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WHY ANIMALS DON’T SPEAK

Nicholas Wolterstorff

In this paper I ask what it is for one’s performance of some locutionary action to count-as one’s performance of some illocutionary action. After looking at the so-called institutional analysis and finding it unsatisfactory, I offer a normative analysis: To perform an illocutionary action is to acquire a certain normative standing, or status. I go on to ask how such acquisition comes about by way of making sounds or inscribing marks. If my analysis is correct, it follows that only those creatures who can acquire rights and responsibilities can speak—that is, perform illocutionary actions. It is my contention that animals cannot.

I

Why is it that men speak and animals don’t?
What does it entail to be a speaking creature, that is, a creature who names things and utters sentences about things which other similar creatures understand and misunderstand?

Why is it that every normal man on earth speaks, that is, can utter an unlimited number of sentences in a complex language, and that not one single beast has ever uttered a word? . . .

Why is there such a qualitative gap between nonspeaking animals and speaking man, when there is no other such gap in nature? . . .

Is it possible that a theory of man is nothing more or less than a theory of the speaking creature? . . .

Instead of marking him down at the outset as besouled creature or responding organism, why not look at him as he is, not even as Homo sapiens (because attributing sapience already begs the question), but as Homo loquens, man the talker, or Homo symbolicus, man the symbol-monger? Instead of starting out with such large, vexing subjects as soul, mind, ideas, consciousness, why not set forth with language, which no one denies, and see how far it takes us toward the rest? Instead of behaviorists trying to explain language by stimulus-response theory, why not try to account for behaviorists by a larger theory of language . . . ?

The sounds are so innocuous, and the linguistic significance often so vast.
Imagine, says Walker Percy, a Martian coming to earth and taking note of human beings. “What is the first thing he notices about earthlings? That they are forever making mouthy little sounds—clicks, hisses, howls, hoots, explosions, squeaks—some of which sounds name things in the world and are uttered in short sequences which say something about those things and events in the world.” This might indeed be the first thing a Martian would notice and find remarkable about human beings. But the second, and even more remarkable, thing would be that human beings make such an ado about these mouthy little sounds. Sometimes when a human being makes one of those sounds, others rush in to attack him; other times, they rush off to attack somebody else; yet other times, they prostrate themselves around him—or all start running, or all start crying, or all start clapping their hands, or all start making little marks on white sheets, or all themselves start making mouthy little sounds. This is truly remarkable. How and why do mouthy little noises get invested with such extraordinary significance?

II

I shall understand speaking in such a way that essential to speaking is performing what have come to be called, since Austin’s work, illocutionary actions, and as doing that by uttering or inscribing some bit of language. A few examples of illocutionary actions are asserting, claiming, affirming, asking, requesting, commanding, confessing, expressing a wish, baptizing, and declaring. Further, I shall assume that performances of illocutionary actions do not in general constitute a species of exerting influence over someone, nor a species of expressing one’s inner states—nor even a species of communicating (or intending to communicate) one’s inner states. I fully realize that this perspective and this assumption are contested.

Behaviorists regard speaking as exerting (or intending to exert) an influence of some sort over others, by way of uttering and inscribing some bit of language. I grant, of course, that by uttering and inscribing words we do often influence others, in fact and by intent. More specifically, I grant that there are what Austin called perlocutionary actions. But I hold (as did Austin) that illocutionary actions cannot be reduced to perlocutionary ones; and that, to ignore illocutionary actions is to ignore what is at the very heart of speech. It may be added that perlocutionary actions, as Austin understood those, occur only if one’s auditor apprehends or thinks he apprehends an illocutionary action that one has performed. One can frighten someone by talking loudly and suddenly; one can also do so by asserting something that one’s auditor understands as asserting something frightening. Only in the latter case has one performed a perlocutionary action. One’s theory of speech must be adequate for distinguishing the two sorts of cases.

By contrast, expressivists (romanticists) regard speaking as consisting in the
intentional expression of inner states by way of uttering or inscribing some bit of language. Naturally I grant that very often in and by the performance of illocutionary actions we express our inner states—sometimes by intent, sometimes not. But the great obstacle for the expression theory, so it seems to me, is the presence of deception and prevarication in our use of language. I may assert what I do not believe, may confess to feeling no anger when feeling intense anger, etc.; but I cannot express what I do not believe or feel. A theory of speech must be adequate for accounting for these facts.

Obviously neither behaviorism nor expressionism is devastated by these few brief and quick remarks. I make them not to refute the opposition but to highlight the perspective from which I shall be looking at speaking. I shall look at language and speech from the perspective of speech-action theory.

A few ontological assumptions and clarifications are indispensable.

I assume that there are actions—that in addition to walking animals there is walking, in addition to barking dogs there is barking, in addition to kicking horses there is kicking. Actions are *predicables*: entities susceptible of being predicated of something. And many are *universals*: susceptible of being predicated truly of more than one thing. In other words, many are such that they can be multiply and/or repeatedly exemplified.

I assume, secondly, that for any actions x and y, if it is possible that there be something which exemplifies x and not y, or possible that there be something which exemplifies y and not x, then x and y are not the same action. This, I assume, is a sufficient condition for the diversity (non-identity) of actions. I do not assume that it is a necessary condition.

Suppose, then, that I refer to Aristotle; and that I do so by uttering the sound *Aristotle*, incorporated within the lengthier sound of some sentence. I would then, by the criterion offered, have performed these two distinct actions: that of referring to Aristotle, and that of uttering the sound *Aristotle*. For clearly I can refer to Aristotle without uttering the sound *Aristotle*—for example, by uttering some definite description which he satisfies. And conversely, I can utter the sound *Aristotle* without referring to Aristotle—referring instead to someone else named “Aristotle,” or not referring to anyone, just rolling the sound over my tongue.

But though, in the case imagined, I perform the two distinct actions of uttering and referring, it is obvious that these two distinct actions are here intimately related. They are two terms in the three-term relationship of x performing the action of y by performing the action of z.

