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Thomas D. Eisele

University of Cincinnati College of Law, [thomas.eisele@uc.edu](mailto:thomas.eisele@uc.edu)

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# Wittgenstein's Instructive Narratives: Leaving the Lessons Latent

Thomas D. Eisele

I find that [Wittgenstein's] *Philosophical Investigations* often fails to make clear the particular way in which his examples and precepts are to lead to particular, concrete exercises and answers, for all his emphasis upon this aspect of philosophy. At the same time, his book is one of the great works about *instruction*—the equal, in this regard, of Rousseau's *Émile* and of Kierkegaard's *Philosophical Fragments*.

—Stanley Cavell<sup>1</sup>

*Philosophical Investigations* is one of the great works about instruction, as Stanley Cavell says, because it is a great work *of* instruction. It does not simply tell us about instruction; it shows us instruction in action—by instructing us. But it does this in a disconcerting way; it instructs us indirectly or latently. And often it uses stories to do this.

Wittgenstein rarely states a thesis or a conclusion that he then wants us simply to approve or accept. Rather, he directs our attention to some fact or phenomenon and *invites* our response to it, sometimes by giving us his response to it, sometimes by leading us with questions, sometimes by telling a story that he seems to think will show us something, sometimes by simply leaving us to our own devices to make of it what we will. Sometimes he anticipates our response and criticizes it, or elaborates it, extends it, or compares it with another. Or sometimes he leaves us pondering his example or story and moves on, expecting us to follow in good time at our own pace. Always, however, there is the teacherly guidance of our attention, and the questioning or quizzical tone that puts us on our guard and solicits our best efforts for the problem at hand.

In a journal devoted to teaching in law school and within the parameters set by our announced topic, “The Pedagogy of Narrative,” I expect two aspects of what I have just said to interest my readers immediately. First, my abbreviated description of Wittgenstein’s philosophical practice should

**Thomas D. Eisele** is Associate Professor of Law, University of Tennessee. This article uses material from the author’s doctoral dissertation, *Wittgenstein’s Normative Naturalism*, Department of Philosophy, University of Michigan (1984). The author remains grateful for the help he received on that initial work from the members of his dissertation committee: Stephen L. White, Frithjof Bergmann, Kendall Walton, and James Boyd White. This revision of the dissertation was prepared with the support of a summer research grant from the University of Tennessee College of Law, for which he also is grateful.

The author dedicates this article to the memory of his father, Karl A. Eisele, Jr., who was, among so much else, his first teacher and storyteller.

1. Stanley Cavell, Foreword: An Audience for Philosophy, *in* *Must We Mean What We Say?* at xxv (New York, 1969) (emphasis in original).

suggest to law teachers that *their* pedagogical practice matches his in a number of ways. In fact, they share with Wittgenstein both motive and method. As far as motive is concerned, both want to get their students to think for themselves, because their professional problems, by their very nature, can be solved only by the kind of individual and team effort that imagines every person and member capable of carrying his or her fair share of the work. To get students to think for themselves entails in large part getting them to learn for (or by) themselves. They acquire the tools of a professional (lawyer or philosopher) largely through a form of self-instruction, a kind of learning by doing on their own. As far as method is concerned, Wittgenstein and law teachers have at least the following practices in common: both direct students' attention to a text (a case or a statute, for example, or an expression); both focus their attention on such a text and hold it there<sup>2</sup>; both ask the text (and the students) questions; both tell their students stories and construct hypotheticals that are meant to stretch the moral of the original text in different directions; both seek to enliven their students' sense of the varieties of possible response to a problem in its various guises; and so on. When described in these terms, Wittgenstein's teaching method is remarkably similar to what law teachers are doing when they use some variant of the Socratic method. And, if this is so, then to this extent Wittgenstein's method is our method. So what we learn about his teaching can become a means of learning about our own teaching. Thus, learning about another becomes a route to self-knowledge. This is as it should be.

Second, I expect my readers to be interested in my claim—explicit in my title—that a central part of Wittgenstein's teaching is his use of stories, or narrative. This claim may surprise someone familiar with Wittgenstein's writings, because they do not on the whole take a narrative form. But their invocation of narratives at certain junctures I find to be a point of intimate contact between Wittgenstein's practice and the teaching of law, yet one that neither philosophers nor law teachers have much studied.<sup>3</sup> I propose to study it. I will examine Wittgenstein's use of narrative in the opening section of the *Investigations* as one means of beginning to understand his teaching (by which I mean, his philosophy) and our teaching.

### I. Reminding Ourselves With Stories

Section 1 of the *Investigations* is representative of—indeed, central to—the rest of the writing in the book. It begins Wittgenstein's instruction in some of the central lessons of the book; it uses narrative to exemplify its lessons; and it illustrates the pedagogical values and choices embedded in the *Investigations*. Of the four paragraphs that compose section 1, two are

2. See James Boyd White, *The Judicial Opinion and the Poem*, 82 Mich. L. Rev. 1669, 1670–71 (1984). My debt to White's characterizations of the teaching and practice of law is pervasive; see especially James Boyd White, *The Legal Imagination* (Boston, 1973), and *Heracles' Bow: Essays on the Rhetoric and Poetry of Law* (Madison, 1985).
3. I have also discussed Wittgenstein and the practice and teaching of law in Thomas D. Eisele, *The Activity of Being a Lawyer*, 54 Tenn. L. Rev. 345 (1987), and *The Legal Imagination and Language*, 47 U. Colo. L. Rev. 363 (1976).

narratives. The first paragraph consists of a story that Wittgenstein quotes from St. Augustine's *Confessions*, in which Augustine tells how he learned to speak. The fourth paragraph is a story that Wittgenstein tells as a way of beginning to show us that Augustine's story is misleading in its implications. Sandwiched between the two stories are two paragraphs: in one Wittgenstein explicates the linguistic and semantic themes implied by Augustine's story; in the other he offers some initial criticisms. So section I begins and ends with stories and in between contains an explication and criticism of one of the stories.

