Stanley Cavell and the Claim to Community

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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. I have nothing more to go on than my conviction, my sense that I make sense. It may prove to be the case that I am wrong, that my conviction isolates me, from all others, from myself. That will not be the same as a discovery that I am dogmatic or egomaniacal. The wish and the search for community are the wish and search for reason.

—STANLEY CAVELL, *The Claim of Reason*

To many, the very idea that Stanley Cavell's work contributes anything significant to political theory might seem odd.[1] The Walter M. Cabot Emeritus Professor of Aesthetics and the General Theory of Value at Harvard University and a philosopher centrally concerned with the significance of modern philosophical skepticism, Cavell is more easily and commonly seen as being engaged with aesthetic, ethical, and epistemological questions than he is with political ones. In Richard Eldridge's fine recent collection of essays on Cavell, for instance, there are essays on Cavell's

contributions to ethics, aesthetics, the theory of action, the philosophy of language, film, Shakespeare, the reception of German Romanticism, and American philosophy—but not one directly devoted to politics or political philosophy.[2] And of the 214 records under his name in *The Philosopher's Index*, only nine center on political features or implications of his work.[3] This is, however, somewhat peculiar. As the quotation above reminds us, the claim of reason that is Cavell's central theme and the title of his magnum opus is itself a claim to *community*. What counts as reasonable for us, as a fitting explanation or motivation, shows who and where we are, which community we are a part of, and how we stand with that community. Conversely, our claims to community—specifically, our uses of the first person plural—make that community present in the world. Who *we* are and what beliefs and actions *we* are committed to is something only you and I and others joining us can say. Our common identity is articulated in conversations in which we as individuals give and weigh our reasons, our sense of what should count for us, and why. The public community exists in its representation by us—a representation that is always vulnerable to your or my repudiation. Such repudiation and the alienation that it bespeaks is not a simple matter, as a claim to what is *common* is an appeal to both a sharing that attracts us and an ordinary that uncannily resists or even repels us.

These are eminently political themes: as Sheldon Wolin observes, "the words 'public,' 'common,' and 'general' have a long tradition of usage which has made them synonyms for what is political."[4] Leo Strauss goes further, and writes in connection with the question of the style of Plato's dialogues, "Communication may be a means for living together; in its highest form, communication *is* living together."[5] No doubt, the claims canvassed above come under regular attack in the history of political thought, and have most recently been vehemently dismissed by an administration apparently influenced by some strains of Strauss's own thought.[6] From this perspective, *community* is only a fancy name for *unity*. The unified identity of the group is one that might be definitively identified and enunciated by a founding father or a chief executive, and it is one that citizens and members question or reinterpret only at the risk of its fracturing. Hence Attorney General John Ashcroft's claim that any criticism of the administration's decisions or its handling of "the war on terror" only serves to "aid

terrorists [and] erode our national unity and diminish our resolve."[7] Mr. Bush put the same point yet more bluntly when he announced, "Either you are with us, or you are with the terrorists." Such claims hearken back to Hobbes's *Leviathan*, the frontispiece to which shows the individuals who compose the body of the sovereign turned away from the reader and from one another, toward the sovereign who speaks for them and brings them together, depicting a silent and closed unity in which individuals, like the cells of the body, are utterly dependent upon the whole.[8] Silence and obedience are the cost of escape from the war of all against all. As Hobbes famously puts it:

The only way to erect such a Common Power, as may be able to defend them from the invasion of Forraigners, and the injuries of one another . . . is, to conferre all their power and strength upon one Man, or one Assembly of men, that may reduce all their Wills, . . . unto one Will: which is as much to say, to appoint one man, or Assembly of men, to beare their Person; and every one to . . . submit their Wills, every one to his Will, and their Judgements, to his Judgement. This is more than Consent, or Concord; it is a real Unitie of them all, in one and the same Person.[9]

Cavell's pairing of the claim to reason and the claim to community and his suggestion that each is inherently tentative and exploratory—that "the claim to community is always a *search* for the basis upon which it can or has been established"—are dismissed here: the nation is unified by force, not by reason or the desire for it, and it is represented by its chief executive and revealed in its self-assertion in the international arena, not in the conversation of its citizens.

