Rules and Details

From Wittgenstein and Rawls to the Study of Practices

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ABSTRACT This paper first recalls the way the distinction John Rawls introduced between 'summary' and 'practice' conceptions of rules was presented and taken up in French thought in the 1990s. Then, expanding on Rawls' characterization of Wittgenstein's considerations on rule following and discussing several criticisms it aroused, it comes to the conclusion that 'rule' is a notion that is inadequate to explain either social action or the way people justify what they have done. It thus argues that to account for the emergence of the mutual intelligibility enabling action in common to emerge and develop, one should dispense with the notion of rule and substitute the notion of detail of ordinary action for it. To support this claim, the paper takes on a question: what does a detail do? The answer it offers suggests that each detail of an ongoing action – when empirically identified in actual circumstances of interaction – should be conceived of as a building block of practical reasoning allowing for a sociological inquiry of a phenomenon: coordination of action, that is, the sequential activity which makes an action the kind of action it is.

KEYWORDS Cavell, constitutive and practice rules, coordination of action, details, ethnomethodology, Garfinkel, Goffman, ordinary knowledge, Rawls, rule following

In addition to discussing the development of several different conceptions of rules in the work of Ludwig Wittgenstein and John Rawls, and its implications for both sociology and philosophy, one of the primary of this paper will be to give the reader a sense of how these questions have been presented and taken up in French thought, and how that particular history has shaped the current French debate over

these issues. In particular I will sketch a history of a group of French philosophers and sociologists who got together specifically to discuss these issues in the 1990s. The differences in the way these ideas developed in France, the UK, and the US explain much in contemporary French thought – and in particular the importance of Goffman and interactionism generally to both philosophy and sociology. It will be my contention that Rawls' (1955) distinction between 'Two Concepts of Rules' (TC) makes it clear that there are shortcomings in the Wittgensteinian view according to which 'rule' is a family resemblance term. But, I will also argue that the distinction between 'summary' and 'practice' conceptions of rules, as Rawls elaborates it, does not go far enough. Ambiguities remain concerning the use of the notion of rule that can only be addressed, or so I claim, by a sociological analysis through a careful inspection of the details of actual practical activities of ordinary life as they are sequentially accomplished *in situ*. To begin with, let us consider the way Rawls' article has been read in France.

The Rediscovery of 'Two Concepts'

Appalling as it may seem to an American scholar, John Rawls' *Theory of Justice* was not translated into French until sixteen years after its first edition had been published in the United States and was eventually introduced on the French intellectual scene only in the mid-1990s. Given that fact, it should not be surprising to learn that TC has long passed unnoticed in France. Strangely, this lack of awareness lingers on: in a *Dictionary of the Social Sciences* (de Lara, 2007: 985), recently published in Paris, Rawls is mistakenly said to have borrowed the distinction between constitutive and regulative rules from John Austin and John Searle![1] The truth is that Austin's position is quite different, while Searle's first reference to a distinction between rules in 1964 cites Rawls for the idea.

This misperception seems to be due at least in part to the fact that knowledge of Rawls' distinction came on the French scene only after familiarity with others. And yet French readers had actually been exposed to the existence and substance of Rawls' distinction on three earlier occasions. The *first* was the French translation of Searle's *Speech Acts* in 1972 (only three years after its original publication in English), in which Searle advances his own distinction between constitutive and regulative rules, which he had earlier acknowledged Rawls as the originator of. However, looking more closely, one discovers that while this acknowledgment is explicit in 1964 and again in the 1965 paper 'What is a Speech Act?,' it has completely vanished in the section on constitutive rules in the book *Speech Acts* (1969), and TC is not even listed in its bibliography. This strange omission goes some way toward explaining why those who didn't make the effort to read the article – or who did not know Rawls' work previously – were left in ignorance of Searle's debt to Rawls.

The *second* occasion of exposure to Rawls' distinction was the publication of *Theory of Justice* in French in 1987, in which Rawls makes one single reference to TC (in footnote 9 of Chapter 2), but also explicitly refers to Searle (in footnote 2 of the same chapter) when he alludes to the relationship between the notions of constitutive rules and institutions. To further confuse the issue, Rawls seems to distance himself from the notion of constitutive rules altogether in Chapter 6 (on 'Duty and Obligation'), where he uses the notion of 'constitutive conventions' instead.

The *third* occasion coincided with the 1996 publication of the French translation of Stanley Cavell's *The Claim of* Reason (1979) – thanks to Sandra Laugier's tireless endeavors. In Chapter 11 of this book – entitled 'Rules and Reasons' – Cavell presents an extensive and remarkable critique of the distinction between summary and practice rules that Rawls adumbrated in TC. But there again, few readers have recognized the relevance of this distinction to the ongoing discussion of the notion of rules, since Cavell's argument focuses on a very small topic that Rawls touched on in this early piece: the need to differentiate utilitarianism and deontology in moral philosophy (and this was not the kind of subject matter that drew attention to either Rawls' book or the TC article at the time).

The importance of Rawls' original paper was finally to be acknowledged a few years later, quite casually, when some French philosophers and sociologists sharing a particular interest in social theory and acquainted with the pragmatist literature, with Wittgenstein's considerations on rule following, and with ethnomethodology and Goffman's realist interactionism[2] joined together to revive the long-lasting debate on the uses of the notion of rule in the explanation of action. They came to form what I shall call the Group.[3] This quite unique and still enduring partnership built up and grew through a series of seminars and conferences that have been regularly held in Paris, both at the École des Hautes Études en Sciences Sociales and at the Sorbonne since 1999. These meetings were steadily attended by a small audience of students and researchers and spawned several publications (Benoist and Karsenti, 2002; Chauvivré and Ogien, 2002; de Fornel and Queré, 1999; Karsenti and Quéré, 2005; Ogien and Quéré, 2006; Chauvivré and Laugier, 2007).

In this article, I will try: (1) to recount how Rawls' 1955 article came to be rediscovered in the course of the Group's discussions on the philosophical and sociological uses of the notions of rule; and (2) to describe the controversial issues in the philosophy and sociology of action our contemporary reading of that paper helped us single out. This will lead me; (3) to expand on Rawls' initial characterization of Wittgenstein's considerations on rule following by examining some of the criticisms it aroused. I will then conclude with: (4) the presentation of some arguments advocating the substitution of a practical conception of rules – as it can be derived from Garfinkel's notion of instructed action – for Rawls' analytical and Searle's dualist ones.

Two Concepts of Rules or More?

As Cavell has suggested, philosophers generally use the notion of rule unreflect-ively and, Wittgenstein's strictures notwithstanding, in a prescriptive sense.[4] In traditional sociology, the notion is overtly employed in a deterministic fashion: rules are generally taken to express the norms of conduct a society is claimed to impose on its members and which are putatively obeyed in a mechanical way. How this is possible is not considered. Bourdieu objected to such a determinist outlook in the early 1980s when, drawing on Wittgenstein's work, he introduced the notions of 'habitus' and 'practical sense' (Bourdieu, 1980) in an attempt to dismiss both the objectivist and subjectivist approaches in sociology (see also Calhoun et al., 1993).

