Wittgenstein and Davidson on Agreement in Judgment

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In this paper I am going to investigate a rather striking parallel between the views of two very prominent figures in the philosophy of language of our century, between the views of Donald Davidson and Ludwig Wittgenstein. These views concern the role intersubjective agreement plays for the possibility of linguistic communication. On the face of it, Wittgenstein's dictum that "Zur Verständigung durch die Sprache gehört (...) eine Übereinstimmung in den Urteilen" (PI 242) is very close to Davidson's view that a background of intersubjectively shared belief is a condition of understanding. In the *Philosophical Investigations* themselves, we do not get much help with the question what such agreement exactly consists in. Davidson, however, directs us towards epistemology; looking at epistemology "in the mirror of meaning" (Davidson 1975: 169), he elaborates his views on both what beliefs are and what agreement consists in. We shall follow this suggestion and, applying this method to Wittgenstein, we shall look at *On Certainty* and what he says about epistemology there. Thus, we will be able to find out more about agreement in judgment and, moreover, discover further and quite far-reaching agreement between him and Davidson. However, when reading *On Certainty* in this Davidsonian way as a text in epistemology we also realize, first, that this apparently goes against the grain of Wittgenstein's own main concern here. Furthermore, we have to realize that the discovered parallels, especially on the determination of belief content, create quite fundamental tensions in Wittgenstein's thought. These tensions are inherent in the development of his thought itself; it is these tensions that really concern him in *On Certainty*.

This paper has two main sections. In section I, I shall first present Wittgenstein's requirement of agreement together with a somewhat modified standard interpretation. In its second part, I shall then inquire further into the exact meaning of this requirement by comparing it to its Davidsonian counterpart and reading the epistemology of *On Certainty* "in the mirror of meaning". In section II, I shall present the difficulties arising for Wittgenstein, first, as he himself is concerned with them. However, there secondly seem to be additional problems threatening the very line he seems driven to take on these problems. These will be presented in the second part of section II.

I. Agreement in Judgment, Shared Belief, and the Possibility of Communication

1. Wittgenstein on Agreement in Definitions and Judgments

Our point of departure is paragraph 242 from the *Philosophical Investigations*. It reads:

> Zur Verständigung durch die Sprache gehört nicht nur eine Übereinstimmung in den Definitionen, sondern (so seltsam dies klingen mag) eine Übereinstimmung in den Urteilen. Dies scheint die Logik aufzuheben; hebt sie aber nicht auf. - Eines ist, die Meßmethode zu beschreiben, ein Anderes, Messungsergebnisse zu finden und auszusprechen. Aber was wir 'messen' nennen, ist auch durch eine gewisse Konstanz der Messungsergebnisse bestimmt.

The main question to be pursued in this paper will be how to understand what Wittgenstein means by "agreement in judgment" and what role it plays for communication. Prima facie, this admittedly does not seem to be one of the hard questions of Wittgenstein-exegesis; Baker and Hacker present quite an illuminating interpretation of this passage. Except for some modifications of minor importance in our context, I shall therefore follow them in a first outline of the thoughts Wittgenstein expresses here.

To get a first grasp of what is going on in PI 242, comparison with its predecessor from the *Remarks on the Foundations of Mathematics* is of valuable help. This earlier passage reads:

> Wir sagen, die Menschen, um sich miteinander zu verständigen, müßten über die Bedeutung der Wörter miteinander übereinstimmen. Aber das Kriterium für diese Übereinstimmung ist nicht nur eine Übereinstimmung in Bezug auf Definitionen, z.B. hinweisende Definitionen, - sondern *auch* eine Übereinstimmung in Urteilen. Es ist für die Verständigung wesentlich, daß wir in einer großen Anzahl von Urteilen übereinstimmen (RFM VI, 39).

Here, it is quite obvious, first, that Wittgenstein makes a modal claim: he "explores what is essential to communication by language" (Baker and Hacker 1985: 258). Without the twofold agreement in both definitions and judgments communication would not be possible. Secondly, in this passage "agreement in definitions" is modified by the addition "z.B. hinweisende Definitionen". This requirement Baker and Hacker interpret as follows: "if two people disagreed about how to explain the words they use, then what the one meant by an utterance would not be what the other understood by it" (Baker and Hacker 1985: 258). Note that this does not imply that speaker and hearer have to use the same words or the same language; what they have to agree on is the definition of the words uttered by the speaker. That agreement in this sense is necessary for communication, Baker and Hacker take to be obvious. What is surprising about both passages according to Baker and Hacker is the

additional requirement of agreement in judgment. Agreement in judgment they quite convincingly interpret as "interpersonal consensus about the truth and falsity of (...) *empirical propositions*" (Baker and Hacker 1985: 259, emph. mine). This is the third point to be noted here. And fourthly, the passage from the *Remarks on the Foundations of Mathematics* also tells us that what is necessary is agreement about "*a large body* of empirical propositions" (Baker and Hacker 1985: 259, emph. mine).

This additional necessity of agreement in judgments Baker and Hacker now explain by means of the concept of rules. They first identify definitions as rules: "definitions (or explanations) of meanings are rules for the use of words" (Baker and Hacker 1985: 259). The understanding of a rule and, consequently, agreement about which rule is being applied, "is manifested in *two* ways, namely in formulating or paraphrasing it *and* in applying or following it in practice" (Baker and Hacker 1985: 259). Application of a rule in practice, however, means the making of *empirical judgments*. Agreement on the truth of empirical sentences, therefore,

> is a criterion for shared understanding of the definition and hence a criterion for agreement in definitions. We follow rules of grammar in making judgements (...), and the correct applications of these rules is the criterion of understanding them (Baker and Hacker 1985: 259).

There are two problems with this. The first is merely exegetical. Baker and Hacker themselves quote the passage from the *Remarks on the Foundations of Mathematics* quoted above. They do so, because they think it makes PI 242 more transparent. Their interpretation, however, does not fit the Wittgensteinian text. While they take agreement in definitions as an obvious requirement and make agreement in judgment into a criterion for agreement in definitions, for Wittgenstein *both* kinds of agreement are criteria for agreement on *meaning*. And there is no sign that this should have changed in the *Philosophical Investigations*; the formulation "nicht nur eine Übereinstimmung in den Definitionen, sondern (...) eine Übereinstimmung in den Urteilen" is a bit strange, for the "auch" that is present in the *Remarks on the Foundations of Mathematics* and that normally goes with "nicht nur ..., sondern (auch) ...", is omitted here. As long as the "nur" is present, however, this clearly means that both are required and nothing indicates that one is meant to be a criterion for the other.