But if this contests Cavell's claims, that serves only to remind us that they, like those of Ashcroft, Bush, and Hobbes, are political in nature as well as topic. Given that we are discussing different conceptions of community, and hence different understandings of politics, this will mean different things in different cases: each statement will self-reflexively define the conditions of its own enunciation. In Hobbes's case, his extreme skepticism regarding the ability of common sense and private judgment to cohere makes his own claims either superhuman, or else partial and hence potentially polemical.[10] (His greatest modern follower will radicalize this and claim that, of necessity, "all political concepts, images, and terms have a polemical meaning . . . focused on a specific conflict and bound to a con-

crete situation."[11]) Cavell reverses this: his self-reflexive claims on publicity, community, and deliberation are themselves of necessity deliberative and open-ended, addressed to interlocutors who will question, reinterpret, and possibly reject them—and who will do so on the basis of a shared desire for a community whose basis they too *seek*. A "patriotic" community in which a sovereign executive claims a monopoly upon the ability to speak for the community is one in which the claim to community is left unaddressed, not one in which it is irrelevant: and a community in which the claim to community is never raised because it is taken as being definitively addressed is, for Cavell, no community at all. *The Claim of Reason* is just that, a claim of reason—one that eschews polemics, as Cavell does not follow Hobbes in picturing an ultimate agreement as a prerequisite of a successful or peaceful common life. This goes some way toward explaining why Cavell takes the pains he does to introduce himself in its opening pages: what might look like a self-indulgent exercise is an attempt to establish an "intellectual community" with the reader (*CR*, pp. xix–xx, 3, and xxii).[12] In what he describes as one of his most explicit attempts to demonstrate the political purchase of Emerson's work, Cavell argues that "sharing the Emersonian text creates a kind of community," a "democratic" one. We should understand his own texts in similar terms, as both describing and depicting the distinctively democratic community their conversation requires and makes possible.[13]

If this finds a place for Cavell in the seemingly omnipresent struggle in political theory for a (conception of) community that escapes the smothering demands of unity, it must nonetheless be granted that he did not begin working on these themes in an explicitly political context, but in an engagement with J. L. Austin's ordinary language philosophy and, perhaps more decisively, Wittgenstein's *Philosophical Investigations.*[14] Wittgenstein's suggestion that "if language is to be a means of communication there must be agreement not only in definitions but also (queer as this sounds) in judgments"[15] is one that highlights the social aspect of both the epistemological and the personal. For our language to function, a great number of my personal judgments must agree with yours: you and I must be mutually attuned to one another.[16] This attunement or community reveals itself in our language: "It is what human beings *say* that is true and false; and they agree in the *language* they use. This is not agree-

ment in opinions but in form of life" (*PI*, I:241). Such *Lebensformen* are, as the phrase suggests, living things, negotiated achievements that are always subject to change:

> There are *countless* kinds . . . of use of what we call "symbols," "words," "sentences." And this multiplicity is not something fixed, given once and for all; but new types of language, new language-games, as we may say, come into existence, and others become obsolete and get forgotten. . . . Here the term "language-*game*" is meant to bring into prominence the fact that the speaking of language is part of an activity, or of a form of life. (*PI*, I:23)

For many Wittgensteinians, Wittgenstein's analogy here with games also brings into prominence the idea that forms of life are properly understood as systems of rules and their applications—an interpretation that appears to receive support in Wittgenstein's hugely influential discussion of rule-following.[17] Students of politics will be familiar with this reading of Wittgenstein from Peter Winch's *The Idea of a Social Science and Its Relation to Philosophy*, where Winch states baldly, "all behavior which is meaningful (therefore all specifically human behavior) is *ipso facto* rule-governed."[18] This is a view the adequacy of which Cavell has contested from at least as far back as his 1962 "The Availability of Wittgenstein's Later Philosophy."[19] Living a common life requires not merely that we follow rules (of grammar, etiquette, law, and so on), but that we agree in *how* to do so—that, as in the passage from Wittgenstein in the first paragraph above, we agree *in our judgments*. A rule, like a sign, does not dictate its own application. Hence it may seem that rules require our interpretation. But any given interpretation is just another rule, another statement that in turn needs to be applied. Such a potentially infinite regress, as described in *Philosophical Investigations* (pp. 198–202), is cut off when we see rule-following as a *practice* of judgment.[20] As Cavell puts it, "In the sense in which 'playing chess' has rules, 'obeying a rule' has none . . . and yet it can be done correctly or incorrectly—which just means that it can be done or not done. . . . It is a matter of . . . 'forms of life.' That is always the ultimate appeal for Wittgenstein—not rules, not decisions."[21] "Not decisions," because Cavell is anxious not to fall into the positivist assumption—which he attacks in his critique of David Pole's book on Wittgenstein—that when rules give out all that is left is an unregulated *decision* (AWLP, p. 54). But to say that there is no decision (as celebrated, in different settings and in different ways, by

