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# ***The Claim of Reason as a Study of the Human Voice***

SANDRA LAUGIER

Cavell's goal in *The Claim of Reason* has been to "bring the human voice back into philosophy."<sup>1</sup> For Cavell, the stakes of ordinary language philosophy (particularly Wittgenstein and Austin's work; see Toril Moi, Avner Baz) are to make it understood that language is spoken; pronounced by a human voice within a form of life. In *The Claim of Reason*, his aim is to shift the question of the common/shared use of language—central to Wittgenstein's *Philosophical Investigations*—toward the less-explored question of the definition of the subject as voice, and the re-introduction of the voice into philosophy as a redefinition of subjectivity in language.

To say that the subjectivity is voice shifts the problem of expression to the question of the adequacy between subject and voice. There is also the question of the "WE." The voice is both a subjective and general expression: it is what makes it possible for my individual voice to become shared.

In voice, there is the idea of a claim. The singular claims a shared, common validity. Subjectivity becomes a political question that arises: the question of representation and the subject's expression by her community—and, inversely, the community's expression by the subject.

The philosophical interest of turning to "what we say" appears when we ask ourselves not only what it is to *say*, but what this *we* is. How do I, myself, know what *we* say in such or such circumstance? In what way is the language that I speak, inherited from others, mine? Cavell hears the echo of these questions in the opening lines of the *Philosophical Investigations* (which begin with the quote from Augustine: be-

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1. See, Cavell, *A Pitch of Philosophy: Autobiographical Exercises* (Cambridge, MA: Harvard University Press, 1994), 58; Cavell, *The Claim of Reason: Wittgenstein, Skepticism, Morality, and Tragedy* (Oxford: Oxford University Press, 1979).

cause, says Cavell, “all my words are those of another.”)<sup>2</sup> Everything we say is a claim.

1. Augustinus, in den Confessiones I/8: cum ipsi (majores homines) appellabant rem aliquam, et cum secundum eam vocem corpus ad aliquid movebant, videbam, et tenebam hoc ab eis vocari rem illam, quod sonabant, cum eam vellent ostendere. Hoc autem eos velle ex motu corporis aperiebatur: tamquam verbis naturalibus omnium gentium, quae fiunt vultu et nutu oculorum, ceterorumque membrorum actu, et sonitu vocis indicante affectionem animi in petendis, habendis, rejiciendis, fugiendisve rebus. Ita verba in variis sententiis locis suis posita, et crebro audita, quarum rerum signa essent, paulatim colligebam, measque jam voluntates, edomito in eis signis ore, per haec enuntiabam.

I. Augustine, *Confessions*, I. 8: When they (my elders) named some object, and accordingly moved toward something, I saw this and I grasped that the thing was called by the sound they uttered when they meant to point it out. Their intention was shown by their bodily movements, as it were the natural language of all peoples: the expression of the face, the play of the eyes, the movement of other parts of the body, and the tone of voice which expresses our state of mind in seeking, having, rejecting, or avoiding something. Thus, as I heard words repeatedly used in their proper places in various sentences, I gradually learnt to understand what objects they signified; and after I had trained my mouth to form these signs, I used them to express my own desires.<sup>3</sup>

Here, we find all the classic themes of the *Investigations*: language learning; community; meaning; desire. But, at the same time, the subject, voice, and expression.

Wittgenstein takes up the idea of confession again at the end of the second part of the *Investigations*. In the *Investigations*, speaking is defined in the mode of confession, which is defined as external (it is that on the basis of which one judges the inner: there is nothing else):

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2. Cavell, *This New Yet Unapproachable America: Lectures after Emerson after Wittgenstein* (Albuquerque, NM: Living Batch Press, 1989), 74.

3. Ludwig Wittgenstein, *Philosophical Investigations*, trans. G. E. M. Anscombe, P. M. S. Hacker, and Joachim Schulte, 3rd edn. (Oxford: Basil Blackwell, 1986), §1.

There is indeed the case where someone later reveals his inmost heart [*sein Innerstes*] to me by a confession: but that this is so cannot offer me any explanation of outer and inner, for I have to give credence to the confession.

For confession is of course something exterior.<sup>4</sup>

Wittgenstein's work in philosophical psychology, particularly his *Last Writings on the Philosophy of Psychology, The Inner and the Outer*, invites us to shift our focus from a critique of interiority to a new conception of subjectivity defined as voice.<sup>5</sup> Not that Wittgenstein reverts to any form of mentalism or psychologism; rather, he is here pursuing the project started in the *Tractatus* of depsychologizing psychological concepts, and therefore, as Cavell memorably puts it, of undoing 'the psychologization of psychology' Wittgenstein's last works are an attempt to depsychologize subjectivity not by eliminating it but by redefining it by voice. Much work has been done to underline the importance of subjectivity in Wittgenstein's work, but it has focussed on so-called grammatical or first-person matters of his thought. The power of Cavell's reading is that it allows a redefinition of subjectivity itself by an ability or competence to expression, to meaning, conceived inseparably as an upheaval of the temptation of inexpressiveness, and of the fear of over expressiveness (being expressive beyond your means, whatever these means are).

Again, this is the topic of *The Claim of Reason*. Wittgenstein is traditionally read as seeking to deny the inner, or more precisely, to dementalize it; as rejecting the idea that there could be anything at all going on in the "mind" or the "soul." He is seen as challenging the mythology of the "inner process"—the "mental" process that allegedly accompanies language:

Ever and again comes the thought that what we see of a sign is only the outside of something within, in which the real operations of sense and meaning go on.<sup>6</sup>

If this idea comes "ever and again," it is because—like all ideas whose obsessive presence is noted by Wittgenstein—it has its reasons: we "are inclined to say" that there

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4. Wittgenstein, *Zettel* (Berkeley and Los Angeles, CA: University of California Press, 2007), 100.

5. Wittgenstein, *Last Writings on the Philosophy of Psychology: The Inner and the Outer, 1949-1951*, Vol. 2 (Oxford: Wiley-Blackwell, 1994).

6. Wittgenstein, *Zettel*, 140.

must be an inner process accompanying speaking, we need such a process if the spoken sentence is to be more than a lifeless string of signs. Indeed, what could *give life* to language, make it expressive, significant, if not an inner process? Wittgenstein relentlessly exposes the many problems stemming from the notion of an inner process—what has been called the myth of the inner. But to read this as straightforward criticism or wholesale rejection of the inner and the mental—as is often done in behaviourist interpretations—is to lose sight of the radicalness of Wittgenstein's thought, which leads him, not to deny the existence of an “inner,” but to rethink inner-outer dualism. When he writes: “The distinction between ‘inner’ and ‘outer’ does not interest us,”<sup>7</sup> Wittgenstein is not denying the importance of reflecting on the inner and the outer, but what he is interested in is the way inner and outer are, grammatically speaking, *articulated*; that is, the way we speak of an inner only if there is an outer, and vice versa. This, as we shall see, does away with the notion of an inner as something hidden, so to speak: an inner with no outer, a *private* inner, unknown; as also with the notion of an inner 'on its own', immediately legible. The idea of expressing *unknownness*, central to Cavell's reading of film in *Contesting Tears* comes from this questioning in Wittgenstein.

An essential dimension of Bette Davis's power is its invitation to, and representation of, camp; an arrogation of the rights of banality and affectation and display, of the dangerous wish for perfect personal expressiveness. The wish, in the great stars, is a function not of their beauty, but of their power of privacy, of a knowing unknownness.<sup>8</sup>

Cavell adds, on a more political note, that “It is a democratic claim for personal freedom,” “something Davis shares with the greatest of the histrionic romantic stars.”

The point may also be the capacity, in an actor, of expressing inexpressiveness, as for example in Capra's *Mr. Deeds Goes to Town* (1936) (connected to the essential and wonderful vulnerability of the Gary Cooper character and expressivity). So to understand the human nature of expression would be to understand the possibility of

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7. Wittgenstein, *Philosophical Grammar*, (CA: University of California Press, 2005), 100.