Let me begin with the first paragraph of section I:

When they (my elders) named some object, and accordingly moved towards something, I saw this and I grasped that the thing was called by the sound they uttered when they meant to point it out. Their intention was shewn by their bodily movements, as it were the natural language of all peoples: the expression of the face, the play of the eyes, the movement of other parts of the body, and the tone of voice which expresses our state of mind in seeking, having, rejecting, or avoiding something. Thus, as I heard words repeatedly used in their proper places in various sentences, I gradually learnt to understand what objects they signified; and after I had trained my mouth to form these signs, I used them to express my own desires.<sup>4</sup>

In the eighth section of Book One of his *Confessions*, St. Augustine ponders how he changed from an infant to a young boy, and particularly how he came to be "a chattering boy."<sup>5</sup> Then Augustine, in response to this self-reflection, this self-questioning, describes how he remembers learning to speak: "When they (my elders) named some object, . . ."

Augustine is not presenting us with a theory of language-learning or a philosophy of speech-acquisition; he is telling us a story, giving us a narrative, that he believes best describes or accounts for how he came to speak. This story comes about as an attempt to recollect something from his past that obviously happened; that is, because Augustine now speaks but did not when he was born, he obviously learned to speak at some time in the past. But now Augustine, in his confessional meditation, seeks to recall and describe *how* this occurred.

Augustine wonders how he came to be a babbling boy, and in seeking an answer to this puzzle, he offers an altogether ordinary reconstruction of the process. Crudely cast, it is: "Well, I must have watched my parents and others, who taught me the names of things. This they did by saying the names in my presence and simultaneously connecting those names with the objects they named (by pointing to them as they said the name). I learned these words and their correct connections, and when I did I discovered that I could express myself, my own wishes, and desires. That is how I learned to talk." Some such description of how anyone comes to learn language is quite natural. But it cannot be right.

4. Ludwig Wittgenstein, *Philosophical Investigations* §1a, trans. G. E. M. Anscombe, 3d ed. (New York, 1968). In this passage, Wittgenstein quotes St. Augustine in Latin; the translation appears as a footnote. Further references to *Philosophical Investigations* will be cited parenthetically in the text by section and paragraph. Emphases, oddities of punctuation, and the British spelling in the quotations are all in the original text.
5. *The Confessions of St. Augustine*, trans. John K. Ryan, 50 (Garden City, 1960).

Augustine's story purports to be a matter-of-fact recollection, a memory of a particular event or process, and it cannot be. No child has the mental/linguistic means by which to conceive—and hence to remember—the nature of the language-learning process that goes on between parent and child. Indeed, there is a sense in which no child has the means even of noticing that any such process is taking place, or remembering that it did take place. Of course, infants can *participate* in the process; if they could not, there could be no learning of language. But this only shows that infants can be absorbed into, can be made a party to, this process. They are prepared for it to commence; they are receptive to it; and often enough they start the game of learning language, provoking their parents or elders to answer back to some infantile utterance.

That infants are capable of participating in the process does not show that they can remember it. And how many of us *do* remember how (or when) we learned to speak? I certainly do not remember it, and I doubt that anyone does. So, instead of remembering something that happened, Augustine is engaging in a time-honored philosophical activity; he is reconstructing a past, a history, as it “must” have happened, according to his present lights. His recollection is a fiction, a story, created as a likely description and explanation. “This is how it must have happened,” he is saying to himself. And his frame of mind is familiar to philosophers: Augustine is speaking in (or out of) a philosophical mood. It is exactly this kind of mood that Wittgenstein wishes us to understand.

Augustine is misled into speaking as though he were recalling something from his past, but what he offers us is a fable of language-learning. It is attractive in its purity, its precision, and its clarity. But it is false. For Wittgenstein, we come to grief when we offer an account that does not comport with the humble facts of our lives. Yet, in philosophy, this frequently happens.

We are under the illusion that what is peculiar, profound, essential, in our investigation, resides in its trying to grasp the incomparable essence of language. That is, the order existing between the concepts of proposition, word, proof, truth, experience, and so on. This order is a *super-order* between—so to speak—*super-concepts*. Whereas, of course, if the words “language”, “experience”, “world”, have a use, it must be as humble a one as that of the words “table”, “lamp”, “door”. (§97b)

How might we realize the humility suggested by Wittgenstein, the tempering of the rambunctious human mind, which wants to know the great but ignores the small, which wants to know the supernatural while ignoring the natural? Wittgenstein's modest proposal is that we dispatch the illusions to which philosophers are heir (because they are human) by using reminders: we need to remind ourselves of where and who we are, of what we do, of how we in fact act, of what we in fact say, of how and why we use words, of what their functions, purposes, contexts, and points are or may be, and so forth. These reminders of humble facts are descriptions and examples that come in the form of *stories*, generically speaking; they are *narratives* intended to remind us of the significance that our actual words actually have, because in these narratives we can *see* the actual words in action. Wittgenstein wants to *show* us what our linguistic lives actually

consist in. "Don't say: 'There *must* be something common, or they would not be called "games"'—but *look and see* whether there is anything common to all" (§66a). And this *showing* is meant to begin an education. These narratives are intended to instruct us in the facts that can return us to our natural and normal forms of life, within which our words and stories and claims may make sense.

When philosophers use a word—"knowledge", "being", "object", "I", "proposition", "name"—and try to grasp the *essence* of the thing, one must always ask oneself: is the word ever actually used in this way in the language-game which is its original home?—

What *we* [Wittgensteinians] do is to bring words back from their metaphysical to their everyday use. (§116ab)<sup>6</sup>

You say to me: "You understand this expression, don't you? Well then—I am using it in the sense you are familiar with."—As if the sense were an atmosphere accompanying the word, which it carried with it into every kind of application.