Hobbes, Bush, Jaspers, Sartre, Weber, and the early Schmitt) does not imply that there is no need for *judgment*. Indeed, even in those cases where a rule is at hand to guide us, it can do so only insofar as we can agree upon the criteria that define it and identify behavior that falls under it. Such criteria are not themselves defined by another rule, but defined by *us*.

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 ensures that this projection will take place (in particular, not the grasping of universals 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, 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." Human speech and activity, sanity and community, rest on 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 (AWLP, p. 52).

The terror of this—well described by John McDowell as "a sort of vertigo"—is one to which Cavell remains attuned throughout his writings.[22] Cavell consistently emphasizes both the ways our common form of life is held together by individual commitments and the manner in which that community can break down into skepticism and confusion, and in which we can find ourselves out of tune with one another, unable to make sense of one another—in which, as he puts it, we can fall into "intellectual tragedy" (*CR*, p. 19). When he speaks of "the truth of skepticism" he refers to fact that the possibility of such tragedy is always present, and no appeal to rules or practices can (permanently) dispel it, or provide a foundation for our responses that is independent of those responses. If Wittgenstein offers a therapy for this, it is a therapy without an obvious or predetermined end, one that ends only provisionally. "Nothing is deeper than the fact, or extent, of agreement itself" (*CR*, p. 32). It is on the basis of our agreement that we make sense to one another; hence agreement is prior to proof, not wrung out of it. (One might follow the respective etymologies here and say that such test or proof there is will be what pleases us.) In holding fast to this Cavell distinguishes himself from prominent Wittgensteinians like P. M. S. Hacker, who in his influential *Insight and Illusion: Themes in the Phi-*

losophy of Wittgenstein dismisses skepticism as nonsensical and confidently explains that the "explanation of concepts . . . ends in good judgment," as if what constitutes good judgment were not itself a matter of judgment, and hence of potential disagreement and uncertainty.[23]

Cavell's treatment of modern philosophical skepticism lies at the heart of his work, and it is essential for any appreciation of its political purchase. If this sounds odd, it is in part because political theory and epistemology are often presented as having little to do with one another. Eminent political theorists and philosophers such as Wolin, Hannah Arendt, Charles Taylor, Richard Bernstein, or Hans-Georg Gadamer hearken more directly than Cavell back to Aristotle's defense of *phronesis* and his claim that "the educated person seeks exactness in each area to the extent that the nature of the subject allows; for apparently it is just as mistaken to demand demonstrations from a rhetorician as to accept [merely] persuasive arguments from a mathematician."[24] Here the exacting demands of Cartesian epistemology appear irrelevant to politics and political theory, even scientistic and distorting, to the extent that they encourage expectations of exactitude and proof that cannot be met, thereby leading us to denigrate distinctively political judgment and deliberation. The attempt associated with Dilthey to establish the human sciences as separate but equal to the natural sciences is extended to politics and, for those who most prize the political, radicalized. Cavell, however, declines to compartmentalize human life and language use in this ultimately unsatisfying way, just as he refuses to abandon the real gains achieved in (and by) modernity. "I understand ordinary language philosophy not as an effort to reinstate vulgar beliefs, or common sense, to a pre-scientific position of eminence, but to reclaim the human self from its denial and neglect by modern philosophy" (*CR*, p. 154). "Modern philosophy"—that is, philosophy since Descartes established the primacy of epistemology and the centrality of the threat of skepticism—cannot be dismissed or evaded; and if there is a politics adequate to "the human self," that politics will be achieved only by those who pass through skeptical doubt.[25]

This insistence upon the importance of skepticism will also sound strange to those who appreciate the depth of Cavell's debt to Wittgenstein, who is taken by many more readers than Hacker as having consistently held the view advanced in his early *Tractatus Logico-Philosophicus* that