In a momentous article published in 1995, Jacques Bouveresse, the philosopher who initiated Wittgensteinian studies in France, contended that rule and rule following were key issues in Bourdieu's sociology, arguing that it tried to give a plausible answer to the core problem of sociology: 'How can behavior be regulated without being the product of obedience to rules?' Most unfortunately, Bourdieu's theory of habitus has resulted in the disappearance of all further reference to the notion of rule in his analysis and suspended the concern for one of Wittgenstein's riddles: what does following a rule mean? And it generated a new problem that remains unanalyzed: how is 'habitus' adequate to explain the recognition of social objects in the execution of highly complex social interaction? In other words, Bourdieu and his followers did not try to turn a methodological problem into an empirical one: how does the sociologist know that formal rules (or norms of conduct that have been theoretically abstracted from observed behaviors or – to quote Bourdieu – from the description of a 'system of generic and durable dispositions') do definitely dictate individual conduct allowing him or her to account for coordination of action in common?[5] They contented them-selves with exposing and denouncing the intellectualist stance sociologists had come to endorse when they pretend to account for action by invoking rules they theoretically assume people are bound to follow.

Rule and rule following were precisely the issues Bouveresse's article intended to reinstate in the academic landscape of both philosophy and sociology. The Group took them up to discuss them anew.

In the course of a seminar on Action, Language and Mind that Christiane Chauviré set up at the Sorbonne in 2004, we soon got involved in a reappraisal of one of Wittgenstein's propositions: rule is a family resemblance concept. Though all the members of the Group straightforwardly admitted that the word 'rule' corresponds to a single linguistic form (that is, a proposition formulating a directive), we nevertheless also shared the belief that instructions are of many sorts and display very distinctive features according to the practical requirements inherent to each of them. Even a hurried inquiry into the actual circumstances

in which this word is employed shows that it can refer, to mention but the most significant of its uses, to a duty (obeying a commandment or abiding by a law), an obligation (conforming to norms, conventions, or etiquette), a recommendation (advice to act appropriately that one is free to take or not), a justification (using a ready-made device to explain *a posteriori* what has happened), a regularity (behaving according to a demonstrable recurring pattern), or even a description of the successive stages of a technical procedure (meeting the requirements of the proper way to do things like assembling a chair, for example, or applying a function in a calculation). When one admits that each of these uses relates to distinct practical commitments, one has to recognize that the differences they reveal are more than grammatical[6] (as Wittgenstein would have it): they manifest true conceptual distinctions. The members of the Group admitted that these distinctions have to be seriously investigated. The philosophers reckoned that conceiving of rule as a family resemblance concept turns out to be somehow untenable; and the sociologists added that ignoring the conceptual differences the many uses of the concept of rule demonstrate was prejudicial since it thwarted any attempt to account for the work that individuals have to accomplish to act in accord with an instruction in a way they themselves regard as correct and acceptable.

Our common reappraisal of Wittgenstein's proposition undeniably called for a clarification of the concept of rule. It was precisely at that point that Sandra Laugier opportunely drew our attention to John Rawls' 'Two Concepts of Rules', parts of which she had translated while editing Cavell's *The Claim of Reason* in France. This anecdote is retold here only to give an indication of the quite ingenuous way in which we read Rawls' 1955 article. It is worth noting that our interest was not biased by any prior consideration either of the disputed topic of the relationships between utilitarianism and deontology or of the origin of the notion of constitutive rules. We were driven by a single concern: coming to grips with the problems raised by the philosophical and sociological uses of the concept of rule. What kind of insights into these problems did such an innocent, as it were, reading of Rawls lead to?

Most importantly, it demonstrated that challenging Wittgenstein's view that rule could not be specified beyond a family resemblance concept was not a misguided endeavor. One aspect of Rawls' distinction between 'summary' and 'practice' conceptions of rules partially amounted to an attempt to alleviate the confusion prompted by the multiple uses of the word 'rule.' In other words, we found that Rawls had originally been engaged in a process very like our own – albeit for different reasons. In his case the distinction was explicitly forged for a single theoretical purpose: presenting a defense of utilitarianism by accurately identifying the point of applicability of the utilitarian principle. Rawls (1955: 3) sought to narrow the applicability of the principle by establishing that it can only serve in 'justifying a practice, not in justifying a particular action falling under it.'

Sticking closely to the terms in which Rawls construed the difference, we noticed that 'justifying a practice' is a notion built on two theoretical hypotheses:

> … one supposes that each person decides what he shall do in particular cases by applying the utilitarian principle; one supposes further that different people will decide the same particular case in the same way and that there will be recurrences of cases similar to those previously decided. Thus it will happen that in cases of certain kinds the same decision will be made either by the same person at different times or by different persons at the same time. If a case occurs frequently enough one supposes that a rule is formulated to cover that sort of case.
>
> (Rawls, 1955: 19)

Hence Rawls' first concept of rules, which he defines as 'summaries of past decisions arrived at by the *direct* application of the utilitarian principle to particular cases.' His second conception pictures rules 'as defining a practice,' a process which he describes the following way:

> Practices are set up for various reasons, but one of them is that in many areas of conduct each person's deciding what to do on utilitarian grounds case by case leads to confusion, and … the attempt to coordinate behavior by trying to foresee how others will act is bound to fail. As an alternative one realizes that what is required is the establishment of a practice, the specification of a new form of activity; and from this one sees that a practice necessarily involves the abdication of full liberty to act on utilitarian and prudential grounds.
>
> (Rawls, 1955: 24)

Rawls offers 'the attempt to coordinate behavior' – a decidedly sociological concern – as one possible reason why practices might have been established. One may wonder though who is the one to decide that a practice (or, to use another term for what Rawls has in mind here, an institution) needs to be established when one judges that coordination is 'bound to fail'? Or, even more importantly, whether this is really the way practices (or institutions) are established at all? Rawls did not take up this question. Instead he gave examples of existing practices of this sort, and then offered what seems to be a rather deterministic description of what following a rule amounts to when it refers to an institutionalized way of behaving:

> It is the mark of a practice that being taught how to engage in it involves being instructed in the rules which define it, and that appeal is made to those rules to correct the behavior of those engaged in it. The rules cannot be taken as simply describing how those engaged in the practice in fact

behave; it is not simply that they act as if they were obeying rules. Thus it is essential to the notion of a practice that the rules are publicly known and understood as definitive. And it is essential that the rules of a practice can be taught and can be acted upon to yield a coherent practice. On this conception, then, rules are not generalizations from the decisions of individuals applying the utilitarian principle directly and independently to recurrent particular cases. On the contrary, rules define a practice and are themselves the subject of the utilitarian principle.

(Rawls, 1955: 24)

In brief, the difference between summary and practice rules is construed this way. In the first case, the same individual decisions are repeatedly reached in the same situations and, over time, take the form of rules (or are treated as if they had taken the form of rules) since abiding according to an injunction is, says Rawls, more efficient than to engage in a reasoning process that will by and large result in an already predictable outcome. In the second case, people decide collectively that a certain practice should be performed according to a given number of instructions, which means the decisions an individual makes once engaged in such a practice are framed by the fixed standards according to which her performance will be judged. In other words, summary rules refer to reasons to act that people know how to make use of, either in their practical commit-ments or to retrospectively justify what they have done, whereas practice rules define institutions and the distribution of roles, rights, and duties it imposes on individuals when acting within their framework.