If, for example, someone says that the sentence "This is here" (saying which he points to an object in front of him) makes sense to him, then he should ask himself in what special circumstances this sentence is actually used. There it does make sense. (§117ab)

Wittgenstein uses stories or narratives to provide us with "the facts of nature . . . [by means of which we can] *understand* something that is already in plain view" (§89b). These facts we need to consult when we find ourselves in a philosophical mood or quandary: "The work of the [Wittgensteinian] philosopher consists in assembling reminders for a particular purpose" (§127). Where do these reminders come from? In what form do they appear? We discover or create them in the stories and examples and descriptions we give one another in the light of the particular problem or quandary in which we find ourselves. Specific reminders, cast for specific frames of mind or moods, can be found throughout the *Investigations*, and these countless stories (often of the barest kind) are meant to bring us down to earth, where we belong. In various places, Wittgenstein calls this exercise of discovering or creating narrative reminders (which remind us of the facts we already know and live within but which we have yet even to consider or appreciate) describing or inventing "language-games."

Where traditional philosophers speak in terms of a *superorder* of concepts and structures, a *superreality*, even something supernatural, Wittgenstein speaks simply and plainly of natural phenomena. "We are talking about the spatial and temporal phenomenon of language, not about some non-spatial, non-temporal phantasm" (§108c). To remind us of the natural and normal phenomena of our lives, which taken together constitute both the conditions and the ingredients of those lives, Wittgenstein describes language-games and, when necessary for his purposes, invents them. There is nothing wrong with this inventive storytelling capacity; in fact, his later philosophy encourages it. "[W]e can also invent fictitious natural history for our purposes" (Part II, p. 230a).

## II. Recognizing the Latency in Language

In the remainder of section I, Wittgenstein tells us (in the second paragraph) the implications of Augustine's story; then he tells us (in the

6. See also §96.

third paragraph) some of the shortcomings or omissions in that story; and finally he shows us (in the fourth paragraph) some of the same shortcomings or omissions by giving us a story of his own that serves as a counter-example.

These words, it seems to me, give us a particular picture of the essence of human language. It is this: the individual words in language name objects—sentences are combinations of such names.—In this picture of language we find the roots of the following idea: Every word has a meaning. This meaning is correlated with the word. It is the object for which the word stands.

Augustine does not speak of there being any difference between kinds of word. If you describe the learning of language in this way you are, I believe, thinking primarily of nouns like “table”, “chair”, “bread”, and of people’s names, and only secondarily of the names of certain actions and properties; and of the remaining kinds of word as something that will take care of itself.

Now think of the following use of language: I send someone shopping. I give him a slip marked “five red apples”. He takes the slip to the shopkeeper, who opens the drawer marked “apples”; then he looks up the word “red” in a table and finds a colour sample opposite it; then he says the series of cardinal numbers—I assume that he knows them by heart—up to the word “five” and for each number he takes an apple of the same colour as the sample out of the drawer.—It is in this and similar ways that one operates with words.—“But how does he know where and how he is to look up the word ‘red’ and what he is to do with the word ‘five’?”—Well, I assume that he *acts* as I have described. Explanations come to an end somewhere.—But what is the meaning of the word “five”?—No such thing was in question here, only how the word “five” is used. (§1bcd)

Wittgenstein’s first move in investigating Augustine’s story is to gloss its linguistic and semantic themes. In doing so, he finds that the story contains a “picture of language” and that this picture contains the roots of a certain concept of meaning. Wittgenstein subdivides the linguistic picture into two theses and the semantic concept into three theses. Within these five theses, we find many of the basic topics of criticism in the *Investigations*.

Augustine’s story implies that “the individual words in language name objects” (§1b). This implicit picture of language characterizes words on the basis of how they function, how we use them. (It asserts that what we use them to do is to name things, objects.) But can this characterization seriously be meant to describe how *all* words function? I do not think it can.

If Augustine’s story were meant to cover *all* words and how they function, it would be laughably false. (Do verbs name things? What might prepositions name? And how are we to characterize the functions of conjunctions?) These are obvious challenges to Augustine’s story, and they are made (or suggested) in Wittgenstein’s first direct criticism of the story (§1c). But their sheer obviousness reveals not only the inadequacy of this “picture of language” but also the assumption or attitude of the person espousing it. Augustine’s story—his implicit characterization of language—is never intended to cover these other kinds of words. The question becomes, Why not?

Wittgenstein’s criticisms suggest that Augustine’s story neglects other kinds of words because Augustine does not see them as essential constituents of language. And of course it is only the essential or important part of language—its “essence”—with which philosophy wishes, and claims, to deal. Other kinds of words are negligible for our purposes in philosophy—after all, we are not philologists or lexicographers. We philosophers—

people in a philosophical mood, suffering from philosophical puzzlement—therefore need not worry or bother about accounting for these words and their functions. However they may work and whatever they may do, they are not essential aspects of language and hence are not important for an accurate or useful or philosophically worthwhile account of language.

For Wittgenstein, this philosophical move to rid the ground of “messy” facts, of the complications of life and the complexities of language, is misguided. A philosophy disconnected from the facts of nature, unresponsive to the facts of life, is a bankrupt, failed philosophy. It offers us nothing vital, only mere illusions that mislead us. *His* way of doing philosophy is quite the opposite:

Philosophy may in no way interfere with the actual use of language; it can in the end only describe it.

For it cannot give it any foundation either.

It leaves everything as it is. (§124abc)

The aspects of things that are most important for us are hidden because of their simplicity and familiarity. (One is unable to notice something—because it is always before one's eyes.) The real foundations of his enquiry do not strike a man at all. Unless *that* fact has at some time struck him.—And this means: we fail to be struck by what, once seen, is most striking and most powerful. (§129)

For we can avoid ineptness or emptiness in our assertions only by presenting the model as what it is, as an object of comparison—as, so to speak, a measuring-rod; not as a preconceived idea to which reality *must* correspond. (The dogmatism into which we fall so easily in doing philosophy.) (§131)

This dogmatism exists in the best of us, including Augustine, and it contains an element of intellectual arrogance.<sup>7</sup> In describing how he came to speak, Augustine deems it necessary or relevant to discuss only how he came to learn the names of objects. For him, apparently, this is sufficiently representative or paradigmatic of how we learn language. Learning language is learning the names of objects, or learning how to name objects. The implication is, then, that all words in language are such names, or at least all of the *important* or *relevant* words are such. The other words in language—to the extent that, under the spell or captivation of this picture, we recognize other words, other functions of words—somehow or for some reason do not seem to count, do not seem to matter.

