



# My word is my curse: Cavell's reading of Austin after Derrida

*Minha palavra é minha maldição: a leitura de Austin por Cavell após Derrida*

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## Abstract

In his influential essay "Signature, Event, Context" (1972), Derrida puts forward a shocking appraisal of Austin's ground-breaking doctrine of the performative. He interprets Austin's treatment of the failures that may affect performative utterances as the repetition of the traditional philosophical treatment of the negative. In this article, I will focus on an overlooked development of Derrida's encounter with Austin's text, namely, the response to the aforementioned appraisal that Stanley Cavell offers in his *A Pitch of Philosophy* (1994). I will show that, *after* and *pace* Derrida, Cavell reads Austin's doctrine of the performative as the exploration of the tragic dimension that is peculiar to performative utterances and consists in the terrifying risk of unintelligibility. To this end, I will examine Cavell's alternative interpretation of Austin's treatment of the failures that concern actions and utterances in general, and his unpacking of Austin's anti-moralist motto "my word is my bond" into the tragic "my word is my curse." In particular, I will cast light on Cavell's understanding of the relation between meaning and intention, as alternative to Derrida's, that underpins his overall interpretation of Austin's doctrine.

**Keywords:** *Performatives. Austin. Derrida. Cavell. Tragedy.*

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## Resumo

No seu influente ensaio "Signature, Event, Context" (1972), Derrida apresenta uma avaliação chocante da doutrina inovadora de Austin sobre o performativo. Derrida interpreta o tratamento dado por Austin às falhas que podem afetar os enunciados performativos como a repetição do tratamento filosófico tradicional do negativo. Neste artigo, centrar-me-ei num desenvolvimento negligenciado do encontro de Derrida com o texto de Austin, nomeadamente, a resposta à avaliação acima referida que Stanley Cavell oferece no seu "A Pitch of Philosophy" (1994). Mostrarei que, depois de e pace Derrida, Cavell lê a doutrina do performativo de Austin como a exploração da dimensão trágica que é peculiar aos enunciados performativos e que consiste no risco aterrador da ininteligibilidade. Para tal, examinarei a interpretação alternativa que Cavell faz do tratamento que Austin dá às falhas que dizem respeito às ações e aos enunciados em geral, bem como a sua explicação do lema anti-moralista de Austin "a minha palavra é o meu vínculo" no trágico "a minha palavra é a minha maldição". Em particular, irei esclarecer o entendimento de Cavell da relação entre sentido e intenção, alternativo ao de Derrida, que sustenta a sua interpretação global da doutrina de Austin.

**Palavras-chave:** Performativos. Austin. Derrida. Cavell. Tragédia.

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“Now it says openly that language is our fate. It means, hence, that not exactly prediction, but diction, is what puts us in bonds, that with each word we utter we emit stipulations, agreements we do not know and do not want to know we have entered, agreements we were always in, that were in effect before our participation in them.”

Cavell 2003, p. 72

## 1. Austin and the question of the negative

In a controversial moment of his influential essay “Signature, Event, Context” (1972; hereafter referred to as SEC), Jacques Derrida offers the following shocking appraisal of the doctrine of the performative developed by John L. Austin in *How to Do Things with Words* (1962; HDTW). Derrida interprets Austin's treatment of the failures that may affect performative utterances (which Austin designates as *infelicities*) as the echo of a traditional gesture in the philosophical treatment of the negative. As Derrida points out, it unfolds as the double and almost simultaneous movement of the acknowledgement of failure as an essential risk and of the latter's exclusion as an accidental one. Derrida writes:

Austin's procedure is rather remarkable, and typical of the philosophical tradition that he prefers to have little to do with. It consists in recognizing that the possibility of the negative (here, the infelicities) is certainly a structural possibility, that failure is an essential risk in the operations under consideration; and then, with an almost *immediately simultaneous* gesture made in the name of a kind of ideal regulation, an exclusion of this risk as an accidental, exterior one that teaches us nothing about the language phenomenon under consideration (1982, 323).<sup>1</sup>

As Derrida explains later, to his view, the opposition success/eschew requires a general and systematic elaboration of the structure of locution, namely, a general theory of infelicities (as Austin puts it), which Austin is alleged to reject or defer at least twice in his text through the explicit gesture of an exclusion. Here Derrida refers to the significant moment of HDTW §1, in which Austin adds to the circumstances presupposed for the success of performative utterances in particular, the infelicities that these utterances share with actions and utterances in general insofar as they are a mix of the two (1962, 20–21; we will go back to this moment in section 2). According to Derrida, “Austin has not taken into account that which in the structure of locution [...] already bears within itself the system of predicates that I [Derrida] call *graphematic* in general,” that is, the scriptural structure of locution in general, for which, as we will see later, every communicative mark that I produce, precisely like writing, functions (namely, is understood/read by others) despite and, rather, thanks to my *absolute* death or non-presence (the non-presence of my intention), that is, *since* the very moment of its production (1982, 322). In doing so, as the quoted text suggests, not only does Austin's doctrine of the performative prove to be unable to account for the negative, that is, the vulnerability of communication, but it deprives itself of the very ability to account for it.