"skepticism is *not* irrefutable, but palpably senseless, if it would leave doubt where a question cannot be asked. For doubt can exist only where there is a question; a question can be asked only where there is an answer, and this only where something *can* be *said*."[26] In *The Claim of Reason* Cavell addresses a version of this argument advanced by prominent Wittgensteinians Norman Malcolm and Rogers Albritton in the context of an evaluation of Wittgenstein's use of the notion of a criterion. On the latter's account, criteria provide a basis for a sort of certainty. In a linguistic version of a Kantian transcendental argument, they suggest that attending to the necessary conditions of language demonstrates the incoherence and hence impossibility of philosophical skepticism.[27] One of those conditions is that we agree upon the criteria of the existence of things and the correct use of concepts to identify these things. In the case of another's pain, for instance, I can be certain that she does have pain if various criteria are fulfilled (she groans, holds her cheek, rocks back and forth, and so on). No doubt, these actions might be done in jest, as part of a psychological test, a piece of performance art, or a Candid Camera TV show. But, Malcolm argues, this fact does not open the door to skepticism, to doubt in every given case:

The abnormal reaction *must* be the exception and not the rule. For if someone *always* had endless doubts about the genuineness of expressions of pain, it would mean that he was not using *any criterion* of another's being in pain. It would mean that he did not accept anything as an expression of pain. So what could it mean to say that he even had the *concept* of another's being in pain. It is senseless to suppose that he has this concept and yet always doubts.[28]

Cavell points out that this argument does not do much to dispel any actual doubts, as the concepts of pain and pain behavior are used in the case of both actual and feigned pain. "Criteria are 'criteria for something's being so,' not in the sense that they tell us of a thing's existence, but of something like its identity, not of its *being* so, but of its being *so*. Criteria do not determine the certainty of statements, but the application of the concepts employed in the statements" (*CR*, p. 45). The possibility of skepticism therefore remains. While it may not be raised in ordinary practical circumstances, it is a response to questions that no rules of language or reason prohibit. More, it is "a response to, or expression of, a real experience which takes hold of human beings," an experience "of being sealed off from the world," in which "the world drops out" (*CR*, pp. 140, 144, 145)—an experience, that is, of profound alienation.[29]

This experience is a very particular one. Indeed, it is an *uncanny* one. If Malcolm is wrong that the rules of our language or concept use prohibit skeptical doubt, it remains true that skeptical doubt is a peculiar projection of the ordinary (manner of raising and expressing) doubt out of which it allegedly grows, a projection so radical that—as the skeptic gladly acknowledges—the nature of doubt appears fundamentally altered. Ordinarily we doubt some *thing* in a context of assumption. But when Descartes is done with us we have moved to doubting *everything*, a shift that Malcolm is right to seize on as extraordinary. Descartes's doubt both does and does not resemble my doubt that, say, the white dot on the horizon really is a boat, if only because I also doubt the alternative possibilities (that it is a seagull, a wave, etc.). It resembles those ordinary cases enough that it is recognizable as a doubt, but it is a doubt that no set of circumstances alone could raise or justify. (If the experience "of being sealed off from the world" takes place within the world, it is not an experience of anything within that world.) As Cavell says, skepticism "is *not* fully natural, and . . . it is not *fully* unnatural," either (*CR*, p. 160). In his analysis of this, Cavell focuses not upon the rules for concept use, as does Malcolm, but upon the nature of a *claim*, which he argues is not so simple a thing as it might at first appear. "There must," Cavell argues, "in grammar, be reasons for what you say, or be point in your saying of something, if what you say is to be comprehensible. We can understand what the *words* mean apart from understanding why you say them; but apart from understanding the point of your saying them we cannot understand what *you* mean" (*CR*, p. 206).[30] And you, as a human being, always act in specific situations, responding to specific features of those situations. A claim is thus intelligible in a particular *context*. I can't simply announce a claim (say, a doubt) at any time, in any place, and be (myself, in my claim) intelligible. I will not yet have quite *said* or *claimed* anything. If I simply announce, out of the blue, "There are no physical objects," and you happen to be standing by me, you will at best take that to be a rather bizarre invitation to philosophical debate—and indeed, only that if you have reason to think that I am someone interested in such conversation, and not someone driven mad by life on the street, chronic drug abuse, or some other trauma. That is to say, your likely response will be, "Huh?" or, "Come again?"[31]