Why does Augustine offer this account in this context? Why does he seem satisfied with this account? Wittgenstein says, “Augustine does not speak of there being any difference between kinds of word” (§1c). *Why* does he not speak of this? Because he does not *know* that there are different kinds? This seems preposterous. Then is it that he simply *ignores* the difference as irrelevant? Or does he simply *neglect* the difference, missing its significance? Augustine's sin of intellectual arrogance consists in his failure to acknowledge what he knows and we know. It is inconceivable that Augustine did not *know* of the multitude of word-functions to which Wittgenstein appeals again and again in his criticisms. But it is conceivable that Augustine did not *think* about them, carefully or circumspectly, and

7. I have said more about this phenomenon in my article, Hegelian Vanity, Common Law Humility, 10 Cardozo L. Rev. 915 (1989).

thus did not consider their impact on and implications for his "picture of language." And this failure is a failure to *activate* the knowledge he possesses, a failure to acknowledge what he (and everyone else) knows to be true about language: there are countless kinds of words, countless kinds of ways to use words, and *all* of these uses and functions and purposes and speech acts constitute "our language."

Then how are we to remedy this failure; how can we activate our knowledge? How is anyone, in the grip of a philosophical mood, to find his or her way clear of the quick generalization or hasty rush to judgment? Again, according to Wittgenstein, we do it by *reminders*. We create counterexamples, tell each other stories, describe and imagine various language-games, all of which re-mind us—put us in mind of certain facts—so that our minds will be brought back to the solid ground of our ordinary lives and language. Thus, in this case, Wittgenstein reminds Augustine about what Augustine knows about language, which we know too.

Wittgenstein's lesson is brought out by his telling us (in §1c) and by his showing us (in §1d) that Augustine's view of language is misleading and requires correction. Let me concentrate on the story he tells in the fourth paragraph (§1d).

This little story is about a person taking to the grocer a slip of paper on which is written, "five red apples." Wittgenstein's intention is, I think, to keep his story as close as possible to the kind of linguistic activity that Augustine's picture of language suggests. The story shows that, despite this effort to follow Augustine, even a simple and straightforward use of language does not fit his picture.

The slip of paper contains three different types of word: a number word, a color word, and an object word. Only "apple" functions in the way described by Augustine, as the name of an object. If "red" is also a name, it is the name of a color, and it is not at all clear that a color (or color sample) can be called an "object." An object may *have* a color, but the color does not seem to *be* the object (or any kind of an object itself). This problem is even more pronounced in the case of "five," because it is difficult to contend that this number word "names" an "object." Perhaps it is imaginable that in certain contexts "five" names a certain numeral, and that a numeral is a kind of an object. Even so, this is not what Augustine's picture of language implies. Instead, it suggests that all words name or refer to objects *all* the time. It is difficult to say what kind of an object a number might be—Platonic? ideal? mathematical? More importantly, Augustine's picture ignores the fact that we use numbers most frequently in counting and measuring and adding and subtracting (and so on), not in naming something. And none of these arithmetical functions seems to be a naming function. So "five" in Wittgenstein's story does not serve as the name of a particular number.

The first point that Wittgenstein's story makes, then, is that there are different kinds of words based on their different functions. This point reinforces or demonstrates the criticism he states in the third paragraph.

But the story in the fourth paragraph shows more; it shows that words and their uses make sense only within a given context and within a frame of human activity and understanding.

Even with this simple story, for example, we cannot understand what the grocer is doing with these words—how he is using the words written on the paper and submitted to him—without also understanding the context in which this use of language takes place. The three words written on the paper might be a question: “Do you have five red apples?” Or, “May I have five red apples?” And the grocer might respond by writing “yes” (or “no,” or “never,” or “I don’t know”) on the paper and handing it back to the person who brought it, who might then return with the grocer’s message to the originator of the note. But the grocer does not do this because he understands—as we understand—that *these words used in this context* make a request for apples, not simply an inquiry. So the grocer fills the order. This makes sense to him (and to us), given the context.

The context is latent in the story, as it is latent in the use of language described within the story. It is something that we must elicit (or assume, or simply understand) as we read; and we do elicit (or assume or simply understand) it as we read. Otherwise, the story would make no sense to us. In addition, another latency in the story is the practical mastery in the use of language that we assume on the grocer’s part (and that we as readers or observers call upon in making sense of the grocer’s actions).

Wittgenstein has one of his interlocutors interject, “‘But how does he [the grocer] know where and how he is to look up the word “red” and what he is to do with the word “five”?’—Well, I assume that he *acts* as I have described” (§1d). Knowing the meaning of the words “five” and “red” and “apples” entails being able to use them in this way (and in countless other ways as well). Meaning is a matter of practical mastery, and it is demonstrated in the way we act with words—and its loss is demonstrated when we fail to act with words as we should.

The grocer may think that he knows what “five” means if he simply memorizes the sound and spelling of the word and can repeat or recognize it when it is spoken or written in his presence. But it is his ability to *act* with the word in appropriate ways within appropriate contexts—to say “the series of cardinal numbers” up to five when he needs them, or to count on his fingers, or to select an apple for every number that he says—that demonstrates his knowledge of language, his mastery of the meaning of “five.” Without the practical activity, the mastery evidenced in use, his claim to know or understand this word would be empty.

When we learn language, Wittgenstein suggests, we learn what to *do* with words, we learn what words are *for*, we learn how to put words together so as to make sense (of ourselves, of the world, to others). As J. L. Austin put it, we learn “how to do things with words.”<sup>8</sup> Language is a way of acting, a way of speaking, a way of making sense, that we inherit as children. And this acquisition, Wittgenstein says, requires us to adopt or accept, to master, a “form of life.” “[T]he *speaking* of language is part of an activity, or of a

8. J. L. Austin, *How to Do Things With Words* (Cambridge, Mass., 1962).

form of life" (§23b). To acquire this form of life, to participate in this activity, requires more than simply memorizing names and learning the object(s) they denote.