In his remarks on Derrida's encounter with Austin's text, mainly developed in “Counter-Philosophy and The Pawn of Voice” (in *A Pitch of Philosophy*, 1994, hereafter indicated as PoP) and

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<sup>1</sup> As it is well known, the encounter of Derrida with Austin's text displayed in SEC develops into the controversy between Derrida and John Searle, which includes Searle's reaction to SEC, “Reiterating Differences: A Reply to Jacques Derrida” (1977), and Derrida's reply to Searle in *Limited Inc* (1988). For a minutious and engaging reconstruction Derrida's encounter with Austin, I recommend Moati 2014a. On the controversy with Searle, see Moati 2014b and Navarro 2017. As suggested by the title of my article, in my subsequent analyses, I will focus on another, almost overlooked, development of that encounter, which consists in Cavell's re-reading of Austin *after* SEC.

*Philosophical Passage* (1995; PP), Stanley Cavell puts emphasis on Derrida's aforementioned appraisal. He takes it as the point of departure for an alternative reading of Austin's doctrine that would cast light on the latter's commitment to revealing the specific vulnerability of performative utterances.<sup>2</sup> Therefore, Cavell asks:

Derrida takes Austin to deny this, or rather, in the words I just now cited of Derrida's, takes Austin to deny—instead of, as I take Austin, to affirm in every sentence, in each of his characteristic methodological jokes or mottoes—that 'failure is an essential risk of the operations under consideration': which I understand to say that if utterances *could* not fail they would not be the human actions under consideration, indeed not the actions of humans at all. Why does Derrida think otherwise of Austin? (1994, 85).

Cavell's hypothesis is that Derrida has not detected the inscription of tragedy into performative utterances that Austin's supposed double exclusion of a general theory of failure and, even earlier in HDTW §1, Austin's reference to line 612 from Euripides' *Hippolytus* attest. To verify his hypothesis, Cavell puts forward a different interpretation of these two moments in Austin's text, as the relevant steps of the latter's exploration of the vulnerability of human communication, namely, in Cavell's terrifying words, of the risk of becoming unintelligible implicit in performative utterances.<sup>3</sup> In the analyses offered here, I will centre on the three following stages of Cavell's reading of Austin after Derrida: (a) Cavell's original interpretation of Austin's exclusion of the infelicities that affect actions and utterances in general (section 2); (b) his development of Austin's misreading of Euripides' line (section 3); (c) the implications for saying in general and philosophical voice in particular that Cavell draws from Austin's acknowledgement that our word is our bond (section 4). Through these analyses, not only do I aim to provide readers with a new look at the encounter of Derrida with Austin from the quite neglected perspective of Cavell's response to Derrida's evaluation—later, I will show that also Cavell scholars have rarely focused on this perspective, and if they did, they do not seem to me to do justice to it. Above all, I aim to discuss the conception of language, alternative to Derrida's theory of the graphematic or scriptural structure of locution, that, according to Cavell, allows Austin to grasp the specific tragedy of performative utterances.

## **2. Cavell's reading of Austin's exclusions**

In HDTW §1, Austin denounces the descriptive fallacy according to which the function of statements would be that of describing a state of affairs and thus they should be measured only against the value of truth (/falsity; 1962, 1). He observes that there are other kinds of utterances, such as those that express commands, wishes or concessions; in particular, he draws attention to those utterances that (a) do

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<sup>2</sup> In PoP, Cavell explains that he will focus on Derrida's reading of Austin as "an acute and rare encounter concentrated on the interacting themes of voice, writing, and philosophy," and will exclude from consideration Derrida's exchange with Searle ("I am going to pretend," Cavell writes, "that the controversy between Derrida and Searle did not happen—as in a sense each of them insists it did not—and speak to Derrida's words on Austin as if for the first time," 1994, 61–2), which would go beyond the scope of the focus described above. For an overall exploration of Cavell's work, see Hammer 2002.

<sup>3</sup> It is worth observing that, in the first part of PoP, Cavell recalls that, for Derrida, the relevance of Austin's doctrine of the performative consists in a certain Nietzschean legacy for which this doctrine replaces the value of truth with that of force in the classification of utterances (1994, 79–85). Cavell finds this understanding of Austin's text inaccurate to the extent that it does not take account of the controversy with positivism that undergirds the development of the doctrine of the performative. As Cavell explains, Austin rather replaces the value of truth with that of felicity, understood as the adequation to reality and factually given conditions. This substitution, for Cavell, opens up the field of ordinary language with all its infelicities. On this part of Cavell's reading of Derrida's Austin, see Moati 2014a, 336–45.

