Conventions and Failure of Communication

Eisuke SAKAKIBARA

Abstract
D. Davidson argued that shared conventions learned in advance are not essential for the success of communication. In this paper, holding the validity of his contention in suspense, I argue that linguistic conventions play essential roles when communication fails. In everyday communication, when discrepancies are detected between what the speaker intended to inform the hearer and what the hearer actually understood, it becomes necessary to determine whether the speaker or the hearer caused the communication failure. For in everyday communication, the hearer often changes her position based on her misunderstanding about the intention of the speaker, and it is sometimes too late when the hearer realizes the speaker’s true intention. In such cases, it is necessary to determine who is responsible for the hearer’s loss. What the speaker said, which is determined by linguistic conventions, arbitrates the conflict between them. From the fact that shared conventions mainly relate to the evaluation aspect of communication, it follows that the speaker and the hearer need not learn shared linguistic conventions in advance of the conversation, and have only to learn them later, when failures are detected among past communication.

Introduction
It is usually thought that rules and conventions are indispensable for the coordination of our social activities. In particular, few doubt the necessity of lin-
guistic rules or conventions, because the complexity of our communicative practice is well recognized. Donald Davidson challenged this widely held view about communication.

In “A Nice Derangement of Epitaphs,” Davidson argued that what is necessary and sufficient for communication to succeed is that the speaker shares with the hearer what he calls “passing theory,” a theory of interpretation that is formed and used on each occasion of conversation (Davidson 1986). He then asserted that a language both governed by shared rules or conventions and known to the speaker and the hearer in advance is theoretically neither necessary nor sufficient for communication to succeed, and in fact, there is no such thing whatsoever.

The first thing he reminds us is that, strictly speaking, different persons speak different languages, because their vocabularies are different and every word has a slightly different meaning for each person. The second is the frequency with which malapropisms are observed in everyday communication. And the third is that despite these problems, we can usually understand each other. From these facts, Davidson concluded that what is essential for successful communication is the general power of reason needed for the case by case interpretation of utterances rather than rules or conventions shared and prepared in advance.

This was a natural extension of the accomplishment of the radical interpretation argument to the situations of everyday communication. In “Communication and Convention,” Davidson states the following:

Knowledge of the conventions of language is thus a practical crutch to interpretation, a crutch we cannot in practice afford to do without—but a crutch which, under optimum conditions for communication, we can in the end throw away, and could in theory have done without from the start. The fact that radical interpretation is so commonplace—the fact, that is, that we use our standard method of interpretation only as a useful starting point in understanding a speaker—is hidden from us by many things, foremost among them being that syntax is so much more social than semantics (Davidson 1984, p.16).

He thought that if we can finally interpret utterances in totally unknown language with the aid of the principles of charity, in everyday communication, too, previous knowledge about the language must be theoretically inessential as
well, although some practical importance of the previous knowledge must be acknowledged.

Davidson’s daring conclusion that there is no such thing as a language was so counterintuitive that it has invited much criticism. The most well-known criticism might be that of Michael Dummett (Dummett 1986). He equated Davidson’s view of language to the revised version of Humpty Dumpty’s view of language, in which the meaning of a word is determined by what the speaker means by that word. Dummett objected that we, on the contrary, as Alice did, usually consider that the meaning of a word is determined socially and independently of any language user, and the speaker is held responsible to the socially accepted use of words. In addition, I. Hacking (Hacking 1986), M. Reimer (Reimer 2004), S. C. Goldberg (Goldberg 2004), and M. Williams (Williams 2000), to mention a few, expressed their criticism of Davidson.

However, in this paper, I want to investigate the problem from a different viewpoint rather than examine the validity of those criticisms. Although those criticisms were done by accepting all the provisos assumed by Davidson, I would like to question one of the provisos itself. More specifically, I will identify the flaw in Davidson’s confinement of his remark to successful communication.

Davidson states the reason of his confinement as follows:

What should we say of the many cases in which a speaker expects, or hopes, to be understood in a certain way but isn’t? I can’t see that it matters. If we bear in mind that the notion of meaning is a theoretical concept which can’t explain communication but depends on it, we can harmlessly relate it to successful communication in whatever ways we find convenient (Davidson 2005, p. 121).

In contrast to Davidson, I think that those cases do matter and require substantial attention, and the necessity of shared linguistic conventions becomes evident when communication fails. His unusual conclusions are derived from his disregard of failed communication.