Though it introduced a quite unusual and important distinction in philosophy between social criteria of justification (which apply to practices or institutions) and moral criteria of justification (which apply to individual action and express one's responsibility),[7] some of us still felt that Rawls' distinction was rather wanting from a sociological point of view. On the one hand, both the summary and practice conceptions of rules seemed to us to excessively depend upon individual decisions, even when these individual decisions are merged into what is presented as a collective agreement to abide according to the normative requirements of a practice. On the other hand, Rawls views the establishment of a practice as a generic process (described with surprising evolutionist overtones), whereas sociologists currently conceive of institutions, since Durkheim, as ways of behaving, feeling, and reasoning (whether historically produced or practically accomplished) that somehow preexist and outlive individuals and externally impose a particular series of constraints on their action. Some of us insisted then to retain a sociological outlook and take into account a conception that views institutions as imposing impersonal obligations on the members of a social grouping who know they are expected to fulfill them whenever they act in common. Philosophers are usually at pains to admit that individual action can be controlled by impersonal features and are prone to judge such a standpoint far too deterministic. To be

sure, Rawls would not have accepted such an over-deterministic – or sociological – stance, even though he willingly acknowledged the essential part social institutions play in ordinary moral life, a part many utilitarians are still reluctant to reckon, just as they deny the primacy that his conception of justice as fairness attributes to the basic structure of society over the idiosyncratic preferences of individuals.

Whatever the value of our interpretations, our almost literal reading of Rawls' article led us to single out and discuss three controversial issues. *First* was the fact that we felt that Rawls' distinction had failed to deal with a crucial question: if a rule expresses a prescription, can one really contend, as utilitarianism urges to do, that its compulsoriness (or 'bindingness') derives uniquely from an individual decision to abide by the requirements it specifies? *Second*, we noticed the confusion Rawls unwittingly introduced when he used the term 'practice' to name at the same time an institution (justice, for example) and the way an action structured by this institution is to be accomplished (judging and sentencing a criminal in a particular case). Of course, Rawls cannot be blamed for this insofar as he forthrightly granted that his usage of the notion of practice is rather loose,[8] and the discussion of this problem developed in sociology – not philosophy – and only appeared in print long after the publication of his paper (see Garfinkel, 1967; Wieder, 1974; A.W. Rawls, 1987). But such a confusion bears some consequences for analysis, the most important being that it leads to the loss of a phenomenon: the fact that rule following is a practical activity being done in common, in situated circumstances, submitted to a temporal order and requiring a given degree of coordination between the people involved. This, some of us contended, led Rawls to overemphasize individual preferences and personal choice, and to quite unjustifiably sneak into his explanations a series of a priori criteria of judgment (derived as far as one can tell from a preformed definition of moral excellence, an uncompromising conception of personal responsibility, and an inflexible and too rational sense of coherence and non-contradiction when applied to human decisions).

We therefore agreed that inquiring into the practical nature of rule following was imperative. The third point only concerned sociologists and was purely methodological: if one admits that the notion of rule is inadequate to account for the coordination of action, what alternative candidate might one adopt to carry out the task? On that matter, I tried to substantiate a claim: to the traditional invocation of rules to explain action – which seems to be more ritual than really convincing – sociological analysis should substitute the minute description of the details of interaction as it is advocated by ethnomethodology. These are the three issues I will now discuss.

First: Rules and Practice

'What is a rule?' or even 'How can one be sure that a rule has been followed?' are not questions Rawls undertakes to deal with. In TC, the invocation of rules is

conceived of neither in a prescriptive sense nor as an explanation, but as a means one uses to justify an institution or an action. To an ingenuous reader of the article (as we were), finding out that the distinction between summary and practice rules has long been considered an ancestor of Searle's distinction between constitutive and regulative rules was quite startling (see Khatchadourian, 1977; Randsell, 1971). Searle's and Rawls' constructs clearly appeared to us to be worlds apart, since the former, contrary to the latter, grants an efficacy of their own to rules: they do constitute and they do regulate, as the definitions Searle submits make plain:

> Regulative rules regulates a pre-existing activity, an activity whose existence is logically independent of the rules. Constitutive rules constitute (and also regulate) an activity the existence of which is logically dependent on the rules. … Regulative rules characteristically have the form or can be comfortably paraphrased in the form 'Do X' or 'If Y do X'. Within systems of constitutive rules, some will have this form, but some will have the form 'X counts as Y', or 'X counts as Y in context C'.
>
> (Searle, 1969: 34)

Searle's speech-acts analysis rests on a theory claiming that the command of first-order (constitutive) rules is required to allow one to apply second-order rules (realizations of conventions).[9] In Searle's dualist conception, rules do exist which can be discovered and are supposed to be strictly and necessarily followed if an action – speaking in that case – is to be performed satisfactorily.[10] According to the Group's reading of Rawls' conception as an analytic conception,[11] stating what a particular rule might or might not do appears simply irrelevant: attention is seldom given to the contents of rules or to the way they are actually followed (if such an event ever occurs). Here, the word 'rule' seems merely to refer to the fact that human beings are raised and live in socially organized forms of activity in which they have to comply with all sorts of requirements according to the kind of everyday circumstance they are involved in (legal, technical, moral, social, play, and so on).[12] Rules are thus defined by their most general feature: the binding force they are supposed to exert on individuals. But the way we read the argument, Rawls does not really discuss the nature of this bindingness: he uses the notion of rules only to differentiate social (that is, summary) from institutional (that is, practice) justification criteria.[13]

In spite of all its merits, Rawls' groundbreaking distinction remains, or so some of us thought, too abstract. According to Cavell, one reason for this shortfall is that Rawls' theory rests on a misguided conception of the notion of practice and an unclear definition of the notion of rules. What are Cavell's arguments?

Cavell acknowledges that Rawls' definition of two concepts of rules was solely devised to give a sound basis for his more crucial distinction between action and institution. He praises the rigor of his analysis, emphasizing the fact

that Rawls 'explicitly cautions that not all actions are controlled by what he calls practices' (Cavell, 1979: 293). The point Cavell tries to substantiate here is that though individual actions are irremediably performed in a socially defined context, they are still partially independent of practice rules and express the moral criteria one deliberately applies in given circumstances. This is a point Cavell nicely illustrates by discussing Rawls' chosen example: promising. Rawls states that making a promise is undertaking an obligation since it commits oneself to fulfill it. Hence when one decides to break a promise, one has to anticipate the consequences one's action might have on the way one will be judged since these consequences are defined by promising when conceived of as a practice (irresponsibility, ignorance of what promising means, insanity). Cavell suggests that the analyst should discriminate between what a practice instructs us to do (i.e. promising) and the capacities one has to master beforehand to be able to behave according to the rules making up this practice.