not describe / report (thus cannot be considered true or false), and (b) are (or are part of) the doing of an action ("I do" as uttered in the course of marriage ceremony; 4–5). Austin proposes to call them performatives precisely as "the issuing of the utterance is the performing of an action" (6–7).<sup>4</sup> By definition, these utterances can no longer be appraised under the authority of truth, but their happiness or success hinge on the appropriateness of the circumstances in which they are issued (8). In §2, Austin classifies these circumstances within the following three sets of conditions: (a) there must be an accepted conventional procedure that includes the uttering of certain words, in certain circumstances, by certain persons (1) who must be appropriate for the aforementioned procedure (2); (b) the procedure must be executed correctly (1) and completely (2); (c) the procedure is designed for use by participants having certain feelings or thoughts and thus participants must have them and intend so to conduct themselves (1) and conduct themselves subsequently (2; 14–15). Later, in order to bring the classification of infelicities into completion, thus by taking account of the double nature of the performative as action and utterance, Austin adds a reference to those situations of unhappiness to which actions (1) and utterances (2) are exposed in general. He designates these classes of situations as follows:

(1)

I mean that actions in general (not all) are liable, for example, to be done under duress, or by accident, or owing to this or that variety of mistake, say, or otherwise unintentionally. In many such case we are certainly unwilling to say of some such act simply that it was done or that he did it [... Unhappy] Features of this sort would normally come under the heading of "extenuating circumstances" or of "factors reducing or abrogating the agent's responsibility," and so on (21).

(2)

I mean, for example, the following: a performative utterance will, for example, be in a peculiar way hollow or void if said by an actor on the stage, or if introduced in a poem, or spoken in a soliloquy [...]. Language in such circumstances is in special ways ... used not seriously, but in ways *parasitic* upon its normal use—ways which fall under the doctrine of etiolations of language (22).

With regards to the first class of infelicities, Austin explicitly renounces to develop a general doctrine of infelicities that would draw them together with the infelicities indicated as (a), (b) and (c). As for the second class, he affirms that he is deliberately at present excluding them from consideration (21–22).

As we saw in the previous section, Derrida reads this text as the double movement of rejection/deferral of a general theory of the finitude of communication. In particular, he recognizes in the second exclusion the echo of the philosophical treatment of "writing," understood as the general structure of locution. For Derrida, therein Austin leaves outside of his examination the possibility of citation in general (that is, of the non-serious repetition or the repetition of an utterance without the presence of an intention), which, for Derrida, consists in an essential predicate of writing and, more generally, in the minimal condition for locution. In the section that precedes these remarks, Derrida builds on a close reading of the traditional philosophical treatment of writing displayed in Condillac's *Essay on the Origin of Knowledge* (1746) to argue for the acknowledgement of writing as the general structure of communication. Derrida's argument develops through the following steps. First, Derrida highlights that, for Condillac, the absence of the addressee constitutes the essential predicate of writing within the field of communication, that which makes its functional specificity. As Condillac puts it, humans invented writing to perpetuate

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<sup>4</sup> For an introduction to Austin's HDTW, see Crary 2002, Amboise 2011, and Longworth 2021.

their thoughts and make them known to absent people (Derrida 1982, 311). Second, if this predicate is shared by all kinds of communication, then, Derrida suggests, we should admit a general displacement in the traditional hierarchy, on the basis of which writing would no longer be considered a species of communication but would account for the latter's general structure (314). At this point, third, Derrida takes up the task of further exploring this predicate of absence. He explains that this absence constitutive of writing is not just a delayed presence, in the sense of an ontological modification of presence, but must be brought to the degree of structure or law and thus recognized as absolute death and difference—namely, *differance*. In other words, according to Derrida, my written communication responds to its functional specificity and thus is readable, if it keeps functioning, namely, if it remains readable, beyond the disappearance of any empirical addressee (315).<sup>5</sup> Now Derrida pushes this point even further by remarking that this predicate of absence (as *differance*) also applies to the producer of a written communication (316). The latter thus must be functioning and readable beyond my disappearance in general, that is, before my birth and after my death. From this, there follows that, for writing to be functioning and readable, not only is there no need of my presence, that is, in Derrida's lexicon, of the presence of my wanting-to-say (*vouloir-dire*) and intention, at the very moment of producing my communication and of releasing the mark, but rather this non-presence is required as an essential condition for communication. Derrida formalizes this law of communication as follows:

What holds for the addressee holds also, for the same reasons, for the sender or the producer. To write is to produce a mark that will constitute a kind of machine that is in turn productive, that my future disappearance in will not prevent from functioning and from yielding, and yielding itself to, reading and rewriting. When I say "my future disappearance," I do so to make this proposition more immediately acceptable. I must be able simply to say my disappearance, my nonpresence in general, for example the nonpresence of my meaning, of my intention-to-signify, of my wanting-to-communicate-this, from the emission or production of the mark. For the written to be the written, it must continue to "act" and to be legible even if what is called the author of the writing no longer answers for what he has written, for what he seems to have signed, whether he is provisionally absent, or if he is dead, or if in general he does not support, with his absolutely current and present intention or attention, the plenitude of his meaning, of that very thing which seems to be written "in his name." (316).