8. Cavell, *The Claim of Reason*, 128.

unknownness, privacy, neither as a hidden “thing,” nor as “nothing” but as the privileged object of exposure. A passage from the *Remarks on the Philosophy of Psychology* is pertinent here:

But if we dispose of the inner process in this way,—is the outer one now all that is left?—the language-game of description of the outer process is *not* all that is left: no, there is also the one whose starting point is the expression.<sup>9</sup>

When Wittgenstein examines the grammar of expressions bearing on the inner and the outer, he is looking to challenge a kind of exaltation we have about the inner life being entirely *private*. This does not amount to his rejecting the idea of an inner life. Wittgenstein contests the idea that we have privileged access to our sensations, and he suggests that we know our own pain no better, perhaps less well, than we know someone else’s. But there is something misleading in these familiar, paradoxical affirmations; for, as Cavell recognized, the stake here is not so much evidence of one’s access to someone else, as the difficulty (and anxiety) of accessing one’s own inner life, translated into skepticism. The question is expressed in some seemingly ironic moments in Wittgenstein, in the last writings—a book he didn’t get to really read closely, but which is perfect material for *The Claim of Reason*.

I *can* not observe myself as I do someone else, cannot ask myself “What is this person likely to do now?” etc.<sup>10</sup>

My own relation to my words is wholly different from other people’s. [...] If I listened to the words of my mouth, I might say that someone else was speaking out of my mouth.<sup>11</sup>

Wittgenstein is led to produce a theory of *inaccessibility*, or self-ignorance, which Cavell takes to be the central theme of the *Investigations*; and, in the same breath, to

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9. Wittgenstein, *Remarks on the Philosophy of Psychology, vol. I* (Chicago, IL: University of Chicago Press, 1988), §659.

10. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 10.

11. Wittgenstein, *Philosophical Investigations*, 192.

question “The apparent certainty of the first person, the uncertainty of the third.”<sup>12</sup> The separation of both questions would in any case only be an artificial one: the question of my own inaccessibility to what is going on in me being also (even if not exactly *the same* as) that of the other’s accessibility to himself. It seems as if, towards the end, and after moments of criticism of the “self” (as in the *Blue Book*), Wittgenstein returns to an original question of the *Tractatus* (the self, mysterious), and asks again, though in a new way, the question of the nature of self. Wittgenstein continues in his attempt to define the non-psychological self, the threat of solipsism gives way to that which it masked: the anxiety of the relation to self, as translated in the myth of inexpressiveness. Here again, Cavell’s analysis is powerful: the alleged unknowability of the other masks the refusal, or anguish, to know oneself, or rather to *feel* oneself.

It is as though Wittgenstein felt human beings in jeopardy of losing touch with their inner lives altogether, with the very idea that each person is a center of one, that each *has* a life.<sup>13</sup>

What Wittgenstein often says about the confusion inherent in the idea that we have no *access* to the other has in fact to do with this core anxiety, that of our access to our own sensations and thoughts—being unknown. Opting for this perspective lets us gauge the full extent of the problematic nature of behaviourist interpretations of Wittgenstein. What would be someone’s examination of her own external reactions? As if, it is here precisely that the threat of denial of the inner is the fear, or uncaniness, of expressivity—“I hear the words coming out of my mouth.” In the *Investigations*, Wittgenstein repeatedly states that he is not denying the existence of inner processes; for example: “What gives the impression that we want to deny anything?”<sup>14</sup> A typical and misleading remark is the following, which appears to call for a behaviourist interpretation: “An ‘inner process’ stands in need of outward criteria.”<sup>15</sup> But it can be interpreted differently, witness Cavell:

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12. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 951.

13. Cavell, *The Claim of Reason*, 91.

14. Wittgenstein, *Philosophical Investigations*, §305.

15. *Ibid.*, §580.

The technique in this instance is, roughly, this: The background of the statement, to which it is a response, is that people (philosophers) are led to say that remembering or thinking or meaning, etc. are inner processes, as though that explains something. The message is that until you produce criteria on the basis of which, in a particular case, or count something as an 'inner process', you have said nothing [...].<sup>16</sup>

The deep problem is that once the presence of an inner process is made dependent on criteria, nothing is solved; for criteria are outer, not inner. As Cavell then notes:

But the immediate context of the statement seems to convey this message: Once you produce the criteria, you will see that they are merely outward, and so the very thing they are supposed to show is threatened.<sup>17</sup>

Wittgenstein puts the expression “inner process” in scare quotes. This should move us to be circumspect, and guess that he does not mean anything as obvious and boring as: you can know that something is going on inside you without me knowing it, so that for me to know it you would have to send me the right signals informing me of it. Better Wittgenstein is asking himself: when you have sent me your signals so that I am informed of your inner world, do I really *know* that world, or do those signals come from a source which will, to me, always remain unverifiable and private, so that they are the sign of something I can never know?

That the expression “inner process” is in quotes means that what is required are (outward) criteria to *say* that something is (what we call) an inner process. This obviously does not deny the existence of the inner; criteria being, by definition, (outward) criteria for the *inner*. The best way to understand this is through a closer examination of the structure of inner/outer, constant in Wittgenstein but invisibilized by the regular translation of both “*innere*” and “*seelisch*” indiscriminately by “mental,” which is inadequate in both cases. “Inner” means nothing—even if only in terms of spatial localization—independently of “outer.” First because of the grammatical struc-

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16. Cavell, *The Claim of Reason*, 96.

17. *Ibid.*, 96.

ture of inner/outer; but it is not only a matter of grammar, we have here to do with a dualism that seeps through all the uses of language, and has therefore a *logical* structure: “The inner is tied up with the outer not only empirically, but also logically.”<sup>18</sup> That the duality is a *logical* one means that for Wittgenstein the inner can only be thought (or spoken of) in relation to an outer; that we have here to do with a *structure*; that there is no inner without an outer, and vice versa:

“In that case something quite different must be going on in him, something that we are not acquainted with.”—*This shews us* what we go by in determining whether something that takes place “in another” is different from, or the same, as in ourselves. This shews us *what we go by* in judging inner processes.<sup>19</sup>

We judge, read, see the inner by means of the outer; and this tells us nothing about the empirical relationship between inner and outer. So we need to add to the definition of meaning by *voice* the idea of a *confession*.

There is indeed the case where someone later reveals his inmost heart (*sein Innerstes*) to me by a confession: but that this is so cannot offer me any explanation of outer and inner, for I have to give credence to the confession.

For confession is of course something exterior.<sup>20</sup>

Wittgenstein suggests here a paradox of expression: it comes to the same thing to say something goes on in me and something outside, because that is precisely what we *mean* by *outer* (and *inner*). This interdependence of inner and outer is registered, put before our eyes, in film:

“I see the outer and imagine an inner that fits it.”

When mien, gesture and circumstances are unambiguous, then the inner seems to be an outer; it is only when we cannot read the outer that the inner seems to be hidden behind it.

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18. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 63.

19. Wittgenstein, *Zettel*, §340.

20. *Ibid.*, §558.

There are inner and outer concepts, inner and outer ways of looking at a man. [...]