It is worth taking note here of an ontological ambiguity in the English word “action.” When speaking of actions, I have had in mind predicables of a certain sort—attributes. But when speaking of actions one might also have in mind an instance of some attribute—specifically, of some attribute which is an action.
One might have in mind a certain ‘trope’—a case of some action-attribute. My utterance of the name “Aristotle” on a certain occasion would be an example; so too would be my referring to Aristotle on a certain occasion. The former of these is an instance, a case, of the action-attribute of uttering the sound Aristotle; the latter is a case of the action-attribute of referring to Aristotle. We are fortunate that English has the word “act” as well as the word “action.” I shall regiment the language a bit, and use the word “action” exclusively for predicables of a certain sort, and “act” exclusively for tropes of a certain sort, viz., those which are cases (instances) of actions.

Let us return to our original thought example. If I refer to Aristotle by uttering the sound Aristotle, then there is in existence at the time in question an instance of each of the two actions of referring and uttering. Specifically, there exists an act consisting of my referring to Aristotle, and there exists an act consisting of my uttering the sound Aristotle. But obviously these acts are intimately connected. A standard way of expressing the connection is this: My uttering the sound Aristotle counts as my referring to Aristotle. Though an act consisting of my uttering that name need not so count, though I might just be offering an example of a Greek name taken over into English, in fact it does, on the occasion imagined, so count.

Here, then, is an example of the sort of question I want to address: What brings it about that by performing the action of uttering the sound Aristotle I perform the action of referring to Aristotle? And correlativey, what brings it about that the act of my uttering the sound Aristotle counts as an act of my referring to Aristotle? There is no more fundamental question posed by speech-action theory than this.

III

It’s obvious that there is no necessity here—that is, no ontological necessity. Things might well have been such that my uttering the sound Aristotle did not count as my referring to Aristotle. But the connection is also not causal. Sometimes it is the presence of causal efficacy which brings it about that by doing one thing one does another. By flipping the switch I turn on the light; that is so because the event of my flipping the switch causes the event of the light’s going on. But that is not the case here; it is not by virtue of the causal texture of nature that my reference to Aristotle occurs by my uttering the sound Aristotle. Something in the ambient situation accounts for it that I referred to Aristotle by uttering the sound Aristotle. That something may be missing—missing without the causal texture of nature being upset. When it is missing, my uttering of that innocuous sound is itself innocuous. When it is present, my utterance is freighted with linguistic significance. But what is that something?
It is regularly said or assumed that the something in question is the existence of certain conventions. For example, Alvin Goldman calls that species of doing one thing by doing another on which I am focussing attention, conventional generation. And then he says this: “Conventional generation is characterized by the existence of rules, conventions, or social practices in virtue of which an act A’ can be ascribed to an agent S, given his performance of another act, A.” As examples of conventional generation Goldman gives these, among others: S’s signalling for a turn by S’s extending his arm out the car window; and S’s checkmating his opponent by S’s moving his queen to king’s knight. He then continues: “In each of these cases there is a rule, R, according to which S’s performance of A justifies the further ascription of A’ to S. In the first example there is the rule, ‘extending one’s arm out the car window while driving counts as signalling for a turn’.” He concludes, “With these examples in mind, we can state the following condition for conventional generation. Act-token A of agent S conventionally generates act-token A’ of agent S only if the performance of A in circumstances C (possibly null), together with a rule R saying that A done in C counts as A’, guarantees the performance of A’.”

It is clear that this will not do. Perhaps the least important point is that, if we follow Goldman in taking a convention as a social practice, the phenomenon of one act counting as another may occur without there being any relevant convention. Sheer stipulation will often do as well as social practice: the third base coach may stipulate to the batter that if he, the coach, does suchandsuch, that counts as his ordering the batter to bunt. If he then does that, he will have ordered the batter to bunt.

While speaking of convention, we should note the important point that the relevant convention may be grounded in iconicity rather than in arbitrary assignment. The convention for picturing something is such that to picture, say, a cat, one must produce a design which, by appropriate persons, can be seen as a cat. (This is a necessary condition for picturing, not sufficient.) And even beyond picturing, we all operate with a rough informal convention of saying things by producing iconic signs. Once, when driving down the highway with my family, I was overtaken by a car whose passengers gestured vigorously to us. My children quickly understood what they were saying. They were telling us that one of our rear lights was out. The gestures they were using were related to the broken light iconically.

A more important point, I judge, is that the mere existence of a convention or rule (I shall for the moment follow Goldman in taking these as the same) “saying that A done in C counts as A’,” is surely not sufficient for A in fact to count as A’. What needs to be added is that the rule must hold, or be in effect, for the relevant parties. If there is a rule relevant to the case but that rule does not hold for the agent, the one act will not count as the other. But what brings
it about that a rule holds? And what is it, for a rule to hold?

Further, what kind of rule is this, that it can be or not be in effect, that it can hold or not hold? For many rules, holding, or being in effect, is an irrelevant concept. A musical work is composed by way of someone ordaining a set of rules for correctness and completeness in sound-sequence-occurrences. Given rules constitutive of some work, one can then try to follow them and either succeed or fail, or one can try to follow what one takes to be the rules when here and there one is mistaken about them, or one can deliberately depart from the rules here and there; etc. But the concept of being in effect, of holding, seems to have no application. Rules come in many different sorts; only some are of a sort that they can be in effect.

Further: how could there possibly be a rule whose holding brings it about that if I do one thing, then I also do another? How can rules bring about any such thing as that? It's true that rules introduce all sorts of new phenomena into our existence which, without them, are impossible. But how can they possibly introduce such phenomena as that? About uttering sounds there doesn't seem much that is perplexing: I just bring about these sounds. But how could the holding of a rule possibly yield the consequence that merely by uttering certain sounds, I also assert something?

There is a passage in John Searle's book, Speech Acts, which carries a suggestion worth reflecting on. Searle says that "Such facts as are recorded in my above group of statements I propose to call institutional facts . . . [T]heir existence . . . presupposes the existence of certain human institutions. It is only given the institution of marriage that certain forms of behaviour constitute Mr. Smith's marrying Miss Jones. Similarly, it is only given the institution of baseball that certain movements by certain men constitute the Dodgers beating the Giants 3 to 2 in eleven innings . . . These 'institutions' are systems of constitutive rules. Every institutional fact is underlain by a (system of) rules(s) of the form 'X counts as Y in context C'".