The skeptical epistemologist wants to say that knowledge *in general* is impossible. But in order to demonstrate this he needs to show that

he is unable to know anything, that is, any particular thing. To do this, he needs an example of a specific object, like Descartes's ball of wax, that somehow transcends its specificity so as to exemplify *all* other possible objects of knowledge—something Cavell terms a *generic object*. "When those objects present themselves to the epistemologist, he is not taking one as opposed to another, interested in its features as peculiar to it and nothing else. He would rather, so to speak, have an unrecognizable *something* there if he could, an anything, a thatness. What comes to him is an island, a body surrounded by air, a tiny earth. What is at stake for him in the object is materiality as such, externality altogether" (*CR*, p. 53). But *externality altogether* is not a specific object about which a claim can be made. The skeptic is thus left in an impossible position: he needs to be making a claim about an object that he cannot know, but for his claim to have the reach he wants it to, he cannot be confronting such an object. Likewise, for his claim to be intelligible, he must be making it to someone, for some reason. But on his own account there is no other person there, either because they have no mind (as in other minds skepticism) or because they simply don't exist (as in general skepticism): "My noting of the epistemologist's context as non-claim focuses," Cavell writes, "on a feature dramatized in Descartes' description of his context (as one in which he is seated in his dressing gown before the fire . . .), namely that the epistemologist, in his meditation, is alone" (*CR*, p. 220). The skeptic is, as such, *alone*, making a claim that is no claim, in what Cavell terms a *non-claim context*:

If the epistemologist were not imagining a claim to have been made, his procedure would be as out of the ordinary as the ordinary language philosopher finds it to be. But, on the other hand, if he were investigating a claim of the sort the coherence of his procedures require (or going over in imagination a case in which a concrete claim has in fact been made) then his conclusion would not have the generality it seems to have. (*CR*, p. 218)

Cavell argues that the epistemologist's attempt to have it both ways is indicative of a broader tendency in modern philosophy: "In philosophizing we come to be dissatisfied with answers which depend upon *our* meaning something by an expression, as though what *we* meant by it were more or less arbitrary. . . . It is as though we try to get the world to provide answers in a way which is independent of our *claiming* something to be so" (*CR*, pp. 215–16). "I must empty out *my* contribution to words, so

that language itself, as if beyond me, exclusively takes over the responsibility for meaning."[32] For Cavell it is this fantasy, which he describes as "the human drive to transcend itself, make itself inhuman" (DD, p. 57), that really gets skepticism going: the skeptic attempts to find something that will guarantee the intelligibility of his practices and, ultimately, himself. It is his failure in this enterprise (his conclusion that there is no indubitable basis for certainty) that most philosophers identify as his skepticism. But for Cavell skepticism names the initial turn to epistemology in the evasion of one's own responsibility for one's responses.[33] (Here again the etymology is felicitous.) The attempt to defeat or banish skepticism is on this account merely another expression of it and of the fantasy of self-effacement that underlies it (*CR*, pp. 351–52).

What this analysis achieves is to take epistemology seriously while at the same time decentering it and, relatedly, to situate sociality and interpersonal responsibility at the heart of subjectivity. Skepticism is not, say, what Rorty claims, a peculiar hang-up picked up by over-eager undergraduates who have read too much Descartes and Hume and not enough Dewey; it is a particularly pure example of a more general attempt to claim something without accepting responsibility for the conditions that make claims intelligible, an attempt to speak without speaking to someone, to speak without being someone who needs or wants to speak. The claim to knowledge is thus, as a claim, an interpersonal matter; and it can never be fully grounded in a way that will provide the certainty that the epistemologist seeks. As each claim requires a claim context, no claim can be so abstract as to speak to and in all such contexts, or serve as an ultimate foundation for them. Cavell concludes from this that the truth or moral of skepticism is that "the human creature's basis in the world as a whole, its relation to the world as such, is not that of knowing, anyway what we think of as knowing" (*CR*, p. 241). Instead it is a matter of *acknowledgment*.[34] This is a turning within the epistemological, not a (hermeneutic) replacement of it: "I do not propose the idea of acknowledgement as an alternative to knowing but rather as an interpretation of it, as I take the word 'acknowledge,' containing 'knowledge,' itself to suggest (or perhaps it suggests that knowing is an interpretation of acknowledging)."[35] Knowledge is not undermined; if it seems it is, that is because "a condition presents itself as a limitation" (*CW*, p. 164). Our knowledge of things in the world is pos-

sible, not on the basis of an indubitable foundation of certainty, but in the context of the acknowledgment of other people and commitments.