Moreover, and this is the second problem with this interpretation, neither in the passage from the *Philosophical Investigations* nor in the earlier one, the term "rule" occurs. Rather, Wittgenstein seems perfectly able to make his point without this theoretical detour. What he is concerned with is understanding an utterance. This requires agreement on what the uttered words mean. For this, there are two sorts of criteria, i.e. two ways of determining whether such agreement obtains. Both if the speaker explained his words differently from what the hearer expects him to explain them, e.g. if he explains to him "This is red" while quite clearly

pointing to a green object, or if he applied them too often to the wrong objects (e.g. green ones), the hearer will reasonably come to doubt that he and the speaker agree on what the speaker's words mean. And for Wittgenstein, finding such criteria at the same time means finding out about what it is to mean something by an utterance (cf. PI 194); lack of agreement in judgments or definitions not only indicates lack of agreement on meaning but *is* lack of such agreement. This relation between meaning, explanation and application of terms is analogous to that between rules, their explanation and their application, and, therefore, it is quite right to perceive PI 242 as a result of the rule-following considerations. But I would suggest to take it as an application of their result to language rather than to identify definitions with rules. What is analogous to a rule here is the meaning of a term or sentence, but this does not mean that following a rule needs to be wedged in between meaning and application as Baker and Hacker do. On the contrary, this just burdens us with an explanatorily superfluous step.[1]

Agreement in judgment, to sum up our results so far, means agreement about the truth-values of a large number of empirical propositions. According to Wittgenstein, such agreement is necessary for communication. The remainder of PI 242 is concerned with a problem arising out of the requirement of agreement in judgments. This problem, too, is discussed at greater length in the *Remarks on the Foundations of Mathematics* (see esp. RFM VI, 49); in the *Philosophical Investigations*, Wittgenstein condenses it into three sentences. The requirement of agreement in judgment, he writes, "scheint die Logik aufzuheben; hebt sie aber nicht auf". To appreciate this problem, we first have to ask what Wittgenstein means by "logic" here. Then, the question is why logic seems to be threatened. And, finally, we need to ask why in the end it isn't.

"Logic", as Wittgenstein uses the term, is the "logic of our language" (PI 38), which we can describe as we do the *rules* of games (cf. PI 108). This wide concept of "logic" has its origin in the middle Wittgenstein who describes the use of language as operation of a logical calculus. When this model gets replaced by the language game approach in the later Wittgenstein, the corresponding concept of "logic" gets extended, too. In *On Certainty*, this development is summarized as follows: "zur Logik gehört alles was ein Sprachspiel beschreibt" (OC 56). Games are described by giving the rules for them, language games are described analogously. The analoga of the rules of games here are what Wittgenstein in the *Philosophical Investigations* calls "grammatical sentences" and in *On Certainty* widely prefers to call "logical sentences". And like the traditional sentences or truths of logic, these are non-empirical sentences. The concepts of the a priori or of necessity survives in

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[1]I think that such a case quite generally can be made for the later Wittgenstein. See esp. OC 46, 61, 62, and also PG II, 26, where Wittgenstein says: "Wir aber betrachten die Spiele und die Sprache unter dem Gesichtspunkt eines Spiels, das nach Regeln vor sich geht, d. h. wir *vergleichen* die Sprache immer mit so einem Vorgang". This, however, is not my topic here.

Wittgenstein in the guise of what he calls "grammar" or "logic", the dichotomy of the necessary and the empirical in the dichotomy of "grammatical" and empirical sentence, often formulated in terms of the game analogy as that between rule and "Erfahrungssatz".[2] By means of the sentences of grammar Wittgenstein insists on a distinction between sense and nonsense that is prior to that between (empirical) truth and falsity. Like traditional necessities, the sentences of grammar not only cannot be empirically falsified but cannot even understandably be denied. To do so would be *nonsense*; nonsense in a semantic sense, that is. Truth or falsity, however, surely presuppose meaning. Baker and Hacker bring this to the point in saying: "Grammar is antecedent to truth" (Baker and Hacker 1985: 54). The significance of this distinction between the empirical and the non-empirical for Wittgenstein is first and foremost of semantic nature; grammatical sentences, the "rules" of language games, are *constitutive* of the meanings of (at least one of) their constituent terms. If you change what is grammatical for a given term, you change its meaning (cf. esp. PG X, 133).

To summarize these points: Logic, as Wittgenstein uses the term, is the description of language games by means of non-empirical sentences constitutive of the meanings of their constituent terms. The distinction between logical and empirical sentences, according to Wittgenstein, is essential to meaning; its main significance for him is not of epistemological but of semantic nature. Moreover, the distinction between describing logic and describing the world is crucial to Wittgenstein's whole conception of philosophy as merely descriptive. The opposite here is explanation; this is what the natural sciences do; they explain by means of empirical generalizations. Philosophy, on this conception, merely describes "the conceptual (linguistic) situation" (OC 51). While the natural sciences are empirical, philosophy is not. Therefore, the special, non-empirical status of philosophy itself as Wittgenstein conceives of it stands and falls with the special, non-empirical status of logic or grammar.

This distinction now appears to be threatened by the requirement of agreement in judgment. Why? In PI 242, Wittgenstein gives the following analogy: "Eines ist, die Messmethode zu beschreiben, ein Anderes, Messungsergebnisse zu finden und auszusprechen." This simply illustrates the dichotomy of the logical and the empirical; describing logic, i.e. our concepts, here is seen in analogy to describing a method of measurement, while finding and expressing results is likened to using these concepts for empirical judgments. But, he continues, "was wir 'messen' nennen, ist auch durch eine gewisse Konstanz der Messungsergebnisse bestimmt". If, as it sounds like here, the very

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[2]However, "grammatical" sentences differ from traditional necessities or analyticities in crucial respects. One of these is that the Wittgensteinian distinction probably is meant to be context-relative; whether a given sentence is a grammatical one depends on its use at the occasion of utterance. Grammatical sentences very often are used as explanations of meaning, and, therefore, more and other utterances qualify as utterances of grammatical sentences than traditional necessities; e.g. ostensive definitions clearly are counted as grammatical by Wittgenstein. Moreover, he probably takes them not to have truth values so that the reason why they cannot be falsified is not that they are necessarily true. More on this in section II.

identity of a concept is partly *determined* by agreement on empirical matters, the distinction between logical and empirical sentences is in fact threatened. This is so, because this distinction was drawn as a semantic distinction in the first place, i.e. by means of the distinction between sense and nonsense. If, now, semantic identity, i.e. the identity of the expressed content, turns out to be at least partly a question of agreement on empirical matters, the underlying distinction seems to be abolished.

Wittgenstein, however, is not impressed. The problem, as I have reconstructed it, would drive us towards giving up at least this version of the dichotomy of the empirical and the non-empirical. This, Wittgenstein is not willing to do; what he has to argue for, therefore, is that this very distinction can be preserved - appearances to the contrary notwithstanding. But how can he preserve it and hold on to the requirement of agreement in judgments at the same time? Doesn't that mean to deny the semantic significance of agreement in judgment? As I read him, for Wittgenstein it means exactly that.

