

Wittgenstein and the Utility of Disagreement

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Abstract: This paper focuses on the theme of intersubjective disagreement in the late Wittgenstein and how his thought can be applied to our understanding of deliberative political practice. To this end, the study critically compares the contradictory readings of Wittgenstein that we find epitomized in Saul Kripke and James Tully. Drawing on Tully (and Stanley Cavell), I argue against Kripke that widespread disagreement over meaning does not necessarily threaten the utility of social practices. Notwithstanding, I also demonstrate how Tully's reading, which can be considered pro-disagreement, is in need of refinement if certain misreadings are to be foreclosed and Wittgenstein is to be properly invoked as theoretical support for more comprehensive approaches to deliberative practice.

Keywords: Wittgenstein; Kripke; Tully; rule-following; language; disagreement; politics; deliberation

Introduction

With political and economic globalization growing ever deeper and more embracing, the need to mediate between radically opposed, or even incompatible, cultural identities grows likewise ever more exigent. This demand is pressing not just within the specifically political domain, but also within the wider context of social intercourse. Currently, the democratic institutions we use to forge new ways of going on together are typically discursive in nature. It is, therefore, as a prerequisite of our nearing this constitutive goal that understanding the various factors and mechanisms operating within any such deliberative practice becomes of self-evident value. Accordingly, we ought to invoke the late writings of Ludwig Wittgenstein, since here one finds a wealth of valuable reflection on precisely this interrelation of culture, custom, and linguistic practice. While to be sure this aspect of Wittgenstein has received no shortage of attention within the critical literature (some of which I shall be drawing upon below), the same cannot be said with respect to the *topos* of socio-political disagreement.

On the rare occasions on which one finds that Wittgenstein's stance towards disagreement *has* been examined in a sustained manner, this has usually taken place within the specific context of his thoughts on reli-

gious disagreement, particularly as framed in his *Lectures and Conversations on Aesthetics, Psychology and Religious Belief*.¹ However, with respect to his thoughts as we find them articulated in the exemplary late (and somewhat less spurious) work, *Philosophical Investigations* (PI),² the paucity is palpable. To be counted amongst the exceptions, however, is the more strictly semantic reading of Wittgenstein that one finds in Saul Kripke, and, on the other hand, the political reading offered by James Tully. Further adding to the demand for an overarching study, these analyses arrive at firmly contradictory conclusions: Kripke's reading of Wittgenstein implies that PI entails a purely negative appraisal of intersubjective semantic disagreement; conversely, Tully locates a semantically and socio-politically constructive space for such disagreements. In this way, Tully's reading can be grouped with another exception to the rule, namely, Stanley Cavell;³ in *The Claim of Reason*, one finds a variety (of albeit somewhat dispersed) arguments for the utility of disagreement. Then, in *Conditions Handsome and Unhandsome*,⁴ Cavell develops a sustained argument against Kripke's conception of agreement, though without focusing on this question of utility. Invoking Cavell, both as a means to overturning Kripke and supplementing Tully, can therefore also do the important work of effectively collating his thoughts on disagreement and its utility.

These two poles of interpretation then broadly map onto the antagonistically Wittgenstein-inspired approaches within democratic theory. That is, in the one corner, the deliberative approach, with its valorization of consensus (exemplified by Jürgen Habermas),⁵ and, in the other corner, the agonistic approach, with its valorization of dissensus and contestation

¹See Timo Koistinen, "Wittgenstein on Religious Disagreements," *Neue Zeitschrift für Systematische Theologie und Religionsphilosophie* 55 (2013): 84-102. See also Cora Diamond, "Wittgenstein on Religious Belief: The Gulfs Between Us," in D.Z. Phillips and Mario von der Ruhr (eds.), *Religion and Wittgenstein's Legacy* (Aldershot: Ashgate, 2005), chap. 3.

²Ludwig Wittgenstein, *Philosophical Investigations*, 4th ed. (hereafter "PI"), ed. and trans. P.M.S. Hacker and J. Schulte (Oxford: Wiley Blackwell, 2009).

³We may also similarly group the work of Aletta Norval, who draws heavily on Tully and Cavell. See esp. Aletta Norval, *Aversive Democracy: Inheritance and Originality in the Democratic Tradition* (Cambridge: Cambridge University Press, 2007).

⁴Stanley Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (hereafter "CR") (Oxford: Oxford University Press, 1979), and *Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism* (hereafter "CHU") (Chicago: University of Chicago Press, 1990).

⁵See Jürgen Habermas, *The Theory of Communicative Action, Vol. 1: Reason and the Rationalization of Society* (Boston: Beacon Press, 1984), pp. 115, 287. For a rebuttal of the validity of this claim to influence, see Nigel Pleasants, *Wittgenstein and the Idea of a Critical Social Theory* (London: Routledge, 1999), p. 160.

(exemplified by Chantal Mouffe).⁶ Certainly, these form the theoretical background within which the conclusions of this paper should be situated; however, if one is to obtain a comprehensive picture of how these two positions can be textually justified, one must go directly to Kripke and Tully, since Habermas's *Theory of Communicative Action* cannot be said to contain a close reading of Wittgenstein (unlike Kripke's essay), and Mouffe's reading is largely based on that of Tully.⁷ Indeed, scrutinizing the relative defensibility of Tully's reading against that of Kripke is all the more imperative, since Tully's account of Wittgenstein has been of influential force within agonistic democratic theory more generally conceived.

Since there has not yet been any sustained dialogue between these two positions, the principal objective of this paper is to compare their relative merits and to establish a faithfully Wittgensteinian picture of disagreement and its utility. Although the complete purview of this paper is not limited to any specific form of disagreement concerning the norms that govern linguistic use, I will be focusing on disagreements of *interpretation* (the exact nature of which will be outlined in detail below). This is because it is primarily regarding the utility of this species of discord that Kripke and Tully are set at loggerheads with one another.

In section 1, I begin with an exegesis of Wittgenstein's thoughts on meaning. This is tailored so as to elucidate the precise relation of interpretation to understanding in PI. The second section then gives a critical analysis of Kripke's reading of Wittgenstein on disagreement. Concentrating on Cavell, though drawing together a number of other commentators, I then contend that widespread disagreement over the meaning of the key terms of a shared discursive practice can play not only a useful, but often a *constitutive*, role within those practices. The paper then turns to Tully, demonstrating, in the first place, how he can be directly opposed to Kripke; subsequently, I argue that while Tully is right to see the idea of socially constructive disagreement as compatible with PI, his description of interpretive disagreement needs refinement if certain misreadings are to be foreclosed. This specification foregrounds what Tully's reading of Wittgenstein leaves underemphasized: the wider conflict of embodied, cultural-behavioral *Lebensformen* underlying the ostensibly discursive aspect of deliberative political disagreements. In the

⁶See Chantal Mouffe, *The Democratic Paradox* (London: Verso, 2000). For a critical comparison of these two strands of democratic theory, see also Norval, *Aversive Democracy* (esp. chap. 1).

⁷Mouffe, for example, uses Tully to ground her claim that modern democracy must be described "as an 'agonistic confrontation' between conflicting interpretations of the constitutive liberal-democratic values" (Mouffe, *The Democratic Paradox*, p. 9).

final section, I therefore examine how *Lebensformen* operate within political disagreements, concluding that an appreciation of this connection can give us better idea of how we should organize our deliberative practices.

1. Wittgenstein on Meaning, Understanding, and Interpretation

For the purposes of this paper, we can divide Wittgenstein's treatment of meaning and understanding in two, the first moiety being critical, whilst the second offers a positive thesis.⁸ The critical portion attacks the idea that understanding something by a sign consists in either an inner mental process (or state) or in being able to interpret that sign in a particular way. The positive part claims that to understand a sign is to have mastery of a technique or custom regarding how that sign ought to be *used*. Shared understanding of the use of signs is therefore rooted in shared customs (*Gepflogenheiten* or *Gebräuche*) or forms of life (*Lebensformen*)—that is, modes of cultural behavior.⁹ We should begin by imposing a definition of understanding on Wittgenstein.¹⁰ Minimally, one might define understanding (as it is used in PI) as the state of being able, or the process of coming to be able, to legitimately say “now I can go on.”¹¹ This means being able to employ and engage with the rules involved in a particular practice. Within the context of PI, this usually manifests itself in terms of the capacity to apply the rules governing the use of a particular sign, concept, word or symbol.

Although Wittgenstein makes a number of arguments to defend the first critical thesis (i.e., that meaning and understanding do not consist in an inner process or state), it will suffice to mention just two. First, there is the Augustinian-*Tractatus* idea that when we use a word, we can be said to understand that word by dint of the fact that we have before our mind's-eye a picture of the object to which the word in question refers. This is mistaken, according to Wittgenstein, since a picture of an object

⁸Colin McGinn makes a similar, but not identical, division. See Colin McGinn, *Wittgenstein on Meaning: An Interpretation and Evaluation* (Oxford: Blackwell, 1987).