This needs some qualification, however, since it is apt to sound as though, in learning language, a child learns "everything" by way of being *taught* it. And this is not true. It leaves out of account at least two matters: (1) that much of what we learn is implicit or latent in language; and (2) that a precondition to learning language is a certain realized capacity for action in the learner.

Much of what we learn in learning language is not made explicit to us either in the teaching (by our parents) or in the learning (by us as speakers). It may be *there*, in the language, but first we must soak it up, absorb it, experience it, and then only later do we realize it. Only later do we discover that we have learned, for example, how to say a word and make ourselves understood by others; how to construct a sentence and convey a thought; what the difference is between two words that express related yet not identical ideas; how to find the right word for the right occasion; when to speak and when to remain silent; how to project a word or concept into an unexpected but acceptable context; how to make a play on words; how to "read" contexts and determine what is appropriate to say within them; how to understand and take the implications of words uttered just here just now by just this person; and countless other lessons about the pliancy and availability (as well as the resiliency and durability) of language. What we learn about language is never simply what someone else teaches us about language, nor that which is explicit in the lesson taught or the example given. Rather, what we learn includes our ineffable, inarticulate experience of language *as* we learn it and as it matures within us (and as we mature within it). The implicit or latent is an irreducible component of learning language, and it is revealed gradually as we progress, maturing as speakers or writers or listeners, discovering the possibilities of the medium we have inherited. Of course, this entails that we make something out of the legacy handed down to us; we have to *do* something with what we are given.

This leads to the second qualifying point: if education is to take place, then the learner of language must act, must do or say something. Wittgenstein insists that to learn language each child must *bring* something to his or her training; the child is as much an autodidact as a pupil. "[T]he *possibility of getting him to understand* will depend on his going on to write it down independently" (§143b). The possibility of getting a child to learn—to acquire, to inherit, to inhabit—a language depends on his producing or generating some actions or utterances of his own, on his own initiative or in response to his teacher's provocations. Without these, there is nothing for his teacher to work with, to mold or to shape or to train *into* our way of speaking. Without *some* expression of the learner's making, there will be no expression that he can have. And, even then, there is a limit to what a teacher can do to him or do for him. Much of learning language is up to the learner, is dependent on what he or she does or fails to do. (This also implies that we create language as well as learn it, that it is malleable and

can be developed with talent and effort, and that language is a potential that we realize to a greater or lesser extent.)

Augustine's account leaves out these aspects of learning language; or, rather, it assumes them as already a part of the picture he sketches, a part of the background against which—or the context within which—a child learns to speak. But, as Wittgenstein shows, it is exactly this latent background of activity and context that a child needs to acquire—and does acquire—in learning language.

One has already to know (or be able to do) something in order to be capable of asking a thing's name. But what does one have to know? (§30b)

We may say: only someone who already knows how to do something with it can significantly ask a name. (§31d)

To speak is to enter a form of life. *This* initiation into a form of life is the part of the inheritance, of the acquisition, that is essential, and it is what Wittgenstein labors so persistently to describe and to bring to our consciousness. Because it is implicit or latent in language, it is difficult to describe, difficult to elicit or evoke; this is one reason Wittgenstein resorts to his odd, idiosyncratic methods (based on "criteria," "grammar," "language-games," and "forms of life"), and it is one reason for the odd look of his writing. But only if he succeeds in describing this element of our language, of our lives, does Wittgenstein understand his later philosophy to be worth the effort expended in its pursuit.

Augustine simply assumes, or passes over in silence, what is most in need of investigation. This is Wittgenstein's deepest criticism of Augustine's account of learning language.

And now, I think, we can say: Augustine describes the learning of human language as if the child came into a strange country and did not understand the language of the country; that is, as if it already had a language, only not this one. Or again: as if the child could already *think*, only not yet speak. And 'think' would here mean something like 'talk to itself'. (§32b)

### III. Showing the Latency in Learning

Wittgenstein's later philosophy expresses and enacts a decidedly anti-theoretical, antipropositional preference. Some people take this as evidence that Wittgenstein is unscientific, or at least unsystematic, in his philosophizing. I take it to show, instead, that the kind of knowledge and understanding that Wittgenstein intends his investigations to produce and promote is of a kind that cannot be expressed or captured in theoretical terms or propositional form. This does not mean that it is esoteric; it remains a knowledge and understanding accessible to human beings and communicable among them, but we cannot gain it by using theoretical tools or scientific methods or standard logical techniques based on propositional forms. Nor can we communicate it by these means. Wittgenstein's means of capturing and communicating this kind of knowledge and understanding are the methods or tools identified by the four distinctive terms of his later philosophy: "criteria," "grammar," "language-games," and "forms of life." These descriptive terms identify Wittgenstein's four ways of locating and

communicating a latent kind of knowledge and understanding, of which he wishes to bring us to consciousness, but which is difficult to bring to consciousness exactly because it is implicit or latent in our experience. In a sense, this kind of knowledge and understanding is too brittle or elusive to stand direct confrontation and description (as is attempted by theoretical, scientific, and logical methods). So Wittgenstein solves this problem by adopting another means for eliciting this kind of knowledge and understanding without falsifying it: he tells stories about it. "Narrative is a primary and powerful way by which to know about a whole. In an important sense, what a society (or a person) is, is its history."<sup>9</sup> Stories enable Wittgenstein to capture and communicate the criteria, grammar, language-games, and forms of life by which and in which and through which we live and think and speak and act.

Storytelling is not a last resort for Wittgenstein or even a second-best means of doing something that he wishes to do some other way but cannot (as though he aspired to be a scientist or logician, but had to settle for being a philosopher). No, he believes that something can be achieved through storytelling that otherwise cannot be done (neither in philosophy nor, hence, in education). What this pedagogical goal is can be seen by considering again how he uses stories in section 1 of the *Investigations*.

