

ONE

LANGUAGE, PRACTICE,
AND INDIVIDUAL AGENCY

A culture is built by the piling of individual testimony on individual testimony in a long tradition.

—Stuart Hampshire, *Innocence and Experience*

We believe, so to speak, that this great building exists, and then we see, now here, now there, one or another small corner of it.

—Ludwig Wittgenstein, *On Certainty*

Throughout the long span of his career, Michael Oakeshott frequently turned to the individual person as the locus of philosophical and political analysis. In his two most expansive and systematic works, *Experience and Its Modes* (1933) and *On Human Conduct* (1975), as well as in the essays collected as *Rationalism in Politics* (1962) and *On History* (1983), the individual is the abiding protagonist. Even when “the totality of experience” is the object of philosophical analysis, this cannot be explained without accounting for the “self, replete with opinion, prejudice, habit, knowledge [that] is implied in every actual experience[, for] to exclude this self from any experience whatever is an absolute impossibility.”¹ Likewise, Oakeshott’s account of the “modern European state” is inseparable from his account of the individuals therein associated.² Yet it is not merely the abstract individual (the individual as philosophical placeholder) that matters to Oakeshott. Rather, it is the individual as a thinking and acting subject, as a concrete historic person who is the (*only*) protagonist of the epic of human conduct.³ Indeed,

human conduct cannot be made intelligible without recognizing and exploring the ineluctable sense in which each individual is an *agent*, an intelligent, self-disclosing and self-enacting doer. Oakeshott's systematic view of agency, developed over many decades, returns again and again to the interrelated roles of concepts and practices in what and how individuals think and do. It is in respect of his rich account of agency as having its own grammars or languages that I believe Oakeshott's work stands to inform and be informed by the later philosophy of Ludwig Wittgenstein. Each thinker develops a view of agency that is essentially a kind of language-use, both literally and metaphorically, and the terms in which they present their respective views of language, practice, and agency complement one another, such that much is to be learned from listening to what they each have to say on a number of common themes. While several of these have been explored, to various conclusions, there is a good deal more to be gathered from a conversation between these two thinkers.

FRAMING THE CONVERSATION

Numerous commentators have identified affinities between Oakeshott and Wittgenstein on a range of philosophical topics, and have most often framed the encounter in one of two ways. First, Oakeshott and Wittgenstein have been addressed to one another in virtue of their general philosophical styles or attitudes. Commentators have repeatedly argued that the two embrace fundamentally similar approaches to understanding and doing philosophy, specifically in opposition to a prevailing philosophical "rationalism" stretching from Descartes to twentieth-century analytic philosophy.⁴ Second, Oakeshott and Wittgenstein have been addressed to one another in virtue of their accounts of the conditions of agency and community. Here the two are presented as sharing a concern with the ways in which rules structure and set the bounds of what individuals can say, do, and mean. This approach represents both thinkers as theorists of a situated self, whose identity, capacities, and horizons are drawn largely by the boundaries of the community in which the individual dwells. Some commentators, such as Richard Flathman, have interpreted this affinity in thought between Oakeshott and Wittgenstein fairly liberally, suggesting that the two similarly understand the inner workings and conditions of agency and community but nonetheless understand individual agency as articulated against the shared background of rules and community.⁵ Others, such as David Bloor, J. C. Nyíri, and Richard Rorty, have interpreted Oakeshott and Wittgenstein as essentially conservative thinkers, advocates of the community and its customs or rules over and against the individual agent. These two approaches to Oakeshott and Wittgenstein—sketching their critiques of rationalism and their views

of situated agency—often converge on the notion that practice underlies theory, and thus that philosophy can at most describe ways of living that are already present in actual human communities. Although there are some who understand Oakeshott and Wittgenstein as describing the conditions of robust individual agency, the majority of interpreters who read the two as addressing a family of overlapping concerns understand them to be essentially conservative thinkers (both philosophically and politically) who privilege practice over philosophy, and the rules and authority of the community over the choices and claims of the individual.⁶

My aim in this chapter is to review and reimagine the conversation between Oakeshott and Wittgenstein, both to identify and clarify their affinities and to challenge a view of individual agency that is common to many readings of the two as kindred, conservative thinkers. From their views of individual agency as ineluctably framed by intersubjective practices of speaking and acting, the claim is often derived that individual agents cannot help but manifest and reproduce robust forms of agreement with the conventions and traditions of their community. This proposition is frequently taken as evidence that critical agency (e.g., in politics) is either illusory or incoherent. J. C. Nyíri and David Bloor are perhaps the clearest and most consistent advocates of such a view.⁷ However, something like this view has become common to most conservative interpreters of Oakeshott and Wittgenstein, yet it also continues to capture the imagination of readers who may not be partisans in any interpretive debate, and thus shapes the reception of Oakeshott and Wittgenstein in political and social thought.

I believe that the conversation between Oakeshott and Wittgenstein can be fruitfully restaged, so as to clarify both the depth of affinity between them as well as the implications of their work for political theory and practice. I shall argue that there is adequate textual evidence to reject the conservative reading and thus its political implications. I suggest that if one considers the characterizations of individual agency and its conditions presented in Wittgenstein's and Oakeshott's respective works, then one finds that their discussions of agency intimate and support a deeply individualistic understanding of agency premised upon but not determined by a larger intersubjective background or network of shared concepts and practices. Ultimately, my aim is twofold: first, to construct an account of individual agency that recognizes its intersubjective, social conditions, yet views these conditions from an individualistic perspective, and second, to challenge a common association drawn between Wittgenstein and Oakeshott which suggests that their intellectual affinities are deeply conservative in tenor, and that their respective works present the individual agent as imprisoned within an edifice of convention that is itself beyond the reach of critical reflection and action. I will approach the former by way of the latter.