The inner is tied up with the outer not only empirically, but also logically. The inner is tied up with the outer logically, and not just empirically.<sup>21</sup>

Here, the question is no longer about the limit between subject and world, or between outer and inner, but about the very nature of a *subject*, which is no longer *between*, but *both* inner and outer. As noted, Wittgenstein tirelessly repeats that he is not *negating* the existence of inner processes. What emerges in the later Wittgenstein, is a re-examination of the nature of the inner, of the mythology of a hidden interiority. See, for instance, the following remark: “What is *internal* is hidden from us.’—The future is hidden from us.”<sup>22</sup> “For what is hidden, for example, is of no interest to us.”<sup>23</sup> The inner (or meaning) as hidden does not interest us because what interests us is the inner as expressed, put before us, affecting us. One of our first uses of “inner” is precisely its association with our inner states, and it can well be asked if the idea of the *hidden* best defines our ordinary use of “inner.” Wittgenstein makes this important remark in *Philosophical Investigations*: “That what someone else says to himself is hidden from me is part of the *concept* ‘saying inwardly.’ Only ‘hidden’ is the wrong word here.”<sup>24</sup> Cavell follows the intuition when he asks:

But why do we think of a state (of mind, say) as *inner*? Why do we think of the meaning of a (some particular) poem as inner? (And mightn’t we think of some states of a physical object as inner? Perhaps not its hardness; but its magnetic power? or its radioactivity?) What pertains to the soul is thought of as inner. But why? “Inner” means, in part, something like inaccessible, hidden (like a room). But it also means *pervasive*, like atmosphere, or the action of the heart. What I have in mind is carried in phrases like “inner beauty,” “inner conviction,” “inner strength,” “inner calm.” This suggests that the more deeply

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21. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 63-64.

22. Wittgenstein, *Philosophical Investigations*, 223.

23. *Ibid.*, §126.

24. Wittgenstein, *Philosophical Investigations*, 220-221.

a characteristic pervades a soul, the more obvious it is. (Cf. envy as a sharp feeling and a state of the soul.)<sup>25</sup>

This ordinary notion of “inner” refers therefore to both the private and the *manifest*. This might well summarize the problem of skepticism, and show how skepticism is not resolved, nor negated, but expressed, in film. I do not have access to the inner (thought, mind) except via the outer (outward criteria, gestures, speech). But here the question finds a new expression:

Whatever the criteria tell us by way of identifying the other’s state (or process, etc.), they are still *outward*.—Outward as opposed to what? What would an inward criterion be?—Not opposed to an inward *criterion*, maybe; but as opposed to *something* inward.—Name something.<sup>26</sup>

If we examine the external criterion, it will only be that: external. And so, it is useless to ask of the external—the criteria—that it give more than it has, or than it is. In other words, the criterion is, by its very nature, disappointing; this is the main thesis of the first part of *The Claim of Reason*, but it is so only inasmuch as we started off with an erroneous interpretation of what the inner is, and what, the outer:

Silent “internal” speech is not a half hidden phenomenon which is as it were seen through a veil. It is not hidden *at all*, but the concept may easily confuse us, for it runs over a long stretch cheek by jowl with the concept of an 'outward' process, and yet does not coincide with it.<sup>27</sup>

Wittgenstein’s suggestion is that only the outer gives us access to the inner. See *The Claim of Reason*:

I feel: That “something or other” is in there is what “outward” *says*. In itself the word deprives the notion of a criterion of none of its power; and adds none to it. But a false idea of the inward produces a false idea of the outward.<sup>28</sup>

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25. Cavell, *The Claim of Reason*, 99.

26. *Ibid.*, 99.

27. Wittgenstein, *Philosophical Investigations*, 220.

28. Cavell, *The Claim of Reason*, 99-100.

Cavell dismantles standard interpretations of Wittgenstein by showing how the *Investigations* in various ways explore the idea of an outer *confinement*. The skeptical problem is transformed: no longer a skepticism about *other minds*, or about knowledge of others, but about *access* to others, for which the obstacle is not otherness or privacy, but the impossibility for oneself to access one's self: "If I take the space I am in to be outer, I have to imagine for the other an inner space which I could not possibly enter. Which *nobody* could possibly enter; for *he* didn't *enter* it."<sup>29</sup>

For Wittgenstein and Cavell, false conceptions of inner and outer mutually engender and comfort each other. Cavell notes that "the correct relation between inner and outer, between the soul and its society, is the theme of the *Investigations* as a whole."<sup>30</sup> This corrective labour gives birth to a conception of subjectivity as voice, which we shall now attempt to unravel. If the subject is neither within, nor a mere limit, where/what is it?

Wittgenstein throughout his philosophizing remains obsessed with the idea of the self and the non-coincidence between voice and identity. What, from the *Notebooks* to the *Last Writings*, obsesses Wittgenstein, is precisely this mixture of tautology and difference in use: the idea, both trivial and obscure, that the relation (connection) I have to myself is, in some way, not the same as the one I have to others.

My own relation to my words is wholly different from other people's.

I do not listen to them and thereby learn something about myself. They have a completely different relation to my actions than to the actions of others.

If I listened to the words of my mouth, I would be able to say that someone else was speaking out of my mouth.<sup>31</sup>

My words and my actions interest me in a completely different way than they do someone else. (My intonation also, for instance.) I do not relate to them as an observer. [...] My words are parallel to *my* actions, his to his.

A different co-ordination.<sup>32</sup>

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29. Ibid., 100.

30. Ibid., 329.

31. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 9.

32. Ibid., 10.

This is precisely the point at which emerges the peculiar status of subjectivity, defined by the specific interest we have in what we ourselves say or do and investment in our intonation and expressivity, “a different coordination.” What is then this special relationship that Wittgenstein tries to describe between the I and what it says/does? Well, it is a linguistic relationship: the subject is a subject of language; she makes use of a common language, and this use is her own, subjectivity is no longer an object but a property of what(ever) is said. We are left with a language that is no longer *private* but *subjective*. The publicity of language (its outwardness) is not opposed to its, so to speak, “intimacy” (a better term is needed here, if privacy doesn’t work—intimacy is nice as it evokes a conversational tonality).

A language without inwardness would *appear* (outwardly) strange. When we do not know what is going on in someone else, our uncertainty, says Wittgenstein, does *not* refer to something going on in the inner. The hesitation concerns the *expression* (*Ausdruck*) itself: the inner finds its expression in the bodily.

Again, as we saw about what Cavell calls “the body of our expressions,” the outer, the *body* is perceived as what *gives expression* to the inner. We can see that this conception of expression radicalizes the structure of the inner/outer. Here the question of subjectivity becomes a matter not of some difficulty and confusion in accessing the inner, as being private, but again of the definition of *expression*. that Wittgenstein does not so much seek to question the private character of the soul as the idea that the private is a matter of knowledge, and therefore of *secrecy*. Recall his criticism of a conception of the self as something hidden *inside*, as if meaning were mythologically hidden in the sentence: there is nothing other than what you see (don’t you see the whole sentence?). But just as the sentence *means*, with nothing hidden; is not a string of dead signs, but not because something hidden (or added, or supposed) gives it life; the outer *expresses* without anything being hidden. Recall the passage in which one might listen to the words of one’s mouth.<sup>33</sup> But my relation to myself is not one of knowledge. It is not even, as Wittgenstein’s vocabulary indicates, a *relation* (this would be highly obscure, if not nonsensical): more an attitude—*Einstellung*, or (in an ordinary, nontechnical sense), a disposition. “My attitude towards

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33. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 9 and *Philosophical Investigations*, 192.

him is an attitude towards a soul. I am not of the *opinion* that he has a soul.”<sup>34</sup> And the following, less familiar, passage: “Our attitude to what is alive and to what is dead, is not the same. All our reactions are different.”<sup>35</sup>

As Cavell notes: “his teaching on this point [is] rather that what is accurate in the philosophical or metaphysical idea of privacy is not captured, or is made unrecognizable, by the idea of secrecy.”<sup>36</sup> The idea of being alive is somehow more important. What is private is not inaccessible: my private life (or a private conversation, or a private joke) is perfectly accessible to those who I want to give access to it. Film gives us access to the private lives of their characters,

That what someone else says to himself is hidden from me is part of the *concept* “saying inwardly.” Only “hidden” is the wrong word here; for if it is hidden from me, it ought to be apparent to him, *he* would have to *know* it. But he does not “know” it [...].<sup>37</sup>

Skepticism would then be less a cognitive problem (the possibility of knowing the world, or others, or of having access to someone else's inner self) than a symptom: that of the denial or refusal of expression. The question of the knowledge of other minds acts like a mirror, or a mask, of my own accessibility (to the other, to myself). There is no secret, “nothing is hidden,” not because everything is external, but because the only secrets are those we do not want to hear, and the only privacy that which we do not *want* to know, or refuse to give access, or expression to. We conceive of language as the (outer) expression of an (inner) state or thought, and therefore of private language as language that is somehow doomed to remain inside, not exteriorizable: “Well, there is no such thing as outer mediated and inner unmediated evidence for the inner.”<sup>38</sup>

But it could just as well be said, following Cavell, and the evidence given in film, that Wittgenstein radically changes the discussion on privacy. The problem is not our inability to express or externalize what we have “inside,” to think or feel

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34. Wittgenstein, *Philosophical Investigations*, 178.