One can think of this argument as an extension of Kant's identification of subjectivity with the activity of judgment, rather than with passive observation, as in the empiricist tradition. But where Kant's subject is notoriously difficult to situate, and whereas it remains difficult to relate Kant's synthesizing transcendental ego, legislating moral will, and empirical subject, for Cavell the subject of responsibility in language is always *us*, here and now—the human beings whom modern philosophy has, he argues, obscured and occluded.[36] These beings are plural, in conversation. What Arendt finds to be the sine qua non of politics is on Cavell's account the sine qua non of speech. If we return to the above comments on Hobbes and Bush, we can see that Cavell is if anything in a stronger position than Arendt to critique them. What Arendt will name a betrayal of "the political" for philosophy, Cavell will name a descent into uncanny unintelligibility.[37] One clear advantage for Cavell here is that he leaves open the possibility that the substance of politics might be of philosophical import and interest. (If it were not, why would we care about it, or care about it as deeply as we sometimes do?) Moreover, Cavell's defense of sociality, as he puts it,[38] directly addresses two of Hobbes's most basic assumptions: that human beings find themselves (initially) unburdened with responsibilities to one another, and that it is the business of political or moral philosophy to identify, explain, and justify what responsibilities they ought to assume. This project has been notoriously problematic, generating as it has more disagreement than consensus. One implication of the above is that it is not necessary in the form it has assumed up to now.[39]

If Cavell's analysis of skepticism rules out the "atomism" of Hobbesian contract theory, that has not led Cavell to reject all forms of contract theory. Cavell's own approach to the question of the distinctively *political* community begins with speaking beings in a context within which their speech with one another is intelligible, and asks how they will elaborate or evade that basic community. Hence he follows Rousseau, who in *The Social Contract* steers away from the Hobbesian notion of the pre-social state of nature and emphasizes instead that of a contract immanent to the present community that might transform it from within.[40] Properly understood, the contract concerns not just what responsibilities I will *assume*, but who

I *am*—if only because my deepest commitments are ones that express who I am.[41] "Moral philosophers in our liberal tradition," Cavell suggests, have come to "look upon our shared commitments and responses . . . as more like particular agreements than they are" (*CR*, p. 179). Rousseau corrects this, and proposes the contract as a means of self-examination. The politics of the legislative activity of a general will requires that all citizens, at some time, be capable of asking themselves whether the defining activity of that society expresses their will. We cannot all be forced to be free all the time. Such inquiry is, in a crucial sense, a matter of *self-interpretation*.

> When a law is proposed in the people's assembly, what is asked of them is not precisely whether they approve of the proposition or reject it, but whether it is conformity with the general will which is theirs, and each by giving his vote gives his opinion on this question, and the counting of votes yields a declaration of the general will. When, therefore, the opinion [*l'avis*] contrary to my own prevails, that proves only that I have made a mistake [*je m'étais trompé*], and that what I believed to be the general will was not so.[42]

No one has unmediated access to their (common) self, and their opinions as to that self and its will are worked out in concert. In *The Social Contract* Rousseau himself has little to say about this moment of reflective self-interpretation, and turns to the state as the proper vehicle and site for this political hermeneutic.[43] Cavell, in contrast, keeps the focus squarely on the subject as citizen. For him, the point of the teaching of the theory of the social contract remains

> its imparting of political education: it is philosophical because its method is an examination of myself by an attack upon my assumptions; it is political because the terms of this self-examination are the terms which reveal me as a member of the polis; it is education not because I learn new information but because I learn that the finding and forming of my knowledge of myself requires that finding and forming of my knowledge of that membership (the depth of my own and the extent of those joined with me). (*CR*, p. 25)