In order to provide a consistent point of view from which to consider the work of Wittgenstein and Oakeshott, I will employ a useful if simple distinction between *individualistic* and *social* theories of agency.⁸ Individualistic theories of agency generally emphasize the individual's capacity to act, a capacity that is not reducible to or fully determinable by an individual's context of action. The most common and familiar individualistic theories of agency that inform the contemporary study of politics (though, as I will show, by no means the only such available) are rational choice theories, social choice theories, and their kin.⁹ While such theories do not altogether discount the ways in which individual agency and action are conditioned externally, they treat agency as importantly self-contained, driven by individual rationality, preferences, and calculations, and importantly independent of the hurly-burly of life to which action is a response. What I am calling social theories of agency generally stress the intersubjective conditions and context of individual agency and action. Individual agency is treated as explicable in terms of conditions beyond the agent herself, and thus more or less derivative of some larger social field of traditions, systems, forces, and relations exogenous to the agent.¹⁰

The tensions between individualistic and social theories of agency, and their applications in political theory, are readily apparent, if not always well documented or explored. While the tensions are genuine, the delineation of one approach from another is often a secondary concern, a trope used to emphasize or amplify other points of contention (such as how best to understand and organize democratic institutions, how best to understand and institutionalize political and legal rights, or how best to defend or undermine particular identities and traditions). Given the secondary status ordinarily afforded to agency as a chip wagered in larger theoretical games, accounts of agency are often assumed and categorized quickly and starkly in reflection on politics, so as to settle the issue of agency at the outset (sometimes by denying the possibility of a middle ground or meaningful debate) and move on to the topics that the respective theorists really intend to discuss. Thus, while theoretical divisions regarding agency are real and, I would add, important, they often receive rather partisan lip service, and often remain among the less developed aspects of any political theory.

With this as my guiding conceptual scheme, I begin, in the next section, by characterizing broadly the affinities I wish to identify between Oakeshott and Wittgenstein, which form the foundation of the view of individual agency I will present. In the subsequent section I consider an influential conservative reading of Oakeshott and Wittgenstein, which presents them as unwavering advocates of a social theory of agency. By way of criticizing this reading I will challenge the conservative claims upon Oake-

shott and Wittgenstein and further articulate the theory of agency that I draw from their work. Lastly, in the final section, I consider several of the implications of this theory for our understanding of critical reflection and action in politics.

COMPLEMENTARY VISIONS OF LANGUAGE,
PRACTICE, AND CONVENTION

Though there is no direct biographical or textual link between their respective projects,¹¹ if one looks at the world through the respective conceptual lenses fashioned by Michael Oakeshott (in his work of the 1950s to the 1980s) and Ludwig Wittgenstein (in his work of the 1930s to the 1950s), then one sees strikingly similar pictures. Each viewed the human world not as an inert array of discovered and immutable facts, but rather as an understood world, hard-won through the circumstantial utterances and actions of countless individuals. What is more, the utterances and actions of persons are inexorably structured by the conceptual-practical framework that (following Wittgenstein) one could simply call *language*. That is, for both Oakeshott and Wittgenstein, the human world is a world *in language*—understood, inhabited, and experienced through the inexorable mediating influence of concepts and practices whose use constitutes language-use in the broadest sense.¹² According to this perspective, to look systematically at the world is to scrutinize, more or less explicitly, the conceptual and practical frameworks of language that overlay and organize it in experience. The study of human conduct requires attention to language-use, and parsing human conduct into various domains means investigating various practices of language-use engaged in by individuals in the contingent circumstances they encounter. Thus, for Oakeshott and Wittgenstein, the regularities and systematic structures of the world we understand and act within are (intelligible as) the regularities and systematic structures of language. The later careers of both thinkers comprise projects of applying this general perspective to a variety of intellectual domains, questions, confusions, and problems, on topics ranging from logic, mathematics, and skepticism to history, politics, and theories of action. For present purposes I need only to sketch the contours of the linguistic perspective that I argue these two thinkers share, and which informs and suffuses their respective works.

First, the great diversity and complexity of conduct, different kinds of utterance and action in different kinds of circumstances, can be understood perspicuously in terms of different idioms of language-use. Oakeshott commonly referred to such idioms of speaking and acting as “practices,” while Wittgenstein gave them the name “language-games.” Practices or

language-games are the conceptual-practical structures that frame and ground understanding and agency—they are, so to speak, the air that understanding and agency necessarily breathe. Wittgenstein never offered a systematic definition of a language-game, though much of *Philosophical Investigations* and posthumously edited and published works such as *On Certainty* and *Zettel* consist of demonstrative reflections on language-games. Nevertheless, one could say that for Wittgenstein a language-game is an acquired or learned technique of thinking and acting.¹³ Cast in this light, utterances and actions are uses of a technique, an agent following and drawing upon one or another linguistic practice. Somewhat more precisely and systematically, Oakeshott states that a “practice”

may be identified as a set of considerations, manners, uses, observances, customs, standards, canon’s maxims, principles, rules, and offices specifying useful procedures or denoting obligations or duties which relate to human actions and utterances. It is [an] adverbial qualification of choices and performances, more or less complicated, in which conduct is understood in terms of a procedure.¹⁴