35. *Ibid.*, §284.

36. Cavell, *The Claim of Reason*, 330.

37. Wittgenstein, *Philosophical Investigations*, 220-221 and *Last Writings on the Philosophy of Psychology*, §880.

38. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 67.

something without being able to say it; the problem is the reverse: to not being able *mean what I am saying*. Here, we might be uncovering one of the sources of the notion of a private language: not a difficulty to know but a refusal—or terror—to mean, or to *expose oneself* to the outside.

We would rather believe that our private self is secret, lose touch with ourselves, than recognize the true nature of that private self, which is that it is entangled in a structure and fatality of *expression*. Such is the nature of the outer/inner relation: “That an actor can represent grief shows the uncertainty of evidence, but that he can represent *grief* also shows the reality of evidence.”<sup>39</sup> This remarkable passage is connected to the whole discussion on pretence which runs through the last writings. Cases of pretence or make-believe are put forward to show the inadequacy of outer to inner; whereas, for Wittgenstein, the possibility of pretence shows precisely the *adequacy*—the fact that the exterior does indeed express the interior. Austin’s *Pretending* is not far... We can only *simulate* ordinary behaviour; and to simulate means to imitate the inner, so to say, just as much as the outer (“This shews us *what we go by* in judging inner processes”).<sup>40</sup>

Actors, as we all know from cop shows, can simulate hiding something, lying, pretending. Again, it is the very possibility of expression (linguistic or bodily) that defines subjectivity. Here, the myth of the private gives way to, or perhaps, as Cavell has it, *becomes*, the myth of inexpressiveness. The idea of inexpressiveness turns out to be the very anxiety of expression, the anxiety of the *naturalness* and fatality of the passage from inner to outer, anxiety of exposure: “What reason have we for calling ‘S’ the sign for a *sensation*? [...]—So in the end when one is doing philosophy one gets to the point where one would like just to emit an inarticulate sound.”<sup>41</sup> As if the passage *outward* were precisely a loss of control of what I *mean*, and therefore, as if, ultimately, an inexpressive sound were preferable to a meaningful expression:

So the fantasy of a private language, underlying the wish to deny the publicness of language, turns out, so far, to be a fantasy, or fear, [...] of inexpressiveness [of the kind] in which what I express is beyond my control.<sup>42</sup>

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39. Wittgenstein, *Last Writings on the Philosophy of Psychology*, 67.

40. Wittgenstein, *Zettel*, §340.

41. Wittgenstein, *Philosophical Investigations*, §261.

42. Cavell, *The Claim of Reason*, 351.

The question of the secret and the private is transformed and becomes that of the fatality of meaning, or of my “condemnation” to signification. The problem is thus not meaninglessness or the impossibility of “making sense”, but rather the fatality of expression.

The question, within the mood of the fantasy is: Why do we attach significance to any words and deeds, of others or of ourselves? [...] A fantasy of necessary inexpressiveness would solve a simultaneous set of metaphysical problems: it would relieve me of the responsibility for making myself known to others—as though if I were expressive that would mean continuously betraying my experiences, incessantly giving myself away; it would suggest that my responsibility for self-knowledge takes care of itself—as though the fact that others cannot know my (inner) life means that I cannot fail to.<sup>43</sup>

To understand that, as Wittgenstein said, language is our *form of life* means accepting the naturalness of language, the fatality of signification. This is not easy to achieve. It is from here that skepticism in its various forms is born: the impossibility of accessing the world is a mask for my own refusal to recognize it—that is to say, to bear signification, meaning, expression having a voice. From here, realism in its various form is born—my claim to know or theorize the real is a mask for my refusing contact, proximity with things. To mean, or to know what one means, would be first and foremost to place the sentence, to quote Wittgenstein, back in its “country of origin,” its “natural milieu”; to recover the naturalness of language. This was the task of the ordinary language philosopher; as Wittgenstein says, “to bring words back from their metaphysical to their everyday use.”<sup>44</sup>

### **The Grammar of Claim**

The philosophical interest of turning to “what we say” appears when we ask ourselves not only what it is to *say*, but what this *we* is. How do I, myself, know what *we* say in such or such circumstance? In what way is the language that I speak, inherited from

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43. *Ibid.*, 351.

44. Wittgenstein, *Philosophical Investigations*, §116.

others, mine? Cavell hears the echo of these questions in the opening lines of the *Philosophical Investigations* (which begin with the quote from Augustine: because, says Cavell, “all my words are those of another.”<sup>45</sup> Language is an inherited form of life). Everything we say is a claim.

Their intention was shown by their bodily movements, as it were the natural language of all peoples: the expression of the face, the play of the eyes, the movement of other parts of the body, and the tone of voice which expresses our state of mind in seeking, having, rejecting, or avoiding something.<sup>46</sup>

Here, we find all the themes of the *Investigations*: language learning; community; meaning; desire. But, at the same time: the subject and voice.

In *The Claim of Reason*, Cavell calls into question our *criteria*—that is, our common agreement on, or rather *in* language, in “form of life” and, more precisely, the *we* at stake in “what we say when.” All that we have is what we say, and our agreements in language. We agree not on meanings but on usages, as Wittgenstein saw. One determines the “meaning of a word” by its uses. The search for agreement (asking “what we should say when...”, as Austin constantly did) is grounded on something entirely other than meanings or the determination of speakers’ “common sense.”

For Cavell, the radical absence of foundation to the claim to “say what we say” (first discovery of his) is not the mark of some lack of logical rigor or rational certainty (a second discovery) in the procedure (ordinary language philosophy) that starts off from this claim. This is what Wittgenstein means when speaking about our “agreement in judgments” and in language: it is founded only on itself, in the *we*. It was already explicit in *Must We Mean What We Say?* in the cult passage:

We learn and teach words in certain contexts, and then we are expected, and expect others, to be able to project them into further contexts. Nothing insures that this projection will take place (in particular, not the grasping of universals

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45. Cavell, *This New Yet Unapproachable America*, 74.

46. *Ibid.*, §1.

nor the grasping of books of rules), just as nothing insures that we will make, and understand, the same projections. That on the whole we do is a matter of our sharing routes of interest and feeling, modes of response, senses of [...] of when an utterance is an assertion, when an appeal, when an explanation—all the whirl of organism Wittgenstein calls ‘forms of life.’ Human speech and activity, sanity and community, rest upon nothing more, but nothing less, than this. It is a vision as simple as it is difficult, and as difficult as it is (and because it is) terrifying.<sup>47</sup>

But *The Claim of Reason* aims to go even further. Cavell shows *both* the fragility and the depth of our agreements, and focuses on the very nature of the necessities that emerge from our life forms. The fact that our ordinary language is founded on life-forms is not only a source of disquiet about the validity of what we do and say; it is the revelation of a truth about ourselves that we do not want to recognize: the fact that “I” am the only possible source of such validity.

To reject this, to try to erase skepticism, amounts to reinforcing it. This is what Cavell means by his proposition in *The Claim of Reason* that skepticism is *lived*, not a theory or thesis but *a form of life*. This is a new understanding of the fact that language is our form of *life*. Acceptance of this fact—which Cavell defines as the “the absence of foundation or guarantee for creatures endowed with language and subject to its powers and weaknesses, subject to their mortal condition”<sup>48</sup>—is thus not a consolation, but an acknowledgement of the everyday. It is on this condition that one can regain “lost contact with reality”: the proximity to the world and words broken in skepticism.