From this perspective, the thought of the contract throws into high relief the potentially political implications of our use of the first person plural, our ability to speak for one another by giving voice to the will that is common to us.[44] "To speak for oneself politically is to speak for the others with whom you consent to association" (*CR*, p. 27), because if you aren't in

any such association you aren't yet political. But my attempt to speak for others is, as noted above, never more (or less) than a *claim*. "The authority one has, or assumes, in expressing statements of initiation, in saying 'We,' is related to the authority one has in expressing or declaring one's promises or intentions. Such declarations cannot be countered by evidence because they are not supported by evidence" (*CR*, p. 179). Far from identifying a source of impersonal authority, the claim to community is itself always open to repudiation. I can only say that this is what *we* say. Moreover, the context required for the intelligibility of the claim as claim is that of an absence of consensus. As Richard Eldridge puts it, such claims are

> *attempts* to speak as a member of a community would speak, attempts which are called forth by the facts that not everyone does speak that way, that community habits of speech have been lost or forgotten or that the community of which one is or hopes to be a member has not yet learned how to project its habits of speech onto new situations and so is under threat of dissolution, in so far as different people may come to conceptualize important new situations differently, thus distancing themselves from one another.[45]

Examples of such new projections in contemporary political life might involve the rules or definition of war when the alleged enemy is no longer a nation-state, or, the nature of democracy when the democratic polity has assumed the privileges and burdens of empire. If you reject my claim—say, that *we* now find a place for invading countries that have not attacked us, or that *we* are not the sort of people who will compromise democratic principles of transparency in government this much—I am evidently wrong: since that's not what you say, it can't be what *we* say. But your countering claim is left hanging in precisely the same way (since I evidently don't second it), and therefore it is unable to disprove my claim. Cavell concludes that in such a situation, "it is not a matter of saying something false. Nor is it an inability or refusal to say something or to hear something. . . . At such crossroads we have to conclude that on this point we are simply different; that is, we cannot here speak for one another." And of a speaker who ends in this bind he writes, "He hasn't said something false about 'us'; he has learned that there is no us (yet, maybe never) to say anything about" (*CR*, pp. 19–20).

This conception of the relationship between publicity, identity, representation, and speech opens up a wide political-theoretic terrain for

Cavell. The obvious commonalties between the political use of the first person plural and the ordinary language philosopher's appeal to *what we would say* has allowed him to tease out subtle and important philosophical features of political life and political features of philosophical life. More generally, the focus on the nature of the subject assumed and denied in each of these sheds light upon political identity and representation and on the preconditions of commitment in the absence of certain grounds. In both liberal Anglo-American and "Continental" political theory there is still a widespread assumption that reasons, to operate as reasons, must be grounded in certainty. Prime examples of this would be the existentialist celebration of politics as something beyond rational deliberation (as in the endlessly repeated suggestion that a free choice is a decision made in "a moment of madness") and this existentialism's mirror image, the fetishizing of economic, instrumental rationality and "utility maximization" (the choice of the so-called Rational Choice theorists). Cavell's work offers enormously thoughtful and sensitive therapy for both, showing as it does how little we have understood what it is to appeal to reason or community, and how crude our conceptions are of the nature of (political) speech, judgment, and the distinctions between the public and private.[46] If Cavell's contributions to political philosophy have not been widely recognized, this is in part a function of the fact that he expresses almost no interest in political institutions such as the state or in the violence to which it claims a monopoly. Even in his few explicit engagements with political theory, he is quick to say that he writes for a society in which "good enough" justice prevails. But he is hardly alone in being more interested in political subject formation than rules of governance, as the examples of Michel Foucault, Judith Butler, and Alasdair MacIntyre remind us. As in their cases, the claim is that no set of rules or institutions or acts of violence could truly be legitimated in the absence of an understanding of the subjects who will confer this legitimacy, and experience its result.