Though their formulations differ in terminology and systematicity, both view the structure of utterance and action in terms of techniques of language-use. As Oakeshott claimed, practices or language-games specify “arts of agency” that individuals employ in conduct as they craft themselves, their actions, and their world.¹⁵ Though these techniques are in some ways constraining, in the sense that they regulate as well as constitute idioms of activity, they are not scripts to be parroted. A competent language-user is the “master of a technique” that constitutes and adverbially conditions a “capacity” (*Können*) for intelligent choice and action.¹⁶ Thus viewed, a practice or language-game should be understood as “an instrument to be played upon, not a tune to be played.”¹⁷ To speak and act is to make use of the arts of agency afforded by the language-games one has mastered; to understand or make sense of the actions of others is to understand or make sense of the linguistic practices they use, the language-games they play.

Second, Oakeshott and Wittgenstein recognize the intersubjective, social dimension of language-games. As Wittgenstein puts it, our linguistic practices rest upon and illustrate a broadly social, intersubjective substrate, which he calls our “forms of life.”¹⁸ That is, our language-games and the arts of agency they constitute and regulate are conventional or customary to a group of language-users. Such arts of agency are in the first and most important instance learned (often ostensively) from others who are already mature users (i.e., “masters”) of the respective techniques.¹⁹ Wittgenstein

discusses extensively the acquisition of language in the *Philosophical Investigations*, and Oakeshott likewise emphasizes the sense in which individuals are initiated into the practices contained in and conveyed by convention and tradition.²⁰ An initiate into a language-game (whether a child or an adult) learns from already initiated practitioners, and hence learning language-games has an ineluctably social, intersubjective dimension.²¹ The arts of agency are acquired and mastered through life *inter homines*, as conventional techniques are disseminated from adepts to initiates. In addition to how we learn language-games, the uses we make of them have an enduring conventional, social aspect. We speak and act either directly *with* or indirectly *with respect to* others (even the imagined other who “hears” what one “says” to oneself), addressing ourselves through the use of learned conventions of practice to a world of other agents. Even when an agent speaks or acts privately, in physical isolation from others, the practices she uses in some way presuppose and are conditional upon the intersubjective context in which she is situated as a language-user. Though each agent’s act is “ineluctably his [or her] own” in respect of authorship, the felicity of any particular utterance or action has a social, conventional dimension, which further means that even the most singular act takes its place within a larger field of custom shared with others.²²

Third, the practical aspect of language-games as techniques and their conventional aspect as social institutions meet in the rule-character of language-games. Both Oakeshott and Wittgenstein describe the acquisition and use of language-games in terms of rules and conventional techniques, presenting rules and rule following as the conceptual core and paradigm case of language-use.²³ Mastery of a language-game entails mastery of the rules that structure the game, even if one did not learn the game by memorizing rules and does not practice it by self-consciously recalling and interpreting rules. *Philosophical Investigations* deals repeatedly with how rules subtly structure language-games and serve as primary vectors along which convention travels in our linguistic practices.²⁴ The “private language argument,” for example, can be read in part as a refutation of the proposition that some (i.e., “private”) language-games float free from intersubjective rules and conventions.²⁵ “Our talk gets its meaning from the rest of our proceedings,” and this larger context is conventional, which means intersubjective and social.²⁶ Oakeshott likewise identifies a conventional, customary background of our linguistic practices, which he describes as “a capital that has been accumulated” over many years, which agents draw upon, participate in, and contribute to in their utterances and actions.²⁷ This social background comprises “languages of self-disclosure and self-enactment,” which are possessed only in virtue of being learned, and learned only in virtue of being shared

with others as customary idioms of conduct that stretch across generations.²⁸ In an ineluctable yet not exhaustive sense, every manifestation of individual agency—whether playing a game of chess, speaking English, or voting in an election—is describable in terms of rule-following, adherence to and attunement in conventions and institutions shared with others.

The linguistic pictures of Oakeshott and Wittgenstein lend themselves easily to social theories of agency, which stress the external, intersubjective conditions of individual agency. On a cursory review, Oakeshott and Wittgenstein appear to present (or at least to offer the resources to maintain) social theories of agency that reckon convention both the form and the matter of individual action. Accordingly, one might infer that Oakeshott and Wittgenstein understand individual agency as the residue or side effect of social institutions or intersubjective processes. The individual agent, one might say, exists only in a derivative sense—as an evanescent ripple on the surface of the deep water of community, custom, and convention. Such readings have found receptive audiences in philosophy and political theory,²⁹ yet I will argue that such readings are textually tenuous, conceptually inadequate, and both philosophically and politically misleading. I believe that despite the foregoing sketch, Wittgenstein and Oakeshott share a fourth route of affinity, a fundamentally *individualistic* perspective on agency situated within the context of social practices, and I shall argue that this perspective is not only consistent with the conventionality of language-games but in fact contributes to a more robust and sustainable understanding of the life and force of conventions. Though I do not suppose myself to offer a refutation of the reading that I ultimately reject, my argument against it takes a fresh view of Wittgenstein, Oakeshott, and their complementary insights for political thought.