⁹I will be working with the following notion of culture: “The distinctive ideas, customs, social behaviour, products, or way of life of a particular nation, society, people, or period” (OED).

¹⁰It is worth noting that any such attempt at definition is complicated by the fact that Wittgenstein uses a number of terms for what we might more generally term “understanding”: *Verstehen*, *Erfassung*, *Auffassung*, and *Begreifen* (and their variant verb and gerund forms). The first usually denotes a state and is translated by Anscombe as “*understanding*,” whilst the latter three more often denote the process of coming to understand, and in this context are translated as “*grasping*” (See PI §§156, 197, 199, and 201).

¹¹See, e.g., PI §§150 and 154; also §§179, 181, 183.

does not definitively pick out any single object. This is best illustrated by Wittgenstein's example of the cube in PI §74:

[S]omeone who sees the schematic drawing of a cube as a plane figure consisting of a square and two rhombi will perhaps carry out the order "Bring me something like this!" differently from someone who sees the picture three-dimensionally.¹²

We would therefore need rules for how the picture is to be applied, and this rule of application would in turn need a rule of application, and so on ad infinitum. Thus, pictures do not logically force a particular application on us. We do of course tend to apply a given picture in a single consistent way—that is, we pick out a cube (rather than a square and two rhombi) when presented with a picture of a cube—but the point here is that this response is not determined with logical necessity.¹³ Consequently, that we understand or mean a particular thing by a particular word cannot be grounded by the presence of an inner picture.

The second notion of understanding that Wittgenstein attacks under the "inner-mental-phenomenon" rubric is the idea that understanding consists in experiencing a peculiar *feeling* of understanding. This could be the feeling of correctness or "being guided" whilst implementing a given rule,¹⁴ or it could be the feeling that we are capable of correctly implementing that rule in the future.¹⁵ To be sure, argues Wittgenstein, this feeling can turn out to be mistaken, and the fallibility of memory means that we cannot vindicate this feeling on the grounds that our current usage corresponds to either our memory of past usage or a definition we might have in mind.¹⁶ This would be as unreliable as checking whether one has remembered the time one's bus departs by checking the image of the bus timetable one has in one's mind. Since "to *think* one is following a rule is not to follow a rule,"¹⁷ such vindication requires an external measure.¹⁸

This is by no means intended as an exhaustive reconstruction of Wittgenstein's critique of the inner-mental-phenomenon account of understanding, but it suffices for our purposes, and so it is to the relation of

¹²See Ludwig Wittgenstein, *Remarks on the Foundations of Mathematics* (hereafter "RFM"), trans. G.E.M. Anscombe, ed. G.H. von Wright, R. Rhees, and G.E.M. Anscombe (Oxford: Blackwell, 1978), p. 53.

¹³See PI §140 and RFM, p. 42.

¹⁴See PI §§160, 170.

¹⁵See PI §184. I am avoiding describing this in terms of disposition since the relationship between understanding and dispositions in Wittgenstein is a thorny and divisive hermeneutical issue. For an excellent survey, see Hans Johann Glock, "Wittgenstein on Concepts," in *Wittgenstein's Philosophical Investigations: A Critical Guide*, ed. Arif Ahmed (Cambridge: Cambridge University Press, 2010), pp. 88-108.

¹⁶See PI §265.

¹⁷PI §202.

¹⁸See RFM, p. 319.

understanding to interpretation that we should now turn. Wittgenstein conceives of interpretation in very narrow terms, stating that “one should speak of interpretation [*Deutung*] only when one expression of a rule is substituted for another.”¹⁹ The position that Wittgenstein is opposing is one bound up with the Augustinian logic of the *Tractatus*—namely, that the meaning and truth value of a proposition can be determined by means of a computational process of applying a logical calculus—for example, by substituting pictures of objects for names. This would be the process by which one comes to understand precisely what is signified by a proposition.²⁰ Related to this is the quotidian way in which we establish whether or not someone can be said to understand a word, namely, by testing whether that person is able to give an accepted definition (substitution) of that word.

Wittgenstein is critical of this conception of understanding on the grounds that it leads to the illusion of a loss of normativity owing to the apparent indeterminacy of what counts as a valid interpretation.²¹ In PI §201, Wittgenstein explicitly states the paradox into which we are led by this apparent indeterminacy:

This was our paradox: no course of action could be determined by a rule, because every course of action can be brought into accord with the rule. The answer was: if every course of action can be brought into accord with the rule, then it can also be brought into conflict with it. And so there would be neither accord nor conflict here.

The problem is analogous to the one uncovered with the picture theory conception of understanding: with any rule there is always a way of reformulating (substituting) it so that it can be made to accord with any action. Just as the cube could be used to pick out a square and two rhombi, so a given linguistic rule can be given an interpretation that seems to apply to any and all cases. To take an extreme but apposite example, we might think of the case of Gary Ridgeway (the “Green River Killer”), who described his actions in his statements to the police as follows: “Why are they [the community] so upset with me? I killed whores. They spread disease. Don’t they realize that I did a public service by cutting down the rate of venereal disease?”²² With his statement being seemingly in earnest, it would appear valid for him to call himself “kind” since his behavior shows him “ready to assist, or show consideration for, others” (OED)—that is, in spite of its being contrary to the type of be-

¹⁹PI §201.

²⁰See PI §81.

²¹See PI §198.

²²Quoted in James Tyner, *Space, Place, and Violence: Violence and the Embodied Geographies of Race, Sex and Gender* (London: Routledge, 2012), p. 113.

havior that would usually lead us to predicate kindness to someone. Clearly, though, we wish to say that this would constitute a *mis*-interpretation and *mis*-use of the word “kind.” Were we not able to do so, the word “kind” would lose its specificity. In being applicable to all actions and objects, it would become incapable of signification, which requires demarcating particular sets of actions or objects. Practically speaking, this would cash out as an inability to meaningfully identify (and, if necessary, imprison) unkind, cruel, and even dangerous individuals.

But how could we argue that this would represent a *mis*-use of the word “kind”? We may want to cite further definitions of the constituent words that are contained within the definition of “kind”—saying that this is not what “assist” or “consideration” mean. However, Ridgeway would inevitably be able to give his actions an expression that could be subsumed under these definitions—and so on ad infinitum. There seems to be no way for us to give an interpretation that will conclusively prove him deviant in his usage; there is no “last interpretation” impervious to further interpretation that could be considered meaning per se, and which could therefore act as an irrefutable epistemological foundation.²³ We must therefore concede that “every interpretation hangs in the air together with what it interprets, and cannot give it any support. Interpretations by themselves do not determine meaning.”²⁴ This is of course not to say that interpretations *never* aid understanding. Using a dictionary to translate an unfamiliar foreign word, for example, can help me understand that word; however, a precondition of this is that I have an immediate understanding of the word as it stands translated into my own language.²⁵ The problem with the interpretational account is that it falls into an infinite regress in trying to establish conclusive epistemological foundations for the normative force that words *do* practically exhibit:

what we thereby show is that there is a way of grasping a rule [*daß es eine Auffassung einer Regel gibt*] which is *not* an interpretation, but which, from case to case of application, is exhibited in what we call “following the rule” and “going against it.”²⁶

Though the process of sign substitution does not eventuate in atomistic-axiomatic foundations, the chain of justifications *does* always reach an end at some point; yet, “what we have reached is a psychological, not a

²³Ludwig Wittgenstein, *The Blue and Brown Books* (hereafter “BB”) (Oxford: Blackwell, 1958), p. 34.

²⁴PI §198.

²⁵See Malcolm Budd, “Wittgenstein on Meaning Interpretation and Rules,” *Synthese* 58 (1984): 303-23, p. 320. See also BB, p. 30.

²⁶PI §201; see also BB, p. 34.

logical terminus.”²⁷ We reach “bedrock,” “our spade is turned,” and each of us must finally admit that “this is simply what I do.”²⁸ At some point, we must concede that we follow a rule *blindly*.²⁹ Whilst we might call this the anti-intellectualist aspect of Wittgenstein, this does not mean that we follow rules and linguistic norms *without* reasons; rather, the concatenation of these reasons expires at some point, where we give a (psychologically) final justification by pointing to our praxis: “I have been trained to react in a particular way to this sign, and now I do so react to it”; “a person goes by a signpost only in so far as there is an established usage, a custom [*einen ständigen Gebrauch, eine Gepflogenheit*].”³⁰

Understanding a rule can therefore be said to consist in our being initiated into a particular practice or constellation of practices that involve its use. To be said to understand a rule, we must be able to engage with that rule in the sense of being able to *use* it ourselves and respond to others’ use of it in accordance with established practice. In a social setting, this means to have mastered a technique through education, observation, and trial and error, which enables us to attain an approved regularity in use that justifies our saying “now I can go on”: “To follow a rule, to make a report, to give an order, to play a game of chess, are *customs* (usages, institutions) ... To understand a language means to have mastered a technique.”³¹ As we try to clarify how communal practices generate normativity, however, we inevitably come to question the nature and function of the agreements operating within such practices; and so it is these we should now scrutinize. But in order to first get an idea of where one might go awry in pursuing such questions, let us begin by examining how Kripke conceives of agreement as a foundation for normativity in *Wittgenstein on Rules and Private Language* (WRPL).³²

2. Kripke and the Crisis of Meaning

Since Tully simply asserts that Wittgenstein deems disagreement capable of aiding understanding without considering Kripke’s anti-disagreement reading, it is necessary for us to make a serious critical appraisal of the

²⁷Ludwig Wittgenstein, *Zettel*, 2nd ed., trans. G.E.M. Anscombe and G.H. von Wright (Oxford: Blackwell, 1981), §231.