Cavell’s originality indeed lies in his reinvention of the nature of language and in the connection he establishes between this nature of language the agreement, (*Übereinstimmung*) in language and *human nature*, finitude of life. It is in this sense that the question of language agreements reformulates the question of the human

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47. Cavell, *Must We Mean What We Say?: A Book of Essays* (Cambridge: Cambridge University Press, 1976), 52.

48. Cavell, “Préface,” in *Les Voix de la raison. Wittgenstein, le scepticisme, la moralité et la tragédie*, trans. Sandra Laugier et Nicole Balso (Paris: Le Seuil, 2012; trans. mine).

condition, and it is in this sense that acceptance of this natural condition goes hand-in-hand with acknowledgment of these (language) agreements.

The philosophical problem raised by ordinary language philosophy is thus double. First: by what right do we base ourselves on what we ordinarily say? And next: on what, or on whom do we base ourselves to determine what we ordinarily say? But—and this is the genius of Cavell's arguments in *Must We Mean What We Say?* and in *The Claim of Reason*—these two questions are but one: the question of the connection of the I (my words) to the real (our world).

That is to say, for Cavell, the question of our *criteria*. In order to see this, let us return to his investigation of language agreements: we share criteria by which we regulate our application of concepts, means by which, in conjunction with what Wittgenstein calls grammar, we set up the shifting conditions for conversation.

According to Cavell, this explain the very particular tone of the *Investigations*, which have something autobiographical about them—though a curious autobiography, which would also be our own.

It can seem sometimes that Wittgenstein has undertaken to voice our secrets, secrets we did not know were known, or did not know we shared. And then, whether he is right or wrong in a given instance, the very intention, or presumption, will seem to some outrageous.<sup>49</sup>

This brings us back to the voice and the question of the foundation of agreement: that is, the question of the nature of the *I*—of *my* capacity to speak, and thus, to conform to shared criteria. Indeed, for Cavell it is crucial that Wittgenstein says that we agree *in* and not *on* language. This means that we are not agents of the agreement; that language as form of life precedes this agreement as much as it is produced by it and that this circularity constitutes an irreducible element of skepticism. A solution cannot be found in conventionalism, because convention does not constitute an *explanation* of the functioning of language, but an essential difficulty. But convention cannot account for the real practice of language, and it serves instead to prevent us from seeing the *naturality* of language. To agree *in* language means that language produces our

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49. Cavell, *The Claim of Reason*, 20.

understanding just as much as it is the product of an agreement; that in this sense it is natural to us, and that the idea of convention is there to at once mimic and mask this necessity: “Underlying the tyranny of convention is the tyranny of nature,” Cavell will say later in *The Claim of Reason*.<sup>50</sup> In the *Investigations*, Wittgenstein searches out and determines our criteria, which govern what we say. But *who is he* to claim to know such things? It is this absence of any foundation to the claim to know what we say that underlies the idea of criteria and defines a claim. The central enigma of rationality and the community is thus the possibility for me to speak *in the name of others*. It is not enough to invoke the community; it remains to be seen what authorizes me (gives me title) to refer to it.

When I remarked that the philosophical search for our criteria is a search for community, I was in effect answering the second question I uncovered in the face of the claim to speak for “the group”—the question, namely, about how I could have been party to the establishing of criteria if I do not recognize that I have and do not know what they are. [...] to emphasize that the claim is not that one can tell a priori who is implicated by me, because one point of the particular kind of investigation Wittgenstein calls grammatical is exactly to discover who.”<sup>51</sup>

That we agree *in* language is certainly not the end of the problem of skepticism, and conventionalism is not an answer to the questions asked here. Indeed, for Cavell it is crucial that Wittgenstein says that we agree *in* and not *on* language. This means that we are not agents of the agreement; that language precedes this agreement as much as it is produced by it and that this circularity constitutes an irreducible element of skepticism. I am not “by definition” representative of the human. The agreement can always be broken. I can be excluded (or exclude myself) from the community, both linguistic and political. The possibility of disagreement is inherent even to the idea of agreement; from the moment I claim (with my words) my representativeness. This

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50. *Ibid.*, 123.

51. Cavell, *The Claim of Reason*, 22.

ever-possible disagreement sums up the threat of skepticism: a break in the passage, a suspension of the generalization from *I* to *we*.

Still I am not “by definition” representative of the human. The agreement can be broken. I can be excluded (or exclude myself) from the form of life, both linguistic and political. The possibility of disagreement is inherent even to the idea of agreement; from the moment I claim my representativeness, the risk is exclusion from form of life.

For Cavell, the question of the social contract underlies the question of language agreements, as his analysis of Rousseau at the beginning of *The Claim of Reason* shows. If I am representative I must have my voice in the common conversation. If my society is my expression it should also allow me to find my voice. If others stifle my voice, speak for me, I will always seem to consent. One does not have a voice, *one’s own voice*: it must be found so as to speak in the name of others and to let others speak in one’s name. For if others do not accept my words, I lose more than language: I lose my voice.

We do not know in advance what the content of our mutual acceptance is, how far we may be in agreement. I do not know in advance how deep my agreement with myself is, how far responsibility for the language may run. But if I am to have my own voice in it, I must be speaking for others and allow others to speak for me. The alternative to speaking for myself representatively (for *someone* else’s consent) is not: speaking for myself privately. The alternative is having nothing to say, being *voiceless*, not even mute.<sup>52</sup>

The error is to see an alternative between private and public (this is the prejudice that underlies discussions of “the private language argument”). Cavell explodes this alternative. To not be public is not to be *private*: it is to be *inexpressive*. “Voiceless, not even mute.” If I do not speak, it is not that there is something inexpressible, but that I *have* nothing to say, and this is not only about sharing a life form with others, but about *being alive*. Our agreement (with others, with myself) is an agreement of voices: our *übereinstimmen*, says Wittgenstein. “That a group of human beings *stimmen*

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52. Ibid., 26.

in their language *überein* says, so to speak, that they are mutually voiced with respect to it, mutually *attuned* top to bottom.”<sup>53</sup>

Cavell thus defines an agreement that is *not* psychological or inter-subjective, and which is founded on nothing other than the pure validity of a voice: my individual voice claims to be, is, a “universal voice.” Claiming is what a voice does when it finds itself on itself alone in order to establish universal agreement—a claim that, as exorbitant as it already is, Cavell asks us to formulate in a yet more exorbitant manner: in place and stead of any condition of reason or understanding. In *Must We Mean What We Say?* Cavell posed the question of the foundation of language in the Kantian terms of “universal voice,” showing the proximity of Wittgenstein and Austin’s methods to a paradox inherent to aesthetic judgment: basing oneself on *I* in order to say what *we* say. Cavell refers to the well-known passage in §8 of the *Critique of Judgment*. In aesthetic judgment, Kant leads us to discover “a property of our faculty of cognition that without this analysis would have remained unknown”; the “claim to universality” proper to judgments of taste, which make us “ascribe the satisfaction in an object to everyone.”<sup>54</sup> Kant distinguishes the agreeable from the beautiful (which claims universal agreement) in terms of *private* versus *public* judgment. How can a judgment with all the characteristics of being private claim to be public, to be valid for all? Kant himself noted the strange, “disconcerting” nature of this fact, whose strangeness Wittgenstein took to the limit. The judgment of taste demands universal agreement, “and in fact everyone supposes this assent (agreement, *Einstimmung*).” What Kant calls the universal voice (*allgemeine Stimme*) supports such a claim. We hear this “voice” in the idea of agreement, *übereinstimmen*, the verb used by Wittgenstein when he speaks of our agreement *in* language.<sup>55</sup> The universal voice expresses our agreement and thus our claim to speak in the name of others—to speak, *tout court*. The question of the universal voice is the question of the voice itself and its arrogation—an individual voice claiming to speak in the name of others. What is, then, the status of the voice?