To see why, let's think about what lack of agreement in judgment would mean. Here, we first have to recognize that agreement in judgment does not mean complete agreement; of course, partial or occasional disagreement is and has to be possible concerning empirical matters. Empirical error, however, cannot be the rule if communication is to be possible; "würde, was Regel ist Ausnahme und was Ausnahme zur Regel: oder würden beide zu Erscheinungen von ungefähr gleicher Häufigkeit - so verlören unsere normalen Sprachspiele damit ihren *Witz*" (PI 142, emph. mine). It would not make sense to use a particular concept, e.g. that of length, if the results of measurements of length of the same object would continually change and vary between people. This, however, does not mean that the expressed *concept* has changed; the sense at stake here - Wittgenstein calls it "Witz" - is *pragmatic*, not semantic in nature. In this way, the non-empirical nature of logic is preserved even in the face of the requirement of agreement in judgment for communication. Let us keep in mind, however, that the availability of this reply depends upon denying semantic significance to the requirement of agreement in judgment; this will become important for later considerations.[3]

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[3]Baker and Hacker make a similar point when saying: "Changes in the world would throw *any* concepts whatever into total confusion. Such imaginable changes would not, of course, show the concepts to be false. (There is no such thing as a false concept.) But they would make our concepts *useless*" (Baker and Hacker 1985: 231). This means to recognize that our language and concepts have what they call "natural preconditions" without thereby identifying philosophy with natural science or history; the difference can be appreciated when formulated in the following way: "if the framework set by the world and human nature were different in certain ways, we would not have these concepts (*'would* not'; not *'could* not' ...)" (Baker and Hacker 1985: 238). This of course holds for confusion resulting from lack of agreement in judgment, too (cf. Baker and Hacker 1985: 259f).

However, Wittgenstein does connect the requirement of agreement in judgment with his notion of "forms of life" (see e.g. PI 241; PI II, xi; OC 358). This is a notion notoriously hard to understand; clearly, in *On Certainty* the significance of those judgments taken to characterize a form of life, i.e. deeply entrenched judgments as contrasted by mere "opinions" in PI 241, cannot be denied conceptual significance. And there is a case to be made for the view that this holds in the *Philosophical Investigations* as well. Then, however,

For now, however, we will return to our original question: What does the requirement of agreement exactly amount to? So far, the result of our exegesis is this: What according to Wittgenstein is required for communication by language is agreement on the truth or falsity of a large number of empirical sentences. More on this, we do not find in Wittgenstein. However, his requirement of agreement in judgment shows great similarity with a familiar and fundamental claim in Donald Davidson's philosophy of language. It is part of what he calls the "principle of charity" to interpret the words of others so as to "optimize" agreement between speaker and hearer. And the Gedankenexperiment of radical interpretation, or so Davidson argues, shows charity not to be an option but a condition on the possibility of communication. We shall therefore try to find out more about the agreement requirement by a comparison with this Davidsonian claim.

2. Agreement in Judgment and the "Principle of Charity"

Let us start with a terminological question: Wittgenstein talks about "agreement in *judgment*", "Übereinstimmung in den *Urteilen*", while for Davidson, the objects of the relevant agreement are *beliefs*. This difference, I take to be merely terminological. Belief in Davidsonian parlance equals "sentence held true plus interpretation" (Davidson 1980: 6) and Wittgensteinian agreement in judgments we have with Baker and Hacker taken to mean "agreement on the truth or falsity of (...) empirical propositions" (Baker and Hacker 1985: 259). Whether we talk of propositions or sentences plus interpretation does not matter in our context.[4] Moreover, I take it to be clear that for both, the objects of agreement are not what Wittgenstein calls "Seelenzustände", i.e. not occurrences in the introspective psychology of the speaker or hearer but propositional attitudes or "mental states". In what follows, I will therefore indiscriminately talk of beliefs as well as judgments in this non-occurrent sense.

Both Wittgenstein and Davidson, then, agree on the claim that agreement on a large number of beliefs is necessary for two persons to communicate with each other. What they don't agree upon, of course, is the availability of a prior distinction between empirical and non-empirical matters; for Davidson, *every* sentence has empirical content (cf. Davidson 1974: 189). Consequently, his agreement requirement does not come in two parts; for him, all beliefs are, simply put, (more or less) empirical. For both of them, then, the requirement we are concerned with here is directed at empirical sentences.

Wittgenstein's confidence that his distinction between the empirical and the non-empirical can be preserved would seem extremely problematic even here. These problems will be discussed at greater length in section II.

[4] Here, it could be objected that Wittgenstein does make a distinction between "Meinung", mere opinion, and "Urteil" or judgment (cf. e.g. PI 241-2; PI II, iv) where judgments are those deeper lying convictions on which agreement would be required while about mere opinion there very well can be disagreement. This, however, seems to me a merely terminological point as well; "Urteile" as well as "Meinungen" are empirical sentences held true, i.e. are "beliefs" as Davidson uses the term.

Nevertheless, these views have a very different heritage in Davidson and Wittgenstein. For Wittgenstein, the requirement of agreement is a lesson derived from the rule-following considerations and applied to language. For Davidson, this requirement emerges as a necessary condition on the possibility of radical interpretation and, therefore, as a condition of linguistic understanding in general. In radical interpretation, a scenario I take to be familiar, these conditions emerge as maxims for the radical interpreter. From his method of arriving at an interpretation of radically alien utterances we learn what is necessary for communication; what he has to "produce" is what is presupposed in successful communication. Despite this different heritage of their claims, however, Wittgenstein and Davidson agree that by investigating how we determine what somebody means by his words or believes we investigate the very nature of meaning and content. Thus, the importance of the notion of criteria for Wittgenstein that becomes visible for example in the passage quoted from the *Remarks on the Foundations of Mathematics* above. Or take this passage from the *Philosophical Investigations*: "Eine Ansicht haben ist ein Zustand. - Ein Zustand wessen? Der Seele? des Geistes? Nun, wovon sagt man, es habe eine Ansicht? Von Herrn N.N. zum Beispiel. Und das ist die richtige Antwort. Man darf eben von der Antwort auf die Frage noch keinen Aufschluß erwarten. Fragen, welche tiefer dringen, sind: Was sehen wir, in besonderen Fällen, als Kriterien dafür an, daß Einer die und die Meinung hat? Wann sagen wir: er sei damals zu dieser Meinung gekommen? Wann: er habe seine Meinung geändert? Usw." (PI 573). Both Wittgenstein and Davidson ultimately are pursuing the same question, i.e. the question what the conditions on ascriptions of meanings and propositional contents are. How is the meaning of what somebody says determined? How the contents of his beliefs?

Nevertheless, in fact not only their respective methods of investigating these questions are different. While Wittgenstein relies on the game analogy, Davidson takes radical interpretation to be the situation in which only the necessary evidence for determining meaning is available and, therefore, the conditions on the possibility of communication can be determined. In radical interpretation, however, *belief and meaning turn out to be interdependent*. While Wittgenstein, as we saw in the previous section, neatly separates meaning or "semantic identity" from (empirical) belief, this very distinction is not available to Davidson. Even though Davidson and Wittgenstein agree on the necessity of agreement in judgment we therefore cannot expect them to agree on the semantic significance of this requirement. For Davidson, agreement in belief cannot be of pragmatic necessity only but is inexorably entangled with the identity of the expressed concepts. This, too, we should keep in mind when now directing our attention to a comparison with Davidson's agreement requirement in order to get clearer about what this requirement exactly consists in.