²⁸PI §217; see also §1.

²⁹PI §219; see also §87.

³⁰PI §198.

³¹PI §199.

³²Saul Kripke, *Wittgenstein on Rules and Private Language* (hereafter “WRPL”) (Cambridge, Mass.: Harvard University Press, 1982).

latter before accepting the former.³³ Furthermore, although WRPL has received a great deal of critical attention since its publication, none of this has been done with a focus on the question of disagreement and its utility. Kripke's book represents a prime example of those who attribute to Wittgenstein what John McDowell has called the "intuitive contractual conception" of understanding and meaning;³⁴ and whilst others, such as Crispin Wright, can undoubtedly be grouped likewise,³⁵ Kripke is of particular interest since, from this group, it is only he that uses this reading of Wittgenstein as a platform from which to launch an explicit critique of the utility of disagreement.

Kripke claims to have found in the paradox presented in PI §201 a "new form of philosophical skepticism,"³⁶ which entails a deflationary theory of meaning and truth. He performs a professedly Wittgensteinian analysis of what would be required to mean (or understand) something particular by the algebraic symbol "+" or the word "plus" in an epistemologically grounded manner. This finally reveals, according to him, that "there can be no fact as to what I mean by 'plus', or any other word at any time."³⁷ Kripke employs this mathematical example in an effort to demonstrate that serious problems arise *not only* when we interrogate how normative force is exhibited by concepts that clearly suffer from indeterminacy—such as "green" and "blue," which are signified by a single word in many languages—but also those concepts whose rules for application seem most sharply defined; thus, claims Kripke, the problems relating to his mathematical example can be generalized to apply to all forms of rule-following.³⁸

Kripke imagines that he is given the computation $68+57$ (or "sixty-eight plus fifty-seven") to perform, and supposes that this is a calculation that he has never before performed. He is confident that the correct application of this mathematical function to the two given arguments yields the solution 125. When challenged by the skeptic as to why he believes this to be correct, he responds that it is in accordance with the way he has always used the word "plus." The skeptic replies, however, that on every previous occasion, Kripke was using a function called "quus," which

³³See James Tully, *Public Philosophy in a New Key, Vol. 1: Democracy and Civic Freedom* (hereafter "DCF"); *Vol. 2: Imperialism and Civic Freedom* (Cambridge: Cambridge University Press, 2008), p. 203 n. 63.

³⁴John McDowell, "Wittgenstein on Following a Rule," *Synthese* 58 (1984): 325-63, p. 337.

³⁵See Crispin Wright, *Wittgenstein on the Foundations of Mathematics* (London: Duckworth, 1980).

³⁶Kripke, WRPL, pp. 7, 60.

³⁷Ibid., p. 21.

³⁸See *ibid.*, pp. 19, 82.

functions identically to plus, unless either of the arguments is over 57, in which case the answer is always 5 (and he asks us to suppose we have never before performed an addition with an argument exceeding 57). Kripke cites previous sums that he has performed with the addition symbol—his memory of which is not under dispute. However, his memory of the rule he was applying at that time *does* seem to be under dispute: perhaps “now, under the influence of some insane frenzy, or a bout of LSD, I have come to misinterpret my own previous usage.”³⁹ The results of the previous computations, however, can all be brought into accord with the quus rule, and so there is no way Kripke can firmly dispute the argument that accordance with past usage should yield the answer 5.

Shifting strategy, Kripke then tries to give a definition (interpretation) of addition and claim his current usage corresponds thereto. The skeptic, however, can doubt he knows what he means by each constituent word of the definition, and so on ad infinitum, as was already shown in our exegesis of Wittgenstein.⁴⁰ Finally, if Kripke counterfactually claims that, had he been asked to perform this computation in the past, he would have been *disposed* to answer 125 and that now he is likewise currently disposed to answer 125, there is nothing that proves the veracity of these dispositions; and in any event, this begs the question, since the fact I feel so disposed is precisely what the skeptic is demanding Kripke *justify*.⁴¹ Thus, says Kripke, “[s]ometimes when I have contemplated [this] situation, I have had something of an eerie feeling ... It seems that the entire idea of meaning vanishes into thin air.”⁴²

Assuredly, Kripke offers us a “skeptical solution,” which he purports to find in PI. According to this, Wittgenstein’s first move in fashioning this solution consists in repudiating the idea that correspondence is a necessary condition for meaning or understanding. This means to concede that “no facts, no truth conditions correspond to statements such as ‘Jones means addition by “+”’.”⁴³ Indeed, this kind of correspondence can never, as we have just seen, be proven to obtain; hence, Kripke’s Wittgenstein abandons the idea that the satisfaction of *truth conditions* acts as the criterion for meaning and understanding. In lieu of searching for satisfiable truth conditions, he tries to establish “what circumstances *actually* license such assertions and what role this license *actually* plays.”⁴⁴ In this way, he inquires after the *assertability conditions* of

³⁹Ibid., p. 11.

⁴⁰See *ibid.*, p. 16.

⁴¹See *ibid.*, p. 23.

⁴²Ibid., pp. 21-22.

⁴³Ibid., p. 77.

⁴⁴Ibid., p. 87.

claims regarding meaning and understanding.⁴⁵

In order to ascertain these conditions, says Kripke, we cannot limit ourselves to looking at the rule-follower alone, since no fact about his behavior, mental states, or anything he asserts can be used to confirm whether he understands and follows the purported rule.⁴⁶ For Kripke, initial first-person ascriptions of understanding can therefore *only* be based on an unfounded feeling of inclination, but this alone cannot legitimate the ascription, since it may be mistaken. The first condition put forward by Kripke to safeguard against such error is that one's rule-following activity be subjected to the scrutiny of others. One's self-ascription is only legitimated, says Kripke, once others ratify it with concordant third-person ascriptions. But this only displaces the problem, since each of these ratifying individuals likewise has no final justification for the approval they grant one another beyond their own inclination.⁴⁷ The second assertability condition is therefore *communal* agreement in inclination, which means that for the judgment to be considered fully legitimate, this cannot be limited to two people, but must be community-wide: "Any individual who claims to have mastered the concept of addition will be judged by the community to have done so if his particular responses agree with those of the community in enough cases."⁴⁸

As we have seen, this is not agreement in opinions; rather, it is an agreement in confident inclination or unhesitating response. For Kripke, this broad agreement in inclination is what Wittgenstein means by a shared *form of life* [*Lebensform*],⁴⁹ which is a precondition of there being any practice whatsoever (such as the practice of algebra, for example). In this fashion, Kripke underscores the importance of agreement for the later Wittgenstein, and, likewise, the destructiveness of disagreement: "The entire 'game' we have described—that the community attributes a concept to an individual so long as he exhibits sufficient conformity, under test circumstances, to the behavior of the community—would lose its point outside a community that generally agrees in its practices."⁵⁰

This brings us to the subject of *dis*-agreement in Kripke's reading, a phenomenon that he describes on two levels. The first is that of widespread disagreement, to the exclusion of a majority consensus, which he describes as follows:

⁴⁵Ibid., p. 88.

⁴⁶See *ibid.*

⁴⁷See *ibid.*, p. 90.

⁴⁸Ibid., p. 92.

⁴⁹Ibid., p. 96.

⁵⁰Ibid., p. 96.

Of course if we were reduced to a babble of disagreement, with Smith and Jones asserting of each other that they are following the rule wrongly, while others disagreed with both and with each other, there would be little point to the practice.⁵¹

In Kripke's opinion, without majority agreement concerning the correct employment of the key concepts being used within a given practice, there is "little point to the practice," since there would not be what one could call norms.