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53. *Ibid.*, 32

54. Kant, *Critique of the Power of Judgment*, ed. Paul Guyer (New York: Cambridge University Press, 2000), 99.

55. Wittgenstein, *Philosophical Investigations*, §241-242.

This question only receives a response in *A Pitch of Philosophy*. The philosopher speaks with ordinary words, and nothing says that others will accept these—though the philosopher claims to speak for all. By what right?

Before being a term of the political idiom, a claim is a way of expressing oneself publicly to make a claim, a request, a right or, quite simply, to make one's voice heard. This is the meaning of the term “claim,” and why Cavell has made a central element of his philosophy of ordinary language.

From the old French word *clamer* (in Latin *clamare*, of the same semantic field as *clarus* “clear,” “strong”), to claim means first of all in its first historically attested literary uses, “to call, shout, clamor” (calling loudly). Yet, to claim and the noun claim are unparalleled in French today. The current French translations of claim, “*revendication, réclamation, prétention*,” all have a tone, if not a pejorative tone, as if the request thus expressed needed additional justification. However, *claim*, in its first legal or political uses, on the contrary, raises a claim as well founded, in kind if not in law, and could be adequately translated as “title,” which refers to the notion of law which emerges late and from which claim (in the sense of a claim based on a need) perhaps constitutes a first form.

In the 19th and 20th centuries, *claim* moved from the political and legal fields to the theory of knowledge, and then generally to the philosophy of language. The notion is then a “claim to knowledge,” a “thesis.” This use raises the question, stemming from English empiricism and then taken up by Kant, of the legitimacy of knowledge, of the validity of my claims to know. There is a German lexical equivalent to this use (*Anspruch*).

Claim originally referred to a claim related to the satisfaction of a physical need or the recovery of a vital asset that has been taken from you? *Claim* is a request to obtain a title deed to an object that already legitimately belongs to me. This use of the concept is extended during the conquest of new land by pioneers: in the US and Australia, *claim* refers to a parcel acquired by occupation (not granted nor inherited).

This “local” meaning of claim underlies a certain conception of the claim to property rights as fundamental rights, and perhaps also rights in general as (re)taking possession of a territory of one's own. It should be noted that a territory claimed by the Indians as the first occupants is called an Indian claim. Thus a meaning of

claim to a right is clarified: I ask what is mine and has always been mine. This refers to the request for something as it is due. A claim is then made by “requirement” or “title.” This raises the question of the legitimacy of the request, which is answered with the emergence, apparently later, of the term right. The legal (and philosophical) meaning of the notion then becomes more specific: “assertion of a right to something” (Oxford Dictionary); and a whole vocabulary develops around claims, as evidenced by the multiplicity of expressions (lay a claim, make a claim, enter a claim) that have penetrated ordinary language. This grammar structures Cavell’s *The Claim of Reason*.

This claiming inherent in the notion of claim is also epistemological. The question of empiricism is that of *legitimacy*, of the right to know: what allows us to say that we know? Hume, examining our claim to know by reasoning from experience, wonders by what right we can say that we know anything. This question is repeated by Kant, in whom we can detect a claim equivalent: *Anspruch*, which refers to the *claim of reason* to ask questions that are beyond its power, but that are legitimate and natural. The legal meaning of a claim, which is found in the Kantian *quid juris*, then applies to Reason, which is conceived as a claim that is both inevitable and impossible to satisfy, and therefore intended to always remain in the state of a claim.

It is this tension between arrogance and the legitimacy of the philosophical claim to know that is at the heart of Cavell’s *The Claim of Reason*. Cavell defines claim from the outset as a community agreement based on singular expression and common use. From this perspective, what underlies the question of the foundation of knowledge is the political and not only epistemological question of the foundation of our common use of language. For Cavell, the claim of knowledge is the mask/cover of a first claim: the claim to speak for others, and to accept from others that they speak on my behalf.

The philosophical invocation of “what we say,” and the search for the *criteria* call for (are claims to) community. However, the community claim is always a search for the basis on which it can be, or has been, established. The legal and epistemological problems raised by the notion of claim become that of our common criteria, our agreements in language.

The question becomes that of an individual’s belonging to the community of a language and his representativeness as a member of that community: where does he

get this right or claim to speak for others? In this usage, claim is inseparable from the possibility of losing my representativeness, or my belonging, of being silenced: All claims about what we say go hand in hand with the awareness that others may well disagree, that a given person or group may not share our criteria (not share at all).

The political agreement is of the same nature as the language agreement: it exists only to the extent that it is claimed, claimed, invoked. Thus is defined with claim an agreement that is not psychological or intersubjective, but is based on nothing more than the validity of an individual voice that claims to be a “universal voice.” We find here the first meaning of claim (clamor “shout [to] call”) and also the irreducibility of the cry. The voice, but also the *clamour*, are thus constantly underlying the concept of the claim. Claim is what a voice does when it relies solely on itself to establish universal assent—a claim that, however exorbitant it may be, Cavell asks to formulate in an even more scandalous way, that is, without being based, as in Kant, on anything transcendental, or on any condition of reason. Reason claims itself (it is the meaning of genitive in Cavell: claim of reason). Without any outsourced warranty for the claim.

To show how the redesigned claim concept is an answer to skepticism, Cavell evokes the universality of Kant's aesthetic judgment. For him, the proximity of this approach to that of ordinary language theorists is that both of them always admit that they must rely on me to say what we say. To understand this connection, we must refer to what ordinary language philosophers mean by “what we say when”: The aesthetic judgment serves as a model for the kind of affirmation (claim) produces by ordinary language philosophers.

How can Kant be considered a thinker of claim? The idea of a universal agreement based on my singular voice appears in the famous §8 of the *Critique of the Power of Judgment*. With aesthetic judgment, Kant makes us “discover a property of our ability to know”: “the claim (Anspruch) to universality (*Allgemeingültigkeit*)” specific to the judgment of taste, which makes us “attribute to everyone the satisfaction brought by an object.”<sup>56</sup> We remember that Kant distinguishes the pleasant from the beautiful (which claims universal consent) in terms of private judgment against public judgment. How can a judgment that has all the characteristics of a private one

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56. Kant, *Critique of the Power of Judgment*, 99.

claim to be public? That is the problem with the claim. The judgment of taste requires and requires universal assent, “and, in fact, everyone assumes this assent, without the subjects who judge opposing each other on the possibility of such a claim (*Anspruch*).” What supports such a claim is what Kant calls a “universal voice” (*allgemeine Stimme*). This is the “voice” we hear in *übereinstimmen*, the verb used by Wittgenstein about our agreement “in language.” The proximity between the universal Kantian voice and the theses of the philosophy of ordinary language appears with this ultimate meaning of *claim*, both *Anspruch* and *Stimme*: a claim, empirically unfounded, therefore threatened and raised by scepticism, to speak for all.

In his analysis of the concept of claim, Cavell identified the different *strata* (legal, political, epistemic, expressive) on which the acceptable uses of the verb to claim are developed. The ordinary grammar he proposes suggests that our affirmations or theses (claims) are always based on an agreement in language, on a claim of my representativeness, therefore on the legitimacy of my voice as singular and universal.

### **Claiming the Subject**

To recognize the intimate connection between all these uses of the notion of claim is to recognize that the expression—in the order of knowledge as well as in the order of politics and law—is always also a voice, one that wants to be heard and demands to be heard on an equal footing with other voices. And always a matter of skepticism, because this voice must constantly be reappropriated to regain a proximity to the world.

Claim would be the acceptance of the expression as identically inner (it expresses me) and outer (it exposes me). It is in this identity that the nature of subjectivity as reinvented by Wittgenstein is revealed: the subject is indeed the subject of language, but in the sense that he is the subject of (to) expression and claim. The subject, in Wittgenstein, exists as this claim, this voice—in and through language. That it is inseparably inner and outer means that it is obviously not a voice that assures me of my identity, my thoughts, or anything else (as soon as it is a voice, it is expression,

and escapes me). The subject then defines himself in this movement of reappropriation of her voice, also a way of approaching, *touching* reality.