The context makes clear that Searle wishes to suggest that the phenomenon of an utterance of mine counting as an assertion of mine is an institutional fact of the same sort as someone's hitting a ball over a fence counting as his hitting a home run. Two things recommend this suggestion. For one thing, the rules of baseball are such that they can hold or not hold for a certain group of people at a certain time. The umpire calls, "Play ball," and the rules hold. Secondly, when the rules of baseball hold, then the mere action of hitting a ball over a fence about 400 feet away counts as the very different action of hitting a home run. So perhaps if we look closely at how this can be, we will come to understand how it can be that by some rule's fiat, my making some noises counts as my asserting something.

Baseball is a contest game. It provides us with a way of winning. There are
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lots of contest games: baseball, bridge, monopoly, scrabble, chess, go. And each, by virtue of its rules, provides a distinct way of winning. In certain highly complex games, the rules will be formulated by way of concepts introduced to apply to certain actions which have a special significance within the game. In baseball the concept of a home run is introduced, the concept of a bunt, the concept of a balk, etc. And it does indeed seem appropriate to call something like a home run an "institutional fact." A certain action's being a home run is entirely internal to the game of baseball. By contrast, hitting a ball over a fence is a non-institutional fact. It can be given significance in many different games, and can occur outside of any game. Within that entire system of rules for baseball which provide one with ways of winning, hitting a ball over a distant fence counts as a home run if done under circumstances specified in the rules. In another game, that same action will have quite a different significance—will count as something quite different.

But though on first glance it seems promising to understand asserting, commanding, etc., as institutional facts, rather like hitting a home run and committing a balk, the promise proves illusory. For whereas the action of hitting a home run is constituted by a particular set of rules, surely an action like asserting is not so constituted. There are many different ways of asserting; there could be more. If, in a given situation, we are for one and another reason dissatisfied with the standard ways available to us of asserting something, we can devise a new way. We have a rule-independent concept of assertion. By contrast, one cannot devise alternative actions which shall count as hitting a home run. Of course the word "home run" can be used for happenings outside of baseball. And naturally the rules of baseball governing what counts as a home run can be altered somewhat. But hitting a home run is a baseball-embedded phenomenon. It cannot occur outside of baseball.

If asserting is to be compared with anything in games, it is best compared with winning, not with such game-embedded, rule-defined, actions as hitting a home run. For of winning we have a concept independent of any particular game; we can devise new ways of bringing it about that someone has won.

We say such things, sometimes, as that a certain dance counts as a jig, that a certain organism counts as an animal, etc. What we mean, I take it, is that the concept of jig fits the dance, that the concept of animal fits the organism. It is this that is meant when we say that hitting the ball over the fence in a certain situation counts as hitting a home run. The concept of home run fits the action; the action satisfies the concept of a home run. Of course the concept of home run is rule-constituted in a way in which that of animal is not, with the concept of jig somewhere in between. But in all these cases, counting-as is merely concept-satisfaction.

It seems clear, by contrast, that to say that suchandsuch actions count as
winning, is not just to say that they satisfy the concept of winning. So too, to say that uttering a certain sound counts as asserting so-and-so, is not just to say that that act of uttering satisfies the concept of asserting so-and-so. Uttering so-and-so is one thing; asserting such-and-such is another. Somehow these get hooked up by the relation of counting-as. What is that hook-up, and how does it come about?

Though asserting, requesting, etc., are much like winning, there are several important ways in which they are unlike that as well. One is this: asserting something has an intimate connection to the mental state of believing that thing: though one can assert \( p \) without believing \( p \), to do so is either to mis-speak or to produce an assertion which is ill-formed—morally ill-formed. So too, though one can request someone to do something without wanting her to do it, to do so is either to mis-speak or to produce an ill-formed request. There seems nothing like this in the case of winning. One can cheat at games. But if one's 'winning' is due to cheating, one hasn't really won. One has disqualified oneself.

IV

There is much that is mysterious in this phenomenon of some utterance counting as a speech act. For example, How can an action just be ascribed to a person? I do not mean, How can an action be predicated of a person? I mean, How can an action belong to a person by ascription? A person utters something. And if the requisite arrangement is in effect, then she has also done that very different thing of asserting something. That gets ascribed to her. She doesn't have to do anything else. Sometimes she utters something and that's the end of it. In other cases she utters something, and by virtue of that, this other very different action of asserting gets ascribed to her. Yet in an obvious way she hasn't done anything different in the second case, hasn't done anything 'in addition'. A visiting Martian would find this very mysterious. So would we, if it weren't so familiar. Searle's institutional explanation claims that something like this also happens in games. But it doesn't really. There we have nothing more than the attribution to a certain physical action of a certain significance within the game.

A satisfactory account of the counting-as relation will have to do something to dispel this mystery, along with this other: Very many speech actions can be performed by proxy. By way of a proxy uttering the sounds \( \text{I do} \) in a marriage ceremony, I can promise to take another person as my wedded spouse. By way of a proxy signing my (or his) name to a check, I can authorize the expenditure of my bank funds. By way of a proxy uttering \( \text{Aye} \) in a stockholders meeting, I can vote for a certain motion. In all these cases, I myself will have uttered no sounds and inscribed no marks. My proxy will have done so. I may be asleep, even unconscious. Yet I will have promised, I will have authorized, I will have voted. On the basis of what my proxy has done, I can be brought to court or
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Consider the first-born male child of some royal parents. Though this child looks and acts like other children, there is something very different about him. He is crown prince. This is his standing in his society. On account of the standing of his parents and of his being their first-born male child, the standing of crown prince belongs to him. At the heart of this standing, though not exhaustive of it, is a unique complex of rights and responsibilities. The child already has rights shared with no one else in his society. When he matures a bit he will have responsibilities shared with no one else in his society. He has these claims and obligations by virtue of how he fits into the rules of his society.

