The philosophy of Ludwig Wittgenstein would seem to have only minimal relevance to the political sphere. Few of Wittgenstein’s writings ever addressed the distribution of societal power, and the philosopher rarely mentioned or justified his political beliefs in any sort of explicit manner. While some scholars have interpreted Wittgenstein’s writings to be traditionally conservative, others have upheld the *Philosophical Investigations* as fundamentally apolitical. Indeed, Wittgenstein would likely have derided any categorical label as utter nonsense. I believe it still possible to politicize Wittgenstein, but at the very cost of renouncing political theory itself.

In order to comprehend what a “Wittgensteinian politics” might look like, we need to briefly illuminate some major themes of his work\(^1\). While intellectually and rhetorically abstruse, the *Philosophical Investigations* contains an (nearly) obvious consistency. Unlike in the *Tractatus*, the philosopher does not restrict his studies to linguistic discourse, but attempts to extrapolate the larger social practices in which language is inherently intertwined.

Wittgenstein begins his study by questioning the Augustinian correspondence view, or that words bear a one on one relationship to objects (1). By attempting to ground discussion within such a simple formulation, Augustine’s theory ignored language’s situational complexity. Language is not simply referenced-based, but has been shaped by a number of different practices and customs. These practices have structured dialogue according to particular rules, determining what logically makes sense to express in a
given context (198-199). Language thus can never be viewed abstractly, but needs to be recognized as existing within a greater social schema.

For example, if I were to time-travel to 1950’s America I would have obvious difficulty communicating with my peers. I would likely refer to things that have no contextual basis (for they have yet to exist) and would occasionally utter completely meaningless words or phrases to them. This is not merely a reflection of linguistic barriers, however, but the myriad social events that have helped condition my language in the first place. Contemporary language follows different “rules” than that of the past (or that of other cultures); while two “language-games” may bear considerable similarities, they may also contain different conceptions of being in the world (to borrow a phrase from Martin Heidegger).

According to Wittgenstein, philosophy has become utterly “bewitched” by these linguistic confusions (109). Metaphysicians, confident that they have grasped the essence of language, use it as a privileged tool in order to elucidate human nature (109). This search, however, can only end in philosophical delusion; as we have explored, language does not exist in a vacuum but is wholly contingent and continually fluctuating. Language and social actions constantly shape and condition one another, and to propose some foundational essence for either bespeaks of a meaningless abstraction.

By espousing such philosophical theorizing, Wittgenstein ultimately asks us to look at the world as it is; to immerse ourselves within localized conventions and practices, all the while refraining from granting them absolute authority or metaphysical foundation. Philosophers should seek not to propose theories, but instead engage in a
method of research. As Wittgenstein remarks, “we must do away” with explanation altogether, “and description alone must take its place” (109).

Wittgenstein’s firm denial of theory seems ill-suited to political discourse. While many philosophers have indeed refused to politicize the *Investigations*, however, others have reacted by labeling Wittgenstein a traditional conservative. Perhaps the most common response has been to view Wittgenstein as a sort-of Edmund Burke, where communal practices gain validity through historical success alone. According to Wittgensteinian scholar Richard Rorty, for example, liberal democracy cannot be legitimated by the flourishing of human freedom or its protection of basic individual “rights”, but by a history of stable governance and societal order.

Such conservative readings of Wittgenstein have been particularly predicated around passage 124. In this contentious section, Wittgenstein remarks that philosophy should not be used as a force for change, but must simply “leave everything as it is”. If our only understanding of the world comes about through communal activities and traditional practices, Wittgenstein would thus appear to favor these structures by default. According to philosopher Rosemary J. Coombe, “As Wittgenstein says, “it (philosophy) leaves everything as it is”. For some of us, however, leaving things exactly as they are, is quite problematic” (Langille 241).ii

Wittgenstein has also been painted as a Burkean conservative for his apparent dismissal of human reason in favor of divergent “forms of life” (226). As Wittgenstein remarks in the *Investigations* second section, “what has to be accepted, the given, is-so one could say-forms of life” (226). By having to accept our particular “form of life”, we seem to tacitly validate our contemporary environment. Things like liberty or reason can
hold no transcendent value, as everything becomes legitimated by historical materiality alone.