1. Failure of Communication

Communication is successful when the hearer correctly understands what the speaker intended the hearer to understand by her utterance. Meanwhile, we can classify failures of communication roughly into two groups. The first group contains the cases in which the hearer fails to decipher the speaker’s intention.
Davidson provided the case of Humpty Dumpty as an example of this kind of communication failure. Humpty Dumpty said to Alice, “There is glory for you,” and Alice, not comprehending what he had meant, replied to him “I don’t know what you mean by ‘glory’.” The second group covers the cases in which the hearer misunderstands the speaker’s intention. I want to focus exclusively on the failures of the second group. Davidson did not make any explicit mention of the latter kind of failures. Therefore, I must guess Davidson’s opinions about those kinds of failures from indirect evidence. Here I want to concentrate especially on his opinion about the responsibility for the failure of communication.

In “The Second Person,” as a response to the argument propounded by Wittgenstein and Kripke, Davidson proposed that a distinction between correct and incorrect uses of words can be drawn by adopting the speaker’s intention as the norm.

But haven’t we, by eliminating the condition that the speaker must go on as the interpreter (or others) would, at the same time inadvertently destroyed all chance of characterizing linguistic error? If there is no social practice with which to compare the speaker’s performance, won’t whatever the speaker says be, as Wittgenstein remarks, in accord with some rule (i.e. in accord with some language)? If the speech behavior of others does not provide the norm for the speaker, what can? The answer is that the intention of the speaker to be interpreted in a certain way provides the ‘norm’; the speaker falls short of his intention if he fails to speak in such a way as to be understood as he intended (Davidson 2001, p.116).

Davidson here equated the distinction between the correct way and the incorrect way of using words with whether the speaker’s intention to be interpreted in a certain way is fulfilled or not. In other words, Davidson equated the distinction between the correct way and the incorrect way of using words with the distinction between success and failure of communication. However, everyone who accepts this equation must also accept the following implication: whenever conversation fails, the speaker uses words incorrectly. Adding a natural supposition that those who used words incorrectly bears some responsibility about the failure of communication, it should be concluded that whenever communication fails, the speaker bears some responsibility about the failure. However, this conclusion is counterintuitive, for there are cases in which, although
the speaker uses words correctly, the conversation fails because the hearer inter- 

terprets the speaker’s words incorrectly. In those cases, the speaker is totally 

innocent.

We can guess that Davidson made such an identification for some reason. 

Since Davidson proposed the radical interpretation argument, he has been pres- 
supposing that the interpreter dutifully follows a set of rules, what he calls “the 

principles of charity.” Taking this into consideration, what Davidson wanted to 

say in the paragraph above can be restated as follows. If the communication 

failed, although the hearer was following the principles of charity when she inter-

preted the speaker’s intention, it was because the speaker broke the norm, and 

the speaker bears some responsibility. I can point out that this revision still has 

a problem. There are some counterexamples. For instance, although the speaker 

used words in a standard way, the hearer may misinterpret the speaker’s inten-

tion because she has some false beliefs about the standard meanings of words 

the speaker used. In that case, the hearer should bear all the responsibility for 

the failure of communication, even if she dutifully followed the principles of 

charity.

The dyad of what the speaker intended and what the hearer understood is 

enough to distinguish successful communication from failed communication. It 

might be unnecessary to introduce more than that as long as only successful 

communications are considered. However, the dyad is not sufficient to describe 

the trivial fact that some of the communication failures are due to the speaker’s 

fault, and others are due to the hearer’s fault.

In everyday communication, the notion of what the speaker said plays an im-

portant role in judging who is to blame. Communication is unsuccessful when 

the speaker’s intention differs from the hearer’s interpretation. By adding the 

third term, the notion of what the speaker said, the location of responsibility 

can also be clarified: when what the speaker said agrees with what the speaker 

intended, and the discrepancies are between what the speaker said and what 

the hearer understood, it is the hearer who should be held responsible. In con-

trast, when what the hearer understood accords with what the speaker said, and 

discrepancies are between what the speaker said and what the speaker intended, 

it is the speaker who is responsible. Of course, there can be cases in which 

the triad of what the speaker intended, what the speaker said, and what the 

hearer understood disagree with each other. In those cases, both the speaker
and the hearer are at fault.