Or imagine someone in our society driving down the road and flipping on the left-side blinkers of his automobile as he approaches an intersection. By so doing, he signals a left hand turn. The way to understand this is to think of him as having acquired a certain standing among us—the standing of having signalled, then and there, a left hand turn. This standing, while not reducible to a peculiar complex of rights and/or responsibilities, has those at its core. This person is now obligated shortly to turn left—prima facie obligated, of course, not ultima facie. What especially makes this evident is reflection on cases in which he does not turn left—in which he proceeds straight ahead, or turns right and causes an accident. In such cases, he has moral and legal culpabilities which, other things being equal, he would not have had if he had not turned on his left side blinkers. But also he now has claims on the rest of us—or more precisely, on those immediately following him—which he did not have before he flipped on those blinkers. We now are obligated to drive in a manner appropriate to someone following a driver who will shortly take a left hand turn. Once again, reflection on cases in which we fail to acknowledge his claims on us makes clear their presence.

I suggest that the phenomenon of some utterance counting as some speech act is to be understood along these same lines. To perform a speech action is to acquire a certain normative standing in one’s society, a standing constituted in part by a certain complex of rights and/or responsibilities.

Imagine a field worker uttering in the hearing of his fellow worker the words, “would you hand me a drink of water,” thereby requesting the other to hand him a drink of water. By virtue of his utterance, he has acquired the standing of having issued that request. On account of uttering the sounds, the moral relation between the two has been altered. Now, if the other understands what he said and the speaker’s request is not undercut for him, he is obligated, other things being equal, to hand him a drink of water. (Shortly I shall explain what
Or suppose I utter the words, "I'll write you a recommendation," thereby promising to write you a recommendation. By uttering those words, I have altered the moral relation between us. I have acquired the normative standing of having given you a promise, the central component of which is that I am now obligated to write you a recommendation—other things being equal, of course, and assuming that my promise is not undercut for you.

This way of seeing the situation probably seems least plausible, on first glance, for assertions. But suppose I utter the words, "I saw Jim drive off with your car," and thereby tell you that I saw Jim drive off with your car. This too alters the moral relation between us. I have not merely transmitted some information; indeed, I may not even have done that. If you understood what I said, then, unless my assertion is undercut for you, you are now obligated, other things being equal, to take me at my word that I saw Jim drive off with your car. Assertion introduces into human relationships the right to be taken at one's word that so and so.

It seems no great mystery that a child who looks and acts pretty much like any other child should have the special standing, in morality and law, of crown prince. Likewise it seems no great mystery that someone who turns on his left side blinkers as he approaches an intersection should have, in morality and law, the standing of having signalled a left turn. I suggest that if we think of the performance of speech actions along these same lines, namely, as the acquisition of normative standings, we can understand how it is that uttering innocuous sounds has the consequence that one has performed some speech action. Standings are ascribed to persons. The standing of crown prince gets ascribed to someone, on the basis of certain properties and relationships. It is because the performance of a certain speech action is the acquisition of a certain standing that speech actions attach to us by ascription. It is also no mystery, if we think along these lines, how it is that speech actions can be performed by proxy. The crown prince may have a regent acting on his behalf.

VI

A sharply delineated picture of the place of humanity in creation is presented in the biblical literature. Humanity is the apex of creation. The creation of the world leads up to the creation of humanity. 'Man' is the crown of creation. In humanity, creation comes closest to the divine.

This apex-status of human beings is presented as multi-dimensional. One dimension, deep in the nature of human beings and unique to them among earthlings, is answerability—answerability to other persons, human and divine. Human beings unlike other animals are accountable, responsible—by which I
mean not just that they are the ones who can answer and respond and give account, but the ones who ought to answer and respond and give account—and then, of course, in particular ways, not in any way they wish. Much of this ought-to-answer, this ought-to-respond, is introduced into our lives by speech—by being addressed. But then what also singles out human beings from all the other animals is that they are the addressed ones. God addresses only human beings—not the petrels, not the porpoises, not the porcupines. And only human beings, of all earth’s species, address each other. But answerability is even more pervasive in human affairs than address. The very presence of a human being near me introduces a claim into my life, a responsibility, an answerability. The murderer Cain wished to suggest that his brother’s death was accidental, and that for such a death he had no responsibility. So he asked, “Am I my brother’s keeper?” He knew, and we know, that the answer is “Yes.”

It’s tempting to suppose that the first indication of this answerability dimension of humanity occurs in the biblical writings when God, in the first chapter of Genesis, says over humanity: Have dominion. But I think this temptation must be resisted.

If one reads verse 26 of chapter 1 of Genesis in isolation, it is natural indeed to construe what stands there as the issuing of an imperative: “Then God said, ‘Let us make man in our image, after our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the earth, and over every creeping thing that creeps upon the earth.’” And if one does read this as the claim that God has issued to humanity the mandate to have dominion, then it is natural also, on the basis of this passage, to see the image of God as closely related to this mandate and to its corollary of accountability, responsibility, answerability.

The way the passage continues, however, should begin to make one doubt this interpretation. “So God created man in his own image, in the image of God he created him: male and female he created them. And God blessed them, and God said to them, ‘Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth.’” (27-28) The doubt arises because of the similarity of these words to something that comes earlier in the narrative. After the creation of the creatures of sea and air, we find these words: “And God blessed them, saying, ‘Be fruitful and multiply and fill the waters in the seas, and let birds multiply on the earth.”’ (22) The similarity of wording is striking. What God pronounces over the creatures of sea and air, as the text itself calls it, is a blessing: God says, May you flourish. Its mood is optative, not imperative. It seems compelling to read the speech of God about human beings in verse 28 the same way, especially since verse 28 is introduced with the words “And God blessed them, and said . . . ” God blesses humanity. The
“be fruitful” etc. is to be read as optative, not imperative: may you be fruitful, not, you ought to be fruitful. And then similarly, may you subdue and rule, not, you ought to subdue and rule. The subduing and ruling belong to the blessing.