If Cavell's work thus has enormous political implications and range, his own focus has been on the ways Thoreau and especially Emerson deepen and draw out lessons Austin and Wittgenstein began, their appeal to "the common, the familiar, the everyday, the low, the near" referring, as does ordinary language philosophy, to "an intimacy, an intimacy lost, that matched skepticism's despair of the world."[47] Cavell acknowledges that "to

most of my colleagues the underwriting of ordinary language philosophy by transcendentalism would be about as promising as enlivening the passé by the extinct."[48] Even those less dismissive than these colleagues have felt that, Cavell's protests notwithstanding, this turn has more to do with ethics and culture than it does with politics. In his most recent book, the 2004 *Cities of Words: Pedagogical Letters on a Register of the Moral Life*, Cavell goes out of his way to confront and discourage such doubts. The book's title is an obvious reference to Plato's *Republic*, the main body of which ends, at the close of Book Nine, by turning away from the *polis* to the individual. In words Cavell cites as one of his epigraphs, the "city in words . . . is a model laid up in heaven, for him who wishes to look upon, and as he looks, set up the government of his soul. It makes no difference whether it exists anywhere or will exist. [The man of sense] would take part in the public affairs of that city only, not of any other." Set politics aside, and tend your own garden—advice that many, even after Cavell's *Senses of Walden*, think of as Thoreau's as well as Candide's lesson.

But Cavell cites these lines only to immediately emphasize that moral perfectionism as he understands it stymies any such easy division of the moral and the political, as well as the compromises and resignations such divisions make possible, suggesting that the perfectionist's "imagination of justice is essential to the aspiration of a democratic society" (*CW*, p. 14). Perfectionism, Cavell proposes, names a register of moral life in which the self is experienced as divided against itself, as in Kant, where the noumenal self stands above the phenomenal and sensual self, or, more pertinently, in Plato's image of the cave, which counters the self capable of inhabiting the intelligible world of the just with that bound in and to its degraded shadow.

Each of these variations provides a position from which the present state of human existence can be judged. . . . The very conception of divided self and a doubled world, providing a perspective of judgment upon the world as it is, measured against the world as it may be, tends to express disappointment with the world as it is, as the scene of human activity and prospects, and perhaps to lodge the demand or desire for a reform or transfiguration of the world. (*CW*, p. 2)

This sense of disappointment is of course registered in the lines cited from the *Republic*. But Cavell's response is not to turn away from the world of shadows and the self that dwells there, to abandon politics for ethics. On

his account, Emersonian perfectionism requires that we "transfigure Kant's metaphysical division of worlds into a rather empirical (or political) division of the world" (*CW*, p. 2):

If the world is disappointing and the world is malleable and hence we feel ourselves called upon for change, where does change begin, with the individual (with myself) or with the collection of those who make up my (social, political) world? This question seems to make good sense if we contrast Emerson and Freud with, say, Locke or Marx . . . , but its sense is questioned as we consider what perfectionist encounters look and sound like. I would say, indeed, that it is a principal object of Emerson's thinking to urge a reconsideration of the relation ("the" relation?) of soul and society, especially as regards the priority of one over the other. (*CW*, p. 3)

The question of the relation of soul and society is hardly a pre-political matter but arguably the central question of politics, as the example of *The Republic* reminds us. Cavell stakes himself as a political thinker upon his sense that its answer(s) requires both politics and philosophy, and neither in isolation from the other. If this makes politics more "idealistic" than many contemporary political theorists would have it, it hardly pushes it in a utopian or moralistic direction. The perception of a higher world and self, of oneself as fallen, demands not the simple replacement of one world by another—as if we could simply enter the city in speech, or the kingdom of ends—but a reinterpretation of the very sense of being split, divided against oneself. This is alluded to in the picture of a claim to community as requiring an interpretation of myself and of those with whom I am joined. A life made up of moments of such interpretation is not an abandonment of either pole any more than it is an escape from the testing of one's claims in conversation with others. Alienation is not overcome (in a happy conformity), but refigured, reinterpreted, in ways that allow one moments of peace in which the demands of both worlds—of the "ideal" and "real"—come to terms with one another. Cavell does not oppose the fallen real of what he calls our actual ordinary to an *ideal*, but to *an eventual ordinary*. This is, I take it, why he can make the apparently paradoxical proposal that "the condition of democratic morality" is living "as an example of human partiality, . . . which means, being one who lives in promise, as a sign, or representative human."[49] To simply deny partiality in favor of a representative humanity somehow opposed to it would be a denial of our

condition of a piece with "the human drive to transcend itself, make itself inhuman" that Cavell finds in skepticism. Representing humanity requires making some sort of peace with that partiality, not abandoning it, just as representing my community is not to speak in a voice other than my own, but to speak in that voice for us—speech that invites your correction, and hence your assistance, and hence speech that hails you as being one with me, but in a position to amend what that has meant to me up to now.