At the end of this passage, as we see later, Derrida conjures up Plato's denunciation of the negative features of writing in the *Phaedrus* as the paradigm of the foundational movement of philosophy: it consists in rejecting the acknowledgement of writing as the general structure of locution and the related displacement of the traditional organization of communication (316). Now, it is this movement precisely that, on Derrida's reading, Austin reproduces in his exclusion of general citationality. Therefore, Derrida suggests that Austin builds the field of ordinary language on the denial of the very law of language, namely, the non-presence of the speaker's intention, and thus identifies the ordinary of language with the ethico-teleological desire for preserving the presence of that intention. Derrida writes:

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<sup>5</sup> See Derrida 1982, 315: "A written sign is proffered in the absence of the addressee. How is this absence to be qualified? One might say that at the moment when I write, the addressee may be absent from my field of present perception. But is not this absence only a presence that is distant, delayed, or, in one form or another, idealized in its representation? It does not seem so, or at very least this distance, division, delay, *differance* must be capable of being brought to a certain absolute degree of absence for the structure of writing, supposing that writing exists, to be constituted." For a detailed examination of this argument, which traces it back to Derrida's earlier engagement with Husserl's philosophy of language in *Husserl's Origin of Geometry: An Introduction* (1962) and *Voice and Phenomenon* (1967), see Moati 2014a, 235–254.

In other words, does the generality of the risk admitted by Austin surround language like a kind of *ditch*, a place of external perdition into which locution might never venture, that it might avoid by remaining at home, in itself, sheltered by its essence or *telos*? Or indeed is this risk, on the contrary, its internal and positive condition of possibility? this outside its inside? the very force and law of its emergence? In this last case, what would an 'ordinary' language defined by the very law of language signify? Is it that in excluding the general theory of this structural parasitism, Austin, who nevertheless pretends to describe the facts and events of ordinary language, makes us accept as ordinary a teleological and ethical determination (325).

Cavell takes this moment of Derrida's text as his point of departure for developing his alternative interpretation of Austin's doctrine of the performative as affirming the inscription of tragedy into human communication. We will see later, for Cavell, not only does this doctrine not subscribe to Derrida's argument for general writing, which links the functioning of communication to the difference or non-presence of the speaker by conflating the latter's intention with the mutually agreed institution of meaning.<sup>6</sup> Above all, Austin's doctrine draws on a conception of language that calls into question Derrida's argument and demarcates itself from the latter's ethical implications. More specifically, Cavell starts by offering an alternative interpretation of Austin's double exclusion of the infelicities that affect actions and utterances in general: they are temporary exclusions that refer to other places in which Austin had already treated those infelicities and shed light on the specific tragic dimension of actions and utterances, respectively. Building on this interpretation, Cavell develops an alternative account of the finitude of communication from the perspective of ordinary language.

In PoP, Cavell's interpretation unfolds through the following three steps. As I anticipated, Cavell begins by distancing himself from Derrida as he reads the two exclusions under scrutiny not as oriented to reject the same general theory of failures but to bracket the exploration of two distinguished theories of infelicities that he had already discussed elsewhere ("A Plea for Excuses," 1956; and "Pretending," 1958) and that Derrida fails to recognize (Cavell 1994, 90–91). According to Cavell, in doing so, Austin does not exclude these theories from awareness and significance but highlights their pertinence (86). Above all, Cavell draws on this point to suggest that we can find in this gesture precisely the Nietzschean feature of Austin's doctrine of the performative, which Derrida arguably attributes to the opposition between force and truth, namely, the inscription of tragedy into this doctrine and thus the latter's ability to account for the vulnerability of speech acts.<sup>7</sup> In his first reference to the failures that affect actions in general, Cavell observes, Austin alludes to his doctrine of excuses and to the tragic dimension and unbearableness of human actions that this doctrine contributes to highlight. Cavell writes:

What does it betoken about human actions that the reticulated constellation of predicates of excuse is made for them—that they can be done unintentionally, unwillingly, involuntarily, insincerely, unthinkingly, inadvertently, heedlessly, carelessly, under duress, under the influence, out of contempt, out of pity, by mistake, by accident, and so on? It betokens, we might say, the all but unending vulnerability of human action, its openness to the independence of the world and the

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<sup>6</sup> In this point, my reading of Cavell resonates with Moati's insight that Derrida's encounter with Austin and his exchange with Searle can be read as debates surrounding alternative interpretations of the concept of intention (2014a and 2014b). As I will make it explicit later, I argue that Cavell's reading of Austin diverges from Derrida's in their respective understanding of the relation between meaning and intention.