CONSERVATISM AND INDIVIDUALISM

How one reads Wittgenstein with respect to language and agency inexorably shapes the political availability and valences of his work. As a rule, to read Wittgenstein as offering a social theory of agency carries a range of conservative consequences in application to political theory, whereas reading him as offering an individualistic theory of agency carries individualistic, liberal (though, I shall argue, less than radical) consequences. Although a rough investigation and analysis of a conservative reading of Wittgenstein and its political implications could be undertaken fruitfully without any reference to Oakeshott, considering the two as participants in a common conversation regarding language and agency is warranted for several reasons. First, Oakeshott is often drawn into conversation with Wittgenstein by precisely those thinkers who offer a conservative reading of Wittgenstein, in service of a social theory of agency. Not only do I believe that the conservative

reading misrepresents the views of Oakeshott and Wittgenstein, the conservative reading looms large for any attempt to place the two thinkers in conversation. Second, as I argued in the Introduction, the attribution of simple labels to Oakeshott tends to distort his complex ideas. I would add that such labels distort Wittgenstein as well. Hence, reading Oakeshott and Wittgenstein together, against the conservative reading, both challenges one such label and illustrates what is lost when such labels gain currency. Third, as Wittgenstein left us no political theory, the implications of his work for political theory are inevitably extrapolations. Yet Oakeshott's political work is extensive. If, as I have suggested, Oakeshott and Wittgenstein share a number of fundamental perspectives and notions regarding language and agency, then Oakeshott's political thought might be instructive regarding how to understand the implications of Wittgenstein for political theory. I am not suggesting that Wittgenstein's philosophical perspectives on language and agency necessitate the set of theoretical positions on politics that Oakeshott happens to espouse. Rather, I mean only to suggest that Wittgenstein's contributions to political theory (as speculative and wrought as they necessarily must be) shall likely bear a distinct resemblance to Oakeshott's—as if though singing different notes, they nonetheless harmonize.

I will sketch what is perhaps the dominant conservative reading of Wittgenstein and Oakeshott, which is articulated in the work of J. C. Nyíri and David Bloor, and which attributes social theories of agency to both Oakeshott and Wittgenstein. I will then offer an alternative reading that is, I argue, a more faithful rendering of Oakeshott and Wittgenstein, and provides a more coherent sense of how the intersubjective and individual aspects of language and agency are interwoven in their thought. This prepares the ground for a reevaluation of the political implications drawn from the conservative reading.

Convention, Forms of Life and Conservatism

Both Oakeshott and Wittgenstein describe a dimension of conventionality to how language is learned and used that locates the individual agent within a dense network of practices or language-games that she draws upon in her actions. Using these practices, playing these language-games, entails the expression of (almost always implicit) agreement or attunement with other language-users with whom the individual shares forms of life and cultural capital. Any attentive reader of Oakeshott and Wittgenstein must, I think, come to some such conclusions. However, the further specification of the arguments that lead to these conclusions and the implications these conclusions have in political theory can send one off in different directions, despite this initial agreement.

The readings of Oakeshott and Wittgenstein articulated by J. C. Nyíri and David Bloor are similar enough in argumentation, textual interpretation, and political implications that I will treat them as a single view, which for simplicity I will refer to as the conservative reading.³⁰ The core of the conservative reading and its social theory of agency may be simplified (and occasionally elaborated on its advocates' behalf) into the following form:

1. Individual agency is conceptually and practically framed by language, such that agency and action are inseparable from language-use.
2. Language (in the formal abstract) and language-use (in the concrete) consist of social, that is, intersubjective and conventional, practices.

(As I suggested earlier, these are neither controversial claims about Oakeshott and Wittgenstein, nor do they entail a social theory of agency or conservative implications for political theory.)

3. Beyond the formal sense in which language-use consists in using ineluctably social practices, the conservative reading maintains that individual language-use consists in following the empirically settled and verifiable rules, customs, and conventions of some community; some "we" of which the relevant "I" is a member.
4. Clarifying and amplifying the sense of "following," the conservative reading asserts that meaningful individual utterance and felicitous individual action is the reproduction of custom. For example, adding correctly means to do what others do, or would do, according to a shared rule, such that the real criterion of an individual's doing or saying something correctly is that she does or says what conforms to the form of life of the community.³¹ In support of this interpretation, the conservative reading focuses upon Wittgenstein's remarks about following rules and conventions blindly, and Oakeshott's early discussions of tradition, and interprets these as evidence that what an individual says and does is intelligible only insofar as it blindly reproduces custom.³² Wittgenstein's remarks that "[s]omething must be taught us as a foundation" and that one's "*life* consists in [one's] being content to accept many things" come to mean that an individual's ideas, utter-

ances, and actions are essentially the repetition of what has been inculcated in her by her elders.³³

5. Individual agency is therefore a rigidly if not exhaustively socially determined capacity to follow the customs and conventions of one's community. Competent, intelligible individual action manifests only and exactly in doing and saying what some community, some "we," does and says. According to Bloor, Wittgenstein "was remorseless in stressing the priority of society over the individual" in just this sense, and in terms that Nyíri purports to draw from both Oakeshott and Wittgenstein, "any human being must, in order to be a human being, be constrained by some form of life, by some network of tradition" immanent to her community, which in word and deed she reproduces.³⁴

