument has to be given showing why our basic certainties cannot be the object of a legitimate challenge.

First, it is worthwhile to revisit Brandom's distinction between a regress on the side of premises and a regress on the side of inferences. As regards the latter, Brandom claims that "[i]f claiming is to be possible at all, some of those content–

⁹ Wittgenstein's account here seems closer to the ordinary use of "know" and "justification". Brandom's characterization, while still containing the elements Wittgenstein points out, stipulates a different, though clearly related, meaning. Here Wittgenstein's and Brandom's different methodological considerations are at play. While a discussion of their different philosophical methods does not lie within the scope of this paper, there is no need to see the method of *stipulation* and the method of *description* as incompatible. Both have their theoretical virtues and, as long as the differences are clearly expressed, confusion will not arise.

constitutive implicit inferential proprieties must in practice be taken for granted”; and this is to say that they have to be treated “as innocent until indicted on the basis of reasonable suspicion” (Brandom 1994, p. 206). Brandom is making two claims. First, it *is* possible to legitimately challenge some inferential propriety. Secondly, some of those inferential proprieties must be taken for granted in order for claiming to be possible at all. This follows directly from Brandom’s semantic inferentialism: for if the inferential articulation of assertions is what makes such assertions *meaningful* sayings in the first place, then at least some of these content–constitutive inferential proprieties must be taken for granted. If a sceptic, as a response to the threat of a regress on the side of the inferences, were to claim that none of these inferential proprieties are ever justified, it would follow that the sceptic herself would not count as meaningfully saying anything either — for in order to count as meaningfully saying something she must practically presuppose (i.e. take for granted some content–constitutive inferential proprieties) what she theoretically denies (that inferential proprieties are ever justified). While it is possible for someone to legitimately challenge some of those inferential proprieties, such a challenge cannot be *global* without, at a certain point, undermining itself. Purely formally, one could say that *every* inferential propriety may be doubted but not *all* proprieties at the same time.

On the side of the premises, the sceptic’s response to the regress is that we would never be justified in believing anything. As we have seen, Brandom dissolves the worry by saying that not all challenges should be weighed equally: challenges themselves must be able to be challenged. But Brandom’s argument here is not as strong as it is when discussing the regress on the side of the inferences. Here, the possibility of global doubt concerning inferential proprieties was excluded because of the fact that, in Brandom’s semantic inferentialism, these inferential proprieties are exactly content–constitutive. The sceptic’s global doubt could thus not be meaningfully articulated. On the side of the premises, Brandom is content with arguing that, if the global threat of a regress is to be dissolved, the *default and challenge structure of entitlement* must be accepted. But here the response is not that the sceptic’s global doubt is meaningless, but just that some of her challenges must be illegitimate in order for the threat of a regress to disappear. Again, the formal framework that we should accept is that *every* premise may be doubted, not *all* premises can be doubted at the same time.

Wittgenstein adds a crucial *descriptive* element to this picture. First, the *default and challenge structure of entitlement* is not just something we have to presuppose in order to solve a philosophical riddle. It is a pervasive feature of the linguistic practices we are actually engaged in. In order to see this, one simply is invited to

do the experiment and challenge any claim everyone ever makes. In the best case, people will be slightly amused. In the worst case, one will be considered mad. As Wittgenstein observes, the fact that not every doubt is equally grounded is something we learn when we become members of a linguistic community. But it is important to realize that this does not clash with the idea of critical, non-dogmatic thinking. Critical thinking is not to be equated with merely challenging everything. It includes as well the sensitivity to grasp which things are important, the things we care about. And to have a grasp of what is important is to be able to distinguish between things *worth* challenging and things *not* worth challenging. To be anti-dogmatic is not to criticize everything equally, but to criticize thoroughly within the field of things that *demand* and *deserve* our attention (this is as much an ethical as a “merely intellectual” category). It is this sensitivity to the things that *matter* that is an essential part of the carefully examined life.

Secondly, Wittgenstein discusses *specific* basic certainties. When talking on the level of a simplified model of our linguistic practices (as Brandom does), it suffices to make the merely formal claim that there must be *some* fixed points. But *On Certainty* features elaborate discussions of many explicitly formulated basic certainties. When looking at our *actual* practices (as Wittgenstein does), we investigate the basic certainties that lie at the foundation of *our* language-games. Some claims, if they can be characterized as claims in the first place, are *qualitatively* different. In *our* language game, not *every* claim can be doubted without doubting everything at the same time. Some claims cannot be doubted, for such a seemingly local doubt would in fact amount to a pervasive global doubt that cannot be meaningfully articulated. This leads to Wittgenstein’s argument as to *why* our basic certainties cannot be legitimately challenged.