The second form of disagreement discussed by Kripke is that which arises when the rule-following of a single participant (or prospective participant) in a given practice disagrees with the established norm, either purposefully or accidentally. This situation is perhaps best illustrated by his description of the pupil-teacher interface, which is depicted by him as tantamount to an admission examination for the community:

Those who deviate are corrected and told (usually as children) that they have not grasped the concept of addition. One who is an incorrigible deviant in enough respects simply cannot participate in the life of the community and in communication ... The utility is evident and can be brought out by considering again a man who buys something at the grocer's. The customer, when he deals with the grocer and asks for five apples, expects the grocer to count as he does, not according to some bizarre non-standard rule.⁵²

Although in both these passages Kripke does qualify his claim that disagreement necessitates exclusion ("[o]ne who is an *incorrigible* deviant in *enough* respects"), disagreement is painted simply as an impediment to the functioning of language and society. Whilst Kripke sees a certain amount of disagreement and accidental error as unavoidable, this is not problematic for him so long as this only occurs in a minority of cases.⁵³ From Kripke's earlier claim that the problems he raises concerning the mathematical example can be extended to all language use and rule-following, we can presume that he sees these examples of disaccord and its consequences as metonymic for all practices. Kripke can thereby be said to make two principle claims concerning disagreement within his account of Wittgenstein's positive theory of meaning:

- (1) Widespread disagreement amongst participants of a shared practice concerning how the key concepts (rules) of that practice are to be used renders the practice void of utility;
- (2) Individuals who deviate in a recalcitrant manner are socially threatening and ought to be excluded from the community.

⁵¹Ibid., p. 91.

⁵²Ibid., p. 92.

⁵³Ibid., p. 96.

2.1. Value terms and the relative necessity of agreement

In order to overturn these two theses, I will first examine the role that Kripke assigns to agreement in Wittgenstein; I will then question the limitations of the mathematical example. The main criticism that has been leveled at Kripke's reading of PI is that he is mistaken in his belief that once the possibility of *truth* conditions has been abandoned, a new criterion is needed as an explanans for normativity. But this patently misses the broader point of Wittgenstein's argument. On the one hand, Kripke acknowledges that rules are followed *blindly* for Wittgenstein (i.e., without conclusive legitimizing justification for application);⁵⁴ yet, on the other hand, one can see that Kripke still talks about what "*licenses*"⁵⁵ or "*legitimizes*"⁵⁶ our ascriptions of understanding and meaning. As Colin McGinn has observed, for Kripke, in case of any challenge as to whether he has followed a rule correctly, "agreement with others *does* provide a court of appeal."⁵⁷ But Wittgenstein's argument is precisely that instances of rule-following *lack* foundational justification. One might try to show that the foundation Kripke offers is just as open to skeptical attack as those preceding it, but there is in fact no need.

G.P. Baker and P.M.S. Hacker, whilst not explicitly engaging with McGinn, do a lot to further this line of criticism, pointing out that "agreement in action is not a surrogate for the concept of correctness because absence of interpretations generates no conceptual vacuum to be filled."⁵⁸ The Augustinian model of language *creates the illusion of there being a bridge between a rule and its application*, when in reality they are internally related: one does not use a rule and then identify how the rest of the community uses it in order to justify that use post hoc; rather, the rule—when *understood* as a given *rule* rather than being seen as an undetermined orthographic or auditory symbol—*simply is* how it is supposed to be used ("if the rule is given, then so is its 'extension'"⁵⁹). As was shown in section 1, it is then through training and mastery of the technique of using that rule that one arrives at an understanding of that rule or praxis.⁶⁰ In Cavell's words, when the idea of meaning as a bridge "vanishes into thin air what vanishes was already air, revealing no scene

⁵⁴Ibid., pp. 17, 87.

⁵⁵Ibid., pp. 79, 87.

⁵⁶Ibid., pp. 77-78.

⁵⁷McGinn, *Wittgenstein on Meaning*, p. 83.

⁵⁸G.P. Baker and P.M.S. Hacker, *Wittgenstein: Rules, Grammar and Necessity*, 2nd ed. (Oxford: Blackwell, 1988), p. 248.

⁵⁹Ibid., p. 243; see also p. 134.

⁶⁰See *Zettel* §318 and PI §222.

of destruction.”⁶¹ Community agreement in responses constitutes the framework or scaffold (*Gerüst*) that enables shared words and linguistic rules to exhibit this normativity, but it does not *justify* how we use a given linguistic rule.⁶² This framework of shared responses is the agreement in *Lebensformen* to which Wittgenstein refers, or in Baker and Hacker’s words, the “forms of social, human, modes of intercourse, discourse and concourse.”⁶³

Cavell has done a great deal to elucidate Wittgenstein’s notion of agreement in “forms of life” through his analysis of what he calls “criteria.” These “are supposed to be the means by which the existence of something is established with certainty.”⁶⁴ Though Cavell is critical of those who read PI through the lens of rule-following (with its rigid, mathematical connotations) rather than the less determinate idea of applying criteria, we might nonetheless say that criteria underpin rule-following insofar as they represent the perceivable features we demand a thing exhibit for it to be called a particular object. They are therefore what we explicitly recall when there is any doubt or disagreement as to whether a concept (rule) has been acceptably applied (followed).⁶⁵ To be sure, the emergence of such disagreement is built into the nature of our use of criteria due to our need to project them into new contexts with “no rules or universals which *insure* appropriate projection, but only our confirmed capacity to speak to one another”:

If we are to communicate, we mustn’t leap too far; but how far is too far? If two masters of a language disagree about the appropriateness of a projection, then it cannot be obvious who is right. If this is a linguistic conflict, then one side will win out.⁶⁶

Even Kripke’s empirical-mathematical grocery example is open to such ambiguity—for example, if the grocer gave us ten half apples in response to our request for five apples. Our agreement in criteria not only enables us to judge in such borderline cases, but to use language at all. This agreement is then based upon the same kind of underlying framework that we saw above, which Cavell conceives of as a profound state of “harmony,” “of being mutually *attuned* top to bottom.”⁶⁷ Cavell’s real contribution to the current discussion, however, is the idea that the depth of this attunement, and the capacity for making and adjudicating in a

⁶¹CHU, p. 80.

⁶²PI §240; see also Ludwig Wittgenstein, *On Certainty*, trans. D. Paul and G.E.M. Anscombe, ed. G.E.M. Anscombe and G.H. von Wright (Oxford: Blackwell, 1974), §358.

⁶³Baker and Hacker, *Wittgenstein: Rules, Grammar and Necessity*, p. 241.

⁶⁴CR, p. 6.

⁶⁵See *ibid.*, p. 34.

⁶⁶See *ibid.*, p. 192.

⁶⁷*Ibid.*, p. 32.

non-arbitrary manner the projections that it tolerates, lies not just in our agreement in judgments of identity, but also in our agreement in judgments of *value*:

[O]ur sharing routes of interest and feeling, modes of response, senses of humor and of significance and of fulfillment, of what is outrageous, of what is similar to what else, what a rebuke, what forgiveness, of when an utterance is an assertion, when an appeal, when an explanation—all the whirl of organism Wittgenstein calls “forms of life.”⁶⁸

This by no means amounts to a Kripkean contractual-intuitive idea of matching inclinations that “license” a particular use (as Cavell himself states)—inclinations can be wrong, even across an entire community, and in any case, they do not claim to be right. Rather, they pre-empt the process of justification (the value of which Cavell sees Kripke as having suppressed). Even if these justifications are themselves grounded upon inclinations, their internal consistency and acceptability to others is a vital part of our claiming to be correct and can illuminate the fallaciousness of initially confident inclinations.⁶⁹ Though not foundational, this process of criterial adduction is nonetheless indispensably pertinent, since it is in these shared criteria, and not just our inclinations, that our agreement in judgments consists. Repudiating the validity of our criteria and reverting to inclination, to draw on CR, therefore “undercuts the validity ... of our attunement with one another”⁷⁰ as well as our responsibility for the maintenance of this attunement at so many levels other than brute inclination.⁷¹ That there is no “fact” upon which agreement in *Lebensformen* (and ergo language) rests should not be seen as a deficiency or problem demanding solution (as Cavell thinks Kripke frames it); rather, it is something to be affirmed and accommodated.⁷²

Having emphasized the contingency (and so relative fluidity and fallibility) of this framework of agreement, along with the fact that it plays the more modest role of practically enabling language at a general level (rather than pervasively licensing each instance of acceptable usage), it is worthwhile pointing to the necessity of relatively rigid and comprehensive agreement within *certain* practices. This is underlined by Baker and Hacker:

[T]here are no shared techniques without general agreement on the results of employing the techniques, for *in certain kinds of case*, e.g. counting or measuring objects, constant

⁶⁸Cavell, *Must We Mean What We Say?* p. 52, quoted in CHU, p. 81; on agreement, see also CR, pp. 110-11, 120, 182-85.

⁶⁹See also CHU, p. 81.

⁷⁰CR p. 46.

⁷¹See also CR, p. 109.