<sup>7</sup> See Derrida 1982, 322: "Austin had to free the analysis of the performative from the authority of the value of truth, from the opposition true/false, at least in its classical form, occasionally substituting for it the value of force, of difference of force (illocutionary or perlocutionary force). (It is this, in a thought which is nothing less than Nietzschean, which seems to me to beckon toward Nietzsche; who often recognized in himself a certain affinity with a vein of English thought.)"

preoccupation of the mind. I would like to say that the theme of excuses turns philosophy's attention patiently and thoroughly to something philosophy would love to ignore—the fact that human life is constrained to the life of the human body, to what Emerson calls the giant I always take with me. The law of the body is the law. (87)<sup>8</sup>

Here Cavell identifies the vulnerability of human action as the suffering of necessity of actions that he had mentioned earlier on in his text by demarcating them from the pathos of necessity of sense, which he explores further towards the end.<sup>9</sup> From this interpretation of Austin's doctrine of excuses, Cavell draws out his response to Derrida's criticism: "who, such as Austin, would so dwell on excuses who did not surmise that the human necessity for action, and of action for motion, is apt to become unbearable" (87)? Therefore, *pace* Derrida, "excuses mark out the region of tragedy, the beyond of the excusable, the justifiable, the explainable" (87). Furthermore, as I anticipated, Cavell reads this moment of Austin's text as an interpretation of the Nietzschean legacy with regards to the tragic dimension of human actions and thus as the revelation of the *proper* Nietzschean character of Austin's doctrine of the performative.<sup>10</sup>

As for Austin's second exclusion (concerning the infelicities that affect saying), Cavell suggests that we read it as a reference to Austin's doctrine of "pretending" and thus as an acknowledgement of the pertinence of this doctrine for performative utterances. Beyond his disagreement with Austin's treatment of scepticism, which we do not discuss in this article, Cavell supposes that here the doctrine of pretending plays for utterances a role analogous to the role that the doctrine of excuses plays for actions. As he puts it,

"It betokens, roughly, that human utterances are essentially vulnerable to insincerity and that the realization that we may never know whether others are sincere (I do not exclude the first person) is apt to become unbearable. (We might say that it returns philosophy's attention to the fact that human life is constrained to the life of the mind, such as it is.)" (92–3).<sup>11</sup>

In this passage, Cavell casts light on the aforementioned pathos of necessity of sense. On his view, Austin's doctrine of pretending acknowledges the irreducible exposure of human utterances to insincerity, which, however, cannot be merged with the general citationality evoked by Derrida. As we will see later, this exposure testifies to a conception of language alternative to Derrida's identification of institutional meaning and speaker's intention, and should lead us, for Cavell, to other conclusions concerning saying in general and the philosopher's voice in particular.

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<sup>8</sup> For another version of this text, see Cavell 1995, 53–54. On Austin's theory of excuses, see Laugier 2018.

<sup>9</sup> See Cavell 1994, 73: "Then the pathos in the identity of my words is perhaps not that they exist beyond the control of my intention, in the fact that I do not understand all my words' arrivals (why should I? how could I?), but rather that I may be understood by them, in their return to me, too well. This suggests that the pathos is that of telepathy, mind-reading. I will want to distinguish this pathos of necessity of sense from what I will come to call the suffering of the necessity of action. The basis for such a distinction will take a while to appear." For a resonating account of the specific tragedy of action, I recall the passage from *Must We Mean What We Say*, where Cavell explains that, despite all the intention that one can put into an action, "in tragedy, consequences altogether outstrips the creature's preview" (1976, 236).

<sup>10</sup> Here Cavell refers to the following passage from Nietzsche's *Birth of Tragedy*: "In this sense Dionysiac man is similar to Hamlet: both have gazed into the true essence of things, they have acquired knowledge and they find action repulsive, for their actions can do nothing to change the eternal essence of things" (Nietzsche 1999, p. 40). For an overview of Cavell's engagement with Shakespeare, see Cascardi 2003.

<sup>11</sup> For another version of this text, see Cavell 1995, 56–58.



### 3. My word is my bond/curse

In PP, Cavell remarks that Derrida's misunderstanding of Austin's two exclusions would have had no consequences, if Derrida had paid attention to the reference to Euripides' *Hippolytus* that Austin has in HDTW §1 (1962, 52–3). For Cavell, this reference can be read as “the most sensitive point of Austin's inscription of tragedy,” that is, of the Nietzschean element of Austin's doctrine of the performative, which he had detected in the reference to the infelicities of action (1995, 88). As we see in this section, Cavell finds therein the starting point for his further development of the tragic implications of Austin's doctrine and, more precisely, of the specific tragic dimension of performative utterances as compared to actions.