If one reads Oakeshott and Wittgenstein in this way, then the political implication follows that individual agents are as such incapable of gaining critical purchase by word or deed upon the community to which they belong. The conservative reading pictures the individual constrained by her inherited conventions of thinking and acting in a way analogous to how a person on holiday in a country whose native language she does not speak is constrained to the phrases in her travel phrase book. She must use her inherited conventions whole cloth, for these conventions have been taught to her as a foundation and are for her the horizon beyond which she cannot see. The combinations she composes out of these inherited stock phrases may be novel, but only trivially since what she means, says, and does in her thoughts, utterances, and actions is determined externally and in advance by the conventions she reproduces (and indeed must reproduce) blindly and by rote.

As Nyíri characterizes the political implications of the conservative reading:

[A]lthough any given form of life, mode of thought and behavior, can be superseded by or have superimposed upon itself other forms of life, it cannot actually be criticized. All criticism presupposes a form of life, a language, that is, a tradition of agreements; every judgment is necessarily embedded in traditions. That is why traditions cannot be judged.³⁵

The conservative reading of Oakeshott and Wittgenstein simply "gives the critic no room."³⁶ In more expressly political terms, criticism of one's own

society is vacuous on the conceptual level and fruitless on the practical level. The impossibility of real criticism stems, say Nyíri and Bloor, from the fact that to make an intelligible claim is to play a language-game; to play a language-game is to follow the rules and conventions of one's society (in the sense outlined at 4 above); hence, a genuinely critical stance or act toward one's own society inveighs against its own conditions and undermines itself. The critic either falls into incoherence and imbecility (insofar as she goes off the rails of convention that keep her in agreement with the society she would criticize) or ends up unwittingly justifying the very arrangements she intended to challenge (insofar as making an intelligible claim or coherent argument requires adherence to the body of custom and convention that she meant to criticize). In either case, Nyíri supposes that "nonconformism" is an anthropological absurdity" because intelligibility to others and robust conformity to the conventions of one's community are both empirically and logically inseparable.³⁷

Language Use and Critical Agency

On the conservative reading, one is left with the view that a community's stock of linguistic practices is integral, internally coherent and mutually supporting much like smoothly aligned bricks in a wall. The entirety of a community's language-games are harmoniously arranged such that each conceptually supposes and practically affirms the others. There is no room for critical agency because the harmony latent and manifest within the assemblage of practices is at once necessary, stable, and complete. Although the conservative reading has been challenged,³⁸ I believe that the full implications of its rejection or refutation have yet to be fully explored and appreciated. This gap leaves underdeveloped the ways in which Oakeshott and Wittgenstein speak to questions of freedom, authority, law, and critique in political theory and practice.

Instead of rehearsing arguments that have been offered against the likes of Nyíri and Bloor, I will offer an alternative view that reverses the method of the conservative reading. In effect, Nyíri and Bloor pose the question "Can one genuinely and intelligibly criticize one's own society?" and draw a negative conclusion based on their interpretations of several of Wittgenstein's remarks on culture, forms of life, conventions, and rules, supplemented by a handful of Oakeshott's arguments against the set of philosophical dispositions and methods he termed "rationalism." Yet the conservative reading starts from a position of feigned ignorance, doubt, or open-mindedness (as if the guiding question were not already adequately and conclusively answered by real practice) and proceeds to derive a denial from an absence. The absence of a robust and explicit theorization of indi-

vidual critical agency in selections of Oakeshott's and Wittgenstein's work is presented as a conclusive denial or refutation of the intelligibility and even possibility of meaningful criticism of one's own society in word and deed.

Contrary to the conservative reading, I suggest that it would be more faithful to the method and spirit of Oakeshott's and Wittgenstein's thought to abandon the feigned (and, in Wittgenstein's sense, overly "philosophical") ignorance or doubt regarding the *possibility* of critique, and analyze earnestly the facts of the matter. Start neither from the question of whether critical agency is possible, nor from a hypothesis that it is possible, but from the patent fact that individuals engage in a host of "everyday practices of criticism"³⁹ of the rules, conventions, and forms of life of the community or society of which they are competent members. The relevant question then becomes, "How do Wittgenstein and Oakeshott equip us to give account of this fact?" Proceeding in this fashion, not only does one see that the conservative reading is misleading in its assumptions and nonsensical in its conclusion, but one also sees more perspicuously the individualistic implications of Oakeshott's and Wittgenstein's complementary views of language and agency.

Bernard Williams's essay "Pluralism, Community and Left Wittgensteinianism," furnishes an example of the sort of approach to the issue of critical agency that I have in mind. Williams begins from reasonable characterization of a modern pluralistic society, in which there is fundamental agreement on some practices yet deep and meaningful disagreement on others. He subsequently challenges the alleged necessity of "undiscriminating acceptance of whatever conceptual resources of the society actually exist" that is posited by the conservative reading.⁴⁰ Williams argues that Wittgenstein's insights on the conventionality of our linguistic practices would admit the possibility of genuine individual critical agency within the intersubjective network of our language-games and forms of life. Within the network of practices there exist spaces within which one practice may be used to gain critical purchase upon others, to challenge and even to "combat" others.⁴¹ Recognizing the fact that "people have found [within the rules and conventions that they share with others] resources with which to criticize their society," Williams claims that on a Wittgensteinian view (with which I have shown Oakeshott to agree), "[p]ractice is not just the practice of practice, so to speak, but also the practice of criticism."⁴² The general attunement in forms of life, in acquired modes and cultivated dispositions of conduct, might shape or constrain the domain of critical agency, but such attunement does not negate critical agency.