Thus, the introduction of the tertium quid is **enough** to allocate the responsibility for the failure of communication. Now, why is the tertium quid **necessary**? The distinction Davidson stressed is the distinction between the success and the failure of communication. On the other hand, I have introduced another distinction, that between communication failures caused by the speaker and those caused by the hearer. I should point out that the two distinctions are qualitatively different: although both speakers and hearers prefer communication that succeeds over communication that fails, when communication does fail, speakers want hearers to take the responsibility, and hearers want speakers to take the responsibility. Although the interests of speakers and those of hearers are in harmony in the former distinction, they conflict with each other in the latter distinction. When the two persons have conflicting interests, a **tertium quid** is necessary. For, in those cases, it is difficult to settle the conflict by themselves.

What the speaker said must be dissociable from both what the speaker intended and what the hearer understood, because the dissociation from what the speaker said determines the location of responsibility for communication failures. Moreover, as I have stressed, some communication failures are due to the speaker’s fault and others are due to the hearer’s fault. For the notion of what the speaker said to become the arbiter, it needs support from something independent of the speculations of both the speaker and the hearer. I propose that linguistic conventions provide the required support.

Let us see the same thing from another viewpoint. Why can we appropriately interpret the utterance of a speaker whom we have never met before? This is because we utilize our experiences about past utterances of other speakers to interpret the present utterance. Davidson also approved that. However, approving only that is not enough. The hearer not only does so, but she also does so because she has the right to do so. It is when communication fails that the fact that the speaker has the right to do so becomes evident. For, just when the speaker’s intention and the hearer’s interpretation disagree, it becomes an issue as to whether it was appropriate that the hearer interpreted the speaker’s utterance as she actually did. The hearer is judged as having correctly interpreted the speaker’s utterance if she interpreted it according to other previous speakers’ communicative practice. In that case, the hearer can blame the speaker. Linguistic conventions play essential roles in “the context of justification” of an
interpretation, so to speak, rather than in “the context of discovery” of that.

Davidson’s supporters might object that he was able to talk about the location of responsibility within his system of philosophy even though, in fact, he did not. They might argue that, for instance, the degrees of rationality can be compared and the less reasonable party is held responsible. The difficulty of this argument is that it assumes that the comparison of rationality does not need invocation of linguistic conventions. When we determine the location of responsibility, we cannot avoid discussing what the words of the speaker usually mean in the context at issue. And we cannot say “usually mean” without considering linguistic conventions.

My claim is that linguistic conventions are indispensable when communication fails. I remain neutral about whether the necessity of conventions is apparent even if we confine our attention to successful communication. In the next section, I will investigate some features of everyday communication that make the allocation of responsibility necessary.

2. Why is Allocation of Responsibility Necessary?

In Section 1, I argued that linguistic conventions are necessary for the allocation of the responsibility for failed communication. Now, why is the allocation of responsibility necessary in the first place? The hearer becomes aware of her misunderstanding of the speaker’s intention when she grasps the speaker’s ‘true’ intention. If the goal of communication is that the hearer should interpret the speaker’s intention correctly, is it not thus all settled? In the first face, examining past errors seems to be an inessential part of communicative practice. In this section, I will discuss the reason why we need to allocate the responsibility for the failure of communication.

What should be noted first is that the hearer changes her position relying on the speaker’s words in everyday communication. It is not true that one has dialogue with only a particular person all the time. Everyday communication is like commercial transactions. Just as in commercial transactions where person B who has obtained something from person A will give it to person C or will use it by herself, in everyday communication, person B who has heard some information from person A will tell it to person C or will take some actions by herself based on that information.

In that point, radical interpretation is quite different from everyday communi-
cation. We assume radical interpretation as launching an interpretation of an utterance with no information about the speaker’s language in advance. When a field linguist contacts an unknown language for the first time, she does not think that she has obtained the data necessary to determine what a speaker of that language has said with enough accuracy by the time the speaker finishes speaking. Although she may have several hypotheses about the meaning by that time, they are far from definitive, and she thinks future accumulation of linguistic data will probably make her revise the interpretation of that utterance substantially. Therefore, the radical interpreter usually does not change her position based on the interpretation immediately.

The same thing occurs when we read the classics. The classics require readers to read them again and again. You cannot appreciate what the author writes on page ten of a great book only by reading from page one to page ten of that book. What is written on page one hundred will probably change your interpretation of page ten. This is one of the consequences of the famous hermeneutic circle—interpretation of the parts depends on the interpretation of the larger whole, which in turn depends on the interpretation of the parts. Therefore, readers of the classics must not hastily conclude what the author writes only by reading the first part of the book.