⁷²See CHU, p. 82.

disagreement in results would rob the technique of its point and so too of its *sense* ... and the technique would not exist.⁷³

But what about those practices that fall outside of these “certain kinds of case”? How might *dis*-agreement play a primary constitutive role within a practice? Could this framework of agreement play the subordinate role of acting as the firm but flexible canvas upon which these disagreements could be played out? It is these questions, which Baker and Hacker leave open though ultimately neglect, that we should now probe.

On Certainty invites just such an interpretation of the framework of agreement (as a support for disagreement). Here the possibility of meaningful doubt and disagreement is generally affirmed, but only as preconditioned by a network of “hinge propositions,” which are “exempt from doubt,” and around which these doubts and disagreements can then turn.⁷⁴ Notwithstanding the apparent foundationality of these understandings, they can shift insofar as at any one time we can (and do) question or replace a minority of them. However, for there to be communication, there must always exist a relatively stable framework of these hinges for the process of questioning to take place at all. Again, these play an enabling as opposed to justificatory role; but, notably, what they enable is the very process of doubt and the generation of disagreement (such as one finds, to use Wittgenstein’s example, in the case of scientific doubt).⁷⁵

Cavell and Paul Johnston, though not directly discussing Kripke, also show how disagreement might play a constitutive role within practices centered on the use of value terms, such as ethics and aesthetics. Johnston draws a distinction between descriptive-empirical terms (e.g., “yellow”), and value terms (e.g., “good”). Regarding the former, argues Johnston, predication occurs “in the context of agreed procedures for verification”; as such, disagreements over their correct application can be tested by means of observation or scientific experiment, for example. Value terms, by contrast, involve “reacting in a certain way” and “disagreement is not open to independent resolution, nor can one appeal to agreed procedures.” Crucially, claims Johnston, “the disagreement is not merely verbal but very real—it reflects the conflict between two ways of understanding the world and correspondingly two different ways of acting.”⁷⁶ We can, practically speaking, state that there are two individuals in a room, and, provided there *are*, all will upon looking be inclined to

⁷³Baker and Hacker, *Wittgenstein: Rules, Grammar and Necessity*, p. 244 (emphasis added).

⁷⁴Wittgenstein, *On Certainty* §341; see also §§318-46.

⁷⁵See *ibid.* §337 and §342.

⁷⁶Paul Johnston, *Wittgenstein and Moral Philosophy* (London: Routledge, 1989), pp. 95-96.

agree; but we probably cannot state that there is a good individual standing in a room without provoking some quite serious dispute. Upon hearing a report of the person's behavioral history and their personal testimony, some of us might react with approval while others react with disapproval or vacillation—how we understand (or *use*) the term in concrete situations is dependent upon how we value in our lives—that is, upon our respective forms of life.

Admittedly, Johnston's grammatical analysis only minimally cites Wittgenstein; however, whilst perhaps not in PI, we *can* find evidence in the later Wittgenstein (albeit in the somewhat apocryphal text, *Lectures on Aesthetics*) that supports these conjectures within the context of his thoughts on aesthetic judgment:

“Look how different these differences are!” “Look what is common to the different cases,” “Look what is common to Aesthetic judgements.” An immensely complicated family of cases is left, with the highlight—the expression of admiration, a smile or a gesture, etc.⁷⁷

For Wittgenstein, therefore, a high degree of disagreement over the objects to which key terms are applied (as long as there is agreement over the reaction they express) seems to be perfectly compatible with (and perhaps even constitutive of) practices such as aesthetics and art criticism—the point of which in the above cases is to express, compare, criticize, or persuade others to follow the direction in which each approves or disapproves, and the reasons each cites for these inclinations.

Cavell, however, does not think Wittgenstein would support this idea within the domain of genuine moral discourse—that is, that judgments therein “express approval or disapproval.”⁷⁸ Cavell phrases the difference between science and morality as follows:

If what makes science rational is ... the fact of a *commitment* to certain modes of argument whose very nature is to lead to ... agreement, then morality may be rational on exactly the same ground, namely that we commit ourselves to certain modes of argument, but now ones which do not lead, in the same ways, and sometimes not at all, to agreement (about a conclusion).⁷⁹

Contra Johnston, then, there *are* criteria, or “agreed upon procedures,” for playing out moral disputes. It is only the moralist that tries to express,

⁷⁷Ludwig Wittgenstein, *Lectures on Aesthetics*, I, §32, in *Lectures and Conversations on Aesthetics, Psychology and Religious Belief* (Oxford: Blackwell Publishing, 1966), p. 10. See also Ludwig Wittgenstein, *Remarks on the Philosophy of Psychology*, Vol. 2, trans. C.G. Luckhardt and M.A.E. Aue, ed. G.H. von Wright and H. Nyman (Oxford: Blackwell Publishing, 1980), §896.

⁷⁸CR, p. 175.

⁷⁹Ibid., pp. 261-62.

and persuade others to follow, her own reactions. In genuinely making and justifying a moral judgment, however, we must bear in consideration the care and personal goals of the other, as well as her wider moral commitments (both those that *she* implicitly or explicitly holds and those to which *we* and others hold *her*). What we call a “good” action, then, is one that best coheres with these insofar as it either facilitates her goals and well-being or fulfills her commitments.⁸⁰ There can, however, be disagreement as to what goals and commitments are relevant, and whilst I can assert what my goals are, there is no final way of establishing what count as relevant commitments (since that to which I am committed is established both subjectively and intersubjectively). Although we may disagree over what cares and commitments pertain in a given discussion, we are nonetheless attuned in our criteria regarding what counts as valid moral justification: the articulation of relevant commitments and the demonstration of their coherence. With only the thin demand of agreement in justificatory procedures (and *not* conclusions), morality represents

a way of encompassing conflict which allows the continuance of personal relationships against the hard and apparently inevitable fact of misunderstanding, mutually incompatible wishes, commitments, loyalties, interests and needs ... We do not have to agree with one another in order to live in the same moral world, but we do have to know and respect one another’s differences.⁸¹

The first point of utility Cavell locates in disagreement, which we should direct against Kripke’s thesis (1) since Cavell does not do so himself, is that it promotes common identity (in terms of accord in modes of justification) whilst maintaining appreciation of difference (in terms of conclusions).⁸² But the second is that “when men find themselves at odds with one another, or with themselves, over the questions, ‘What ought to be done?’ and ‘What am I to do?’” they are, says Cavell, granted “an opportunity for moral reflection.”⁸³ For Cavell, self-knowledge (of our own concerns and commitments and those to which others hold us) is only attained through dialogue with others, when we are invited or pressed into the process of justification.

What we can conclude, therefore, is that intersubjective practices

⁸⁰See *ibid.*, p. 325.

⁸¹*Ibid.*, p. 269; see also p. 326.

⁸²See also Anthony Simon Laden, *Reasoning: A Social Picture* (Oxford: Oxford University Press, 2012). Laden, drawing on Cavell, examines how this focus on establishing shared “norms of reasonableness” rather than final agreement (in conclusions) can also be found within the practice of ordinary conversation (see esp. chap. 4.2), and can teach us the values of “reconciliation, recognition, respect, or connection” (p. 190).

⁸³CR, p. 247.

presuppose agreement in either a thick or thin sense: for descriptive-empirical terms and practices, agreement in use means both agreement regarding what objects the word is used to denote or describe as well as agreement in conclusions regarding the descriptive statements we compose with those terms; for value terms, and evaluative practices, however, there need only be agreement in use to the extent that the term is used to denote a particular form of reaction or is used in conjunction with particular modes of justification, beyond which disagreement over the objects predicated with these terms is permitted. As with scientific practice, mathematical practice then depends upon the thick mode of agreement in *Lebensformen*, which leads to agreement in conclusions.⁸⁴ The mathematical example used by Kripke is therefore unrepresentative of language as a whole. As Cavell notes, mathematics should be viewed as a normative ideal to which “ordinary language will aspire ... as to something sublime,” where what counts as correct application or projection “is, intuitively, settled in advance” and not fated to the uncertainty of ordinary criteria. This is a fantasy of deep consensus, which eschews the merely thin agreement underlying our use of value terms.⁸⁵

Beyond mathematics (and the sciences), practices within which disagreement over key terms is widespread would not only seem to exist but, contrary to thesis (1), have a point. But we can also rally Johnston’s and Cavell’s readings to counter thesis (2), regarding recalcitrant disagreement with, or deviance from, an established rule or norm. Indeed, in the case of a given value term, the upshot of the above is that, in Johnston’s words, “the child’s going on to apply it to different objects from its teacher may be a sign not that it does not understand the use of the word, but that it does.”⁸⁶ Nonetheless, this observation is still too general, and in order for it to properly reflect our preceding analysis, we ought to reformulate it as indicating the following: the child can be said to understand (use) the word without using it in exactly the same way as the teacher; however, his understanding must be sufficiently in agreement with that of his teacher for him to possess the necessary framework for meaningful discussion.