Claiming is voicing. Our agreement (with others, with myself) is an agreement of voices: our *übereinstimmen*, says Wittgenstein. The question of the universal voice is the question of the voice itself and its arrogation—an individual voice claiming to speak in the name of others. What is, then, the status of the philosophical voice? This question only receives a response in *A Pitch of Philosophy*. The philosopher speaks with ordinary words, and nothing says that others will accept these—though the philosopher claims to speak for all. By what right?

—Who is to say whether a man speaks for all men?

Why are we so bullied by such a question? Do we imagine that if it has a sound answer the answer must be obvious or immediate? But it is no easier to say who speaks for all men than it is to speak for all men. And why should that be easier than knowing whether a man speaks for me?<sup>57</sup>

Here we may think of one of the stakes of Austin's work: the method of ordinary language philosophy. It is difficult not to notice that there is an "unhappy" dimension, a dimension of failure in ordinary language philosophy, which is obsessed—at least in the case of Austin—with instances where language fails, is inadequate, inexpressive.

In *Must We Mean What We Say*, Cavell asked how to mean ("mean": which also means to think, signify) what I say? Cavell reverses radically the examination of "private language." The problem is not being able to express what I have "in me"—thinking or feeling something without being able to say it (a problem definitively dealt with by Wittgenstein in the *Tractatus*: there is the ineffable, but it most certainly cannot be thought, nor can it in some way point outside language. The problem is the inverse: not being able "to be in what I say," to *mean what I say*. Here, Austin's teaching enters in again: to say, as Austin did in *How to Do Things With Words*, that language is also action does not mean I control language, as I do (certain of my) actions. This means above all that it is possible for me to not "mean what I say." I am more possessed by language than I possess it. This point, expressed in *A Pitch of Phi-*

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57. Cavell, *Must We Mean What We Say?*, xl.

*losophy*, makes explicit an intuition from *Must We Mean What We Say?* about the source of skepticism: an impossibility of speaking the world that comes not from any (imaginary) distancing of the world, but from the impossibility or refusal to *mean*.

The question of the secret and the private is transformed and becomes that of the fatality of meaning, or of my “condemnation” to signification. The problem is thus not meaninglessness or the impossibility of “making sense,” but rather the fatality of expression. The tension between the singular and the common, between the “arrogance” and legitimacy of the philosophical claim is developed in Cavell at the political level. What underlies the question of the foundation of knowledge is the (political and not only epistemological) question of the foundation of *our* common use of language. For Cavell, the *claim to knowledge* is the mask of a prior claim: the claim to speak for others, and to accept that others speak in my name.

The philosophical appeal to what we say, and the search for our criteria on the basis of which we say what we say, are claims to community. And the claim to community is always a search for the basis upon which it can or has been established.<sup>58</sup>

Cavell transforms the juridical and epistemological questions raised by *claim* into the question of our shared criteria, our agreements *in* language.

When I remarked that the philosophical search for our criteria is a search for community, I was in effect answering the second question I uncovered in the face of the claim to speak for “the group”—the question, namely, about how I could have been party to the establishing of criteria if I do not recognize that I have and do not know what they are.<sup>59</sup>

It is a question of my representativeness: where does this right or this claim to speak for others come to me from? This is the question that the philosophers of ordinary language, Austin and Wittgenstein ask according to Cavell. The meaning of claim is inseparable from the possibility of my losing my representativeness, or my belonging—of being reduced to silence.

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58. Cavell, *The Claim of Reason*, 22.

59. *Ibid.*, 22.

“For all Wittgenstein’s claims about what we say, he is always at the same time aware that others may not agree, that a given person or group (a “tribe”) might *not* share our criteria.”<sup>60</sup> Thus, Cavell gives an analysis of Rousseau in terms of claim:

What he *claims* to know is his relation to society, and to take as a philosophical datum the fact that men (that he) can speak for society and that society can speak for him, [that they reveal one another’s most private thoughts.]

My society must be my expression. This is what theoreticians of democracy always hope, and this is the illusion Cavell denounced with regard to Rawls, for example: if others stifle my voice, claiming to speak for me, how have I consented?

To speak for yourself means risking the rebuff—on some occasion, perhaps once for all—of those for whom you claimed to be speaking; and it means risking having to rebuff—on some occasion, perhaps once for all—those who claimed to be speaking for you.<sup>61</sup>

The agreement between humans, linguistic or political, precisely because it is *always a claim* is as fragile as it is deep. This essential fragility of political agreement, always threatened by skepticism, constitutes the linguistic sense of claim.

Political agreement is of the same nature as linguistic agreement, which Wittgenstein calls *Übereinstimmung*.<sup>62</sup> This agreement only exists insofar as it is claimed, demanded, invoked: my individual voice claims to be, *is*, a “universal voice.

Here, with the appeal to voice we encounter the first meaning of claim (*clamare*: to cry, to call). The concept of voice thus always turns out to be inherent to the technical concept of a claim. Claim is what a voice does when it bases itself on itself alone in order to establish an agreement: to base oneself on *I* in order to say what *we* say. This claim is what defines agreement, and community is thus by definition something claimed, not foundational. It is I—my voice—who claim community. Finding my voice consists not in finding agreement with *everyone*, but in staking a claim.

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60. *Ibid.*, 18.

61. Cavell, *The Claim of Reason*, 27.

62. Wittgenstein, *Philosophical Investigations*, §241.

These are themes Cavell takes from Emerson and Thoreau: everyone is worth the same, and an individual voice claims generality: this is the principle of Emersonian *self-reliance*. (It is this possibility of a claim through the voice that makes it possible to extend the model of civil disobedience today.) Those they defend—Native Americans and slaves—do not have rights (they do not have a voice in their history, Cavell says). Instead of making claims in their place, and thus, keeping them in silence, Emerson and Thoreau prefer to claim the only rights that they can defend—their own: their right to have a government that speaks and acts in their name, that they recognize and to which they give their consent and voice. Thus the concept of democratic *conversation*: for a government to be legitimate, everyone must have, or find, his or her voice in it, be able to stake a claim. The right to withdraw one's voice from society is based on Emersonian *self-reliance*. My private voice will be “the universal feeling, for what is most intimate always ends up becoming the most public.” To ensure that my private voice always be public: this is the definition of a claim and the political translation of Wittgenstein's “critique” of private language.

In both moral agreements and political claims I am brought back to myself, to the search for my position and my voice. The question of democracy is indeed the question of voice. I must have a voice in my history, and recognize myself in what is said or shown by my society, and thus, in a way, give my voice to it, accepting that it speak in my name.

The radical critique of conformism is not simply a calling into question of consent to society. To the contrary, it defines the condition of *ordinary* democratic morality. Questions of justice and injustice do not only concern those who do not speak—those who, for structural reasons, cannot speak (who have been definitively “excluded” from the conversation of justice)—but also those who *could speak* yet run up against the inadequacy of speech as it is given to them. It is in this inadequacy and misunderstanding that the political subject is defined—not in a new foundation of the subject through his or her speech, but in the suffocation and claim of his or her own voice.

A speech *claims* a voice. The subject is not a foundation; it is eternally claimed, absent, *demanding*. What must be brought out is not only the subject's fragility or plurality or obscurity, but also essential passivity: the subject must *support* the voice,

The subjectivity of language is then the impossible adequacy between a speaker and his or her voice or voices. Here the terror of absolute inexpressiveness AND of absolute expressiveness, of total exposure, come together as two extreme states of voicelessness.

“I am led to stress the condition of the terror of absolute inexpressiveness, suffocation, which at the same time reveals itself as a terror of absolute expressiveness, unconditioned exposure; they are the extreme states of voicelessness.”<sup>63</sup> This dissociation/dislocation of the voice is also at the heart of Cavell’s autobiographical project, in *Little Did I Know* and it is a matter of claim.