Both Davidson and Wittgenstein clearly make a modal claim; they hold that agreement is essential to communication by language.[5] But then, the immediate question is: On what do we need to agree? Which beliefs do we need to share with a speaker in order to understand that he e.g. is saying something about swans? And how are these other beliefs related to the one he is expressing? Ultimately, talk about sharing leads back to the prior question of what it is that needs to be shared; what sharing or agreement consists in we can only get clearer about if we know what it is to hold a belief. And both the Wittgensteinian as well as the Davidsonian strategy is to pursue questions like this by asking how it is determined that a person holds a particular belief. Our strategy, therefore, will be to look to the Davidsonian answers to these questions first, for these are questions he - other than Wittgenstein - explicitly deals with. The method he recommends for answering them we shall then try to apply to Wittgenstein, too, thereby endeavoring to extract the answers he would have given from what he does say. In this way, we will be quite naturally directed towards *On Certainty*.

Let us start with the question on exactly what agreement is required to be able to understand a particular utterance. We already said that, as a matter of course, it is not global or total agreement that is required; in order to understand that a speaker says that there are no black swans, we do not have to share all his judgments or beliefs. In particular, the requirement does not entail that in order to understand an utterance of sentence S at time t we need to agree on the truth value of S at t. For (almost) any particular utterance it holds that we can disagree on the expressed belief. But, the claim is, in order to disagree, there must be a *background* of shared belief. As Davidson puts it: "It isn't that any one false belief necessarily destroys our ability to identify further beliefs, but that the intelligibility of such identifications must depend on a background of largely unmentioned and unquestioned true beliefs" (Davidson 1975: 168, see also Davidson 1977a: 200).

To see why this is so, we first have to realize that even if any particular utterance may be an expression of a belief not shared by speaker and hearer it simply does not follow from this that the hearer could disagree with the speaker on everything he believes at once and still understand him. Next, we have to see why this not only does not follow but actually is impossible. Let's start with an utterance that we take to express a false belief, i.e. one we disagree about with the speaker like the belief that there are no black swans. Even though this

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[5]They might differ, however, in the scope of this claim. Wittgenstein maintains the necessity of agreement for communication but it is not quite clear whether he excludes the possibility of languages that we could not understand. He e.g. says: "Wenn ein Löwe sprechen könnte, wir könnten ihn nicht verstehen" (PI II, xi, S. 568). This seems to imply that there could be languages that we cannot understand (see also OC, e.g. OC 375). However, there are passages which seem to point in the opposite direction, e.g. PI 207. Davidson, on the other hand, clearly argues with exactly the agreement requirement for the unintelligibility of conceptual relativism (cf. VI). He, in other words, takes possible agreement that amounts to "sharing a world" (Davidson 1982: 327) to be a condition of having a language at all. This, however, is a question we are not going to pursue here; but see Savigny 1994 for a more detailed discussion. Another point that we are not going to raise in this paper concerns skepticism. Both Wittgenstein and Davidson take the requirement of agreement to have anti-skeptical consequences (cf. Davidson 1983, OC). For a discussion of Wittgenstein on skepticism, see Kober 1993.

particular belief is wrong, we understand it as a belief about swans and ascribe the concept *swan* to the speaker. However, if we try to simultaneously ascribe only false beliefs about swans to that guy, e.g. that swans have four feet, fur, make barking sounds and feed on other small animals, it gradually becomes less and less possible to say that these are beliefs about swans. To have any beliefs about swans a person needs to have a number of correct beliefs about swans; to ascribe any single false belief about something means at the same time to ascribe a number of shared beliefs about the very same thing. This is why Davidson talks of a "background of largely unmentioned and unquestioned true beliefs" - these are not the things we ususally talk about because we normally take them for granted. Nevertheless, they come in a package deal with every false belief we do express or ascribe - and with any true one, too, of course.

The reason why we cannot ascribe false belief only, therefore, is the *holistic nature of belief.* Beliefs come in clusters; to ascribe one means to ascribe many connected beliefs, i.e. a *system* of belief. For Davidson, this holism extends to all our beliefs; they form what Quine likes to call a "web of belief", i.e. the system of all the beliefs of a person. In our context, nothing much depends on the question of how holistic belief exactly is. Important is that by nature it does come in clusters. However, holism certainly gets strengthened by the following reflection: There is an indefinite number of ways in which a believer can arrive at a given wrong belief. His *reasons* for holding that there are no black swans e.g. can be extremely varied; maybe he has never seen any, or he believes that those he has seen have been hallucinations, or he believes in the infallibility of the Pope and that the Pope has said that there are no black swans, or... (cf. Boghossian 1989: 539f). There is no end to the list of further beliefs that could thus explain a particular mistaken belief and, for each of them, the speaker would need to have a cluster of connected beliefs that he shares with his interpreter. There is no end to what could be part of the relevant cluster that needs to be shared in order to disagree on any particular belief. Rather, it quite generally seems to be true that the less disagreement we have with a speaker the better we are able to understand what he is talking about. Davidson therefore speaks of the *principle of maximizing agreement* and justifies it as follows: "the more things a believer is right about, the sharper his errors are. Too much mistake simply blurs the focus" (Davidson 1975: 168).

The question of what constitutes more or less agreement is a good and hard one, however. Not only is it difficult to count beliefs because of their holistic nature. Moreover, it seems very plausible to say that we have a deeper or more essential disagreement with someone who seems to be denying that water is wet than with someone who does not exactly know what a quark is. The first disagreement also is more damaging to understanding that person's beliefs than the second; therefore, it should count more, so to speak. Because of considerations like these, Davidson suggests to replace talk of maximizing by talk of *optimizing* agreement (Davidson 1975: 169, Davidson 1973: 137).

In order to understand what optimizing agreement consists in we first have to ask why it would be more destructive for understanding a person's words and beliefs if we did not agree on, say, that water is wet or that *this* is red than if we did not agree on what a quark is. Of course, there are situations in which a disagreement on quarks would make communication impossible, too; between two theoretical physicists maybe. Nevertheless, even though there might be situations in which they would not be able to talk about quarks, this might not make it impossible for them to communicate about more everyday matters. While, on the other hand, if we had to suspect that somebody does not even know what water is, it would be very difficult to talk to him at all. Phrased in this everyday manner, the crucial point becomes visible: What the agreement requirement means when looked at on the speaker's side is that the speaker *knows* what he is talking about. And this in literally every sense of that phrase; the speaker knows what his words mean and he knows what e.g. swans are. Moreover, knowing what one is talking about also implies a general epistemic competence in the relevant area; it also means, that is, in general to know what is a reason for what or what counts as evidence for particular beliefs. Apparently, disagreement on epistemically more fundamental matters is more destructive for understanding than on less fundamental ones.