> You can and do, of course (sometimes) break a promise. But breaking a promise is not annihilating it (though there may be other ways in which it is annihilated); moving a piece back is not the same as taking back a move (though there may be other ways and times for doing that). Each move changes the situation in which the following move is to be made. Not to know this is not merely to be without the knowledge of a particular practice (promising); it is to be incapable of engaging in any practice at all, to be unready for responsible (competent) action.
>
> (Cavell, 1979: 308)

And Cavell is definitely not ready to admit people's incompetence. His radical defense of the ordinary leads him to blame Rawls' theory for missing 'the epistemological problems involved in our knowing what we, or someone else, is doing' (Cavell, 1979: 293). One of these problems stems, according to him, from Rawls' unclear conception of rules. As Cavell asserts that the 'possibilities of justifying an action by referring to (the rules of the) practice under which it falls depend upon the type of "rule" considered,' he is led to reckon that there are 'not two but four clear concepts of (something we might call) "rules" – four kinds (at least) of replies to the question: "Why did you do that?"' (1979: 305). Taking chess playing as an example, Cavell (1979: 305) details 'rules as defining (e.g. a bishop moves along the diagonal), rules as regulating (e.g. when a player touches a piece, he must either ...), principles (e.g. develop your pieces as early as possible), and maxims (e.g. develop knights before bishops)' (1979: 305). Cavell adds two important comments. The first is to recall that even these four categories of rules are insufficient to describe a game fully: basic elements are still lacking in the description, like, for example, the purpose of the game and its manner of commencing. This is an idea which resembles Garfinkel's conception

of the irremediable incompleteness of any theoretical description of action (the 'missing what' clause) and which Cavell sums up in a sentence: 'A certain mastery of the strategy of a game is as essential to being described as *playing the game* as a mastery of its moves is' (1979: 306).

His second comment is more cutting-edge. Cavell contends that when one considers action from the point of view of the agents, one has to acknowledge they masterfully make use of all sorts of rules in their ordinary commitments. He thus objects that since Rawls' theory does not seriously take this phenomenon into account, it altogether ignores the practical nature of obligation. It then eventually amounts to

> … an attempt to explain why an action (as promising) is *binding* upon us. But if you *need* an explanation for that, if there is a sense that something more than personal commitment is necessary, then the appeal to rules comes too late. For rules are themselves binding only subject to our commitment. Why one may think that rules could explain the bindingness of commitment [comes in part] from an idea of rules which might be expressed by saying that 'rules define games'. An idea which pictures rules not as defining baseball as opposed say, to cricket (which they do), but as defining what it is to play a game (which they cannot do).
>
> (Cavell, 1979: 307)

Cavell's insistence on the preeminence of commitment gives his argument a sociological flavor. Some of us nonetheless felt that his stance was still too individualistic: he uses the notion of commitment exclusively to refer to the moral engagement a person undertakes in his or her relation with another person (even if these persons are thought of as being aware of what the practice or institution in which their interaction takes place requires them to do). Just like Rawls, though on other grounds, we felt that Cavell's point of view ignores the sociological conception of obligation which acknowledges the existence of impersonal constraints (exerted by such social objects as situations, roles, concepts, or institutions[14]) which by and large control individual action, hence the process actually constituting rule following.

Our reading of Cavell's critique of TC led the Group to sketch out the difference between a philosophical and a sociological outlook on obligation. To dig further into that matter, we proceeded with a question: if one accepts Wittgenstein's statement to the effect that we 'must obey the rule *blindly*', in what sense can one say that somebody is blindly bound by an obligation? To begin with, we considered three noteworthy answers that have been given to that question: Winch's analysis of the concept of meaning, Kripke's so-called communitarian view, and Bloor's conception of socialization.[15]

Second: Rules and Practical Knowledge

In *The Idea of a Social Science*, Winch concludes his analysis of the relation between the concepts of meaning and rule with a famous proposition: '… all behavior which is meaningful (therefore all specifically human behavior) is *ipso facto* rule-governed' (Winch, 1958: 52). In Winch's demonstration, the notion of rule is conceived of less as a justification than as a reason to act (Pleasants, 2000). And what rule following might refer to is defined in a quite ingenious way: according to Winch, someone is taken to follow a rule whenever somebody else grasps what he or she is doing as a case of applying a given rule. In other words, the fact that one 'acts according to the rule' is ultimately decided by an observer, not by the agent him- or herself. This is a phenomenon, says Winch, which warrants the existence of public (that is, commonly known and shared) criteria of satisfaction that every member of a social grouping is aware of and by which the conformity of an action is currently assessed (Pettit, 2000). However, he admits that such assessment ignores a crucial feature of rule following. Glossing Wittgenstein's example, Winch signals that explaining a calculation by simply saying that a pupil has followed the rule 'count by twos' would miss the fact that to abide by a rule a prior condition must be fulfilled: the pupil must have acquired

> … the ability to apply a criterion; he has to learn not merely to do things in the same way as his teacher, but also *what counts* as the same way. … There is a sense in which to acquire an habit is to acquire a propensity to go on doing the same kind of thing; there is another sense in which this is true of learning a rule.
>
> (Winch, 1958: 60)

For Winch, assuming that one is able to follow a rule is concomitantly assuming that one knows what 'doing the same thing on the same kind of occasion' requires. But, like Rawls and Cavell, Winch does not get involved in an empirical analysis of what constitutes such knowledge and how it actually comes to determine practical inference and action. He simply acknowledges, as Wittgenstein did, that it just so happens that humans do acquire and master such an ability and know how to use it adequately.

Eventually, the Group extracted two propositions from Winch's analysis: (1) since rules necessarily require an external assessment of the correctness of each case of application, one should admit that knowing how to make use of the criteria allowing for such an assessment is a standard element of ordinary knowledge; and (2) one would not be able to use any of these criteria had one not been raised in a social grouping and familiarized with the many forms of practical action that living in such a grouping requires one to engage in.

The social dimension of rule following (that is, the fact that people are well acquainted with countless clusters of 'practice rules' which define the socially organized forms of activity they happen to get involved in and that they exhibit a mastery of the many uses they can make of these rules depending on the circumstances) is only outlined in Winch's analysis. Some members of the Group suggested that discussing Saul Kripke's so-called communitarian view could help clarify that point. As we know, this view was articulated in his attempt to solve Wittgenstein's paradox: '… no course of action could be determined by a rule, because every course of action can be made to accord with the rule' (Wittgenstein, 1967: §201). This paradox has been derived from two premises: (1) the formulation of a rule never states all the future modalities of its application (or: there are no rules to apply rules); and (2) an individual might give all sorts of acceptable justifications to explain away an alleged deviance to whoever signals that he or she hasn't correctly followed a rule. Wittgenstein's solution to his paradox introduced his key distinction between acting according to a rule (which is a matter of 'practice'[16]) and acting in conformity with a rule (which is a matter of justification). In both cases, says Wittgenstein, to claim that a rule has been followed does not amount to an explanation of what really happened: on that matter, according to him, nothing can be said. The only thing an analyst can speculate about is the expressive or *public* dimension of normativity (Williams, 1999). And this is the dimension Kripke tried to work out, starting with a first statement:

> … if one person is considered in isolation, the notion of a rule as guiding the person who adopts it can have *no* substantive content. There are no truth conditions or facts in virtue of which it can be the case that he accords with his past intentions or not.
>
> (Kripke, 1982: 89)

Kripke neither contends that rule following is a phenomenon that might be accounted for by appealing to the constraints of a normative, or deliberative, system, supposedly securing coordination of action, nor does he champion a kind of relativism according to which truth conditions are arbitrarily defined by each and every community. He merely claims that one has to deny that 'a person following a given rule is to be analyzed simply in terms of facts about the rule follower and the rule follower alone, without reference to his membership in a wider community' (1982: 109). Kripke's conception of community derives from the observation that 'others will have justification conditions for attributing correct or incorrect rule following to the subject, and these will *not* be simply that the subject's own authority is unconditionally to be accepted' (1982: 89). To illustrate his stance, Kripke discusses the case of an interaction between a customer buying five apples and the grocer who is selling them. In such a transaction, the former expects the latter to count exactly as he does, and as long as nothing occurs

which might invalidate that expectation, he attributes to the grocer a grasp of the concept of addition. The conclusion that Kripke draws from this simple example is that

> … our entire lives depend on countless such interactions, and on the game of attributing to others the mastery of certain concepts or rules, thereby showing that we expect them to behave as we do. This expectation is *not* infallibly fulfilled. It places a substantive restriction on the behavior of each individual, and is *not* compatible with just any behavior he may choose … each person who claims to be following a rule can be checked by others. Others in the community can check whether the putative rule follower is or is not giving particular responses that they enforce, that agree with their own.
>
> (Kripke, 1982: 92–3, 101)

Kripke's communitarian view does not support (as it is often charged with) the idea according to which the criteria of correctness by which an action is assessed are exclusively defined by a 'community' – or even by an ephemeral assembly of speakers – to which is granted an arbitrary power to decree whatever norms it pleases them. This view is simply a logical development given to Wittgenstein's statement 'it is not possible to obey a rule privately' (Wittgenstein, 1967: §202), and only intends to demonstrate the implausibility of the assumption that the criteria an individual uses to assess the correctness of an action (that is, the fact that it conforms to the prescriptions of a rule) exclusively emanate from his or her mind or cognitive apparatus. In Kripke's rather sociological frame of mind, if something like mutual understanding (as it is directly expressed in coordination) appears to prevail in everyday life, the least one can say about it is that it requires a collective endeavor of every participant to an interaction, and results from it.

But Kripke is a logician, not a sociologist. No one can blame him for not empirically examining what this collective endeavor is made of. For him, it suffices to state that rule following stems more from attunement than from communication: that is, it just so happens that action taken in common does apparently develop without requiring any negotiated agreement about what to do together (or a mechanical enforcement determined by a putative culture). In sum, 'community' is not a notion that should be conceived of, in Kripke's use at least, as an empirical entity (that is, a social grouping the members of which have interiorized an institutionalized system of norms and values through a process of socialization which totally defines the way they actually behave).[17] It only refers to a given set of identification and justification criteria which allow individuals to get a sense of agreement or of mutual understanding in the changing circumstances of everyday activities.

Pictured this way, Kripke's analysis raises a question: where do these identification and justification criteria individuals use to express this sense of

agreement come from? This led the Group to reassess Bloor's conception of socialization.

In his attempt to 'sociologize' Wittgenstein's notions of 'forms of life' and 'language games,' Bloor (1997) discusses a statement philosophers have seldom commented on: 'a rule is an institution.' To elucidate its meaning, he articulates a four-stage demonstration: acting amounts to following a rule; following a rule amounts to behaving according to given standards of correction; obeying these standards amounts to achieving a consensus; thus, since following a rule produces an agreement, it amounts to an institution. And as a result, he deduces what he calls a 'self-referential model' of the institution according to which following a rule is 'part of the currency of interaction, and a medium of self-understanding.' In other words, it is a practice requiring a collective agreement to abide by the obligations individuals have themselves decided to undertake which is time and again renewed in the course of everyday activities:

> … the rule exists in and through the practice of citing it and invoking it in the course of training, in the course of enjoining others to follow it, an in the course of telling them they have not followed it, or not followed it correctly. All these things are said to others and to oneself, and are heard being said by others. In standard sociological parlance, the rule is an 'actor's category'. It is not just a spectator's description of a group's behavior, or an idea utilized by an outside theorist wishing to summarize and predict their behavior.
>
> (Bloor, 1997: 33)[18]

Although his self-referential model concurs with the individualistic conception of obligation philosophers generally endorse,[19] Bloor turns it into a sociological statement by hinging it on a theory of socialization, which, contrary to functionalists, or culturalists, who see it as a process resulting in the interiorization of norms and values mechanically causing conformity of behavior, refers to the progressive and never-ending acquaintance people get with the logical constraints of everyday life as they experience them in each social occasion they happen to attend from childhood on. The practical knowledge thus acquired endows people with a set of background expectations and a capacity to react properly to the responses of others in the course of their ordinary encounters. Contrary to the philosophers who regard obligation as a matter of individual commitment and moral responsibility, Bloor views it as a natural feature (that is, the normativity of social facts) that people discover and comply with in the course of action in common. According to him, only the intrinsic necessities of the accomplishment of action entitle individuals to use a power they might not otherwise be licensed to exert themselves: prompting others to obey obligations. This power must not be thought of in a determinist fashion. It operates, according to Bloor, as a 'logical

compulsion'[20] directly enjoining individuals to fulfill the requirements they know they have to abide by, as long as they desire to feel they behave appropriately.

Bloor's self-referential model of institution is nonetheless trapped in a contradiction: how can an obligation agreed upon be at the same time stable, since it determines the form a given type of commitment must take, and contingent, since this form is entirely subjected to the adjustments individuals ceaselessly give to it in the course of action? The contradiction is but another way to formulate Wittgenstein's riddle: if an individual knows he or she is following a rule, how can an analyst pretend that he or she obeys it blindly? Bloor's way out of the contradiction turns on a subtle distinction between two senses of the adjective 'blind':

> When we say following a rule involves thinking you are following it, this needs to be interpreted minimally. All the 'thinking' required is the routine awareness of the average, competent member of a society who has been socialized into its customs and institutions. … We follow some rules automatically, but do so within a social framework to which we are known to be responsive, and within which we operate according to acceptable standards of competence and awareness. In this way we can be said to 'think' or 'know' that we are following a rule, even though we are responding 'blindly'.
>
> (Bloor, 1997: 51–2)

In other words, if Bloor admits that an obligation has to be undertaken by an individual, he insists in recalling a sociological postulate: people do not live in a vacuum, but are by necessity engaged in socially organized forms of activity with no time out.[21] We came to notice, however, that Bloor unfortunately did not draw a conclusion that should have been deduced from it: an essential part of the practical knowledge necessarily implied to act in accord with a rule is embedded in the instituted forms of activity and in the proprieties associated with the accomplishment of these activities.