This second analyst and I eventually spent some time analyzing more or less informally my own writings. The simultaneous fear of inexpressiveness and of over-expressiveness is a recurrent topic in the material I had just decided to put aside as eluding completion by me, in its thesis form called *The Claim to Rationality*, in its revised and doubled form published as *The Claim of Reason*.<sup>64</sup>

—Who is to say whether a man speaks for all men?<sup>65</sup>

This is why in defining, as Cavell does, ordinary language by *voice*—the voice of the I who speaks in the name of all others, in this arrogation of the voice that is the mark of all human expression—one does not reconstitute a new subject, subject of speech, nor makes physical voice the mark of the human. Cavell rejects the idea of a metaphysics of presence in the concept of voice or speech. I am no more present in my voice than in my other works, actions, or possessions, and the human voice, like ordinary language, is suffused with the skepticism of *The Claim of Reason*.

I am more possessed by language than I possess it. This point, expressed in *A Pitch of Philosophy*, makes explicit an intuition from *The Claim of Reason* about the source of skepticism: an impossibility of speaking the world that comes not from any

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63. Cavell, *Contesting Tears: The Hollywood Melodrama of the Unknown Woman* (Chicago, IL: University of Chicago Press, 1997), 43.

64. Cavell, *Little Did I Know: Excerpts from Memory* (CA: Stanford University Press, 2010), 110.

65 Cavell, *Must We Mean What We Say?*, xl.

(imaginary) distancing of the world, but from the refusal to *mean*. Our (deliberate) distance from the world creates a fantasy: the fantasy of the private, of *inexpressiveness*— *which* becomes the very anxiety of the weight of expression.

The question of privacy is transformed and becomes that of the fatality of meaning, or of my “fatedness” to signification. The problem is thus not meaninglessness or the impossibility of “making sense”, but rather the fatality of expression.

The question, within the mood of the fantasy is: Why do we attach significance to *any* words and deeds, of others or of ourselves? [...] A fantasy of necessary inexpressiveness would solve a simultaneous set of metaphysical problems: it would relieve me of the responsibility for making myself known to others—as though if I were expressive that would mean continuously betraying my experiences, incessantly giving myself away; it would suggest that my responsibility for self-knowledge takes care of itself—as though the fact that others cannot know my (inner) life means that I cannot fail to.<sup>66</sup>

To understand that, as Wittgenstein said, *language is a lifeform* means accepting the naturalness of language, the fatality of signification. This is not easy to achieve. It is from here that skepticism in its various forms is born: the impossibility of accessing the world is a mask for my own refusal to bear signification, meaning, expression. From here, realism in its various form is born—my claim to know or theorize the real is a mask for my refusing agency, contact, proximity with things. To mean, or to know what one means, would be first and foremost to place the sentence, to quote Wittgenstein, back in its “country of origin,” its “natural milieu”; to recover the naturalness of language. This was the task of the ordinary language philosopher; as Wittgenstein says, “to bring words back from their metaphysical to their everyday use.”<sup>67</sup> Cavell makes more precise in *A Pitch of Philosophy* what was sketched out at the end of *The Claim of Reason* concerning the essential passivity of the relation to the voice.

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66. Ibid.

67. Wittgenstein, *Philosophical Investigations*, §116.

“It is in recognizing this abandonment to my words, as if to unfeasible epiphanies, presaging the leave-taking of death, that I know my voice, recognize my words (no different from yours) as mine.”<sup>68</sup> To be thus abandoned to language is indeed the opposite of what the concept of speech (active, living, etc.) would seem to imply. I am as active (and also as passive) in my voice as in, for example, my breathing or my exhalation, and the question is then no longer being able to access language, the community of speakers, or one’s voice (horizontal forms of life); it is being able to bear precisely “*the (inevitable) extension of the voice, which will always escape me and will forever find its way back to me.*”<sup>69</sup>

And thus, what is unbearable is not the inexpressible or the impossibility of being expressive it is *expression* itself as life form, a life that is not mine anymore. The phantasm of the private disguises our fear of being public, “the terror of being expressive beyond our means,” as a symmetrical fear of inexpressiveness.

A speech *claims* a voice. The subject is not a foundation; it is eternally claimed, absent, *demanding*. In redefining the subject through the subjectivity of language defined by voice, one situates the subject within naturalness (the voice as breath) and life: this is a subjectivity without subject. The subjectivity of language is then the impossible adequacy between a speaker and her voice or voices. Cavell’s search for both inexpressiveness and absolute expressiveness as extreme states of voicelessness is a way to pursue this search for forms of human voice.

“I am led to stress the condition of the terror of absolute inexpressiveness, suffocation, which at the same time reveals itself as a terror of absolute expressiveness, unconditioned exposure; they are the extreme states of voicelessness.”<sup>70</sup> This dissociation/dislocation of the voice and agent is at the heart of the different forms of expression in the human form of life.

On film the actor is the subject of the camera, emphasizing that this actor could (have) become other characters (that is, emphasizing the potentiality in human existence, the self’s journeying), as opposed to theater’s emphasizing that this character could (will) accept other actors (that is, emphasizing the

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68. See, Cavell, *A Pitch of Philosophy*, 126.

69. *Ibid.*, 126.

70. Cavell, *Contesting Tears*, 43.

fatedness in human existence, the self's finality or typicality at each step of the journey). In opera the relative emphasis of singer and role seems undecidable in these terms, indeed unimportant beside the fact of the new conception it introduces of the relation between voice and body, a relation in which not this character and this actor are embodied in each other but in which this voice is located in—one might say disembodied within—this figure, this double, this person, this persona, this singer, whose voice is essentially unaffected by the role.<sup>71</sup>

Such a dislocation of the voice is also at the heart of Cavell's autobiographical project, in *Little Did I Know*.

This second analyst and I eventually spent some time analyzing more or less informally my own writings. The simultaneous fear of inexpressiveness and of over-expressiveness is a recurrent topic in the material I had just decided to put aside as eluding completion by me, in its thesis form called *The Claim to Rationality*, in its revised and doubled form published as *The Claim of Reason*.<sup>72</sup>

We may note the exploration of women's voices and expressiveness is the starting point of feminism.<sup>73</sup> (see *Feminist Investigations*).

## Translation

One last word on translation.

Translating Cavell's work was always hard work, but this difficulty pointed to the specificity and importance of his philosophy to the contemporary world. Like Emerson, Thoreau, but unlike the majority of contemporary Anglophone philoso-

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71. See, Cavell, *A Pitch of Philosophy*, 137.

72. Cavell, *Little Did I Know*, 110.

73. See Nancy Bauer, Sarah Beckwith, Alice Crary, Sandra Laugier, Toril Moi, and Linda Zerilli, eds., *New Literary History* 46, no. 2, "Feminist Investigations and Other Essays" (2015).

phers, Cavell used English as a *language*, a philosophical tongue, rather than as an international, dominant, and transferable medium. This meant that his writing was based on terms that were “untranslatable” from English (that is, from “American”—the cover of the translation of *The Claim of Reason* says “translated from the American”), as I came to see when I revisited them for Barbara Cassin’s *Dictionary of Untranslatables*. When Cassin undertook this dictionary project in the late 20<sup>th</sup> century the great philosophical languages, Greek and German, were well represented in it and not the English. What happened is that Cavell’s words (“claim,” “mean,” “acknowledgement”) instantiated English as opaque tongue, as a medium in which the transformations of philosophy were operated, in particular those forced by Wittgenstein’s work.

When I started translating *The Claim of Reason*, I had the greatest difficulties, especially with the first sentence but also with the title. Claim is literally an untranslatable, *intraduisible* (and presented as such in an entry of the dictionary of untranslatables, also in its English version). Translating the title was a challenge and finally the choice to translate it "Voix de la raison" was a way to keep the idea of claim, of voice, but to add the plurality of voices – in order to picture political pluralism in its agonistic dimension and to discover it in the very form of the *Philosophical Investigations*.