But what about the case of empirical terms? In PI §143, where a pupil proves unable to correctly copy down a simple series of numbers, Wittgenstein’s teacher is certainly not as uncompromising and exclusionary as Kripke would have us believe:

⁸⁴See PI §240.

⁸⁵CHU, pp. 89-92.

⁸⁶Johnston, *Wittgenstein and Moral Philosophy*, p. 100.

Perhaps it is possible to wean him from the systematic mistake (as from a bad habit). Or perhaps one *accepts* [*gelten läßt*] his way of copying and tries to teach him the normal one as an offshoot, a variant of his.⁸⁷

The (good) teacher therefore *accepts* disagreements as valid alternative ways of understanding the examples being given.⁸⁸ In CR, the deviant pupil's demand for ever further-reaching justifications, eventually driving us to bedrock, gives us "occasion to throw [ourselves] back upon [our] culture, and ask why we do what we do, judge as we judge."⁸⁹ Such situations give us precisely the same opportunity for developing self-knowledge that Cavell identifies in his treatment of moral conflict.

The pupil's mistaken application of empirical concepts may also play a socially positive role insofar as it can prompt aspect changes and open up new ways of seeing the world—namely, by bringing into relief new tropes and interconnections inhering within the world of objects. In this way, we might show a child a picture of a snake and say "snake," only for the child to see a queue of people waiting at the post-office, and say "snake," thinking "snake" referred to the shape of the animal rather than the order of animal. Though in a strictly empirical sense, this is incorrect, in a metaphorical sense the use can be considered legitimate, poetically illuminating, or simply amusing. We might then compose a socially critical newspaper article about corrupt banking executives and bad customer service entitled "snakes in the bank," with an accompanying picture of a bank queue. This kind of metaphorical misuse is precisely what we find in the case of poets, and in a recalcitrant manner, though their use must only depart from conventional understanding to a limited extent (so the tenor can still be recognized from the vehicle). The point is that although the child needs to be corrected and taught the proper designation, the repeated use of terms in a manner that disagrees with the norm *can* be socially constructive and genuinely illuminate the world.

3. Tully and the Place of Interpretive Disagreement

With Tully, we move away from the scientific games of mathematics and empirical description. We likewise leave behind the games of education, ethics, and aesthetics as we move into the sphere of explicitly political practice. This is the practice, or group of practices, concerned with the governmental organization and administration of a given social body. Here we uncover two further possible Wittgensteinian responses to (1)

⁸⁷See CHU, p. 72 (emphasis added).

⁸⁸Ibid.

⁸⁹CR, p. 125.

and (2). In his most recent sustained reading of Wittgenstein (DCF), Tully's aim is to show that no one form of critical reflection grounds critical democratic thought, which rather operates as the locus of interaction for a "motley of free, critical and reasonable ways of being *in* the world."⁹⁰ He first takes issue with Habermas's conception of critical reflection. Tully invokes Wittgenstein's critique of the notion of foundational rational justification in order to invalidate Habermas's claim that legitimate norms are formulated by means of a deliberative process from which participants bar their customary beliefs and engage in ideal speech acts that are "right," "true," and "sincere"—that is, formulated in an ultimately rational manner.⁹¹ As we have seen, Wittgenstein capably demonstrates that norms (rules) cannot be rationally grounded since they are ineluctably rooted in custom and practice.

Tully then questions the universal status of the other pole of critical reflection, namely, that of the hermeneutic tradition, particularly as it is embodied by Charles Taylor and his claim that self-interpretation "is not an optional extra, but is an essential part of our existence."⁹² According to Tully, since for Taylor "the most basic ways in which humans understand themselves in the world are interpretations," interpretation becomes the mode of critical reflection through which understanding is attained and thereby comes to be conflated with understanding.⁹³ Tully marshals Wittgenstein's critique of interpretation so as to refute the idea that interpretation and understanding are co-extensive with one another. But Tully does not therefore recommend rejecting either mode of critical reflection; rather, he argues, our political freedom and legitimate norms for governing social and political intercourse result from the rich interplay of different modes of critique. This includes, but is not reducible to, deliberation aimed at impartiality and interpretation.⁹⁴

Interpretation is an important concept in Tully's wider agonistic political theory.⁹⁵ For this reason, it is unsurprising that he does not want to completely dissociate it from understanding: "Of course," he tells us, "understanding is accompanied by interpretation in some circumstances."⁹⁶ For Tully there are two such circumstances:

⁹⁰DCF, p. 41.

⁹¹See *ibid.*, p. 44.

⁹²Charles Taylor, *Philosophical Papers, Vol. 1: Human Agency and Language* (Cambridge: Cambridge University Press, 2008), p. 65.

⁹³DCF, p. 63.

⁹⁴*Ibid.*, p. 69.

⁹⁵See, e.g., James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995), pp. 106, 206. See also DCF, pp. 170, 180.

⁹⁶DCF, p. 66.

[(A)] ... when we are in doubt about how to grasp or to understand a sign that is in question. But if we are in doubt about how to understand the sign, then it is manifest that we do not understand it. Far from being equivalent or essential to understanding, interpretation begins when our conventional self-understandings break down and we do not know how to go on.⁹⁷

[(B)] ... when we strive to unsettle a settled understanding and show that it can be treated as one contestable interpretation among others.⁹⁸

Each of these instances of interpretation is then characterized by a particular form of productive, agonistic disagreement that in some way enriches or facilitates our understanding of the term in question:

[(A*)] We attempt to “come to an understanding” of the sign in question by offering various interpretations, discussing and adjudicating rival interpretations and rival accounts of the indeterminate criteria of a sign.⁹⁹

Tully then sees Wittgenstein as having celebrated the form of disagreement bound up with (B); that is,

[(B*)] the unpredictable emergence of interpretive disagreements over the most settled uses of signs and, as a result of participation in practices of interpretation, the acquisition of the ability to see the various “aspects” (uses) of the problematic sign under different descriptions.¹⁰⁰

Respectively, (A*) and (B*) can be seen as politicized rejoinders to (1) and (2). (A) and (A*) show that insofar as the existence of interpretive disagreement over key terms can be viewed as a constitutive feature of political deliberation, far from rendering such political practices “pointless,” such disagreement is in fact what gives these practices their utility. (B) and (B*) then illustrate how, just like Nietzschean or Foucauldian genealogy, interpretations that deviate from the norm can illuminate the contingency of features of human culture that were previously unquestioned or assumed to be essential. Within the socio-political setting, this staves off the homogenization of society or state institutions around crystallized, hegemonic values to the exclusion of richer and more fluid democratic pluralism.¹⁰¹ Whilst I do not contest these theses, I believe they are in need of further specification if un-Wittgensteinian misreadings are to be foreclosed.

Let us commence with Tully’s repeated assertion that the political

⁹⁷Ibid.

⁹⁸Ibid., p. 69.

⁹⁹Ibid., p. 67.

¹⁰⁰Ibid., pp. 67-68.

¹⁰¹See also PI §67, where Wittgenstein explicitly affirms pluralism as a source of strength.

practice of interpretive disagreement “is a practice we engage in whenever we are confronted by something we do not understand and do not know how to go on.”¹⁰² In one sense, this is not so controversial from a strictly Wittgensteinian perspective, though we have to refer to Wittgenstein’s thoughts on mathematics to find it a plausible context. Take PI §185: if one understands the rule “+2,” then writing 1002, 1004, 1006 is the *only* way to continue this series after 1000. Accordingly, to formulate an interpretation of the rule by which one would continue 1004, 1008, 1012 would be to *mis*-interpret as opposed to interpret the rule (in Cavell’s terms, this would not count as an acceptable projection). There is an established usage, and to go against this in knowledge of it can only be contrived. As Baker and Hacker state: “the symbol +2 leaves open what counts as an interpretation only if it is *not* understood.”¹⁰³ This does not preclude the possibility of translation and reformulated definition, which does not generate interpretive conflict, since what counts as an interpretation is already more or less circumscribed by that customary understanding, and a given group will tend to formulate and use these substitutive rules in a similarly more or less concordant way.

This problematizes both (A) and (B), though we should begin with the latter since our treatment of (A) leads us into the following section. Although (B) should not be considered fallacious, it needs qualifying, since it leaves open the mistaken impression that one can fabricate new interpretations that stand wholly over and against existing understandings. This idea is rendered invalid by the above, since, unlike the erring pupil, the vanguard theorist or political radical who reneges against “settled understandings” *does* understand the rule in question and is purposefully going against this rule. In a way analogous to the case of the Green River Killer, if we legitimate this conception of interpretation, then our theoretical grasp of linguistic normativity evaporates.