As I have discussed, the conservative reading supposes that one must accept the entirety of the practices of one's society in order to use any particular practice contained therein. Wittgenstein no doubt recognized that

conventional attunement and stability are necessary in order for our practices to hold good, so to speak. However, the foundations of our practices consist in general patterns of conventional attunement and stability, not total conformity in each and every individual instance. For example,

[S]ince a language-game is something that consists in recurrent procedures of the game in time, it seems impossible to say in any *individual* case that such-and-such must be beyond doubt if there is to be a language-game—though it is right enough to say that *as a rule* some empirical judgment or other must be beyond doubt.⁴³

The individual agent, in order to be a competent language-user, must *generally* manifest attunement with some form of life shared with others. Yet it is not necessary that each and every one of her actions manifest complete attunement or conformity with the entire body of empirical (or normative) judgments of her community. Once we come to some such realization regarding Wittgenstein's view of language and agency, "we shall have less temptation to assume that [the set of practices we share with others] is a satisfactorily functioning whole; and we shall be more likely to recognize that some widely accepted parts of it may stand condemned in the light of perfectly plausible extrapolations of other parts."⁴⁴ Oakeshott contributes to the insight that what an individual shares with others who have been initiated into the same network of practices is not a "stock" of phrases, actions, or procedures to mechanically repeat, but a "capital" composed of the various arts of agency whose use individuals have learned and shaped, and which they may creatively and critically use.⁴⁵ Neither Wittgenstein nor Oakeshott denies that in order for an individual to be a competent practitioner of any of these arts, she must on the whole be attuned with other practitioners. Yet this attunement on the whole is not and need not be complete or rigidly precise. As William Connolly has argued, the concepts and practices in which we are attuned may be deeply contested, despite being generally shared.⁴⁶ An individual may use some of the arts that she has mastered to work upon others, to challenge their current projections, to close some routes of use while opening others, pursuing what Oakeshott called the "intimations" and "flow[s] of sympathy" latent in our shared practices.⁴⁷ An individual may engage in genuine criticism without stepping wholly outside the context of shared practice that grounds even the intelligibility of her criticism, and thus falling into unintelligibility or performative contradiction. Rather than dismissing genuine criticism as an "anthropological absurdity," Oakeshott and Wittgenstein give rich accounts of its conditions and potency.

One of Wittgenstein's best-known remarks should, I believe, be read as I have just suggested—as a comment upon the individuality of agency despite the social context in which the individual is situated as a language-user. In section 217 of *Philosophical Investigations*, in the course of remarks the central role that practices of rule following play in language-use, he says:

If I have exhausted the justifications I have reached bedrock, and my spade is turned. Then I am inclined to say: "This is simply what I do."

One might read this, following Nyíri and Bloor, as the inevitable conclusion that when the justifications we can articulate come to an end, the only explanation for why we individually act as we do is that others in our community also act this way. "This is simply what I do" becomes shorthand for "I learned the ways of my community and cannot see or imagine beyond them; if pressed to justify my words and deeds, their deepest grounds consist in the raw fact that members of my community speak and act in this way; I can and would do no other." As I have suggested, the conservative reading arrives at such exhaustively social interpretations of language-use and agency by mischaracterizing the ways in which language-games and our attunement in how we play them hang together. Contrary to the conservative reading of "This is simply what I do" as total capitulation to the authority of the ways of the community, I suggest an individualistic reading that more coherently presents Oakeshott's and Wittgenstein's respective views, and the insight we have to gain from staging a conversation between them.

Neither thinker suggests that practices or language-games fit smoothly into a singular edifice shared evenly and completely by the members of the linguistic community. Instead, the shared practices or language-games of a notional community are partially and complexly interrelated. Analogously, the instances of individual language-use need not fit smoothly into a singular, organic pattern of utterance and action shared evenly and completely by the members of the linguistic community. (At some level, what I am describing conforms to the Saussurean distinction between individual speech [*parole*] and conventional language [*langue*].⁴⁸ The former admits of individuality and variation, while the latter is a body of rule-articulated conventions shared and followed by speakers. Yet, as I am presently suggesting, Wittgenstein's picture admits greater room for individual variation and critical agitation in language-use than the Saussurean structural model of linguistics allows.) It is consistent with Wittgenstein's treatment of rules and conventions of rule following to say that agency is thoroughly conditioned by intersubjective practices and patterns of behavior, yet that agency is still at its core individualistic. An individual can use the language-games of her linguistic

community correctly while still making novel uses of the practices she has mastered, and even while using one practice to challenge or disrupt others. A given practice can be the site of critique and contestation even as (and among) individuals (who) use it competently.