Wittgenstein chooses to begin his book with a quotation from St. Augustine's *Confessions*. This choice reflects an educational strategy, one that Wittgenstein adopts frequently (but not solely), a choice between *telling* us what he means to teach us and *showing* us. Wittgenstein begins not by telling us what he wants to say or by explaining what he wants to do (or what he is doing) or how we are supposed to understand what he is saying or doing. No explicit pedagogical directions are given us; he *tells* us nothing. Rather, he begins as some novelists do, by injecting us into another's presence, into a conversation or reverie already ongoing or underway. Wittgenstein is showing his reader something, presenting him or her with something, and not immediately telling him or her anything about it. It is up to each reader to make something out of the quotation from Augustine, both in itself and in its place in this text.

An analogy from the law school context may be useful here. In teaching property law, I can present a case in two ways. I can either ask my students to read it and formulate its holding(s) for themselves, or I can tell them what (I think) the case holds. In the first instance, I am asking them to determine what the case says, the relevant facts, and so on. Of course, in class I expect to help them through it, and perhaps I shall become so dissatisfied with all of the suggested formulations of the holding that I shall be forced to offer my own. Still, by prodding them with appropriate questions and directing their attention to certain facts or issues or equities, I expect them to teach themselves a great deal of the property law to be gained from the case. Thus, the burden of reading and understanding the case is first and foremost on *them*. In the second instance, the burden of

9. Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler & Steven M. Tipton, *Habits of the Heart* 302 (Berkeley, Calif., 1985).

understanding and expressing the salient points is first and foremost on me. They may have to understand the principle or rule of the case, but *I* must understand the case as a whole, from which *I* generate the holding that I tell to the class.

Pedagogically speaking, while both modes of address—telling and showing—have value, they function in different ways. Telling you something may seem the more explicit way to convey a thesis or idea. Telling you what I want you to learn or know may be efficient or economical in conveying my message, and these are important values in education. Sometimes, too, this may be the *best* way of getting the message across, of getting the students to learn the lesson I wish them to learn. But for all its efficiency and economy and “precision,” this mode of address has its costs, and pedagogically speaking they can be steep.

Teaching by telling may convey finished thoughts or ideas explicitly, but its very explicitness and the “finish” of its ideas may make it too “clean” an educational process for its own good—or, rather, for the good of the students. First of all, only certain kinds of ideas can be conveyed in an explicit, finished form. Not every idea is best expressed in this form (just as not every idea is best expressed by a theory or a definition or a rule or a proposition). Wittgenstein gives an example:

One might say that the concept ‘game’ is a concept with blurred edges.—“But is a blurred concept a concept at all?”—Is an indistinct photograph a picture of a person at all? Is it even always an advantage to replace an indistinct picture by a sharp one? Isn’t the indistinct one often exactly what we need? (§71a)

An explicit message (no matter how “precise”) may sometimes be a misleading message, because it is an inaccurate or inadequate expression of what is known or intended. Some knowledge of some matters (for example, our knowledge of language, of law, of any human activity, of any person) may not be expressible in rule or propositional form (the two forms most apt to be used in conveying explicit messages). Wittgenstein again illustrates the point:

What does it mean to know what a game is? What does it mean, to know it and not be able to say it? Is this knowledge somehow equivalent to an unformulated definition? So that if it were formulated I should be able to recognize it as the expression of my knowledge? Isn’t my knowledge, my concept of a game, completely expressed in the explanations that I could give? That is, in my describing examples of various kinds of game; shewing how all sorts of other games can be constructed on the analogy of these; saying that I should scarcely include this or this among games; and so on. (§75)

Compare *knowing* and *saying*:

how many feet high Mont Blanc is—  
how the word “game” is used—  
how a clarinet sounds.

If you are surprised that one can know something and not be able to say it, you are perhaps thinking of a case like the first. Certainly not of one like the third. (§78)

What we know about a matter cannot always be said or stated. It may, however, still be expressible or teachable in other ways. In particular, we may express or teach something by means of examples or stories.

[T]his is just how one might explain to someone what a game is. One gives examples and intends them to be taken in a particular way.—I do not, however,

mean by this that he is supposed to see in those examples that common thing which I—for some reason—was unable to express; but that he is now to *employ* those examples in a particular way. Here giving examples is not an *indirect* means of explaining—in default of a better. For any general definition can be misunderstood too. The point is that *this* is how we play the game. (I mean the language-game with the word “game”.) (§71b)

Teaching by showing—by giving examples and telling stories and asking the students to read and understand the materials on their own—is not necessarily a second-best means of teaching. It is not necessarily an indirect way of teaching something that one wishes to teach some other way but cannot. It is not necessarily done “in default of a better [way]” (§71b). It *can* be a way of teaching something that otherwise cannot be taught or communicated.

Law students learn some of the implicit or inexpressible aspects of law by doing the work themselves when they are *shown* cases and statutes and legislative materials and briefs and memoranda and then asked to make of them what they can. In other words, the traditional law school method of “immersion” in the destructive element,<sup>10</sup> of sink or swim, has as its point the teaching of something *latent* in the world or language of the law. In this kind of teaching, the teacher does not tell the student what the teacher thinks (or wants), perhaps because the teacher cannot express it himself or herself, or perhaps because (even if he or she could express it) the teacher thinks that there is something valuable to be gained or learned by the student doing *this* work himself or herself. Again, as Wittgenstein says (§71b), it is not as though the teacher expects the student to hit upon some definition or theory the teacher cannot himself or herself formulate. Rather, the materials convey a sense of the legal world, of legal context and circumstance and significance, of working with the form of life known as “the law,” that cannot otherwise be conveyed or assimilated. The teacher expects the student to see this, to experience it, and then to go on to use his or her materials in a different (more professional) way.