May you flourish, says God to humanity, just as he said it to the birds and fish. For humanity, as for sea and air creatures, flourishing involves being fruitful and multiplying. But human flourishing involves something more, something beyond what is required for the flourishing of sea and air creatures. It requires subduing the earth and having dominion. But surely then, to back up: The “let them have dominion” of verse 26 should have as its dominant sense not “They ought to have dominion” but “May they have dominion.”

Psalm 8 is one of the great biblical panegyrics on the glory of humanity. The glory singled out is this:

Thou hast given him dominion over the works of thy hands; thou hast put all things under his feet.

Two things are worth noting here. The writer never so much as suggests that dominion is connected to iconicity. And nowhere does he use the language of obligation. He uses, rather, the language of gift. God has not obligated humanity to have dominion over the animals but has given them dominion. And if we now look back at the continuation of the Genesis passage beyond the verses already cited, the same thing strikes us there. “Behold, I have given you every plant.” (29)

Nowhere is it said that humanity ought to subdue the earth and rule the animals; what is suggested, instead, is that humanity is allowed to do so in order that it may flourish. Humanity’s characteristic practice of subduing the earth and ruling the animals is not the answer to an address but the mark of a blessing. If it is culture which is distantly in view here, then it is not a cultural mandate which is pronounced but a cultural blessing, grounded, no doubt, in a cultural impulse.

But we do not have to wait long before address and answerability enter the picture. They enter with this mysterious command:

And the Lord God commanded the man, saying, “You may freely eat of every tree of the garden; but of the tree of the knowledge of good and evil you shall not eat, for in the day that you eat of it you shall die. (2: 16-17)

If we regard speaking in its paradigmatic form as requiring the performance of a speech action, and if we think of one’s performance of a speech action as consisting in one’s acquisition of some normative standing, then we must see answerability, accountability, responsibility, as lying at the very basis of speaking. They make speaking possible. Speaking is possible only in a moral community—a community of moral agents. (A single moral agent would be the limiting case of this—and a highly problematic one at that.) But if the biblical picture
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is correct, and I believe it is, that what separates us from the animals is that they do not constitute a moral community whereas we do—indeed, a moral community with God—then it follows that animals cannot speak. They hiss but do not say anything, make noises but do not speak, communicate in primitive ways but do not talk. That is not because their repertoire of mouthy little noises is so limited—though compared with ours it is. That is because animals are not moral agents. They cannot speak because they are not capable of being guilty.

"The mystery of the coming-to-be of language and that of the coming-to-be of man are one."

VII

We have seen only the tip of the iceberg of the ways in which speaking requires accountability. So as to see what more there is, let us ask: Why do we have systems in which the nonnative standing of signalling a left turn is ascribed to someone on the basis of his flipping on a blinking light—or more dramatically, in which the normative standing of pronouncing someone guilty is ascribed to someone on the basis of his making the sound guilty? Why do we human beings find it necessary or useful to invest phenomena so innocuous with significance so weighty? The significance attached to flipping blinkers, uttering sounds, and making marks, seems wildly out of proportion to the phenomena themselves. What's the point? Why do we institute arrangements so that, on the basis of someone's making the little sound guilty, there is ascribed to him the standing of having pronounced someone guilty, with all the consequences that ensue therefrom: certain people are now entitled to drag a man out of the room in which the noise was made and put him in jail and keep him there for the rest of his life?

Well for one thing, it's important for us to be able to issue requests, make promises and assertions, signal turns, and pronounce people guilty. Indeed, "important" is too weak a word. We cannot imagine a human life devoid of speech actions. But how else are we going to do such things as these except by such profoundly different actions as flipping switches and making noises? There isn't any other way. One can't, right off, assert or signal or request. These are not candidates for basic actions. They can be done only by doing something else. Furthermore, in most cases, the more innocuous the generating action and the simpler to perform, the better. We want asserting to be something that can be done easily. And if the generating action is not innocuous, then too often there will be claims and obligations attaching to it which will thoroughly confuse the situation.

But we can go deeper. When the requisite signalling arrangement is in effect, then the action of flipping on the blinker is not at all so innocuous as on the
surface it appears to be. For then there is a normative condition attached to flipping on the blinker: One ought not flip on the left-side blinker unless one intends shortly to turn left. And that obligation holds because, first, one ought not, other things being equal, signal a left turn unless one intends shortly to turn left; and secondly, the subjunctive conditional holds, that if one would flip on the left-side blinker, then one would signal a left turn.

Notice that having this intention is not a logical condition of acquiring the status of signalling a left turn. Even if one has no such intention, even if one flips on the blinker just to see how those behind will respond, nonetheless, if the signalling arrangement is in effect, one acquires in morality and law the standing of having signalled a left turn. Yet there is obviously something ill-formed about such a signalling, normatively ill-formed. The signalling should not have been done without the intention to turn left.

Again, suppose that someone utters in the assertive manner the sounds, a tornado has been sighted a mile to the West. If English is in effect for that person, he will thereby have acquired the standing of having asserted that a tornado has been sighted a mile to the West. And he will have acquired this standing whether or not he believes that a tornado has been sighted there. Yet he is prima facie obligated not to utter those sounds when that arrangement is in effect unless he justifiedly believes that. For he ought not assert that unless he justifiedly believes that. And, given that English is in effect for him, it is the case that if he would utter those words, he would make that assertion. The sound is innocuous; but the condition attached to the making of the sound is not innocuous.

Assuming that the sentences uttered are well-formed, we can organize under three headings the ways in which speech acts can be malformed. For one thing, a speech act may not bear the right relation to the mental states of the speaker. The speaker may assert something without believing it, may promise something without intending it, may request something without wanting it; etc. Secondly, a speech act may not bear the right relation to the facts of the world. The speaker may assert what is in fact false, ask someone to do what has in fact already been done, baptize someone who has in fact already been baptized. Thirdly, a speech act may not bear the right relation to social norms. The speaker may promise to sell what he has no right to sell, ask someone to do what he has no right to ask. This last sort of case shades into those cases where only certain people have the competence—in the lawyer's sense of “competence”—to perform certain speech actions. Only an umpire can pronounce someone “Out” in baseball, only a clergyman or justice of the peace can pronounce a couple married, only the chairman of a meeting can pronounce the meeting adjourned, only a judge can pronounce someone acquitted.