The complexity of the individual's relation to the community, and the critical distance it permits, could be further elaborated by picturing how language-games are in fact learned. For example, I did not learn how (and when and why) to make and keep promises by observing and being trained to mimic what "the community" or some notional "we" says and does. Instead, I learned practices of promising from particular individuals, my mother and father, my siblings, my friends, my teachers.⁴⁹ In instructing me, these individuals did not themselves reproduce what "we" or "the community" say and do, but what they individually understood to be promising, practices they learned from individuals like themselves, and so on. Instead, language-use is always what particular individuals say and do, who are never mere members of some notional "we" that shares foundational practices, patterns, and dispositions of action.⁵⁰ Yes, we must be able (in rare cases, not in ordinary ones) to appeal to what some notional entity beyond ourselves says and does, such as when we are misunderstood, or when we are challenged. However, as Hilary Putnam has it, "[o]ur attunements enable us to understand 'what is going on'; they are not facts that we appeal to in going on."⁵¹ That is, when I engage in a language-game, such as promising, I do not in effect *report* the presence of a verifiable, empirical thing called "our form of life" or "our attunement in practices of promising," nor do I *assume* that such an object would be there if I looked.⁵² Instead, I enact a capacity; I make a promise; I express it in the way I learned from other individuals and that has become natural to me; I follow the rules and enact myself according to the technique of the language-game, "blindly," inasmuch as I do not question what is natural to me.⁵³ My ordinary lack of hesitation in speaking and acting, that I need not and generally do not consult a rule book or empirically verify "our" attunement in practices of promising, illustrates not that I already have such an empirical validation of what "we" say and do, but that only the rarest cases call for such validation. Wittgenstein thus offers a commentary on the naturalness to us of our linguistic practices, rather than a statement of the imperiousness of community and its rules over what and how we do.⁵⁴

Even if we accept this individualistic picture of ordinary, unproblematic language-use, Nyíri and Bloor may still appear to have the edge when an individual's aberrant use of a practice is, as it were, called before the community of speakers for judgment. It may seem that critical agency evaporates precisely when the individual turns a practice against the normal ways of the community. Some have supposed that Oakeshott and Wittgenstein

teach that the limits of truth and intelligibility are drawn circumstantially by what the community lets individuals get away with saying.⁵⁵ Therefore, an individual's critical agency comes apart when the rest of the community stops listening to her, leaving critical agency fundamentally conditioned and limited by how far others will humor the individual. Despite its appeal, this fallback conservative position likewise rests upon what I believe is a misreading of Wittgenstein and Oakeshott. Even in cases of irregularity or dispute, validation from the community is not necessarily the last word, or the judgment from which we have the most to learn. In the final instance, when dispute over the use of a practice remains and explanations have been exhausted, "This is simply what I do" means something like "This is how I take the world to be." When explanations come to an end there is no deeper or more objective bedrock to which I can refer than how I *take* the world, how I *live* in it.⁵⁶ Wittgenstein and Oakeshott each acutely recognized that there is no ground to human community deeper than our attunement in practices, but for each individual practitioner no ground is more fundamental than her own understanding of and ways of enacting the practices she has learned. In another of Wittgenstein's formulations:

Nothing we do can be defended absolutely and finally. But only by reference to something else that is not questioned. I.e. no reason can be given why you should act (or should have acted) *like this*, except that by doing so you bring about such and such a situation, which again has to be an aim you *accept*.⁵⁷

This position undoubtedly recognizes limits to the free hand individuals have to assail or challenge the practices they share with others—but agents are nonetheless *individual* practitioners, whose individual judgments, intentions, purposes, and performances have genuine weight. Our agreement in forms of life (from adding numbers in the same ways, to finding humor in the same things, to believing in the dignity of sentient beings) is broad and profound, but around the edges we are not in perfect or exact or explicit agreement; we can generally share forms of life and language-games and still encounter confusion, misunderstanding, and genuine, intelligible disagreement.⁵⁸

Rejecting the conservative reading means abandoning one conceptual picture of language-use and agency for another, and here a metaphor may prove useful. Individual language-users may be pictured as akin to swimmers adrift in a boundless, bottomless sea. The conservative reading of Oakeshott and Wittgenstein pictures these individuals staying afloat by clinging to a raft that they all necessarily share; to let go of the raft is to drown. According to this image, individual language-users must obediently reproduce the conventional ways in which the community speaks and acts; to stray from

“what *we* say and do” is to fall into infelicity and unintelligibility. The critic is thus pictured as the one who lets go, turns from the ways of the community, and either repents his hubris or sinks into silence. On the alternative reading that I am presenting, individual language-users could be pictured as akin to swimmers adrift in the same boundless and bottomless sea, staying afloat not by clutching to the raft at all costs (i.e., adhering blindly to common patterns of behavior), but instead staying afloat by individually using strokes that they have learned from other individuals. The strokes an individual knows and uses might be shared almost exactly by other individuals, and might have only distant relatives in the practices used by some others. Many different kinds of strokes will serve to keep these individual agents afloat, and all that is required is that the various strokes used by individuals bear degrees of family resemblance.⁵⁹ Analogously, individual language-use and agency can be understood as individuals variously using practices in ways that need only share significant family resemblances to the uses made by others. Individual agents may share remarkably significant patterns of conduct without all being locked into blind reproduction of what “the community” says and does. Wittgenstein remarked that even in normal cases “of course, this [e.g., my usage, my action, my claim, my judgment] is also in agreement with other people; but *I* agree with them.”⁶⁰ As Richard Flathman interprets the affinities between Oakeshott and Wittgenstein on this very point, even rules, which are seemingly the most rigid structures of shared linguistic practices, “take the agent by the elbow, not by the throat . . . the most tightly integrated system of norms and rules leaves scope for variations in conduct.”⁶¹ One might conclude with Colin McGinn that “insofar as [Wittgenstein] has a view on the individual/social opposition, he is an individualist.”⁶² This is not to discount the social conditions and dimensions of language-use and agency, but to take a perspective on them that prioritizes the individual as a linguistic agent.