I would suggest that the activity described by (B) should be expressed in modified terms, insofar as with the social critic, as with Wittgenstein, this destabilization of entrenched understanding is attained by means of either putting forward an interpretation that occupies the grey area of what counts as an interpretation, or by bringing out conflicts and pluralism in our understanding of the given term that undermine the hegemony or pretensions of essentialism that the term may display (just as Nietzsche does with the terms “*gut*” and “*böse*” in the opening essay of *On The Genealogy of Morals*). This would be a case of interpretation facilitating understanding, since we are using substitutive articulations of the sign as a means by which to illuminate our different uses or under-

¹⁰²DCF, p. 69; see also pp. 67-69.

¹⁰³Baker and Hacker, *Wittgenstein: Rules, Grammar and Necessity*, p. 145.

standings of that sign, though this is only efficacious if it takes place within or at the edge of the gamut of existing norms of acceptable use. Tully is undoubtedly aware of these specifics in his own practice as a political theorist,¹⁰⁴ though this in fact only makes it all the more surprising that they are absent from his reading of Wittgenstein.

With respect to (A), there are two circumstances under which understanding of a sign can be lacking amongst a group engaged in the practice of interpretation. By way of illustrating the first circumstance, we might imagine a group of archaeologists that come across an unknown glyph and, like the child faced with the rule “+2” for the first time, none having any understanding of the given sign, they submit and try to justify competing translations of the symbol in question. Naturally, the void of understanding is not universal, but specific to the sign in question, since the mutual doubt and justification involved in the process can only take place against the backdrop of agreement in *Lebensformen* and hinge propositions discussed earlier, without which communication is impossible.

In the second case, we might imagine a group composed of neo-liberals and socialists. The group then come across the term “equality” within the constitution of their country, each side unquestioningly taking it to signify radically different socio-political arrangements; thus, they should be said to have conflicting *understandings* of the sign that are rooted in at least partially dissonant forms of life. Both sides know how to go on, but not *together*. Should these two groups *need* to go on together with respect to the sign in question, however—say, regarding how a dictate protecting the equality of citizens is to be implemented (such as one finds, for example, in the U.S. Declaration of Independence)—there occurs a breakdown in *unified* understanding and we have Kripke’s “babble of disagreement.” New interpretations are then demanded as a means to forging a *modus operandi*. Should these contribute to establishing a new harmonized usage, they can be said to have aided understanding.

Thus, the two situations in which (A) occurs can be summarized as follows:

- (A.1) There is a complete void of understanding regarding how a given sign should be used;
- (A.2) There are two or more conflicting understandings of a given sign, and so a lack of *common* understanding.

¹⁰⁴See DCF, e.g., where Tully describes his own approach (“public philosophy”) as taking oppressive forms of governance, and seeking “to characterise [their] conditions of possibility ... in a redescription (often in a new vocabulary) that transforms the self-understanding of those subject to and struggling within it, enabling them to see its contingent conditions and the possibilities of governing themselves differently” (p. 16).

From a third-person or extradiagetic point of view (such as that of the historian in the archives), it is perfectly comprehensible why, in the example just given about equality, the situation might be described as that of (A.1): the “babble of disagreement” is evidence that there is no understanding concerning the term within the scope taken. From here, the jarring understandings appear to be merely a variety of possible interpretations of equality with equal potential validity—and for each of which we can weigh up the justifications; or, perhaps dissatisfied with all the available interpretations, we can put forward our own alternatives. However, in the game of situated political disagreement over normative terms, we rarely (if ever) find any participant in the external, disinterested position that would lead us to describe the situation as that of (A.1).

My contention is that what appear from the third-person point of view to be interpretations are not merely underpinned by understanding in a removed fashion (as Tully’s critique of Habermas shows is the case with statements in putatively rational deliberation), but can be viewed as understandings themselves. These conflicting positions only become visible as understandings, however, when we focus on the distinct sub-groups and take stock of the first-person perspective of participants. Indeed, the novel opinions and beliefs that arise as alternatives in the struggle to find new ways of going on together emerge from these opposed understandings and the correspondingly dissonant forms of life expressed in this opposition. The picture that thus gives us a fuller idea of what is taking place in interpretive disagreement is that of (A.2), which indicates a deeper conflict in *Lebensformen*. I believe we should charitably read Tully as meaning just this, especially since the political disagreements depicted in his wider philosophy are indeed instances of (A.2).¹⁰⁵ Notwithstanding, due to his failure to explicitly distinguish between (A.1) and (A.2), his reading of Wittgenstein fails to show how the practice of political interpretation emerges from, and has to navigate, the confrontation of particular understandings.

The danger of viewing cases of (A.2) as those of (A.1) is that we risk approaching and organizing processes of deliberation involving interpretive disagreement as though participants already shared in one unified form of life; and indeed, this danger has been seen to emerge from treating participants’ understandings as mere opinions. The task faced can then deceptively appear to be that of forging a new understanding to fill a vacuum of understanding concerning the disputed sign. It thus implies that the difficulty lies at the superficially semantic level of opinions and justification rather than being a symptom of a deeper cultural-behavioral

¹⁰⁵See, e.g., Tully, *Strange Multiplicity*, chap. 4, where Tully discusses the confrontation of Aboriginal and non-Aboriginal constitutions in North America.

rift in *Lebensformen*. Deliberative processes that demand a practical path through such disagreements—that is, agreement in conclusions regarding how to tackle a specific political problem—need to find a means by which to mediate between these clashing understandings.

3.1. *Mediating Lebensformen and the multifaceted approach*

At times, Tully's approach to deliberative conflicts in *Philosophy in a New Key* can be said to focus on the dialogical (and dialectical) aspect of deliberation at the expense of its other dimensions (an approach more in accord with (A.1)).¹⁰⁶ However, he more often proves himself very much alive to the fact that what lies at the heart of pluralistic democratic practice is creating a productive rapport amongst a plurality of customary forms of behavior (as demanded by (A.2)).¹⁰⁷ While this prescriptive move beyond the dialogical is not found during his reading of Wittgenstein, we find it particularly pronounced in his notion of the multilogue, which he describes as involving

various forms of reason-giving, rhetoric, greetings and, especially, rival storytelling and narratives of nationhood and peoplehood by differently situated members. And these discursive activities are inseparable from visceral behaviour.¹⁰⁸

The result of this multilogical approach to democratic practice, as Tully explains in *Strange Multiplicity*, is that participants come to realize that “[t]he possibility of crossing from one culture to another is available and unavoidable, for each citizen is a member of more than one culture.”¹⁰⁹ Notably, however, this prescription does not emerge during his reading of Wittgenstein—not even, within that, when he argues against Habermas that rational debate is grounded in customary ways of acting.¹¹⁰ He does not take the next step in pointing out that arriving at what would be considered rational agreement often requires harmonizing those underlying customary ways at the points at which they are problematically in conflict. What I wish to emphasize is that *this* is the approach called for in the case of political interpretive conflicts, and that merely “discussing and adjudicating rival interpretations” ((A*)) is insufficient to facilitate understanding; rather, this must take place in concert with these other openly non-dialectical practices.

Whilst this is a great step in the right direction—away from pictures

¹⁰⁶See DCF, pp. 176, 178, 180.

¹⁰⁷See *ibid.*, pp. 176, 178.

¹⁰⁸*Ibid.*, p. 205; See also Tully, *Public Philosophy in a New Key*, Vol. 2, p. 117.

¹⁰⁹Tully, *Strange Multiplicity*, p. 207; see also the entirety of chap. 6.

¹¹⁰See DCF, pp. 50-51.

of deliberative practice we find associated with Rawls's "veil of ignorance" or Habermas's "ideal speech situation"—this "multi-*logical*" approach still places excessive emphasis on the linguistic aspect of what I would rather call the multi-*faceted* approach. Indeed, even where Tully points to the importance of the inclusion of the visceral, this is as an afterthought to the discursive dimension of deliberation, and, again, is not to be found within his reading of Wittgenstein.¹¹¹ Cavell, on the other hand, underscores the organismic aspect of our shared understanding ("all the whirl of organism Wittgenstein calls 'forms of life'"). Moreover, in describing this embodied aspect of understanding as composed of shared "routes of interest and feeling, modes of response, senses of humor and of significance and of fulfillment, of what is outrageous," he also indexes its close connection to the way in which we value the world.¹¹² Then, developing this line of thought in CR, Cavell illustrates just how fundamental shared evaluative frameworks are to the possibility of mutual understanding:

Recall what happens when we don't find the same things remarkable or absorbing or noticeable or "worth saying," and try to imagine what it would be like if that began to happen all the time ... I think we might say we would become uncomprehensive of one another.¹¹³

An important part of becoming comprehensible to one another (linguistically) is therefore the coordination of evaluative *Weltanschauungen*, which is in turn grounded in the human taken as an entire organism, and not just as a disembodied vehicle of dialectical discourse—that is, in the things we tend to physically look at, listen to, touch, or feel emotion towards before we have even spoken; and then, when we do speak, those things we accentuate through variation in meter, volume, and other rhetorical devices (such as we find in the storytelling promoted by Tully). Yet while Tully and others (most notably Aletta Norval) have indicated an appreciation of corporeality and rhetoricity within the space of democratic practice, their role in aiding the mutual appreciation and synchronization of evaluative frameworks has not been brought to the

¹¹¹See Charles Taylor, "To Follow a Rule," in *Philosophical Arguments* (Cambridge, Mass.: Harvard University Press, 1995). What makes this absence more prominent is that Taylor (against whom Tully situates his reading of PI), in his own study of Wittgenstein, argues how "our understanding is itself embodied", that is, in the culturally codified way in which "we act and move" (p. 170). However, since I wish to draw the connection between this corporeality and evaluation, I turn to Cavell.