By no means all of the various ways in which a speech act can be malformed
are signs of some defection of responsibility on the part of the speaker. It is especially malformations of the first sort which are such signs. Nonetheless for every speech act there are, I think, moral requirements of that sort. That is to say, for every speech action there is a mental state such that if a speaker performs that speech action without being in that state, he has done what he ought not to have done. Thus not only is the performance of a speech action itself the acquisition of a normative standing. There are normative conditions for the performance of speech actions. Speaking is a normative interaction.

It is because speech acts can be malformed in the ways indicated that they can be “undercut.” For a speech act to be undercut for a given person, is for that person to have good reason to think that it is malformed in such a way that the prima facie rights and responsibilities which normally accrue to speakers and hearers upon its performance do not, in this case, accrue to them. Suppose someone asks me to close the door, and suppose that I understand what he asks. Then my having good reason to think that the door is already shut, is one example of the request’s being undercut for me. Having good reason to think that the speaker does not really want it shut, but is merely trifling with me, is another example of its being undercut for me. And having good reason to think that he has no right to ask this of me, is yet a third example of its being undercut for me. For me to have good reason to think the door is already shut, or that the speaker does not really want it shut, or that he has no right to ask me to shut it, is to be free of the prima facie obligation which otherwise I would have, to comply with his request—provided, of course, that I understand it (and that it was addressed to me).

But how exactly does normativity for certain of the conditions of well-formedness enter the picture here? What makes it prima facie wrong to assert that a tornado has been sighted a mile to the West when one doesn’t believe it—and correspondingly, prima facie wrong, when English is in effect, to utter in assertive tone the sounds, a tornado has been sighted a mile to the West? Two things, I would suppose. In the first place, on the assumption that the preservation of a system of speaking is important, it is prima facie obligatory on each of the participants to avoid doing what tends to undermine the system. And it is easy to see that asserting without believing, promising without intending, requesting without wanting, etc., if they become at all general, undermine the system. When a single boy too often cries “wolf” in the absence of wolves, we disregard his speech. When it becomes a practice on the part of many to cry “wolf” in the absence of wolves, our system of speaking itself is undermined. We have, indeed, a disposition toward credulity. Such a disposition is indispensable to the endurance of the system.

Of course, the undermining of the system only occurs if the discrepancy between the asserting and the believing is found out, or if it is thought that such
a discrepancy has been found out. But whether found out or not, there is a second thing wrong: deception or attempted deception has occurred. We have no direct way of knowing whether people believe what they assert, intend what they promise, want what they respect, etc. We trust them. We trust that the normative conditions for speaking have been satisfied. To speak without satisfying those conditions is to abuse trust.

VIII

Our analysis makes clear that to understand the ways in which we human beings interact with each other, one cannot adopt as one’s sole model that of exerting causal power over someone. Speech presents us with another, profoundly different, phenomenon: that of acquiring claims and obligations and of doing so in accord with, or in violation of, normative obligations; and then, of one’s acquired claims and obligations being accepted or rejected. Speakers exert influence by way of hearers accepting the obligations inherent in normative standings. Any attempt, by sociologists or philosophers or psychologists or whomever, to understand what transpires in human society, will have to move beyond attempts at causal explanations to take account of these normative phenomena. For a human society empty of speech is not only unknown but inconceivable.

Our analysis shows also that the relation of us human beings to the material world cannot be understood solely on that model which has absorbed almost all the attention of modern philosophers—the model of causal interchange. Of course if we could not causally bring about such phenomena as mouthy noises or squiggly inscriptions, there would be no speech. Someone entirely paralyzed cannot speak. But speech requires that we be related to material reality in ways over and above that of causal interchange and in ways over and above the intentionality of our concepts. Certain of the changes we bring about must have normative conditions attached to them and be invested with normative significance. It is because normative conditions have been attached to the making of so innocuous a sound as guilty and because it has been invested with normative significance that by uttering this sound we can speak. Our relation to the physical world can no more be understood in purely causal technical terms than can our relation to our fellow human beings. By the acquisition of normative standings, we take up the material world into our service.

IX

To my knowledge, the only two philosophers who can be seen as anticipating the theory I have offered, of the performance of speech actions as the acquisition of normative standings, are William P. Alston and Jürgen Habermas. In his
published work, Alston focuses more on the conditions for the performance of speech actions than on an analysis of the counting-as relation itself. But he sees clearly that those conditions are (in part) normative. In one passage, after observing that if someone asserted that $p$, then he committed himself to its being the case that $p$, or vouched for its being the case that $p$, or lent his authority to the belief that $p$, he says that this suggests

that what is going on when one makes an assertion is that one changes one’s “normative status” in a certain way, renders oneself liable or responsible in a new way; that one “sticks one’s neck out” or “goes out on a limb”. When I “vouch for” something or “lend my authority” to its being a certain way, I render myself liable to censure, reprimand, correction, or the like in case things are not as one has “vouched” for their being. One has put oneself into such a position that one can be “called to account”, subjected to some appropriate negative sanction, provided things are not that way. What all this suggests is that the unsuccessful conditions surveyed earlier all fail just because they restrict themselves to “purely factual” features of $S$’s attitudes and behavior; whereas what is really crucial is the “normative stance” $S$ takes up.6

Habermas also does not actually analyze the counting-as relation in terms of the acquisition of normative standings. Indeed, he does not really offer any analysis at all of this relation He does not address himself head-on to the issue we have been discussing in this essay: How does the making of sounds generate the performance of speech actions.7 Yet Habermas does see the centrality of normativity in the performance of illocutionary actions. He says, for example, that “With the illocutionary force of an utterance a speaker can motivate a hearer to accept the offer contained in his speech act and thereby to accede to a rationally motivated binding (or bonding: Bindung) force.”8 And in another passage he describes the “illocutionary aim” of a speaker as “that the hearer understand what is said and undertake the obligations connected with the acceptance of the offer contained in the speech act . . . ”9 In Habermas’ terminology, a hearer accepts a speech-act if he regards the conditions for its well-formedness as satisfied; if he regards them as not satisfied, he rejects it.