Everyday communication is not like that. One of the essential aspects of everyday communication is that the hearer changes her position based on the speaker’s words, and the information needed to interpret the speaker’s utterance with enough accuracy is considered to be available for the hearer by the time the speaker finishes speaking. Imagine a case as follows: On September 1st, Abe was visiting Betty’s house. When he was leaving, Abe said to Betty, “I will bring some melons to you tomorrow,” although he really intended to tell her that he will bring some lemons. Hearing that, Betty made a phone call to her friend Cathy that night, and invited Cathy for lunch to have some slices of melon with her and Abe the next day. However, on September 2nd, Abe turned up in Betty’s house with a handful of lemons!

From Abe’s behavior of September 2nd, Betty may realize that what he really intended the day before was to inform her that he would bring some lemons. But it is too late. For, she has changed her position to her detriment before she realizes Abe’s true intention. In this case, she has prepared the dishes for melons, and disappointed her friend accidentally. In everyday communication, be-
cause it is necessary to determine who is responsible for that kind of loss, not only the hearer’s final understanding of the speaker’s intention, but also determining which party caused the hearer’s misunderstanding at the time the speaker finishes speaking, are essential elements of communication.

Moreover, in this case, it is obvious that Abe had said to Mary that he would bring some melons to her, and the failure of communication was Abe’s fault. This is because no one was able to take into consideration the information which would be given on September 2nd on September 1st. In everyday communication, the hearer cannot be accused of not considering the information that is unavailable by the time the speaker finishes speaking.

On the basis of this observation, I can strike back at the objection that the difference between radical interpretation and everyday communication is a matter of degree, and everyday communication, too, must be involved in the hermeneutic circle. To be sure, the interpretation of what the speaker intended is involved in the hermeneutic circle in everyday communication, too, and needs optimization taking future utterances of the speaker into account. However, we cannot suppose that the determination of what the speaker said is also involved in the hermeneutic circle in the same way. Because, if what the speaker said was dependent on the speaker’s future behavior, the hearer would be blamed for the kind of communication failures she can never avoid. This is too severe on the hearer and too inequitable to accept. The interpretation of the speaker’s intention is involved in the hermeneutic circle, whereas the determination of what was said by the speaker is not; this admits the discrepancies between what the speaker intended and what the speaker said. Therefore, it allows the speaker to take responsibility for the failure of communication.

3. How do Conventions Relate to Communicative Practice?

Through the above argument, the necessity of linguistic conventions in everyday communication was demonstrated. However, a problem still remains. I have stressed in Section 1 that linguistic conventions must be independent of the speculations of the speaker and the hearer for them to be able to arbitrate between the speaker and the hearer in a dispute. Therefore, they must not be too close to the parties concerned. They, on the other hand, must not be too far removed from the parties concerned. If linguistic conventions are to actually arbitrate between the two parties, they must be related to communicative prac-
tice. I want to discuss this latter point in this section. How do conventions relate to communicative practice? And how do they maintain proper distance from the speaker and the hearer?

A conflict on legal affairs is arbitrated by a court of justice. In contrast, in conflicts on everyday communication, we can hardly obtain arbitration by a third person or a third institution accepted by both the speaker and the hearer as an authority. If the arbitration by a third party is unrealistic, linguistic conventions must be learned by the parties concerned, namely by the speaker and the hearer for them to be able to relate to communicative practice. However, as is often mentioned, because of the difference in the linguistic environment experienced, what the speaker knows about her language is not the same as what the hearer knows about the same language. One might object that the disagreement is small and should not be exaggerated. Yet, the failure of communication is often caused by that small disagreement over the understanding of the language.

This is a really delicate problem. I cannot propose more than a rough sketch of the solution to this problem. First, we should notice that there are people who are said to share the same language (or dialect) despite the factual disagreement over the understanding of the language (or dialect) among them. These people are in agreement on the point that they share the same conventions, though they are not in agreement on what they share. It is one of the characteristics of everyday communication that the speaker and the hearer consider that they share the same conventions.

This advance agreement alone is a vacant agreement, for it involves no substantial content. It is when some failures of communication are detected, and when the speaker and the hearer try to allocate the responsibility for the failures, that the agreement gains weight. At that very moment, they confirm what is conventional for the first time. Yet, the day when they reach complete agreement on what is conventional will never come. What they make each time is a partial agreement sufficient to determine which was conventional, in other words, to determine which of the two is responsible for the failure. Therefore, the meaning of the agreement beforehand is, virtually, that they have an advance consensus that they will strive for the agreement over the responsibility for the communication failures that will occur in the future.

In “A Nice Derangement of Epitaphs,” Davidson asserted that there is no such thing as a language, if we assume a language to be a set of prepared sys-
tematic linguistic rules that are shared by the speaker and the hearer. To conclude this paper, let us make sure that the linguistic conventions discussed here satisfy these three conditions: they are systematic, shared, and prepared.