To see why, we have to reflect on the holistic nature of belief again. They come in clusters of related beliefs, we said. What is the nature of those relations? Those relations are, generally, reasons-relations; some of them are deductive, others inductive, but all are what Davidson calls "relations of evidential support", i.e. *inferential relations* of some sort. Disagreement on epistemically more fundamental matters destroys understanding because it destroys this web of inferential relations. It is for example very hard to see how somebody could be interpreted as meaning *water* by "water" if he did not believe that water is wet; for a speaker like that we would hardly be able to understand how he reasons with this concept. And the more fundamental the epistemic mistake the more difficult it is to understand somebody as reasoning at all; the links between his beliefs become irrational and incomprehensible.

To summarize these points: In Davidson, the agreement requirement does not require complete agreement, but any disagreement requires a background of shared belief. Even though it is possible for (almost) any utterance to disagree on the truth value of that particular utterance, there are disagreements that are more destructive to general understanding than others. These are the epistemically more fundamental ones. There is, so to speak, a "right sort' of agreement. The 'right sort', however, is no easier to specify than to say what constitutes a good reason for holding a particular belief" (Davidson 1984: xvii). This is so because the relations weaving beliefs into a web are inferential relations. Therefore, "it is impossible to simplify the considerations that are relevant, for everything we know or believe about the way evidence supports belief can be put to work in deciding where the theory can best allow error, and what errors are least destructive of understanding. The methodology of interpretation is,

in this respect, nothing but *epistemology seen in the mirror of meaning*" (Davidson 1975: 169, emph. mine). This, then, is the method for investigating the agreement requirement Davidson suggests: epistemology seen in the mirror of meaning.

This method, however, does not yield what we - in pretended naiveté - initially asked for: a list of beliefs we need to have in order to have a particular belief. "No particular list of further beliefs is required to give substance to my belief that a cloud is passing before the sun; but some appropriate set of related beliefs must be there" (Davidson 1977a: 200). As we said above, there are indefinitely many further beliefs that would explain how and why a believer came to hold a particular belief. Many different constellations allow for ascription of this belief; what needs to be agreed upon in one of them might not be necessary in the other.

A good question to ask, however, is what general principles there are for deciding which disagreements are more destructive than others. Davidson elaborates: "Disagreement about theoretical matters may (in some cases) be more tolerable than disagreement about what is more evident; disagreement about how things look or appear is less tolerable than disagreement about how they are; disagreement about the truth of attributions of certain attitudes to a speaker by that same speaker may not be tolerable at all, or barely" (Davidson 1975: 169). These are the general principles of epistemology seen in the mirror of meaning. These principles give what might be called an "architecture" to a system of beliefs. Some of these beliefs are more fundamental than others and, therefore, so are some of the relations between them. To cut off some of them is more destructive both for the general reasonability or rationality of a person and his interpretability. These epistemically more fundamental relations are, therefore, *semantically* more significant; if they are missing it gradually becomes impossible to ascribe a particular semantic content to the sentence by which a belief is expressed. For Davidson, the epistemic or inferential relations beliefs stand in are what determines their contents: "Beliefs are identified and described only within a dense pattern of belief" (Davidson 1977a: 200). Belief is systematic and this is no accidental feature but what determines content and, consequently, the semantic identity of the expressing sentence: "The system of such beliefs identifies a thought by locating it in a logical and epistemic space" (Davidson 1975: 157, see also Davidson 1982: 321, Davidson 1985: 91, Davidson 1977b: 225). Now, we can say what the agreement required for communication according to Davidson consists in: communication demands "sameness, or approximate sameness, in the patterns of belief of interpreter or interpreted" (Davidson 1985: 91).

In the Davidsonian case, following his suggestion of looking to epistemology for a better understanding of the agreement requirement has produced what we were looking for. From him, we both got an answer as to what agreement is needed on, an answer that turned out to be an answer about what belief is, too. Let's now try to apply this method to Wittgenstein as well. Do we find his answers to these questions if we look at what he says about epistemology?

The place to look would be - according to standard exegesis - *On Certainty*. *On Certainty* usually is taken to be a collection of remarks concerned with epistemology, or, more precisely, with gaining an overview over our epistemological concepts (cf. Kober 1993: e.g. 14; Kober 1996). Even though, for reasons that will become clear in what follows, I take this standard approach to *On Certainty* to be mistaken, *On Certainty*, quite ironically, does turn out to be the place to look at. We shall complete this section by comparing the Davidsonian results to what Wittgenstein there says about judgments and their nature. These turn out to be strikingly similar.

First of all, for Wittgenstein judgments come in systems, too: "meine Überzeugungen bilden ein System" (OC 102). As for Davidson, this is no accidental feature of judgments but constitutive of being a judgment:

> Wenn wir anfangen etwas zu glauben, so nicht einen einzelnen Satz, sondern ein ganzes System von Sätzen. (Das Licht geht nach und nach über das Ganze auf) (OC 141, see also OC 140).

And there cannot be any doubt about the relations in such systems being reasons-relations. This becomes quite clear e.g. in the following passage that illustrates both the nature of the relations and their constitutivity:

> Alle Prüfung, alles Bekräften und Entkräften einer Annahme geschieht schon innerhalb eines Systems. Und zwar ist dies System nicht ein mehr oder weniger willkürlicher und zweifelhafter Anfangspunkt aller unsrer Argumente, sondern es gehört zum Wesen dessen, was wir ein Argument nennen. Das System ist nicht so sehr Ausgangspunkt, als das Lebenselement der Argumente (OC 105).

The holistic nature of such systems becomes even clearer in passages like the following. Here, the relations building such systems are characterized as relations running both ways: "Nicht einzelne Axiome leuchten mir ein, sondern ein System, worin sich Folgen und Prämissen *gegenseitig* stützen" (OC 142, see also OC 248; 1).[6]

There certainly is room for controversy here as to how holistic such Wittgensteinian systems of beliefs are, though.[7] Again, that is not our main concern, but there are definitely passages in *On Certainty* that would need some special treatment if we were to hold that these systems do not comprise whole belief systems in the Davidsonian sense. Passages like this one for example:

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[6]And similarly, Davidson commits himself to the principle "that nothing can count as a reason for holding a belief except than another belief" (Davidson 1983: 310) and, consequently, talks explicitly of our "circle of beliefs" (Davidson 1983: 318).

[7]Even in *On Certainty*, there are quite a number of passages displaying a tendency towards the very opposite of holism - foundationalism (cf. e.g. OC 164; 192; 253; 341-3; 401-2; 410-11; 415; 512). As will become clear in the following section, I think these opposing tendencies are very hard to reconcile with each other.

> Es ist ganz sicher, daß Automobile nicht aus der Erde wachsen. - Wir fühlen, daß wenn Einer das Gegenteil glauben könnte, er *allem* Glauben schenken könne, was wir für unmöglich erklären und alles bestreiten könnte, was wir für sicher halten. Wie aber hängt dieser *eine* Glaube mit allen anderen zusammen? Wir möchten sagen, daß wer jenes glauben kann, das ganze System unsrer Verifikation nicht annimmt (OC 279).