After disclosing the field of performative utterances, Austin focuses on the fact that their success depends on their being carried out under appropriate circumstances (1962, 8). At this point, Austin wonders what we should mean by the fact that, in promises, words must be spoken or taken seriously. To address this question, Austin demarcates himself from those who believe that promising is not merely a matter of saying words but the outward and visible sign of an inward spiritual act. According to Austin, this moralistic understanding of the performative provides us with the space for not responding for our promises.<sup>12</sup> Conversely, Austin subscribes to the motto that “our word is our bond,” which entails that we must respond for promising independently from that which, as we see in a moment, Austin identifies as a certain intention to keep our word. Interestingly, here Austin cites a line from Euripides's *Hippolytus*, where the main character of Hippolytus expresses the pathos of his oath (“my tongue swore to, but my heart did not”), as an example of the moralistic understanding of the performative. Let me quote Austin's text, which is long and extremely rich. Cavell's interpretation, which I will examine later, will allow us to shed light on the significant implications of this text, retrospectively.

But we are apt to have a feeling that their being serious consists in their being uttered as (merely) the outward and visible sign, for convenience or other record or for information, of an inward and spiritual act: from which it is but a short step to go on to believe or to assume without realizing that for many purposes the outward utterance is a description, *true or false*, of the occurrence of the inward performance. The classic expression of this idea is to be found in the *Hippolytus* (l. 612), where Hippolytus says ... “My tongue swore to, but my heart did not.” Thus “I promise to ...” obliges me—puts on record my spiritual assumption of a spiritual shackle. It is gratifying to observe in this very example how excess of profundity, or rather solemnity, at once paves the way for immorality. For one who says “Promising is not merely a matter of uttering words. It is an inward and spiritual act” is apt to appear as a solid moralist standing out against a generation of superficial theorizers: we see him as he sees himself, surveying the invisible depths of ethical space, with all the distinction of a specialist in the *sui generis*. Yet he provides Hippolytus with a let-out, the bigamist with an excuse for his “I do” and the welsher with a defence for his “I bet.” Accuracy and morality alike are on the side of the plain saying that *our word is our bond*. (9–10)

Once freed the field of performative utterances from the moralist fiction of inward spiritual acts, Austin wonders what happens when other circumstances normally required to accompany a performative utterance are absent. In particular, he takes the case of promising, when the intention to keep our word lacks (10–11). As Austin points out, in this case, we speak of a false promise, not in the sense that the utterance is false (since, as we know, performative utterances are no longer determined

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<sup>12</sup> For an interpretation of this text as an implicit and audacious criticism of Frege's sacramental conception of language, see Cavell 1994, 95–6.

under the authority of truth), but that it is given in bad faith (11).<sup>13</sup> This text seems to confirm that, from Austin's anti-moralist perspective, the performative of promising binds us independently from our intention to the extent that it conveys an institutional and mutually agreed commitment for which, once we promise, we are called to respond for it. It is this point, as I will show below, that Cavell identifies as the specific tragic dimension of performative utterances related to their being exposed, as utterances, to insincerity. Performative utterances, such as promises and oaths, bind us beyond the presence/absence of our intention and, by not responding for them, we renounce to the whole institution of language and meaning that undergirds them.<sup>14</sup>

Cavell is intrigued by Austin's misunderstanding of Hippolytus' words. On his reading, not only do they not betray a moralist understanding of promising, as Austin suggests, but precisely they testify to the motto "our word is our bond" evoked by Austin against that understanding. By rewriting Austin's motto in such a way that the tragic specificity of promising is emphasized, Cavell suggests that, in the case of Hippolytus, our word is our curse since Hippolytus is aware that he must respond for it beyond his intention.<sup>15</sup> Cavell writes:

The fact is that he does not use them [his words] so—does not use them in that speech act, if saying so helps—that, on the contrary, he is incapable of breaking his promise not to reveal his knowledge of his step-mother Phaedra's ungovernable passion for him. It is exactly the consequence of this fact (is it a character flaw?) that the ensuing tragedy triples, or say generalizes, drawing Hippolytus and his father, Theseus, to their deaths after Phaedra's. So that in drawing, on the basis of the *Hippolytus*, the moral that *our word is our bond*, Austin rather fails to appreciate the case in which that motto is more a curse than a sensible maxim (1994, 101).<sup>16</sup>

Drawing on this interpretation of Hippolytus' words, Cavell asks how we can explain their misunderstanding by Austin. Cavell's hypothesis goes back to his disagreement with Austin surrounding the topic of skepticism.<sup>17</sup> According to Cavell, Austin is alarmed by the risk implicit in Hippolytus' words, which Theseus makes explicit later, in the same tragedy: "there are no marks or tokens—to use the terms of Theseus's wish—by which to distinguish the genuine or real from the false or fake" and thus "no way of *blocking* the threat of skepticism" (101–2). However, despite Austin's misunderstanding of Hippolytus' words, Cavell builds on his alternative interpretation of them (as the acknowledgement of a curse) to unpack the implications of Austin's motto "our word is our bond." If promising becomes a curse, this is because by breaking our word and the bond that is conventionally associated to it we end up breaking the mutual agreement on meaning to which language itself amounts. "If my word is my bond," Cavell explains, "I forfeit

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<sup>13</sup> For Cavell, this text proves that, *pace* Derrida, intention—in Derrida's lexicon, the presence of the speaker's intention—does not play such a central role in Austin's doctrine performative (Cavell 1994, 107–8).