Furthermore, Habermas recognizes that if a speech act is to be well-formed, it must be related in a specific way to the external world, to the speaker’s inner world, and to the norms of the social world. Indeed, it is from Habermas that I have borrowed this three-fold classification. Where I have spoken of conditions of well-formedness, Habermas speaks of the (tacit) validity claims of speech acts. And sometimes he summarizes these by speaking of the validity claims of “truth, rightness, and sincerity.”10 More elaborately, he says that

“In contexts of communicative action, speech acts can always be rejected
under each of the three aspects: the aspect of the rightness that the speaker claims for his action in relation to a normative context (or, indirectly, for these norms themselves); the truthfulness that the speaker claims for the expression of subjective experiences to which he has privileged access; finally, the truth that the speaker, with his utterance, claims for a statement (or for the existential presuppositions of a nominalized proposition) . . . . [I]n coming to an understanding about something with one another and thus making themselves understandable, actors cannot avoid embedding their speech acts in precisely three world-relations and claiming validity for them under these aspects. Someone who rejects a comprehensible speech act is taking issue with at least one of these validity claims. In rejecting a speech act as (normatively) wrong or untrue or insincere, he is expressing with his “no” the fact that the utterance has not fulfilled its function of securing an interpersonal relationship, or representing states of affairs, or of manifesting experiences. It is not in agreement with our world of legitimately ordered interpersonal relations, or with the world of existing states of affairs, or with the speaker’s own world of subjective experiences”.

X

There are in principle many other arrangements whereby one could signal a left turn than our arrangement, of flipping on one’s left side blinkers: many other arrangements whereby one could pronounce someone guilty than ours, of uttering the sound guilty; many other arrangements whereby one could declare that what stands in one’s IRS form is correct than ours, of signing one’s name. So it always is for an act which something counts as, in the way we have been exploring. There could have been something else which counted as it—could have been without any alteration in either the order of ontological or of causal necessity.

How can we think of what I have been calling arrangements—arrangements for signalling a left turn, arrangements for pronouncing someone guilty, arrangements for declaring that the figures in one’s tax form are correct, etc.? I suggest that we can think of an arrangement for signalling a left turn as an ordered pair, one member of which is the action of signalling a left turn. And what is the other member? Well, two things must be brought into the picture. One is some other action, such that by performing it, one signals a left turn. The example I have been using all along is that of flipping on one’s left-side blinkers. But also a certain manner and circumstance of performing this generating action is relevant. We may perhaps think of such a manner and circumstance as a property of a
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performance of the generating action. We can then, in turn, think of this property as paired off together with the generating action; and this pair will constitute the other member of the original pair.

Some abbreviations and a schematism will help. Let

- \( S \) = signalling a left turn
- \( F \) = flipping one’s left side blinkers, and
- \( M/C \) of \( F \) = a certain manner and circumstance of performing \( F \).

The arrangement for signalling a left turn to which I have been alluding will then have this structure:

\[ [(F, M/C \text{ of } F), S] \]

And in general, an arrangement for \( \Psi \)-ing can be thought of as an ordered pair, \( \left[ (\varphi \text{-ing, } M/C \text{ of } \varphi \text{-ing}), \Psi \text{-ing} \right] \), such that someone’s performance of the action of \( \varphi \)-ing, in manner and circumstance \( M/C \) of \( \varphi \)-ing, could count as his performance of the action of \( \Psi \)-ing. Let us call any ordered pair which is such an arrangement for performing some action, an arrangement for acting.

If we do think of arrangements for acting along these lines, then it becomes easy to say what it is for such an arrangement to be in effect for certain persons at a certain time; and secondly, what it is for it to be used by a certain person at a certain time. A given arrangement for acting, \( \left[ (\varphi \text{-ing, } M/C \text{ of } \varphi \text{-ing}), \Psi \text{-ing} \right] \), is in effect for person \( P \) at time \( t \) just in case if \( P \) would perform the action of \( \varphi \)-ing at time \( t \) in manner and circumstances \( M/C \) of \( \varphi \)-ing, his doing so would count as his performing the action of \( \Psi \)-ing. And that arrangement for acting is used by \( P \) at \( t \) just in case \( P \) at \( t \) performs the action of \( \varphi \)-ing in manner and circumstance \( M/C \)—with the act of his doing so then counting as an act of his \( \Psi \)-ing.

Of course we do not usually operate in the piece-meal fashion which this might suggest. Drivers have available to them a whole system for signalling, speakers have available to them a whole system for asserting; etc. It would not be worth our time going into the details of how such systems can best be thought of. Here, let us just think of them as sets of arrangements for acting.

The most interesting question raised by this explication of what it is for an arrangement for acting to be in effect at a certain time for a certain group of people is, of course, this: What brings it about that one arrangement for signalling turns is in effect for a given group of people at a given time rather than another—or rather than none?

I take it that the general outlines of the correct answer to this question are clear enough; I have already hinted at them. For one thing, a given arrangement may be in effect for a person at a time by virtue of stipulation. The card player may say to his partner: if I kick you, that means, bid four. It may be the speaker
himself who does the stipulating; but it need not be. Someone else may make the stipulation for a prospective speaker; and if that prospective speaker knows or should know about the stipulation and does not dissent from it, that does as well.

Secondly, it seems right to say that an arrangement for acting may be in effect for a given person at a given time by virtue of convention. But how are we to think of a convention here? It's natural to think of it as a social practice. And perhaps that in turn can be thought of along the lines suggested by David Lewis in his *Convention*: a convention is a coordination of actions by different actors. But I think that this is not what the conventions here are. For what are the actions to be coordinated? No doubt there is a certain coordination between a driver signalling a left turn when approaching an intersection and those behind him engaging in various defensive reactions. But we wanted to know what makes the subjunctive conditional true for a person at a time, that if he would flip on his left-side blinkers, he would be signalling a left turn. How does the existence of coordinations answer our question?