Although showing may be less explicit pedagogically in conveying a particular message, it is apt to be more adequate in teaching the full lesson available to be learned. If part of the lesson is designed for the students to learn the process of discovering and expressing legal insights and perceptions and discriminations, for example, then the process cannot be taught or learned solely from lectures stating rules or propositions about law (or legal writing and research). In learning one’s way around the common law, for example, *how* one learns to read and apply cases, how one learns to state holdings and dicta and apply rules to new situations, is more important than any particular rule or holding or application that one learns for any specific case. Also, the common law trains one to realize that matters of

10. Joseph Conrad, *Lord Jim* 214 (1890; reprint, Oxford, 1983):

“Yes! Very funny this terrible thing is. A man that is born falls into a dream like a man who falls into the sea. If he tries to climb out into the air as inexperienced people endeavour to do, he drowns—*nicht wahr?* . . . No! I tell you! The way is to the destructive element submit yourself, and with the exertions of your hands and feet in the water make the deep, deep sea keep you up. So if you ask me—how to be? . . .

. . . ‘And yet it is true—it is true. In the destructive element immerse.’”

procedure and substance are reciprocal and interrelated, and that this duality of perspective must be internalized before one can become a competent lawyer or come to know and understand the law.

In law school, of course, students hunger for “black letter” law. They actually think that the law exists in this form, or that this is the standard or normal or ordinary form in which law exists. The common law tradition teaches otherwise; it suggests that legal rules are formulable quite variously, and that the propriety of any particular formulation of a rule is a function of the individual case in which the rule arises and the string of cases out of which it grows.<sup>11</sup> Unless our students understand how black-letter rules are generated and elicited and abstracted from the cases and their contexts, they understand little or nothing of what they need to know—as professionals—about the law and its uses. And because the “black letter” view of law is a view of which our students must be disabused again and again, we teach this lesson again and again by asking them (among other things) to read and state the cases for themselves, to puzzle over their inclinations with respect to horrible hypotheticals and imagined cases, and to put together fields of law on their own.

It is important to notice that this mode of teaching—showing our students cases or examples or stories or hypotheticals and making them work their ways through them on their own—presupposes that there is an element in the law that cannot otherwise be taught or communicated. This is the latent aspect of law, akin to the latency we find (and Wittgenstein acknowledges) in language. Although some matters about the law may be teachable and conveyable in rule or propositional form, certainly not all elements of law are so teachable or expressible, and this seems to include many of the most important aspects of the law.

Furthermore, this mode of teaching requires the use of imagination on the part of both teacher and student. The teacher must imagine what is possible to do within a given profession with the materials at hand, and what might suggest or produce an education in these possibilities; the student must see what is being made available to him or her by way of this lesson and must be able to imagine what might be made out of the materials and lesson as offered. Learning the implicit or latent aspects of law (or of language) requires students to complete what the teacher begins. As Wittgenstein indicates, the student must be capable of doing something if education is to take place. Teachers can be as inviting or as provocative as possible with their examples and stories, but if the student fails to *do* something with these materials, instruction ends.

Wittgenstein also emphasizes the need to *activate* our knowledge. He understands that we have acquired much that is implicit or latent when we learn language, and his use of examples and stories is meant to activate this knowledge, to remind us of it. So, too, does the Socratic method in law

11. Brian Simpson's article on the common law illustrates this point in a persuasive way. See A. W. B. Simpson, *The Common Law and Legal Theory*, in *Oxford Essays in Jurisprudence*, Second Series, ed. A. W. B. Simpson, 77 (Oxford, 1973). I have said more about the role of rules in the common law in Thomas D. Eisele, *The Activity of Being a Lawyer*, 54 *Tenn. L. Rev.* 345, 372–74, 379–80 (1987).

school aim at activating the implicit or latent knowledge that law students acquire when they learn law. The reminders that law teachers give, the hypotheticals, the leading or rhetorical questions, the pointing to differences and similarities, the goading of response; all of these and many more attributes of the Socratic method are ways of getting law students to activate knowledge of the law that they possess but that remains latent, unconscious.<sup>12</sup>

Wittgenstein is pursuing the same goal of activating our knowledge by his strategy in section 1. For instance, in the third paragraph he first states his criticism of Augustine's story, remarking that Augustine has treated the class of nonnaming words "as something that will take care of itself" (§1c). This statement may or may not work, in and of itself, to activate our knowledge of just how various the functions of words are, but Wittgenstein does not leave the matter there. Instead, he prods us to activate our knowledge of the variety of word-functions by giving us in the fourth paragraph the story of the grocer and "five red apples." The story is intended not only to illustrate his criticism in the preceding paragraph but also to enliven our implicit knowledge of language on which that criticism is based. Wittgenstein, in other words, is trying to bring us to consciousness of something we already know but about which we might not think (just as Augustine did not think about it) unless we have the stimulus of Wittgenstein's question and story. We law teachers seek to do the same to our law students (and ourselves) by way of the case method and Socratic teaching (with, I suppose, the same mixed results).

#### IV. Disclaiming Knowledge in Oneself, and Inviting It in Others

Wittgenstein was aware of the implicit or latent quality in language and in learning, and he prized it. About one of Tolstoy's books, for example, he told Norman Malcolm:

I once tried to read 'Resurrection' but couldn't. You see, when Tolstoy just tells a story he impresses me infinitely more than when he addresses the reader. When he turns his back to the reader then he seems to me *most* impressive. Perhaps one day we can talk about this. It seems to me his philosophy is most true when it's *latent* in the story.<sup>13</sup>

We might generalize this perception by saying that, for Wittgenstein, philosophy is "most true when it's *latent* in the story" that any person tells. In practice, this means that Wittgenstein disclaims or disavows theoretical knowledge of the matters about which he speaks and instead simply continues ceaselessly to pursue by means of his philosophical investigations practical knowledge and understanding of the problems bothering him. Most frequently, this commitment takes the form of using and investigating stories. His lessons are implicit in these stories, and he leaves them latent, pending, perhaps prompting.

12. It is not always knowledge of law specifically that we wish our students to recall or activate. Because law is a language related to other languages, including the language of ordinary life and the language of ethics, we frequently need to remind our students about what they know in those related realms. See, e.g., White, *The Judicial Opinion*, *supra* note 2, at 1690, 1697-98.
13. Norman Malcolm, *Ludwig Wittgenstein: A Memoir* 43 (New York, 1958) (emphasis in original).