Here, we also find quite a forceful explanation for the fact that disagreement on some matters is so very destructive for understanding. As in Davidson, for Wittgenstein there are these cases where disagreement becomes destructive for understanding a person at all, and, as in Davidson, this is linked to considerations about the rationality of such "believers"; there are no end of passages in *On Certainty* where he stresses that some things cannot be believed without being taken to be mentally disturbed or insane (cf. OC 71,73, 115, 155, 219-21, 254, 467; see also RFM I, 31, 112, 115, 116). And, again, to talk of more or less fundamental judgments means to say that systems of judgments have a certain architecture; not every element plays the same role or is of the same importance in the system.

However, in *On Certainty* Wittgenstein is *not* concerned with anything like those general epistemological principles structuring such systems as we find in Davidson. When he talks about beliefs so fundamental that their absence would be fatal for a whole belief system his examples are strikingly different from those indicated by such principles. More precisely, Wittgenstein does not appear to be interested in all of these beliefs, but only in a special set of sentences about which error appears to be excluded in an also rather special way. Examples of such sentences are what came to be called "Moore's propositions", i.e. sentences like "Dies ist eine Hand" that Moore used as examples of skeptic-proof knowledge about the external world in his famous papers "A defence of common sense" (1925) and "Proof of an external world" (1939). Other examples are "Die Erde hat viele Tausend Jahre existiert" or "Mein Name ist Ludwig Wittgenstein" (as spoken by Wittgenstein). The choice of these examples as well as Wittgenstein's lack of interest in more general epistemological principles is somewhat surprising; surprising, that is, if we follow the widespread opinion that *On Certainty* is mainly concerned with sytematizing and gaining an overview in general epistemology.

Nevertheless, Wittgenstein as well as Davidson are quite clearly in agreement on the existence of more and less fundamental beliefs or judgments, beliefs disagreement about which is more or less destructive for the possibility of communication. There are, as borderline cases, beliefs disagreement about which appears to be virtually impossible. At first shot, it is these that Wittgenstein seems to be really interested in in *On Certainty*. But even they are not in any way cut off from the rest: "Ich bin auf dem Boden meiner Überzeugungen angelangt. Und von dieser Grundmauer könnte man beinahe sagen, sie werde vom ganzen Haus getragen" (OC 248). Moreover, even of them there is no definite list agreement on which would be required for communication. Wittgenstein makes this point in terms of the

rule-analogy. The following remark concerns the conditions under which something clearly would be a correct application of a given rule. As usual, this can be applied to the conditions under which something would be the correct application of a term, e.g. expression of a justified belief:

> Wollte man dafür etwas Regelartiges angeben, so würde darin der Ausdruck 'unter normalen Umständen' vorkommen. Und die normalen Umstände erkennt man, aber man kann sie nicht genau beschreiben. Eher noch eine Reihe von abnormalen (OC 27, see also OC 519).

So far, we have found far-reaching agreement between Davidson and Wittgenstein if we question the latter in the manner suggested by Davidson. Quite surprisingly, we find agreement even on another point; as we said, for Davidson the very identity of a belief is determined by its position in an inferential space. And in *On Certainty*, Wittgenstein seems to agree. About those rather freaky sentences he is so excessively concerned with there he says: "Ich bin der Bedeutung meiner Worte nicht gewisser, als bestimmten Urteile. Kann ich zweifeln, daß diese Farbe "blau" heißt?" (OC 126). Formulated in terms of disagreement this clearly means that disagreement on some empirical matters makes a *semantic* difference. To identify an expressed concept not only agreement in definitions is necessary but also in (certain) judgments. This point gets summarized in the rather famous passage: "Wer keiner Tatsache gewiß ist, der kann auch des Sinnes seiner Worte nicht gewiß sein" (OC 114).

Before starting further investigation into these special empirical sentences and their role for Wittgenstein let us summarize the results of our comparison with Davidson, though. Both for Wittgenstein and Davidson beliefs come in systems, systems that have an epistemic architecture which determines or at least partly determines the contents of the beliefs. To agree in judgments means to share systems of (empirical) sentences held true.

However, we noted a rather surprising lack of interest on Wittgenstein's part in the general epistemological principles that give structure to these patterns. Unlike Davidson, he does not spend time on investigating these principles. And his choice of examples, his preoccupation with only a special subset of epistemically fundamental beliefs suggests that his main interest is neither general epistemology nor even epistemic fundamentality as such. Rather, Wittgenstein appears to be concerned about a problem created by the fundamentality of *these* sentences. About the sentences harrowing him in *On Certainty* - rather freaky sentences it seems somehow impossible to doubt like

(B) "Books do not evaporate" (cf. OC 134)

he says:

> Die Sätze aber, welche Moore als Beispiele aufzählt, sind allerdings interessant. Nicht weil jemand ihre Wahrheit weiß, oder sie zu wissen glaubt, sondern weil sie alle im System unserer empirischen Urteile eine *ähnliche* Rolle spielen (OC 137).

Here, as elsewhere, Wittgenstein denies that these sentences themselves are objects of knowledge at all (see also e.g. OC 58; 243; 245). Rather, the role of these sentences in systems of empirical beliefs is doubly significant: epistemically and *semantically*. My suggestion therefore is that it is their role for the determination of propositional content that Wittgenstein is concerned with. These are *empirical* sentences that apparently play the role reserved for non-empirical sentences. Therefore, or so I will argue in the next section, the very existence of these sentences poses a grave problem for Wittgenstein who has put high stakes on the difference between the empirical and the non-empirical.

II. "Ist es, daß Regel und Erfahrungssatz ineinander übergehen?" (OC 309)
1. Borderline Sentences in *On Certainty*

In our exegesis of PI 242 above, we emphasized the *semantic* necessity or consitutivity of the sentences of grammar. By this feature Wittgenstein distinguishes between the empirical and the non-empirical. And we noted that the requirement of agreement in judgment for Wittgenstein could be of pragmatic significance only if this distinction between the empirical and the non-empirical was to be kept out of trouble. In the last section, however, we found that in *On Certainty*, Wittgenstein in fact does ascribe semantic necessity to some judgments. Trouble, therefore, must be waiting around the corner.

It should be clear from the beginning that what Wittgenstein *cannot* say is this: that some empirical sentences are semantically necessary. For on his conception of the non-empirical, this would amount to saying that some empirical sentences aren't empirical sentences. This, basically, is the problem Wittgenstein struggles with in *On Certainty*: How to hold on to the distinction between the empirical and the non-empirical as he conceives of it and at the same time recognize the semantic necessity of some empirical sentences.

To get a better understanding of his troubles let us first recapitulate in some more detail what Wittgenstein says about the logical, grammatical, or non-empirical in the *Philosophical Investigations* and later: In *On Certainty*, Wittgenstein calls "logical" those sentences that "describe the conceptual (linguistic) situation" (OC 51). And he emphasizes: "Zur Logik gehört *alles* was ein Sprachspiel beschreibt" (OC 56, emph. mine).