¹¹²Stanley Cavell, "The Availability of Wittgenstein's Later Philosophy," in *Must We Mean What We Say?* (Cambridge: Cambridge University Press, 1976), p. 52.

¹¹³CR, p. 211.

fore.¹¹⁴ Further, if this approach is to be maximally effective, it should not be limited to the deliberative space. Though Anthony Laden does not examine in depth the role of the body and evaluation in arriving at shared understanding, we might nonetheless heed his suggestion that “[t]he possibility of mutual intelligibility is realized, in large part, through conversation *and the general work of living together*.”¹¹⁵ In addition to bringing people into closer linguistic community and developing a shared set of cultural references, the significance of physically living together is, by the current reading, precisely that an openness to the gestures, attentiveness, and rhetoricity of the other enables us to recognize previously unnoticed values. This in turn enables us to appreciate the humanity underlying these values, if not to actively sympathize with them.

John Forester, in his influential book *The Deliberative Practitioner*, observes a number of concrete, contemporary cases of deliberation. With no mention of Cavell or Wittgenstein, Forester’s practical observations remark just what we would expect to expect to find based on their theoretical considerations: the effectiveness of the multifaceted approach, and, then, within this, the interconnection of the corporeal aspects of deliberation and the formation of shared or mutually appreciated evaluative frameworks. We can, says Forester, come to learn “how [others] recognize, appreciate, and honor (or dishonor) value in the world we share with them.”¹¹⁶ In turn, this can “transform [our] senses of value and priorities as [we] come to recognize new issues or reevaluate old ones.”¹¹⁷ As Forester later points out, the practical impact of this is the emergence of “evolving possibilities of understanding, of mutual agreement, of collaborative opportunities, *of going on together* in unforeseen ways.”¹¹⁸ He highlights the importance of participants not just talking and listening to one another face to face, through the sharing of cultural narratives and personal experiences, but also of engaging in other shared activities such as, for example, eating together.¹¹⁹ His most pertinent case study focuses on rifts within the political organization of a battered women’s shelter on the east coast of America, where inclusive decision-making was made problematic by the tension between residents and staff (divided by both race and class). In the deliberative setting, this tension

¹¹⁴See Norval, *Aversive Democracy*, chap. 3 (esp. pp. 118-26), chap. 4 (esp. pp. 160-80). See also John Dryzek, “Deliberative Democracy in Divided Societies: Alternatives to Agonism and Analgesia,” *Political Theory* 33 (2005): 218-42, p. 225.

¹¹⁵Laden, *Reasoning: A Social Picture*, p. 193.

¹¹⁶John Forester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (Cambridge, Mass.: MIT Press, 1999), p. 131.

¹¹⁷*Ibid.*, p. 144.

¹¹⁸*Ibid.*, p. 151 (emphasis added).

¹¹⁹*Ibid.*, p. 134.

expressed itself as “a difference in their perceptions of ‘success’, of the basic goals or values the shelter sought to achieve”:

For residents success was leaving a violent home, even if it meant going back tomorrow, but having a place to go. For staff, it was leaving a violent home, staying at the shelter, getting out of that violent home and never going back.¹²⁰

Behind and within the deliberative process, participants were able to get to know one another in person—for example, through the communal sharing of stories, as well as by establishing retreats, where “residents, Board and staff would always be in conversation about the nature of the shelter.”¹²¹ This enabled, for the first time, the emergence of a democratic decision-making environment in which both residents and staff could search for new ways to “go on” together and productively (as opposed to antagonistically) discuss what kind of function the shelter should fulfill.

To an external observer, this could easily appear as a case of (A.1): there is an absence of understanding regarding the meaning of “success”; however, Tully’s description of interpretive disagreement as “discussing and adjudicating rival interpretations” does not seem to capture how the effectiveness of the process rested on the mediators approaching the situation as an instance of (A.2): there is *divided* understanding based in points of division in their forms of life (in this case in terms of race and class). It was by bringing the participants together both physically *and* dialogically that allowed for the recognition, transformation, and generation of communal values. Only then, in this now non-antagonistic democratic space, could workable new interpretations be put forward that attempt to reflect the new-found shared evaluative outlook. The incipient mediating interpretation of “success” formulated within this space then, with time, has the potential to become second nature and thereby transform into a new locus of collective understanding.

Concluding Remarks

At this point, we should briefly recapitulate some of the main conclusions of this study so as to illuminate their interconnection. First, *pace* Kripke, the notion of socially constructive disagreement is not only entirely compatible with the late Wittgenstein, but is also supported, in part, by the texts themselves. Indeed, such a phenomenon seems manifest in the practical world within which we live and cooperate. Far from threatening the utility or “point” of discursive practices, disagreement within

¹²⁰Quoting Michelle Fine, *ibid.*, p. 131.

¹²¹*Ibid.*, p. 134.

certain language games (such as aesthetics, ethics, and politics) can be constitutive of their *raison d'être*. Using Kripke as a foil, I have tried to bring together the somewhat dispersed thoughts of Cavell (amongst others) on disagreement in the late Wittgenstein, arguing that there is rather a spectrum across which language games permit either a greater or lesser degree of disagreement. Tully's reading of Wittgenstein, and in particular his account of interpretive disagreement, likewise affirms both the constitutiveness and utility of such discord within the domain of political theory and practice; it fails to make some vital distinctions, however, and thereby fails to foreground the various understandings and forms of life that are usually vying against one another in what, to the external observer, appear to be disagreements of interpretation.

The need to identify and distinguish between particular social and political practices when assessing the value and function of disagreement is therefore essential if we are to avoid whitewashing the landscape of praxis (à la Kripke). Making such distinctions is the first step towards preserving, promoting, and effectively harnessing conflict in those practices where it plays a constructive role. Nonetheless, we have also found that disagreement *can* be harmful—not only within practices such as mathematics and the hard sciences, but also within the socio-political sphere, when ostensibly interpretive disagreements can be a real impediment to practical action. It was to these that the final section turned, arguing that they require precisely the multifaceted form of mediation advocated by Tully elsewhere in his work. Aside from illuminating the relation of this prescriptive dimension of Tully's political philosophy to his reading of Wittgenstein, the final section tried to demonstrate how Cavell's reading of Wittgenstein could be used to further explain the effectiveness of the multifaceted approach. The express emphasis of this section was on the embodied, non-linguistic facets of cultural behavior and the key role they play in the transformation of evaluative frameworks and the generation of mutual understanding.

Looking back to the exigent need, which was accented at the beginning of this paper, for intercultural conciliation in an increasingly global society, one potential practical implication of this study concerns the management of intractable conflicts such as those in Northern Ireland and the Middle East. Indeed, Megan Meyer has shown the growing emergence of peace organizations employing what she calls "bridging strategies": "the organization of social activities that [include] individuals from both sides of the conflict (sharing meals, tours of 'others' neighborhoods, or youth camps and trips)." These, she continues, offer a means to establishing "increasing cross-cultural understanding and inter-

action among parties to the conflict.”¹²² What now becomes apparent is the theoretical basis for safeguarding these. Far from being opposed to dialogical deliberation (“peace talks”), these “bridging strategies” undergird and facilitate such linguistic exchange by fostering rapprochement in *Lebensformen*. The value of this theoretical buttress (to the practical findings of Forester or Meyer) is that it can firmly defend these multifaceted approaches against any suspicion that they may be merely incidental or epiphenomenal to the conciliatory process, where rational debate is the real causal force behind agreement. In this way, where agreement is needful, the current study continues the valuable work of counteracting excessively dialogical and dialectical methods of reaching that agreement; where the preservation of *dis*-agreement is of key value, however, it continues the work of counteracting the indiscriminate imposition of excessively consensus-oriented approaches to social and political practice.¹²³

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¹²²Megan Meyer, “A Comparative View: Peace and Conflict-Resolution Organizations in Three Protracted Conflicts,” in Benjamin Gidron, Stanley N. Katz, and Yeheskal Hasenfeld (eds.), *Mobilizing for Peace: Conflict Resolution in Northern Ireland, Israel/Palestine, and South Africa* (Oxford: Oxford University Press, 2002), chap. 8, pp. 181-83.

¹²³I would like to thank Stephen Mulhall for comments on an early draft of this article.

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