CONDITIONAL YET CRITICAL AGENCY

My purpose for engaging and subsequently rejecting the conservative reading is twofold. First, somewhat academically, I believe that although it places Oakeshott and Wittgenstein in conversation, the reading spreads an inaccurate picture of these two significant thinkers. Conservative readers of Oakeshott and Wittgenstein correctly suppose that the two view the world in similar ways and that their political significance is rooted in their understandings of language-use and agency. Yet conservative readers take the conditions of individual agency identified by Oakeshott and Wittgenstein to act as simple, rigid boundaries, and thus overplay the constraining effects of intersubjective practices. Second, careful examination and rejection of

the conservative reading better illuminates the views that Oakeshott and Wittgenstein properly espouse, as well as some of the political potencies of their reflections on agency and practice. With a more accurate and tenable understanding of their respective works and the affinities between them, we can better appreciate what they intimate about political thought and practice.

Although there have been numerous thoughtful attempts to show the critical voices of Oakeshott and (especially) Wittgenstein,⁶³ interpreters have not always appreciated the complexity of the balance between the social and individual aspects of language-use, and have tended (in some cases) to arrive at majoritarian or radical interpretations of Wittgenstein's political import.⁶⁴ I have attempted to develop a modest, middle position which pictures the agent neither as radically detached from the practices she uses in her self-enactments (a position that both Wittgenstein and Oakeshott clearly reject), nor as strictly determined by these practices (as the conservative view maintains). I need only establish the plausibility of this modest position in order to show that Oakeshott and Wittgenstein hold open space for meaningful critical agency.

Perhaps the most apt analogy that Wittgenstein offers to explain the conditionality of our language-games, and thus of the agency practically structured by them, is the analogy to the hinges of a door. Explaining his notion of the fundamental grounds of our linguistic practices, he says,

[T]he *questions* that we raise and our *doubts* depend on the fact that some propositions are exempt from doubt, are as it were like hinges on which those turn.

...

If I want the door to turn, the hinges must stay put.⁶⁵

This of course does not suggest that some features of our forms of life are forever and with necessity insulated from meaningful critique. It is not, in the example of American politics, that certain political principles such as freedom or equality or popular sovereignty or due process of law are always and everywhere the load-bearing points of the rest of our political system, which therefore cannot be meaningfully criticized or challenged. We can easily imagine and identify situations in which such principles do enjoy this status, but propositions and principles serve as hinges (rendered beyond doubt and meaningful critique) only episodically and in particular contexts. In the context of voting rights, the principle of equality might be a hinge upon which the debate turns—to question or criticize equality in

this context is not impossible but self-defeating. The insight that Oakeshott and Wittgenstein offer here is not that some propositions and principles are and must remain simply beyond criticism (as Nyíri and Bloor suggest), but rather that ripping at the hinges is fruitless in just those contexts in which we want the door to turn. Calling an element of our practice into question requires a context in which the question is intelligible, and such a context is framed by concepts, facts, and techniques that are not (and for the moment cannot be) called into question. When Wittgenstein says that “[m]y *life* consists in being content to accept many things” this does not mean that anything must be accepted once and for all, nor does it in any way guide us with regard to what must be accepted in any context, but only reminds us that at every moment, in every contingent context, there shall be some things that one must simply accept if one is to push practice and inquiry onward.⁶⁶ Every one of our practices can be subjected to profound criticism, though within contingent limits of occasion, orientation, scope, and depth that cannot be fully mapped in advance.

The point is that, to use our practices critically, we must at the same time affirm their conditionality upon other parts of our conventional practices. These are the hinges that must stay put if the door is to turn. In order to question your calculations, I must (for now) accept our practices of mathematics, let them stay put. I could of course challenge them, but only in a context in which these practices are not a fundamental supposition of the critical inquiry itself. In order to question the meaning of our political rights in a juridical setting I must leave the Constitution in place, so to speak. I must allow it to serve, as it conventionally does, as a foundation of our political rights and a key text in our literature of political practices and institutions. In other contexts I could critically examine and challenge the Constitution in the most fundamental terms, but for now, in this context, it is a hinge for our political and legal practices. Read in this way, Oakeshott and Wittgenstein provide the resources with which to affirm critical agency, while stopping short of radicalisms that suppose that criticism can be freed from its underlying conditions, and can turn upon any practice, in any way, at any time.

Depending upon the standpoint one occupies (e.g., how radical a view one takes of politics), the view I have drawn from a conversation between Oakeshott and Wittgenstein might seem a conservative alternative to an archconservative position. However, the reading I have constructed breaks cleanly from the two main political implications of the conservative reading. As exemplified by Nyíri and Bloor, the conservative reading leads to: (1) the blanket dismissal of criticism as a meaningful activity (and even dismissal of critics as competent language-users), and (2) the blanket affirmation of whatever conventions and practices exist for a given community (simply