<sup>14</sup> For an alternative reading of Austin's motto (according to which the bond testifies to the vulnerability of ordinary language precisely as it can always be broken), see Laugier 2004, which does not discuss the articulation of bond and intention and the related tragedy of becoming unintelligible at stake in Cavell's reading.

<sup>15</sup> I recall that Hippolytus enunciates this line when Phaedra's nurse pleads him not to dishonour the oath that he has just taken (that of not revealing Phaedra's love). For an exegesis of Hippolytus' line, see Avery 1968, for which, this line was so popular at the time of Euripides since it spells out the very ordinary contrast between inner truth and outer appearances. Interestingly, Avery observes that, once Hippolytus has taken the oath, he knows that he cannot explain his inner purity but through the outward appearances and thus that he must honour the given word. These appearances will lead him to destruction, since this is what Aphrodite wants of him. In other words, his oath has turned into his curse. On the very subtle line between oaths and curses in Euripides' tragedy, see Seagal 1972.

<sup>16</sup> See also Cavell 1995, 61–2.

<sup>17</sup> On Cavell's overall interpretation of the legacy of Austin, see Laugier 2005.

my bond, then since no word is really mine to dispose of as I wish (for example, by working on my intentions), what I forfeit is language itself" (103–4). This maxim implicitly rests on the aforementioned conception of language as a conventional and mutual agreement on meaning that works beyond the intention of the speaker and binds the latter at the price of exclusion.<sup>18</sup> Cavell describes this extreme case as the terrifying situation, evoked since our infancy by our parents, in which we become unintelligible and our words are deprived of any exchange value. He writes:

Philosophers have said—my parents said—that if you do not keep your promise (or was it, if you tell a lie?) people will not take your word again. That frightened me more than the idea that some person would not accept my future promises. I felt it meant that I would become unintelligible, that the words I would give in my utterances would become ungraspable, not receivable, not currency (104).

This text can be read as the ultimate stage of Cavell's development of Austin's doctrine of the performative. Here Cavell unpacks the specific tragedy implicit in performative utterances as utterances, which, on his view, Austin is reluctant to acknowledge (at the price of unbalancing their mixed nature of actions and utterances).<sup>19</sup> As Cavell remarks, "what Austin wanted to forget is [...] that saying something is after all, or before all, on Austinian grounds, not exactly or merely or transparently doing something" (104–5).<sup>20</sup> As I show in the next section, Cavell draws more consequences from his development of Austin's text. In particular, he rereads the value of signature (one's own voice) that is at stake in Austin's doctrine of performative utterances. To this end, Cavell measures this value against the structural cut from any absolute responsibility that Derrida highlights in his conception of writing and, thus, of communication in general. By distancing himself from Derrida, Cavell aims to demonstrate that Austin here reckons with the vulnerability of human communication as it is related to a conventional and institutional conception of language and meaning.

#### 4. Abandonment, or the pathos of sense

In the passage from SEC that I commented above, in which Derrida calls for the generalization of writing, he argues that communication is affected by an essential drifting associated to its scriptural structure, that is, to the fact that its functioning (its being readable or understandable) hinges on the non-presence of its producer (and of the latter's intention) since the very moment of its release and thus that it is detached from anyone that would respond for it. In the wake of Plato's *Phaedrus*, Derrida describes this drifting as the cut of the communicative mark "from all absolute responsibility, from

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<sup>18</sup> Here my reading diverges from de Vries 2009, which seems to look at Cavell's interpretation of Austin's text through the lens of Derrida. De Vries suggests that, for Cavell, the vulnerability of human communication consists in the fact that "we have no way of telling whether a promise is meant or intended to be kept" (as it is proved by the dual perspective on promising highlighted by Austin [tongue/heart]; 2009, 105). Therefore, for Cavell, Hippolytus would make the case for promising in general in that we all promise in less than complete awareness of the meaning of our promising. In de Vries' words, "in order to promise we must not only not mean what we say, we must necessarily not mean what we say" (106). To my view, these conclusions resonate more with Derrida's reading of Austin than Cavell's, to the extent that, in the wake of Derrida, they take the non-presence of the speaker's intention as a law of promising and thus they seem to overlook the dissociation between the speaker's intention and the meaning of an oath, for which the latter can turn into a curse. For other texts in which Cavell affirms this dissociation of meaning and intention, see, for instance, the passages in *Must We Mean What We Say*, where Cavell detaches what one really means by a word from the meaning of a word (1976, 39), and in *The Sense of Walden*, where Cavell explains that "we have a choice over our words but not over their meaning" (1992, 63).

<sup>19</sup> Here my reading also diverges from Dahl 2016 as it does not seem to acknowledge that, for Cavell, the ultimate stage of the tragedy of the performative is the risk of becoming unintelligible that is implicit in the dissociation meaning/intention and thus in the understanding of promising as bond/curse.

