

Class Ten: Kukla's "Performative Force, Convention, and Discursive Injustice"

Doing Things with Words - Ryan Simonelli

February 13, 2022

1 A Shift in Framework:

- **A Different Framework:** Kukla, drawing from their work with Mark Lance in "Yo!" and "Lo!" which builds on the work of Robert Brandom that we'll discuss explicitly in two weeks:

Speech acts are "performances constitutive of changes in the normative status among various members of a discursive community," (2009, 12).

More concretely, the basic idea is to characterize speech acts in terms of their normative input and output conditions:

- **Input:** "[T]he set of entitlement conditions that must be met before it can have its characteristic performative force," (442).
- **Output:** "[T]he set of normative statuses it institutes," (442).

Speech acts are such that certain people, in certain situations, are *entitled* to perform them, and, when performed, there are certain changes in the normative statuses that people come to possess: coming to be *permitted* or *entitled* to do certain things, being *obligated* or *committed* to doing other things, and so on.

- **Note:** Kukla is using the term "performative force" here, rather than Austin's "illocutionary" or "perlocutionary" force. As we'll see, the sense of this term is close to Austin's "illocutionary force," but it is intentionally such that the distinction between illocution and perlocution is blurred.
- **A Basic Commitment:** "[N]ormative statuses are *material social statuses*," (443). What this means is that normative statuses are *taken on* though concrete changes in material reality and the taking on of normative statuses have concrete material consequences. This is coming out of a critique of Brandom:

"Although Brandom understands language as a system of shifting commitments and entitlements, he has next to nothing to say about what *concrete events* such as taking on a commitment or granting an entitlement actually are like," (Kukla and Lance 2009, 8).

2 Discursive Injustice

- **The Basic Idea:** There are cases in which a person who, given the various facts about them, should be entitled to perform a certain speech act, shifting the norms in the way definitive of that speech act, but, because of certain social facts about the person (for instance, their gender or race), the performance does not receive uptake as a speech act of that type.
- **The Case of Celia:** "Celia is a floor manager at a heavy machinery factory where 95% of the workers are male. It is part of her job description that she has the authority to give orders to the workers on her floor, and that she should use this authority. She uses

straightforward, polite locutions to tell her workers what to do: ‘Please put that pile over here,’ ‘Your break will be at 1:00 today,’ and so on. Her workers, however, think she is a ‘bitch,’ and compliance is low. Why?”

- **Explanation One:** “One possible explanation is that the workers are just being blatantly sexist and insubordinate. They are refusing to follow her orders, which is still a way of taking them as orders. This sort of direct transgression is relatively straightforward.”
 - * **Compare:** Langton’s “perlocutionary frustration.”
- **Explanation Two:** “[A] subtler and more interesting explanation is that even though Celia is entitled to issue orders in this context, and however much she follows the conventions that typically would mark her speech acts as orders, because of her gender her workers take her as issuing *requests* instead,” (446).
 - * **Compare:** Langton’s “illocutionary disablement,” though the “disablement” here is of a distinctive sort diagnosed by Kukla.
- **Orders vs. Requests:** Orders function to place one under an obligation, whereas requests, by their very nature, leave one free to opt in or opt out. As a result:
 - It’s appropriate to express gratitude in response to someone’s granting a request, but not appropriate in response to someone’s following an order. If someone is trying to order, they won’t express gratitude when the order is followed, but if that attempted order is taken up as a request, the person granting it will think the person issuing it is rude.
- **Assertions vs. Expressives:** Assertions make a claim about how the world is, and, since we all share the same world, make a claim on *everyone*; either accept or challenge (if not the claim itself, then at least the justification for it). If I assert something and you assert something contradictory, we’re *disagreeing*. On the other hand, if I express a feeling (say, discomfort) and you express a contradictory feeling (say, comfort), we’re not disagreeing; we just might feel different things.
 - **Example:** “A female employee claims that her boss is inappropriately flirtatious,” (452). Instead of taken to be an assertion of objectively inappropriate behavior, it is taken to be an expression of personal discomfort.
 - **Example (Not of Discursive Injustice, but On This Distinction):** In couples therapy, people are often taught to make “I-statements” rather than normal assertions, expressing feelings rather than making assertions:
<https://www.therapistaid.com/therapy-worksheet/i-statements>
- **Question:** Can we think of other kinds of examples that fit this general schema?

3 The Critique of Austin (and accordingly Langton)

- **Austin’s Important Distinction:** Recall Austin’s key distinction, taken up by Langton, between *illocutionary* force—what is done *in* saying something—and *perlocutionary* force—what is done *by* saying something.
- **Kukla’s Criticism:** On Kukla’s account, what the speech act actually *is* depends on the way in which it gets *taken up* in discursive practice—which norms that speakers take themselves to be bound by as a consequence of the speech act’s having been made. This isn’t settled just in the utterance itself. As such, there’s no clean way of drawing the distinction between *illocutionary* force and *perlocutionary* force.
- **An Tension in Austin and Langton:** “If we are going to maintain a strict Austinean illocutionary/perlocutionary distinction, as Langton and Hornsby do, then illocutionary effects and forces are those that are accomplished *in the act of speaking itself*, as opposed to those caused by the speech act. Austinean illocutionary effects are immediate: the ship is named *in* the act of baptism, and so forth. But on their account, performative force is

not effected in the act of speaking, but rather partially constituted by a wholly separate, contingent subsequent event, namely the audience's recognition of the speaker's intention. But this recognition is a perlocutionary effect of speaking, and hence the performative force they are talking about does not seem to be illocutionary after all," (454).

- **Question:** We've been struggling with just this issue in Austin (and some people wrote essays dealing with this sort of topic). Do we think Kukla's criticism is fair? Do we think there's a response to be made on Austin/Langton's behalf?
- **Temporal Unboundedness of Performative Force:** What it is for a speech act to have the performative force that it does is for it to shift the norms by which people take themselves to be bound in the way that it does. This shift is not necessarily *settled* at the time of utterance; future acts of uptake can retroactively determine what the speech act that was performed at that past time actually was.
 - Once again, there are interesting metaphysical questions here that I'm not quite sure how to conceptualize, but note that this is a rather different picture than Austin's.
- **Normative Bounds and Concrete Actions:** I take it that we can still draw something *like* an illocution/perlocution distinction on Kukla's account between the performative force of a speech act—the shift in norms in which its uptake consists—and the material changes that actually happen in virtue of that shift in norms. This distinction is genuine insofar as being *bound by a norm* is not the same as being *physically bound*—it always in principle leaves open the possibility of acting in accord with the norm or violating the norm.
 - **A Familiar Kind of Example:** The lieutenant orders the cadet to do push up. This speech act *obligates* the cadet to do push-ups, and, in response to this newfound obligation, the cadet *obliges*, doing what they're obligated to do: dropping to the ground and doing push-ups.
 - **An Example of a Speech Act with Purely Normative Upshot:** But there's a lot of examples where this distinction doesn't quite align with Austin's, particularly speech acts that aim solely at the change of the normative statuses and not any concrete actions. Consider the act of naming someone employee of the month. The output of this speech act is to oblige everyone to recognize that person as employee of that month, to entitle that person to put "Employee of the Month" on a resume, and so on. There might be no consequences other than the normative ones, and yet the act was not a failure.
 - * It seems that Austin's committed to trying to make a distinction between illocutionary and perlocutionary force here, whereas Kukla would say that there's just the performative force—the change in normative statuses that the speech act accomplishes—and no concrete actions extrinsic to those normative changes that the speech act strives to bring about through instituting them.