Wittgenstein's refusal to speak in terms of explicit theories or definitions or scientific hypotheses or logical demonstrations is deliberate. Whatever insights his philosophy may offer, they cannot be separated from the contexts in which they are produced or the ways in which they are expressed. Wittgenstein developed his later philosophy in part as a response to the explicit theorizing and logical mode of his own earlier philosophy in the *Tractatus Logico-Philosophicus*. And he said as much in the preface to the *Investigations*.

After several unsuccessful attempts to weld my results together into . . . a whole, I realized that I should never succeed. The best that I could write would never be more than philosophical remarks; my thoughts were soon crippled if I tried to force them on in any single direction against their natural inclination.—And this was, of course, connected with the very nature of the investigation. For this compels us to travel over a wide field of thought criss-cross in every direction.—The philosophical remarks in this book are, as it were, a number of sketches of landscapes which were made in the course of these long and involved journeyings. (v)

A student of his philosophy must accept or at least understand the spirit in which it is written or expressed. As Stanley Cavell says, "The first thing to be said in accounting for his style is that he *writes*: he does not report, he does not write up results. Nobody would forge a style so personal who had not wanted and needed to find the right expression for his thought."<sup>14</sup> His writing has mystified many readers, depressed others, and outraged most of the rest. Especially among professional philosophers, Wittgenstein's prose has been taken to be professionally unassimilable, almost untranslatable. Some take this as evidence not only of Wittgenstein's refusal to be pinned down to a testable thesis but also of a perverse pleasure in defeating the expectations of his readers. But Wittgenstein's later writing style can instead be understood as a part of his faithfulness to his duty as a teacher and to his conception of what it is to teach someone (either himself or another) something. In particular, Wittgenstein shows himself willing to instruct us by *vying* with us.<sup>15</sup>

One way Wittgenstein vies with his students and readers is by refusing to try to *tell* them something that he believes can be correctly understood or learned only by confronting and experiencing it. He does this not to be coy or perverse, not to make the student or reader suffer, but to make him or her work. What he has to say and to show is difficult and requires work to grasp and understand. The educational value of *showing* is that this mode of address requires you to *do* something active as a part of your education. You must participate in your education in a way that telling as a mode of address does not require.

Therefore, to be fair to this philosophy, to respond justly, requires us to do more than simply read its words and understand its catch-phrases, or to memorize Wittgenstein's theses and theories. It requires us, rather, to generate our own views by reading as well as we can; by giving weight to its words, its sentences, its pauses, and its omissions; by assessing its expres-

14. Stanley Cavell, *The Availability of Wittgenstein's Later Philosophy*, in *Must We Mean What We Say?* *supra* note 1, at 70 (emphasis in original).

15. See Cavell, *supra* note 1, at xxiv–xxv.

sions and claims; by projecting its sketches into the contexts of our lives and studying them there, for whatever grasp or purchase on our lives these sketches may afford. All of this and more amounts to what I wish to call (following Richard Poirier's characterization of Robert Frost's poetry) "the work of knowing."<sup>16</sup>

The same kind of work is required of students in learning the law, in being fair to the common law tradition. Thus, we introduce our students to the law, not by lecturing, not by telling them what the law is, but by *showing* them the law in action in case after case. They discover and teach themselves the law not from outlines or guides or lectures but from cases and classroom performances, and this constitutes their instruction in becoming lawyers.

If this method of teaching places substantial responsibility on the shoulders of the students, it also enacts a noble equality between teacher and students, for it acknowledges two things at once. First, it shows students that no one is in any better position than themselves to claim to know and understand the workings of the law. Certainly not the teacher, who has no special dispensation from human foibles, no special route or means of access to the "truth" about such things. If the teacher is in any better position to speak on these matters, then this can be the case only because he or she has *worked* at it, has labored to make himself or herself intelligent and intelligible. The students are free to make themselves equally conversant, equally informed, and in fact are encouraged to do so. Nothing stands in their way or keeps them from doing so—unless the desire to know is greater in one person than in another. Again, this is a lesson taught latently by the Socratic method, as it was taught latently by Socrates.

When Socrates learned that the Oracle had said no man is wiser than Socrates, he interpreted this to mean, we are told, that he knew that he did not know. And we are likely to take this as a bit of faded irony or as a stuffy humility. What I take Socrates to have seen is that, about the questions which were causing him wonder and hope and confusion and pain, he knew that he did not know what no man can know, and that any man could learn what he wanted to learn. No man is in any better position for knowing it than any other man—unless *wanting* to know is a special position.<sup>17</sup>

Second, this placement of responsibility on the shoulders of the students effectively makes room for them to participate in the life and work of the law (or of philosophy), which is exactly the way in which children learn to speak. We *invite* them to participate in this form of life, we *initiate* them into it, by making room for them in our conversations and our lives. This invites them to participate in the task of making our lives intelligible, of making sense of our lives (through the medium of law, or philosophy, or ordinary language). This gesture enacts simultaneously a silencing or self-effacing of the teacher and an encouragement of the students. It creates room for them in which to test and try out their voices, their professional personae and roles, their attempts at making meaningful contributions to the form of life in which they are becoming participants.

16. Richard Poirier, *Robert Frost: The Work of Knowing* (New York, 1977).

17. Cavell, *supra* note 1, at xxviii (emphasis in original).

Sometimes our students find us intimidating, and to this extent we stifle rather than stimulate them. By telling stories, inviting their response, asking them questions, giving them cases to state and apply, we can prod our students past this obstacle. We can invite them to share with us (and the others in class) their sense of what the stories and cases show, of what is latent, what patent in them, and of what lesson they may teach us. In such a class, no *one* voice dominates, no *one* voice tells all. The materials can be said to speak for themselves, as long as we understand that this occurs only as it ever can in this life: the materials have all of us through which to make themselves heard.