So, where did our collective inquiry into TC lead the Group? We came to think that to act in accordance with a rule necessarily implies making use of practical knowledge, since to be taken to abide correctly individuals have to publicly demonstrate that: (1) they know the existence of the rule; (2) they try their best to abide according to the prescriptions it is supposed to impose; and (3) they exhibit their ability to apply it correctly, even while revising its content, or finding good reasons to explain away non-compliance.

This is the provisional conclusion the Group came to. I will next outline an argument I drew from this investigation and submitted for discussion to the Group: since rule is a notion an analyst should rather dispense with when accounting for action, the best substitute candidate for it are the details of

practical reasoning (that is, the basic elements that epistemically and practically constitute coordination as it emerges step-by-step in the temporality of its accomplishment). I argue that these details are what ethnomethodology is after when it insists on demonstrating the way instructed actions control individual behavior. Thus a last question has to be answered: what does a detail do?

Third: Details as Instructions

The notion of rule is rather expedient. It enables the sociologist to feel justified in accounting for the coordination of action by assuming that it materializes either in a mechanical fashion or after an agreement has been publicly negotiated and reached. But, from a practical point of view, one may contend that neither of these options is sound: the first is utterly unrealistic, while the second overlooks the many orders of constraint that hold sway on individual action. Another methodological option can be adopted: describing the way coordination is temporally secured, which is, I contend, what an empirical inquiry into practical reasoning (or 'knowledge in action,' to use the notion I favor) is all about.[22]

The sociological analysis of practical reasoning has recently acquired a legitimacy which rests on two postulates the validity of which has finally been admitted: (1) coordination requires a specific activity individuals have to accomplish in the course of any interaction, that is, conferring an operational intelligibility to the circumstances they are currently part of; and (2) such an operational intelligibility is publicly displayed, that is, it just shows itself in the way people act. On these grounds, accounting for coordination calls for an empirical inquiry into the many ways in which individuals recognize and manifest to each other the type of order governing the social relation they are momentarily involved in. On such account, one might contend that a minute description of the details of interaction (or an empirical inquiry into the 'formal structures of practical actions') would enable a demonstration of the way practices of practical reasoning are accomplished.

In their pioneering article 'On Formal Structures of Practical Actions,' Garfinkel and Sacks (1970) argued that these formal structures are to be discovered in what Garfinkel called 'rational properties of indexical expressions and other practical actions' (1967: 11). From this point of view, rationality is not an actor's attribute, but inheres in the context of action: it pervades the indexicality of any utterance and the reflexivity (in the ethnomethodological sense of these two notions) of any sequence of action. In other words, practical reasoning can be empirically apprehended through the description of the ordinary methods of practical inference one uses to order an ongoing sequence of events and sustain it (by way of transformations and revisions) throughout its time span, and in continuous relation with one's partners in action. Such an approach is an inquiry (or so I claim) into the actual details of the sequentiality that constitutes the accomplishment of an action.

Garfinkel and Sacks' article has opened up a new field to sociological inquiry: the description of the ways in which commonsense knowledge (that is, practical reasoning) manifests itself in ordinary action. Such an approach has also been hinted at by Jeff Coulter's prospective 'epistemic sociology.'[23] The aim it assigns to sociological analysis is to describe what Coulter called the 'grammars of conventional conceptualization' that individuals immediately and unreflectively make use of in and for acting. In this methodological framework, he says:

> … the rules which make of social actions whatever actions they are must be *the rules of use of the concepts of those actions shared by the acting agents in a language and culture.* … To be able to see that someone is engaged in bartering (and not, say, 'exchanging gifts') requires attribution to him of the concept of 'bartering', the possession of which is the ability to use that concept properly (e.g. in describing what one saw correctly, in being able to justify one's distinction between 'barter' and 'gift-giving' if required to do so, etc.). *Knowing what* people are doing (including oneself) is *knowing how* to identify what they are doing in the categories of a natural language, which requires *knowing how* to use those categories in discursive contexts, which includes *knowing when* to utter them.
>
> (Coulter, 1989: 15–16)

Another formulation of a very similar domain of inquiry is to be found in Mike Lynch's proposal to investigate what he defines as 'the primitive structures of accountability that make up the instructable reproducibility of social actions' (1993: 229). The kind of investigation he recommends turns around what he names *epistopics*, a neologism he introduces in his studies of science

> … to suggest that the topical headings provided by vernacular terms like observation and representation reveal little about the various epistemic activities that can be associated with those names. The epistopics are classical epistemological themes in name only. Once named as – or locally identified as a competent case of – observing, measuring, or representing, an activity and its material traces can be shown to be governed by a set of rules, a body of knowledge, a method, or a set of normative standards associated with the particular theme. But once we assume that nominal coherence guarantees nothing about localized praxis, we can begin to examine how an activity comes to identify itself as an observation, a measurement, or whatever without assuming from the outset that the local achievement of such activities can be described under a rule or definition. It is crucial to understand that a focus on epistopics has nothing to do with a nominalist program.
>
> (Lynch, 1993: 281)

Lynch claims that epistopics frame all modalities of practical reasoning, whether they are those one discovers in scientific practice or in ordinary action. If one extends Lynch's proposal further than he would probably accept, one might contend that the sociologist should define the empirical object of his or her analysis as those epistemic operations which are actually performed to give a practical content to the countless 'rules' (guidelines or instructions one believes one has to comply with in one's everyday commitments) one makes use of *in and for* action (provided that an epistopic is duly chosen and defined by an analyst for its perspicuous features). While one may accept that rules never determine the way they are bound to be applied, one can nonetheless admit that individuals keep acting according to what they tend to count as rules – that is, as obligations one decides to abide by or not. And a sociologist usually admits nowadays that ordinary action remains intelligible to its participants as long as it does not excessively breach what one expects to normally occur in a given situation, and that in the ceaseless flow of everyday life the question rarely arises as to what someone does precisely do or, in other words, what kind of rule they actually follow.

Conclusion

Sociologists have found that people seldom allow themselves to interrupt an interaction to get an explicit confirmation that what they believe is going on is what is really going on. But the fact that most of the time coordination happens to prevail without requiring formal agreement or clarification still needs to be accounted for. The simplest way to do it consists in acknowledging, whether in a Wittgensteinian fashion or not, that mastering ordinary language literally amounts to being acquainted with a vast range of acceptable ways to behave in the circumstances of any ongoing action (provided it has been experienced at least once). One can thus suppose that individuals acting in common in a familiar context already know what they are to expect from one another (even if this knowledge is approximate or even defective), how each endorsed role specifies what they are to do (even if these specifications and the role endorsed can change in the course of interaction), and what the type of action as it is regularly accomplished requires those engaged in it to do (even if this anticipation is ceaselessly revised in the sequentiality of exchanges).