I have no detailed taxonomy and theory of conventions to offer here. But perhaps it's best to think of the conventions in question on analogy to stipulations: a convention, of the sort relevant here, is a sort of social stipulation. Or rather, just as some musical works are composed whereas others merely arise in a society, so some arrangements for acting are in effect by virtue of explicit stipulation whereas others are in effect by virtue of something like a stipulation just arising in society. As it were, society stipulates and we assent.

However, it has to be more than the mere existence of a convention which brings it about that a certain arrangement for acting is in effect for a person; since, as observed earlier in our remarks about Goldman, conventions themselves can exist without holding for a given person. Perhaps the right way to get at the question here is from the negative side: when does a convention, a social stipulation, not hold for a given person? There is little hope of giving a complete answer to this question; the matter is too subtle for that. But some general patterns can be brought to light. We can think of conventions as holding for qualified parties. What makes someone a qualified party with respect to a given convention at a certain time?

In most cases, if one doesn't know about a stipulation or convention, then it's not in effect for one. One is not a qualified party. If one doesn't know that there is a convention in our society according to which flipping on the left-side blinkers when approaching an intersection counts as signalling, then one does not signal by flipping on one's blinkers in that circumstance. So too, if a person who doesn't know German just happens when in Germany to make the sounds of some German sentence, his act of doing so does not count as an act of his asserting something. But there are cases in which a convention or stipulation holds for a person in spite of his ignorance—the reason being that his ignorance
is culpable ignorance. He should have known; he should have found out. No doubt in such cases of ignorance, however, there is only a hazy line between generating some act without knowing the convention, and culpably doing something that leads people to believe one has generated the act though one has not; either way, culpability for calamity may fall on one’s head. But in any case, conventions and stipulations do not hold for those who neither know them, nor are capable of knowing them. (And knowing them involves having some grasp of the standing which the convention or stipulation ascribes.) Thus the signing of one’s name does not constitute contracting for something if one is a small child, or severely diminished in intelligence, or not compos mentis.

For many conventions it’s also true, as we have already seen, that the set of qualified parties is limited by a restriction, built into the convention, to the effect that only a person occupying a certain institutional position can perform the generated action. Though any of us can assert that a person is guilty of some crime, only a judge can pronounce him guilty. Though any of us in the United States can say, let’s go to war, only the President can declare war. Though any of us can say that the runner was out at home plate, only the home plate umpire can declare him out. And so forth.

But even when one knows about a convention or stipulation and even when one occupies whatever institutional position is required to be a qualified participant under the convention, nonetheless one may remove oneself from the sway of the convention by dissenting from it and publishing one’s dissent in such a way that others who are affected by one’s dissent know about it or ought to know about it. (Mental reservations will not do!) Suppose we still had the convention in our society of signalling a left turn by extending one’s left arm straight out the driver’s side window. A driver who suffered from a partial paralysis of the left arm, making it impossible for him to raise it, could presumably remove himself from the sway of the convention by attaching a large sign to the rear of his vehicle saying, “This driver cannot signal turns.” Of course, one cannot actually dissent from conventions and stipulations whenever one wishes. Not all attempts at dissent succeed.

XI

Christian philosophy takes many forms. Sometimes it takes the form of calling to our attention an aspect of world or experience which constitutes, so it is argued, deductive or inductive or abductive evidence for some key element of Christian belief. Other times it takes the form of philosophically articulating some key element of Christian belief. Yet other times it takes the form of probing some felt or claimed tension between something we know or justifiedly believe, on the one hand, and Christian faith, on the other: the Christian philosopher may
try to show that the felt or claimed tension is merely apparent; or, granting its reality, may reflect on how best to relieve it. Yet again, Christian philosophy takes the form of fleshing out with details some aspect of the picture of life and reality that Christianity offers, perhaps details not even alluded to in the Christian message. My development of a normative account of speaking is a specimen of this last form.

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NOTES


4. The interpretation I am suggesting fits entirely with the echo of Genesis 1 in the opening of chapter 5:

When God created man, he made him in the likeness of God. Male and female he created them, and he blessed them . . .

And it not only fits with, but is confirmed by, the yet later echo at the beginning of Genesis 9:

And God bless Noah and his sons, and said to them, “Be fruitful and multiply, and fill the earth. The fear of you and the dread of you shall be upon every beast of the earth, and upon every bird of the air, upon everything that creeps on the ground and all the fish of the sea; into your hand they are delivered. Every moving thing that lives shall be food for you; and as I gave you the green plants, I give you everything.


6. Wm. P. Alston, “Sentence Meaning and Illocutionary Act Potential” in Philosophic Exchange (Vol. 2, no. 3, Summer 1977). The same view is anticipated in Chapter 2 of his Philosophy of Language (Englewood Cliffs, N.J.: Prentice-Hall, Inc.; 1964), where he speaks of speakers as taking responsibility for the satisfaction of certain conditions; and in his article “Linguistic Acts,” in American Philosophical Quarterly (April, 1964). After I had composed this present article, Alston showed me a copy of a large unpublished manuscript of his on speech act theory, in which he not only develops in detail the notion of normative conditions for the performance of speech actions, but also offers a detailed normative analysis of the counting-as relation itself. In this manuscript he regularly speaks of a speaker’s “adopting a certain normative stance”. My own choice of the phrases, “normative stance” and “normative standing”—indeed, my development of a normative theory of counting-as—occurred before I had come across any of Alston’s work (and any of Habermas’). Thus the coincidence is remarkable.

7. See especially “What is Universal Pragmatics?” in J. Habermas, Communication and the Evolution
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9. Ibid., pp. 293-04.

10. Ibid., p. 278.

11. Ibid., pp. 307-08.

12. In what follows, I shall be re-doing what I said in Part Four, sections II and III, of my *Works and Worlds of Art* (Oxford: Oxford Univ. Press; 1980). The same has been true, though to a lesser extent, of some parts of what has preceded. Though the fundamental point of my theory as to what it is for one act to count as another has not changed, I have become unhappy with the details of my development of that theory in *Works and Worlds of Art*. Thus, the re-doing. But also, I have in this essay set the theory in quite a different context from that in which it occurs in my book.