Linguistic conventions are systematic. For, they are thought to determine what the speaker said in potentially infinite cases that never existed before. This is possible because linguistic conventions determine what the speaker said, at least partly, on the basis of the semantic properties of words and structures in the sentence that the speaker utters, and the number of existing words and structures is finite. From the fact that linguistic conventions are systematic, it does not follow that anyone knows them in their explicit forms. What we can say is that the systematic framework of linguistic conventions can, in principle, be made explicit. This line of reasoning of the systemacity is borrowed from Davidson himself.

Davidson interpreted the second and the third conditions as both the speaker and the hearer being equipped with the same competence and knowledge. He offered such an interpretation, because he only dealt with the success or failure of a conversation. Only what is learned before a certain conversation can exert influence on the success or failure of that conversation.

If the role of linguistic conventions is to exert influence on the evaluation of a conversation, the speaker and the hearer need not learn them in advance of that conversation. As mentioned above, what is essential is a consensus beforehand that the speaker and the hearer share the same linguistic conventions. To say they share linguistic conventions is to say they are under the same norm. One may be under a norm without knowing it. A criminal cannot escape a penalty on the plea of ignorance of the law. The hearer or the speaker may have only a partial or a partly erroneous grasp of shared linguistic conventions. But this does not make it impossible for them to be under the same norm. Knowledge about linguistic conventions is needed only later, when the failure of communication is detected. What is learned after a certain conversation can influence the evaluation of that conversation.

However, linguistic conventions must be something that the speaker and the hearer can know in advance of the conversation. For, one should not be blamed for not knowing what one can never know. And the knowledge about a language that is available at a particular time must be, at least, the knowledge that is already established. Linguistic conventions are prepared just in this sense. One is
not punished for her conduct by the law that is put into effect only after that conduct.

Conclusion

In this paper, I have argued that the necessity of linguistic conventions lies in the allocation of responsibilities for the hearer’s loss caused by her changing of position based on her misunderstanding of the speaker’s utterance. The reason Davidson has lost sight of the necessity of linguistic conventions and has regarded a language as individualistic and ephemeral is because he unreasonably confined his sight to successful communication. If we broaden our view to include failed communication, we can regain sight of a language that is both social and temporally extended.

In addition, from the fact that linguistic conventions are needed when the speaker and the hearer evaluate previously failed communication, it follows that shared linguistic conventions are not required to be learned in advance for them to relate to communicative practice. Davidson thought that shared conventions, if such things exist, must be learned in advance of the conversation. This is because he only saw the success or failure of communication, and neglected the problems that occur when communication does fail.

Notes

2. In the following, I will use the phrase “linguistic conventions” rather than “linguistic rules or conventions” for the sake of convenience.
3. “If we ask for a cup of coffee, direct a taxi driver, or order a crate of lemons, we may know so little about our intended interpreter that we can do no better than to assume that he will interpret our speech along what we take to be standard lines.” (Davidson 1986, p. 103)
4. The idea that the hearer can invoke the facts about other previous speaker’s utterances to justify her interpretation of the present utterance is what I learned from S. C. Goldberg (Goldberg 2004, p. 409). However, he propounds this in the context of epistemological justification of testimonial knowledge, and he lacks the perspective of the allocation of responsibility raised in this paper.
5. Needless to say, the hearer might not have the necessary knowledge available to her. This can happen when the hearer does not know the conventional usage of the words the speaker has used. In those cases, the hearer is responsible for the
failure of communication.

6. In this case, the hearer would rightly consider Abe not only as saying that he will bring some melons on September 2nd to Betty’s house, but also as implying that he will give them to Betty. If Abe brought some melons solely to display them to Betty, she, who has prepared dishes for melons and has invited Cathy to have some slices of melon together, would have the right to accuse him. The speaker is responsible for what she implicated in addition to what she said.

7. When the conflict due to the failure of communication grows so serious that the parties concerned cannot settle it by themselves, legal action is actually taken. However, those kinds of cases are relatively rare.

8. This is very close to Dummet's position. He writes as follows:

“One natural choice for the fundamental notion of a language is that of a common language as spoken at a given time – either a language properly so called, such as English or Russian, or a dialect of such a language. If we make this choice, we shall have to acknowledge the partial, and partly erroneous, grasp of the language that every individual speaker has.” (Dummet 1986, p.468)

References


(The University of Tokyo Hospital)