As our inquiry into TC has, I hope, demonstrated it, all these phenomena which jointly constitute coordination cannot be accounted for by merely resorting to the notions of rule and rule following. When one admits that action unfolds in time and is therefore sequentially accomplished, a question can be raised: what is the stuff each of these sequences is made of? Functionalism, culturalism, rational actor theory, interactionism, and constructivism have given their particular answers to that question. Ethnomethodology can be said to offer a much more accurate answer since it specifically recommends giving serious attention to the details of practical action. Yet, as previously noted, a methodological problem which lies at

the heart of this recommendation has seldom been discussed: what kind of data can one obtain by analyzing a detail? I contend that each detail of practical action should be conceived of as a basic element of the ordinary procedures people use to establish working logical and practical relations between objects, events, and roles to accomplish coordination. Since these relations need to be appropriate to the changing circumstances in which a situated action takes place, and acceptable to most of its participants at each moment of time, one can also assume that observing the way these relations are relentlessly established at its tiniest level would give a sociologist empirical access to practical reasoning as it is formulated in public.

A mass of empirical studies have definitely demonstrated the key role played by the ordinary conceptualization procedures of re-cognition (of the occurrence of a phenomenon), generalization (objectivation, typification, anticipation, and so on), ordering (of the elements of a scene), and adjustment (to the requirements of a given circumstance) in the organization and accomplishment of action in common. Techniques have been devised to submit these procedures to socio-logical analysis. But too often, in my opinion, these analyses have been led by a constructivist frame of mind, exclusively aiming at meticulously describing the way the actual outcome of an action (thought of as a fragment of reality) has been achieved – rather than focusing on process as constitutive of that achievement. I claim that the use of these techniques should be differently oriented: each detail must be conceived of as a piece of empirical data that deserves to be scrutinized for itself since it is a building block of ordinary knowledge as it immediately expresses itself in action. These are the grounds on which I contend that details should be substituted for rules when an analyst tries to rigorously describe what makes an action the kind of action it is.

When sociology's work is based on the empirical observation and analysis of the details of action, it enters into a new descriptive space which is neither the one of causes, nor the one of reasons, but the space of relations. And I argue that this is exactly the space in which contemporary sociological practice should inscribe itself to revive its attraction.

So, this is how the rediscovery of TC led me to press a claim which can be formulated as a slogan: when one commits oneself to describe the details of inter-action, the question one supposes that individuals are trying to answer to when acting together is neither 'Why did you do that?' or 'What is going on here?' but, rather, 'What should one do next?' This is the kind of question that allows an analyst to take seriously into account the natural sequentiality of action – and one might say that accomplishing such sequentiality is, at the end of the day, what following a rule is all about.

Notes

1. John Searle, while following this distinction in an early paper (1965), formulates the distinction in his book *Speech Acts* (1969) in terms of an opposition between 'constitutive rules' and 'regulative rules' (see Khatchadourian, 1977). A sociological use of the notion of constitutive rules can be found in Garfinkel (1964). One should also recall that in 1948 Garfinkel introduced a distinction between basic and procedural rules in his discussion of the transformational nature of identity (Garfinkel, 2006 [1948]).

2. The existence of three varieties of interactionism must be stressed: Blumers's symbolic one, Berger and Luckman's constructivist one, and Goffman's realist one. Anne Warfield Rawls (1987) has given the best description of the latter.

3. The Group was originally constituted by C. Chauviré, S. Laugier, V. Descombes, G. Garetta, L. Quéré, A. Ogien, M. de Fornel, P. Paperman, B. Olzweska, B. Karsenti, B. Ambroise, M. Jouan and J.P. Narboux, and gathered many philosophers, linguists, and sociolologists over the years. The themes of these seminars were Pragmatism and Sociology, Practical Knowledge, Trust, Mead's social behaviorism, Wittgenstein's conception of action and language, and Austin's philosophy of language.

4. 'Only where an action is determined by rules, i.e. *only when you have no alternative move*, would it be true to say that a query about your move *must* come from ignorance of the game, or of the fact that you are playing the game. It is, in part, from assimilating actions *in accordance with rules* to actions *determined* by rules that the idea has arisen of rules as prescriptive' (Cavell, 1979: 304–5).

5. I gave an early critique of the analytical relevance of the notions of habitus and practical sense (Ogien, 1985).

6. R.B. Brandt (1964) has offered an outstanding exemplar of such a grammatical analysis.

7. A distinction Rawls further elaborated in his *Theory of Justice* (1999).

8. 'I use the word "practice" throughout as a sort of technical term meaning any form of activity specified by a system of rules which defines offices, roles, moves, penalties, defences, and so on, and which gives the activity its structure. As examples one may think of games and rituals, trials and parliaments' (Rawls, 1955: 3, fn. 2).**

9. One can recall that in his 'A Conception of, and Experiment with, "Trust"', Garfinkel (1963: 190–2) tried to demonstrate the existence of 'basic rules' and 'rules of preferred play' (in games as well as in daily life). According to him, basic rules exhibit three properties that he calls 'constitutive expectancies' (that is, they assign a 'constitutive accent' to events occurring in practical action). He later came to distance himself from the dualist overtones of such a distinction, which has been criticized by Goffman (1974: 8). It is worth noticing that in the late 1940s Garfinkel (2006 [1948]) had previously introduced a distinction between 'basic rules' and 'procedural rules' which he borrowed from Kaufman (1958 [1944]: 40–4), who formulated it in terms of basic and preference rules of procedure.

10. Searle's hypothesis is that

> …the semantic structure of a language may be regarded as a conventional realization of a series of sets of underlying constitutive rules, and that speech acts are acts characteristically performed by uttering expressions in accordance with these sets of constitutive rules.
>
> (1969: 37)

Searle's dualist conception has been confuted by D.H. Ruben (1997; see also Conte, 1991).

11. Though such an interpretation of Rawls' position cannot be taken for the correct one.

12. This lack of differentiation has been criticized by H.L.A. Hart, prompting Rawls to acknowledge his oversight and to amend his analysis.

13. A difference Rawls reformulated in terms of a distinction between 'the constitutive rules of an institution, which establish its various rights and duties, and so on, and strategies and maxims for how best to take advantage of the institution for particular purposes' (1999: 49). But Rawls postulates rather than demonstrates the fact that an institution regulates individual behaviour:

> In saying that an institution, and therefore the basic structure of society, is a public system of rules, I mean that everyone engaged in it knows what he would know if these rules and his participation in the activity they define were the result of an agreement. A person taking part in an institution knows what the rules demand of him and of the others. He also knows that the others know this and that they know that he knows this, and so on. … The publicity of the rules of an institution insures that those engaged in it know what limitations on conduct to expect of one another and what kinds of actions are permissible.
>
> (1955: 48–9)

A sociologist might doubt that this should really be the case.

14. On the reflexive nature of these social objects, see Ogien (2009).

15. It is important to notice that few French sociologists and philosophers are acquainted with the works of Kripke, Winch, and Bloor (Winch's *The Idea of a Social Science* was only translated into French for the first time in 2009).

16. Which is for Wittgenstein a mere matter of drilling.

17. A point of view which compares with those of Goffman or Garfinkel.

18. Bloor defines an institution as 'a collective pattern of self-referring activity... The self-referential model explains how the rule itself is. The acts of reference to the rule are occasioned by commenting on the performances of others, and of one's self' (1997: 33).