While there may be some rationale in reading Wittgenstein as a conservative scholar, I believe this interpretation unnecessarily narrow. Philosophers like Coombe have made substantial leaps in logic, automatically construing Wittgenstein’s dismissal of theory as an endorsement of practice. By studying communal activities one does not necessarily accept such conventions, however, but rather seeks to account for their societal function(s). Indeed, recognizing that meaning is conditioned by context does not imprison one within a particular worldview, but may actually supply them with the tools to alter it. As Terry Eagleton has remarked, “there is no reason why what has to be accepted are these particular forms of life…it is just that even if existing forms of life were to be revolutionized, those transformed practices and institutions would still in the end provide the only justification for why people spoke and thought as they did” (Langille 239).

Of course, reading Wittgenstein as a political revolutionary would be equally mistaken. Radical progressives often act according to a fixed political paradigm, completely ignoring the importance of existing institutions and social practices. Wittgenstein would likely find political ideologues especially abhorrent. Figures such as Karl Marx believed human nature could be relegated solely to the economic sphere, construing human progress as based entirely upon class struggle. To Wittgenstein, such a reductionist viewpoint would likely be sheer and utter nonsense. Marx’s attempt to give a philosophical justification to human action both ignores the contingency of linguistic discourse, and remains blind to the incredible complexity of individual behavior.
Is a Wittgensteinian form of politics possible then, or is any attempt inherently doomed to failure? I believe that we can coherently politicize Wittgenstein, but only by first recognizing the intellectual poverty of existing political theory. Indeed, the phrase itself must be regarded as nonsensical, having mistakenly construed the political as foundational. We must espouse any grand unified theory, instead shifting our focus to localized practices and communal traditions.

This would first entail narrowing the scope of our enquiries. Let us take the issue of a proposed constitutional amendment in order to ban gay marriage. We would have to first recognize what disparate effects this law’s passage would have throughout the United States. Different communities have developed under different traditions, and there would thus be no uniform response to such a controversial measure. While residents of Massachusetts would probably be generally displeased with the amendment’s passage, the same hostility would be unlikely to materialize within the Deep South. Instead of condemning either party, however, political commentators should seek to comprehend this substantial divide in communal perceptions.

Advocates of gay marriage would thus best be advised to employ unique strategies when addressing dissimilar audiences. While claims to individual liberty may seem appealing to New Hampshire voters, South Carolina’s residents may prove quite skeptical at the notion of recognizing unfettered freedom. Ideological justifications should be dismissed entirely in such a context, to be replaced by empirical description. Only by having South Carolina’s population actually engage in dialogue with gay couples may some social consensus be achieved. Rather than hide behind political slogans and mantras, gay rights advocates should thus portray the real world consequences of a
marriage ban. This would entail physically meeting with South Carolina residents, and then revealing the pain and discomfort the bill’s passage would personally evoke. Gay advocates may still fail to pacify their target audience, but they will have at least painted a real-world face on such a dehumanizing issue.

I believe that Wittgenstein’s anti-foundationalist viewpoint would not only prove useful to partisans but within the courtroom as well. Today it is quite common for magistrates to be criticized for ignoring social realities in favor of abstract judicial theory. For example, when facing confirmation for the Supreme Court, nominee John G. Roberts Jr. was continually asked if he had any overarching judicial philosophy. Initially non-committal, Roberts eventually remarked that he operated under no ultimate theory but instead would arbitrate on a case-by-case basis. Of course, the specter of judicial theory does not affect the Supreme Court alone; even criminal judges often operate according to “higher principles”, influencing both the punishments they impose and the cases they choose to dismiss.

I believe a Wittgensteinian Judge would arbitrate according to four core concerns. Firstly, she would reject any metaphysical explanation concerning the “deeper nature” of man. Libertarian justices like Clarence Thomas believe that all people are essentially driven by the need to be free, and thus predicate their every decision around the promotion of negative liberty. While a Wittgensteinian Judge would surely recognize the importance of freedom, she would never reduce human behavior to any single, all-encompassing worldview. By psychologizing liberty, Justice Thomas ignores the local customs and practices that have shaped freedom’s development and expansion. Further, some communities have subordinated liberty to other values, whether in the name of
personal safety or social justice. In positing individual liberty as the highest goal, Thomas thus essentially dismisses its deeply complicated and consistently fluctuating meaning.