Wittgenstein’s argument resembles Brandom’s *semantic* critique of the sceptic on the side of the inferences (rendering her doubt meaningless) but can be applied to the side of premises as well. Throughout *On Certainty*, he argues that someone who wishes to challenge a basic certainty will not merely have expressed an *illegitimate* challenge but, instead, will have not have uttered a *meaningful* challenge at all. At a certain point (for there is no *sharp* boundary to be drawn here (OC §54)), we would no longer understand her. “Not every false belief”, Wittgenstein observes, “is a mistake” (OC §72). The consequences of doubting a basic certainty would be enormous:

[i]f someone doubted whether the earth had existed a hundred years ago, I should not understand, for *this* reason: I would not know what such a person would still allow to be counted as evidence and what not (OC §231).

It is quite sure that motor cars don’t grow out of the earth. We feel that if someone could

believe the contrary he could believe *everything* that we say is untrue, and could question everything that we hold to be sure. But how does this *one* belief hang together with all the rest? We should like to say that someone who could believe that does not accept our whole system of verification (OC §279).

Some doubts may undermine our capacity to distinguish between true and false in the first place. If I am talking to someone who has lived her entire life in Brussels, has never met her father and has worked as a school teacher until retirement, but who then tells me that she has lived her entire life in Cartagena with her father and is currently on her way to becoming a professional tennis player, we would not say she is simply *mistaken*. We would say that she has lost her mind. There would be a disruption in our capacity to understand her, and we would question whether she understands anything I am telling her. For if I point towards the Royal Palace and say that the king of Belgium lives there, she might tell me that it is the university of Cartagena; if I ask her how she spends her days now that she is retired, she might tell me that she is training for her first Junior Grand Slam championship. It is not simply that her challenges to what I am saying are *illegitimate*; they have become completely alien to me. Some doubts about our basic certainties cannot be interpreted as doubts within a shared framework of ways to settle the truth or falsity of a belief; they become doubts that show that we do not understand one another anymore. “If I am wrong about *this*, I have no guarantee that anything I say is true” (OC §69) and if “[t]he *truth* of my statements is the test of my *understanding* of these statements” (OC §80), then it follows that “if I make certain false statements, it becomes uncertain whether I understand them” (OC §81).

At the same time, Wittgenstein is aware that there is no sharp boundary to be drawn between cases in which doubt is meaningful and cases in which doubt becomes meaningless: “For it is not true that a mistake merely gets more and more improbable [...] No: at some point it has ceased to be conceivable” (OC §54). The considerations we take to establish the truth or falsity of our claims can change, and so their meaning may change. It is in this sense that Wittgenstein should not merely be read as someone who claims that the sceptic is not making a false but a meaningless claim (he, of course, *does* claim this), but as someone who understands, moreover, that the lack of any sharp boundary between the truth/falsity of our beliefs and the point at which they become meaningless, lies at the heart of the sceptical problem in the first place. For the *locus* of the distinction between the meaningful and meaningless is not fixed. It is a non-arbitrary, yet contingent distinction from which it should not be inferred that there is *no* distinction but just that it cannot be explicitly *pointed at*.

§ 5. Conclusion

My aim was to initiate a dialogue between Brandom's and Wittgenstein's views on the regress problem concerning the structure of justification. By undermining the privileged status of challenges the regress problem implicitly presupposes, both philosophers develop a picture of linguistic practices in which a regress does not arise. Once we open the possibility of challenges being challenged as well, and thus come to see challenges as assertions for which reasons should be given, the threat of a regress dissolves. A challenge has to be legitimate; doubt has to be *reasonable* doubt for which *specific* reasons can be given. Further, Wittgenstein's cryptic grammatical remark on the use of "to know" in entry §13 of *On Certainty* (and related passages) was elucidated by Brandom's emphasis on the *interpersonal* dimension of knowledge attributions. This, in turn, led to a discussion of Wittgenstein's critique of Moore's defence by saying that he *knows* he has hands. With Brandom's distinction legitimate and illegitimate challenges (together with his distinction between two senses of "being justified"), I summarized Wittgenstein's critique of Moore's utterance "I know that I have hands" as implicitly treating the sceptic's challenge as legitimate. Given that a basic certainty is precisely something that cannot be legitimately challenged, Moore's defence is shown to misconstrue the peculiarity of these basic certainties. Lastly, I have discussed a possible answer to the question as to *why* these basic certainties cannot be legitimately challenged. With Brandom and especially Wittgenstein, I have argued that basic certainties cannot be legitimately challenged for these challenges are not merely *illegitimate* but cannot be *meaningfully* expressed in the first place.

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