19. In such a conception, obligation is binding only conditional on the fact that someone agrees, freely or not, to comply with the requirements it enjoins to obey (see Gilbert, 1993).

20. Which he pretends to use in the same sense as Wittgenstein's notion of internal relation.

21. This is a postulate Durkheim formulated in these terms in *The Rules of Sociological Method*: '… the fact of association is the most obligatory of them all since it is the source of all other obligations' ('aussi loin qu'on remonte dans l'histoire, le fait de l'association est le plus obligatoire de tous; car il est la source de toutes les autres obligations') (1977 [1895]: 103).

22. A.W. Rawls (2007) rightly claims that such an inquiry is a long-awaited development of Durkheim's original outline of a sociological theory of knowledge.

23. Which conflicts with Cicourel's cognitive sociology. On the distinction between Cicourel's and Garfinkel's approaches, see O'Keefe (1980).

References

Benoist, J. and B. Karsenti (eds) (2002) *Pragmatisme et sociologie*. Paris: Presses Universitaires de France.

Bloor, D. (1997) *Wittgenstein, Rules and Institutions*. London: Routledge.

Bourdieu, P. (1980) *Le sens pratique*. Paris: Éditions Minuit.

Bouveresse, J. (1995) 'Règles, dispositions et habitus', *Critique*, 579/580: 573–94.

Brandt, R.B. (1964) 'The Concepts of Duty and Obligation', *Mind* 73(291): 374–93.

Calhoun, C., E. LiPuma and M. Postone M. (1993) *Bourdieu: Critical Perspectives*. Cambridge: Polity.

Cavell, S. (1979) *The Claim of Reason*. Oxford: Clarendon Press.

Chauviré, C. and S. Laugier (2007) *Lire les Recherches philosophiques*. Paris: Vrin.

Chauviré, C. and A. Ogien (2002) *La régularité: Habitudes, dispositions et savoir-faire dans l'explication de l'action*. Paris: Éditions de l'EHESS (coll. Raisons Pratiques, 15).

Conte, A. (1991) 'L'enjeu des règles', *Droit et société* 17–18: 122–43.

Coulter, J. (1989) *Mind in Action*. Cambridge: Polity.

de Fornel, M. and L. Quéré (eds) (1999) *La logique des situations*. Paris: Éditions de l'EHESS (coll. Raisons Pratiques, 12).

de Lara, P. (2007) 'Règles et institutions', pp. 984–7 in S. Mesure and P. Savidan (eds) *Le dictionnaire des sciences humaines*. Paris: Presses Universitaires de France.

Durkheim, É. (1977) *Les règles de la méthode sociologique*. Paris: Presses Universitaires de France. (Orig. pub. 1895.)

Garfinkel, H. (1963) 'A Conception of, and Experiment with, "Trust" as a Condition of Stable Concerted Actions', pp. 187–238 in J. Harvey (ed.) *Motivation and Social Interaction*. New York: Ronald Press.

Garfinkel, H. (1967) *Studies in Ethnomethodology*. Englewood Cliffs, NJ: Prentice-Hall.

Garfinkel, H. (2006) *Seeing Sociologically: The Routine Grounds of Social Action* (edited and introduced by Anne W. Rawls). Boulder, CO: Paradigm Publishers. (Orig. pub. 1948)

Garfinkel, H. and H. Sacks (1970) 'On Formal Structures of Practical Actions', pp. 338–66 in J.C. McKinney and E.A. Tyriakian (eds) *Theoretical Sociology*. New York: Appleton Century Crofts.

Gilbert, M. (1993) 'Agreements, Coercion, and Obligation', *Ethics* 103: 679–706.

Goffman, E. (1974) *Frame Analysis*. New York: Harper and Row.

Karsenti, B. and L. Quéré (2005) *L'héritage du pragmatisme*. Paris: Éditions de l'EHESS (coll. Raisons Pratiques, 18).

Kaufman, F. (1958) *Methodology of the Social Sciences*. London: Thames and Hudson. (Orig. pub. 1944.)

Khatchadourian H. (1977) 'Institutions, Practices and Moral Rules', *Mind* 17: 479–496.

Kripke, S. (1982) *Wittgenstein on Rules and Private Language*. Oxford: Blackwell.

Lynch, M. (1993) *Scientific Practice and Ordinary Action*. Cambridge: Cambridge University Press.

Ogien, A. (1985) 'La pratique du sens: La notion de pratique chez Bourdieu et Garfinkel', *Revue européenne des sciences sociales* 71: 169–217 (reprinted in A. Ogien, *Les règles de la pratique sociologique*. Paris: Presses Universitaires de France, 2007: 25–77).

Ogien, A. (2009) 'Intention-in-Interaction', pp. 247–66 in F. Grammont, D. Legrand and P. Livet (eds.) *Naturalisme versus Constructivisme?* Paris: Ed. de l'EHESS (coll. Enquête).

Ogien, A. and L. Quéré (2006) *Les moments de la confiance*. Paris: Economica.

O'Keefe, D. (1980) 'Ethnomethodology', *Journal for the Theory of Social Behaviour* 9(2): 187–219.

Pettit, P. (2000) 'Winch's Double-Edged Idea of a Social Science', *History of the Human Sciences* 13(1): 63–77.

Pleasants, N. (2000) 'Winch, Wittgenstein and the Idea of a Critical Social Theory', *History of the Human Sciences* 13(1): 78–91.

Randsell, J. (1971) 'Constitutive Rules and Speech-Acts Analysis', *Journal of Philosophy* LXVIII(13): 385–400

Rawls, A.W. (1987) 'The Interaction Order *Sui Generis*: Goffman's Contribution to Social Theory', *Sociological Theory* 5(3): 136–49.

Rawls, A.W. (2007) 'Théorie de la connaissance et pratique chez Durkheim et Garfinkel', pp. 141–83 in M. de Fornel and C. Lemieux (eds.) *Naturalisme versus Constructivisme?* Paris: Ed. de l'EHESS (coll. Enquête).

Rawls, J. (1955) 'Two Concepts of Rules', *The Philosophical Review* 64(1): 3–32.

Rawls, J. (1999) *Theory of Justice*. Cambridge, MA: Belknap.

Ruben, D.H. (1997) 'John Searle's *The Construction of Social Reality*', *Philosophy and Phenomenological Research* LVII(2): 443–47.

Searle, J. (1964) 'How to Derive Ought from Is', *The Philosophical Review* 73(1): 43–58.

Searle, J. (1965) 'What is a Speech Act?', pp. 221–39 in M. Black (ed.) *Philosophy in America*. Ithaca, NY: Cornell University Press.

Searle, J. (1969) *Speech Acts*. Cambridge: Cambridge University Press.

Wieder L.(1974) *Language and Social Reality*. The Hague: Mouton.

Williams, M. (1999) 'Wittgenstein and the Problem of Normativity', *Studi Perugini* 7: 11–36.

Winch, P. (1958) *The Idea of a Social Science*. London: Routledge & Kegan Paul.

Wittgenstein, L. (1967) *Philosophical Investigations*, trans. G.E.M. Anscombe. Oxford: Blackwell.

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