In the *Philosophical Investigations*, the sentences by which language games can be described are called "grammatical sentences" and clearly taken to be non-empirical; they belong to what Wittgenstein in PI 242 calls "definitions". Agreement on them, and them only, is semantically necessary for communication. This necessity is characterized in terms of the rule-analogy: in our language games they behave like rules. That is, they are constitutive of our concepts or meanings in the way in which the rules of a game are constitutive of that game: To change these "rules" amounts to changing concepts or meanings. Put in terms of agreement again, this means that if we did not agree on them, communication would not be possible. This impossibility of course needs to be handled with some care; it does not follow

from this that we cannot communicate with a speaker using his words according to different rules than we do. Rather, the impossibility is this: If we don't agree with the speaker on what the speaker's words mean, we don't understand him. Logical sentences from this perspective, the perspective of content determination, play this role: If the speaker uses a word according to other "definitions" than we do, he means something else (or nothing) (cf. PG X, 133). It is this feature of logical sentences I have referred to as their "semantic necessity or constitutivity".

Viewed from an epistemological perspective, semantic constitutivity becomes epistemic necessity. Wittgenstein at various places insists on our reasons for our beliefs coming to an end (cf. e.g. PI 1, 326, 485). If we, like some persistent skeptic, keep on asking a believer the question "How do you know?", we will sooner or later drive him to a point where the only available answer is something like "Ich habe Deutsch gelernt" (PI 381). The end of reasons, in other words, is reached where definitions for the use of words are given; it is logical or grammatical sentences where reasons come to an end. In PI 485, an argument for this is hinted at, an argument turning on the non-empirical status of this end: "Die Rechtfertigung durch die Erfahrung hat ein Ende. Hätte sie keins, so wäre sie keine Rechtfertigung." Remember that by means of grammatical sentences Wittgenstein distinguishes between sense and nonsense, a distinction prior to that of empirical truth or falsity. Without this distinction, there would not be such a thing as truth or falsity; if reasons did not come to an end here, there would be no empirical content at all, according to Wittgenstein. From the epistemological point of view, logical sentences therefore express what cannot be denied.

To sum this up: In the *Philosophical Investigations* semantic constitutivity and epistemic necessity characterize the non-empirical. Epistemic necessity for Wittgenstein is a feature supervenient on semantic constitutivity.

About what is non-empirical we must not be deceived by its *form*, however. There are sentences which look like empirical sentences but are grammatical (cf. PI 251). Examples of such sentences that Wittgenstein mentions in the *Philosophical Investigations* are
(L) "Jeder Stab hat eine Länge" (PI 251) or
(R) "Es regnet, wenn wir bestimmte Gefühle der Nässe und Kälte haben" (cf. PI 354).
Not their form but the features of semantic constitutivity and epistemic necessity characterize these sentences as non-empirical. This could be taken to mean that here, we simply tend to be deceived about their real status by the superficial form of these sentences; they look empirical but really are non-empirical. However, this dichotomy could also be put in terms of that between form and function, and there are clear tendencies in the *Philosophical Investigations* to "pragmatize" it. In PI 354, Wittgenstein says: "Das Schwanken in der Grammatik zwischen Kriterien und Symptomen läßt den Schein entstehen, als gäbe es überhaupt nur Symptome". Taken together with PI 79 where in a parenthesis Wittgenstein says: "Das Schwanken wissenschaftlicher Definitionen: Was heute als erfahrungmäßige Begleiterscheinung des

Phänomens A gilt, wird morgen zur Definition von 'A' benützt", we might very well get to the conclusion that Wittgenstein's distinction between the empirical and the non-empirical is intended to be *use- or context-dependent*. Then, one and the same sentence could be empirical or non-empirical depending on some feature of its use remaining to be specified. And in his latest writings, Wittgenstein clearly thinks that there are sentences going back and forth across the border between the empirical and the non-empirical. And that this is a question of their use. In the *Remarks on Colour* he says:

> Sätze werden oft an der Grenze von Logik und Empirie gebraucht, so daß ihr Sinn über die Grenze hin und her wechselt und sie bald als Ausdruck einer Norm, bald als Ausdruck einer Erfahrung gelten. (Denn es ist ja nicht eine psychische Begleiterscheinung - so stellt man sich den 'Gedanken' vor - sondern die Verwendung, die den logischen vom Erfahrungssatz unterscheidet.) (ROC 32, see also OC 98).

Such sentences, then, are not sentences whose empirical appearance deceives us about their real status but these are sentences that actually sometimes are empirical and sometimes not. I will call sentences like these "borderline sentences" or "borderliners". Examples for such borderliners are those freaky sentences like Moore's propositions Wittgenstein struggles with in *On Certainty*, sentences like

(H) "Dies ist eine Hand",

(B) "Books do not evaporate", or

(E) "Die Erde hat viele Tausend Jahre vor meiner Geburt existiert".

These are sentences expressing beliefs or judgments, i.e. empirical sentences. At the same time, they are beliefs which it is (almost) impossible to doubt; sentences, that is, which cannot be denied without change or loss of meaning. These are, in other words, judgments displaying those very features characteristic of non-empirical sentences or "rules". Yet, it is hard to conceive of them as non-empirical. Nevertheless, they are semantically constitutive - "Wer keiner Tatsache gewiß ist, der kann auch des Sinnes seiner Worte nicht gewiß sein" (OC 114, see also OC 95). Here, "the *truth* of my statements is the test of my *understanding* these statements" (OC 80). And, therefore, they are "isolated from doubt" (OC 87) because here, "doubt gradually loses its sense" (OC 56). Wittgenstein concludes: "Die Wahrheit gewisser Erfahrungssätze gehört zu unserem Bezugssystem" (OC 83).

As quoted above, in OC 137 Wittgenstein gave us a hint why he is interested in sentences like Moore's propositions: "weil sie alle im System unserer empirischen Urteile eine ähnliche Rolle spielen". Now, we can let him summarize what this special role consists in as follows:

> [U]ns interessiert, daß es über gewisse Erfahrungssätze keinen Zweifel geben kann, wenn ein Urteil überhaupt möglich sein soll. Oder auch: Ich bin geneigt zu glauben, daß nicht alles was die Form eines Erfahrungssatzes hat, ein Erfahrungssatz ist (OC 308).

In this formulation, however, Wittgenstein falls back on a use-independent distinction between deceptive form and real status. According to that, these sentences simply would not be empirical. This seems immensely implausible. As seen above, simply saying that these are empirical sentences that are semantically constitutive is an option not open to Wittgenstein either. The only way of both holding on to their semantic constitutivity and their empirical character therefore seems to be this: They can be both *but not at the same time*. By means of making them borderliners, then, Wittgenstein appears to be able one more time to echo PI 242 and RFM VI, 49:

> Wenn aber Einer sagte 'Also ist auch die Logik eine Erfahrungswissenschaft', so hätte er unrecht. Aber dies ist richtig, daß der gleiche Satz einmal als von der Erfahrung zu prüfen, einmal als Regel der Prüfung behandelt werden kann (OC 98).