A Wittgensteinian judge would also firmly reject categorical imperatives. Traditionalists like Robert Bork are often blind to the contextual nature of society, believing there to always be a clear barrier between moral and immoral actions. In such a view, behavior is naturally “wrong” regardless of a perpetrator’s background or psychological makeup. The Wittgensteinian Judge denies such simple rigidity. What is considered sinful in some “forms of life” can be perfectly reasonable within others. Further, by dismissing the larger basis for one’s actions, the traditionalist ignores why such an action occurred in the first place. She will have little understanding of the society being regulated, instead adjudicating according to foreign, unbending principles. While certain members of the community may share these principles, those who developed under unique customs and traditions will feel forcefully marginalized.

Thirdly, a Wittgensteinian Judge would recognize the use of law in everyday life. This would both entail respecting the historical precedent of previous decisions, and then seeing how these choices have tangibly materialized. This is not a simple endorsement of established legalities; as argued earlier, immersing oneself in societal practices does not automatically validate these practices. The Wittgensteinian Judge should rather use previous rulings as tools of comprehension, refusing to postulate any single explanation for how things came to be.

Finally, and perhaps most crucially, a Wittgensteinian Judge would carefully analyze the empirical results of his most important decisions. Many judges are content to
simply settle one case and then immediately move onto the next. Decisions should never be written in stone (for this would be metaphysics), however, but actively studied for their real-world effects. Let us take a local criminal court judge who always imposes the highest sanctions possible upon drug offenders. Rather than having the perpetrators sentenced and then forgotten, the judge should demand the specific rates of recidivism, questioning his stringency’s actual impact upon other high-risk offenders. Have his decisions helped to decrease drug activity in the area? Have they sent a firm and tangible message to the community’s youth? While such questions may not necessarily be easy to answer, they should have considerable bearing upon the judge’s consequent methodology.

There are a number of possible objections to the value and practicality of a Wittgensteinian judge. Firstly, such judges would likely demand a substantial decentralization of federal power. If every community is viewed as having considerably divergent customs and practices, how can these possibly be regulated by a single Supreme Court? This body arbitrates for the nation as a whole, and often must do so by universalizing constitutional tenets.

While I think this is an insightful objection, justices like Sandra Day O’Connor and David Souter have proven the Supreme Court can already function under Wittgensteinian principles. Both justices have made a career of avoiding universal theories, attempting to grant the majority of power to state and local authorities. To such justices the Supreme Court is an arbitrator of values, and never their creator or destroyer. The most important decisions are left to state legislatures alone, who are recognized as having superior knowledge of local traditions and communal practices.
A second objection denies the very idea of identifying a concrete community. Where, after all, does one draw the line between different “forms of life”? While I recognize it may be difficult to pinpoint the exact essence of a “community”, however, this hardly invalidates the existence of interpersonal coherence and the possibility of achieving a larger consensus. Even in the same household people may hold completely diverse viewpoints, failing to find any intellectual grounds for one another’s arguments. Yet both parties still recognize the topic they debate, and can usually find a common boundary for their positions. In the United States, various sections of a given population may likewise hold entirely disparate viewpoints, but democracy allows these views to harmoniously coexist.

Of course, the imposition of foreign values can certainly be problematic. Suddenly allowing gay marriage in South Carolina would probably anger the state’s citizenry, causing an aggressive and possibly violent backlash. Even more troubling is the United State’s recent attempt to impose democratic values on countries where none have previously existed. While their intentions may be benevolent, such cultural imperialists fail to recognize the incredible importance of historical practices and social conventions. Long-standing traditions cannot simply be wiped away and replaced by a novel language-game, but need to be understood within their own unique context and cultural background.

Once again, the apparent emphasis on custom may make Wittgenstein appear a profoundly conservative thinker. Must we simply accept brutal and repressive regimes abroad, graciously tipping our hats and then turning away? As I have attempted to demonstrate, this would be an entirely narrow and misinformed interpretation of the
Philosophical Investigations. Wittgenstein is asking us not to necessarily endorse social practices, but to drop abstract speculation and actually look at the world around us. The Wittgensteinian judge does not respect precedent for precedent’s sake, but uses it as a window into how society actually functions. As Karl Marx famously declared, “The philosophers have only interpreted the world in various ways; the point is to change it.” Wittgenstein would entirely disagree. Philosophical activity should be used to describe the world, giving an informed citizenry the clarity to change it.
Endnotes

i I do not deny that the *Tractatus* or other of Wittgenstein’s writings may have political implications, but I have chosen to only address the *Philosophical Investigations* within this essay.


iii Which is not to privilege a sort of anthropological ethnography, but to rather illuminate the tangible consequences of a particular action.