<sup>20</sup> See also Cavell 1995, 62–3.

consciousness as the authority of the last analysis, writing orphaned, and separated at birth from the assistance of its father" (1982, 316). Interestingly, Derrida has recourse to the movement of abandoning to account for this structural dissociation of the mark from its father/producer. He writes:

"By all rights, it belongs to the sign to be legible, even if the moment of its production is irremediably lost, and even if I do not know what its alleged author-scriptor meant consciously and intentionally at the moment he wrote it, that is *abandoned* [my emphasis] it to its essential drifting" (317).

As we know, this acknowledgement of the abandonment of a mark to its essential drifting reveals the overlapping of the mutually agreed meaning with the speaker's intention, which undergirds Derrida's peculiar understanding of language. It is from this perspective that, in his reading of Austin's supposedly double exclusion of a general theory of the negative, Derrida interprets Austin's account of the ordinary fact of language as oriented by an ethico-teleological determination, namely, by the wish to safeguard a certain responsibility for communication.

Cavell unfolds an alternative interpretation of the bond constituted by our word that Austin highlights in his doctrine of the performative and that Cavell himself contributes to unpack through his reading of this doctrine *after* Derrida. Again, Cavell draws on the specific tragedy of human communication, that is, on the understanding of language and meaning as an institution that I cannot forfeit, at the cost of becoming unintelligible or of relapsing into unintelligibility. Within this framework, Cavell identifies the lesson of Austin's doctrine not so much, as Derrida suggests, as an attempt to exclude the essential drifting of the mark, but to take up the speaker's essential abandonment or drifting to its word. "I read Austin," Cavell explains, "not as denying that I have to abandon my words, create so many orphans, but as affirming that I am abandoned to them, as to thieves, or conspirators, taking my breath away" (1994, 125).<sup>21</sup> In other words, Austin does not wish to neutralize the essential detachment of the mark from any absolute responsibility but acknowledges the speaker's tragedy in the latter's responsibility for its word. Therefore, Austin's lesson is not merely determined by an ethical concern but is committed to that which Cavell designates as the sense of tragedy or the pathos of saying. As Cavell observes,

As if the price of having once spoken, or remarked, taken something as remarkable (worth noting, yours to note, about which to make an ado), is to have spoken forever, to have taken on the responsibility for speaking further, the responsibility of responsiveness, of answerability, to make yourself intelligible. The sense that once one has acted or done something one has acted or done something forever may seem, in comparison, only derivatively the stuff of tragedy, or melodrama. (126).<sup>22</sup>

Cavell highlights that this tragedy is peculiar to saying with respect to action and consists in the movement of recognizing my voice and responding for it, in order not to be excluded from intelligibility and exchange. Cavell calls this specific dimension of the tragic as "the pathos of sense" or "of having a voice" and takes it as parallel to the tragic dimension of action that he identifies as "the suffering of the necessity of action" or "the tragedy of having a body" (126). At this point, we can understand why at the beginning of his essay (PoP) Cavell measures Derrida's project of the deconstruction of the metaphysical voice against Austin's project of bringing back in philosophy the voice of ordinary language (1994, 58–59) and why he recalls his encounter with Austin's teaching as the occasion for him to ask about whether he was serious

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<sup>21</sup> For a reading of the role played by this concept in Ralph Waldo Emerson, see Cavell 1992, 138.

<sup>22</sup> See also Cavell 1995, 63–64.

about philosophy and sincere in his words (60). Evidently, for Cavell, what is at stake in his attempt to respond to Derrida's claim that Austin denies the vulnerability of language is the very possibility to account for the pathos of saying in general, as well as of philosophical saying in particular.

To conclude, I suggest that we reread a final paragraph from PP, in which Cavell summarizes the trajectory of the analyses developed in his essay. He remarks that Austin's misunderstanding of Hippolytus' line can be explained by his aim to highlight the bond that, by relying on a conventional and mutual agreement, our word bears within itself (namely, "the reality both of the ordinary and of disappointment with the ordinary"). Thanks to Cavell's development of Austin's lesson, which unfolds the curse, that is, the terrifying threat of becoming unintelligible, inscribed in this bond, not only can Austin's doctrine of the performative be read as acknowledging the pathos of sense and voice that Hippolytus attests in his words. In the wake of Cavell, we can also read Austin's philosophical writing as a formidable instance of that pathos. Therefore, Cavell writes:

It is in recognizing this abandonment to my words, as if to unfeasible epitaphs, presaging the leave—taking of death, that I know my voice, recognize my words (no different from yours) as mine. Austin's righteous indignation at the sacramentalizing of the work of language [as the outward expression of fictitious inward spiritual acts] comes, I would guess, from his sense that this attempt to ground a word's depth in religious practice dulls the reality both of the ordinary and of disappointment with the ordinary (1994, 126).

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