

Class Nine: Langton's "Speech Acts and Unspeakable Acts," Part Two

Doing Things with Words - Ryan Simonelli

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1 Quick Recap

- **MacKinnon's Two Claims:** Langton is drawing on Austin in order to spell out and partially defend two key claims that MacKinnon makes regarding pornography:
 - **Subordination:** Pornography subordinates women. This is the claim that gets taken up in the part half of the paper which we discussed last class.
 - **Silence:** Pornography silences women. This is the claim that gets taken up in the second part of the paper.

2 Silence and Silencing

- **Three Kinds of "Silence":**
 - **Locutionary Silence:** The familiar sense of "silence," where literally nothing is said—no words are uttered.
 - * **Example:** We're in a courtroom where it's inappropriate to talk, so no one says anything.
 - **Perlocutionary Frustration:** When performing an locutionary act not have its ordinary perlocutionary affects.
 - * **Example:** I say to a bunch of people "You're invited to my party on Friday!" But everyone knows that it will be really boring, so no one comes.
 - **Illocutionary Disablement:** When performing a locutionary act (with the right intentions) fails to have its ordinary illocutionary force.
 - * **Example (from Davidson):** An actor on stage is playing a scene in which they are playing a character trying to warn people of a fire. A fire breaks out in the theatre, and they yell "Fire!" trying to warn everyone, but
 - **Question:** How should we draw the distinction between perlocutionary and illocutionary silence? Is someone's having the authority to speak sufficient for distinguishing—i.e. their act cannot be subject to illocutionary silence, only perlocutionary? Is someone's regarding their own acts as, for instance, warnings sufficient uptake for them to be warnings?
 - **Question:** Consider the boy who cried "Wolf!" After falsely crying "Wolf!" a number of times, when there is a wolf and he cries "Wolf!" no one believes him. Does this fall into the case of perlocutionary or illocutionary silence?
- **Three Kinds of "Silencing":**
 - **Locutionary Silencing:** An act which "silences," in the most familiar sense of making it such that literally nothing is said—no words are uttered.
 - * **Example:** A judge says "silence in the court!" stopping anyone from (literally) saying anything—performing any locutionary act.
 - **Perlocutionary Silencing:** An act which "silences" (in a stretched sense of the term) by making an locutionary act not have its ordinary perlocutionary affects.

- * **Example:** I say to a bunch of people “You’re invited to my party on Friday!” But someone tells everyone that it will be really boring, so no one comes.
- **Illocutionary Silencing:** An act which “silences” (in perhaps still a somewhat stretched sense of the term, but a less stretched sense than the perlocutionary case) by making an locutionary act lack its illocutionary force.
- * **Example:** Similar to the one from Davidson, but where you have a person yelling “Fire!” on the streets of New York, say, and someone tells everyone around it is a piece of performance art.

This is Langton’s main concern—whether there is a kind of silencing that results in illocutionary disablement, and whether pornography can constitute such an act.

3 An Account of Illocutionary Silencing

- **Speech Giveth (Conventional Authority) and Speech Taketh Away:** In order to give an account of how speech can illocutionarily silence, Langton extends Austin’s account along the following lines:
 - **Question:** What accounts for the felicity conditions of illocutionary acts?
 - **Austin’s Answer:** Institutionalized convention, which may be explicit or implicit.
 - **Question:** What institutionalizes convention?
 - **Langton’s Answer:** Typically, speech:

“In [explicitly conventionalized] examples (2)-(4), laws are enacted that set felicity conditions for marriage, voting, and divorce. Some illocutionary acts fix the range and scope of other illocutionary acts. Some speech acts build a space, as it were, for other speech acts, making it possible for some people to marry, vote, and divorce. Some speech acts, in contrast, set limits to that space, making it impossible for other people to marry, vote, divorce. Some speech determines the kind of speech there can be,” (319).
- **Explicitly Conventionalized Illocutionary Silencing:** Consider the enacting of a law that makes gay marriage illegal. This is speech act that makes it such that when two men or two women who observe all the ordinary conventions of a marriage ceremony and, in the context of that ceremony, say “I do,” the words don’t have the illocutionary force of marrying.

4 Pornography as Silencing

- **The Core Example:** Consider the ordinary illocutionary force of an utterance of “No.” In uttering this word, one can do many things, depending on context: deny, disagree, refuse, prohibit, etc. In sexual contexts, it is supposed to be able to function to prohibit sexual advances. Sometimes, however, it doesn’t work.
 - **Perlocutionary Frustration:** Sometimes (and these are perhaps the cases of non-consensual sex that come most quickly to mind for many people) the “No” is taken up as a refusal and this refusal is denied.
 - **Illocutionary Disablement:** Other times (and these sorts of cases may in fact be more common) the “No” fails to even count as a refusal. It doesn’t get taken up, and so, though the speaker performed the locution with the right intentions, it doesn’t have the illocutionary force of a refusal.
- **Extending the Core Example:** Though Langton focuses on the locution “No,” it’s worth being clear that, in many contexts, various other locutions conventionally have the illocutionary force of refusal. For instance, in many contexts, saying “I don’t think I want to φ ” doesn’t have the illocutionary force of simply expressing a lack of desire to φ but rather, has the illocutionary force of a refusal to φ .

- **The Role of Pornography in Illocutionary Silencing:** Though it's depiction of sexual practices, pornography has the function of laying down the rules for a sexual language game (to use Wittgenstein's term) in which refusal is *simply not a move*. A consequence of this may well be just this sort of illocutionary silencing.
- **Revisiting to the Free Speech Defense:** Insofar as pornography *silences*, preventing women from using their words for speech, it's not clear that an appeal to "freedom of speech" can be used to defend pornography, since allowing the speech of pornographers may disable the speech of women.
- **Question:** What constitutes the authority that pornography has to dictate how the "sexual language game" is played? Once again, this authority is not explicitly conventionalized. How do we think that it might be divested?

5 Herbert on "Me Too" and the Restoration of Voice

- **The Speech Acts of "MeToo":** Starting in 2017, many people (especially women) performed a speech act, explicitly marked with a hashtag, in saying the words "Me Too." What kind of speech act did they perform? What is its illocutionary and perlocutionary force?
 - **Not an Accusation:** Herbert points out that the speech acts of "Me too" don't satisfy the pragmatic structure of an *accusation*, a type of speech acts which paradigmatically directed at *someone* that the act illocutionarily functions to accuse.
 - *Simple Reports:* "Me Too" has the illocutionary force as simply a report, an expression of something that happened.
- **Unsilenced Speech:** Herbert says, "Within #MeToo, we saw survivors' speech become speakable in a way it traditionally hasn't been." The movement thus can be seen as aiming at (and partially achieving) a sort of reclamation of voice.
- **A Question:** Can uptake of an act be retroactively secured? To consider this particular case, can the speech acts of "Me too" result in a case that speech acts of refusal that were illocutionary failures are retroactively recognized as having illocutionary force?