For Wittgenstein, therefore, there is "no sharp division" (OC 97, see also OC 52) between the empirical and the non-empirical.This time, however, we must not be deceived by appearances and take this to present us with yet another close similarity with Davidson (or, for that matter, Quine). Their rejection of the analytic-synthetic distinction does also amount to a denial that there is any sharp boundary between the empirical and the non-empirical. Here, however, the conclusion is that there are sentences that are more analytic than others without there being any that are analytic strictly speaking. "If we give up the dualism [of the analytic and the synthetic], we abandon the conception of meaning that goes with it, but we do not have to abandon the idea of empirical content: we can hold, if we want, that *all* sentences have empirical content" (Davidson 1974: 189). This conclusion, however, Wittgenstein is not prepared to draw; for him, too much is at stake: As pointed out above, drawing a conclusion like that would amount to giving up on his conception of philosophy. He therefore rather desperately tries to avoid it by making the distinction between the empirical and the non-empirical context-dependent.

These, I think, are the difficulties Wittgenstein is struggling with in his last writings. Context-dependence seems the only way left open to hold on to his version of the distinction between the empirical and the non-empirical. Giving it up, however, seems even more desperate; that would mean declaring (Wittgensteinian) philosophy impossible. However, I am afraid this move generates more problems than it solves. Borderliners, rather than compelling us into mere context-dependence, lead into tensions that outrightly threaten the Wittgensteinian distinction between the empirical and the non-empirical.

2. Borderline Sentences, Truth-values, and Semantic Identity

In this last section I want to raise two problems that arise for Wittgenstein if we try to reconcile borderliners with his conception of logic (or the non-empirical). Such sentences, remember, "werden an der Grenze von Logik und Empirie gebraucht, so daß *ihr Sinn über die*

Grenze hin und her wechselt und sie bald als Ausdruck einer Norm, bald als Ausdruck einer Erfahrung gelten" (ROC 32, emph. mine).

The first problem, now, concerns the truth-value of these borderliners. Suppose that *now*, such a sentence is used non-empirically. It expresses what Wittgenstein calls a "certainty", i.e. something that - like in traditional epistemology - it is impossible to doubt. What does that mean? Well, Wittgenstein tells us two things: first, nothing whatsoever could tell against such a sentence. See e.g. OC 512: "Die Frage ist doch die: 'Wie wenn du auch in diesen fundamentalsten Dingen deine Meinung ändern müßtest?' Und darauf scheint mir die Antwort zu sein: 'Du mußt sie nicht ändern. Gerade darin liegt es, daß sie 'fundamental' sind.'" And, second, such sentences are determined by their position in relation to other empirical sentences held true:

> Die Sätze, die für mich feststehen, lerne ich nicht ausdrücklich. Ich kann sie nachträglich finden wie die Rotationsachse eines sich drehenden Körpers. Diese Achse steht nicht fest in dem Sinne, daß sie festgehalten wird, aber die Bewegung um sie herum bestimmt sie als unbewegt (OC 152).

All this simply is an application of the results concerning agreement in judgment to those sentences fundamental in the shared pattern on a particular occasion.

However, these "judgments", i.e. these empirical beliefs now have stopped being empirical; they have taken the role reserved for rules or non-empirical sentences. The difficulty, then, is simply this: These "rules" are determined or identified by their relations to other beliefs. These relations are inferential relations. These relations, moreover, put these sentences in a position where no doubt about them is possible. Everything in this picture suggests that these sentences are - *true*, even if necessarily so. However, Wittgenstein's conception of the dichotomy would force him to deny these sentences their truth-value. They are not even judgments any more, not sentences held true, but devoid of truth-value. But there simply are no inferential relations between things with truth-value and things without; on this conception of non-empirical sentences it becomes mysterious how these could stand in the relations to other sentences held true that Wittgenstein himself seems to describe. Consequently, it either becomes mysterious how these sentences could be logical at all, i.e. how they could possibly be borderliners. Rather than a softening of the border between the empirical and the non-empirical, in the latest Wittgenstein there seems to be quite a different conception of the non-empirical at work in addition to and simultaneously with that originating in the Middle Period and still very strong in the *Philosophical Investigations*.

The difference between these two conceptions at root is a difference about content determination. Borderliners are borderliners because agreement on them appears to be *semantically* necessary - at least sometimes. Context-dependence and semantic necessity are not easily reconciled, however. Wittgenstein seems to take for granted that the borderliner's

meaning or sense remains the same on both sides of the border. Accordingly, he says that the borderliner's *sense* crosses the border in the passage quoted from the *Remarks on Colour* above. But how can that be? Semantic necessity or constitutivity quite clearly implies that every border crossing of a borderline sentence changes the meaning of at least some element of that sentence and, consequently, of the sentence itself. It is not the same (interpreted) sentence any more when it comes to be used beyond the border. Rather than solving the problem of how to reconcile semantic constitutivity with empirical character, context-dependence itself does not seem to be consistent with semantic constitutivity. The context-dependence of the distinction between the empirical and the non-empirical, ultimately, is not forced on us by borderliners because it does not look like there could be any. Borderliners are the chimerical offspring of the unhappy union of two different and ultimately incompatible pictures of content determination.[8]

To sum things up: Wittgenstein's holistic picture of judgments and their identity generates heavy tension with his view that logic is characterized by semantic constitutivity. In Wittgenstein's latest thought, there are two different conceptions of the determination of propositional content at war with eachother. Wittgenstein's picture regarding meaning and belief-content seems to be torn apart between these two irreconcileable elements, between the idea, that is, that position in a network of inferential connections cannot be divorced from the identity of a judgment and the idea that "rules" or non-empirical sentences are constitutive of meaning. The line Wittgenstein himself flirts with in *On Certainty*, the retreat into context-dependence, does not present a way out of these difficulties. It does not reconcile the elements at war inside the Wittgensteinian picture but ignores these tensions.

Does this mean that philosophy becomes natural history, as Wittgenstein used to worry? Wittgenstein's own conception of the non-empirical seems to force this conclusion - but there might well be other ways of holding on to the thought that philosophy is not empirical science.[9] The task, then, would be to spell out an alternative conception of the a priori, a task, however, not to be undertaken here.[10]

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[8]It might be possible to read the passage quoted from the *Remarks on Colour* differently; we could take it to mean not that the borderliner's *sense* stays the same and crosses the border but that it changes when the *sentence* crosses the border. Then, the borderline sentence would be ambiguous. This could be brought out by using two different sentences, however, one of which would be empirical and the other not. Therefore, we would simply be back with a strict distinction between the empirical and the non-empirical and Wittgenstein's remarks about there being no sharp boundary would ultimately seem quite out of place.

[9] Davidson, for one, despite being "Quine's faithful student" (Davidson 1983: 313) on the analytic-synthetic distinction quite clearly does not draw such a conclusion.

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