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GADAMER, HEIDEGGER, AND THE SOCIAL DIMENSIONS OF LANGUAGE: REFLECTIONS ON THE CRITICAL POTENTIAL OF HERMENEUTICAL PHILOSOPHY

INGRID SCHEIBLER*

INTRODUCTION

In the English-speaking world, the work of Hans-Georg Gadamer has been influential in philosophy and the social sciences since his debate with German social theorist Jürgen Habermas in the late 1960s and early 1970s. More recently, Gadamer's insights into the hermeneutical dimension of human existence have been considered and developed in a range of areas, from literary criticism to debates in legal theory. This is not surprising, given that his hermeneutical philosophy anticipates many concerns central to recent developments of deconstruction and postmodern criticism, which have impacted the humanities and legal studies generally, as well as the development, following "legal realism," of what has become known as the Critical Legal Studies movement ("CLS").¹ We also see Gadamer's work taken up in debates explored by political theory and legal studies concerning both the nature and role of rhetoric in legal argumentation,² and the nature of justice.

Perhaps most notable among hermeneutical approaches to issues of justice is Georgia Warnke's *Justice and Interpretation*.³ Warnke

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1. For an account of recent developments, see William W. Fisher III, *The Development of Modern American Legal Theory and the Judicial Interpretation of the Bill of Rights*, in *A CULTURE OF RIGHTS* 266, 267-89 (Michael J. Lacey & Knud Haakonssen eds., 1991); ROBERTO MANGABEIRA UNGER, *THE CRITICAL LEGAL STUDIES MOVEMENT* (1st ed. 1986). For a more general discussion, oriented to the critique of liberalism in different strains of the CLS movement, see CORNEL WEST, *KEEPING FAITH: PHILOSOPHY AND RACE IN AMERICA* 195-250 (1993). For a discussion of Habermas's engagement with the CLS movement, see DAVID M. RASMUSSEN, *READING HABERMAS* 56-93 (1990).

2. For an excellent account linking the rhetorical dimension of knowledge with legal argumentation and the possibility of reasoning about justice, which draws on Gadamer's and Chaim Perelman's work, see Francis J. Mootz III, *Rhetorical Knowledge in Legal Practice and Theory*, 6 *S. CAL. INTERDISC. L.J.*, 491, 492-610 (1998).

3. See GEORGIA WARNKE, *JUSTICE AND INTERPRETATION* (1992) [hereinafter WARNKE, *JUSTICE*]. For discussions linking hermeneutics and justice, see also Fred Dallmayr, *Hermeneutics and Justice*, David Couzens Hoy, *Legal Hermeneutics: Recent Debates*, and

addresses one of the central problems for modern political theory, of responding effectively to charges of subjectivism, or conventionalism, in recognizing that principles of justice are always rooted in specific cultural contexts and traditions. Given this situation, the challenge is to develop a concept of justice and an account of the nature of political discourse and the means for rationally justifying competing and divergent interpretations, which supplies a critical and normative dimension.⁴ The question of interpretation is central to disputes over principles of justice reflecting, Warnke says, “differences either over which institutional arrangements comply with a given society’s public political culture or over what the public political culture itself means.”⁵ She is interested in developing interpretive guidelines, which she locates in the hermeneutic insight into the unity of meaning of parts and whole. She sees a criterion for interpretation in, among other views she considers, Gadamer’s account of the “anticipation of completeness.”⁶ Further, she finds illuminating Gadamer’s connection of a criterion of coherence, with another criterion, the “educative” function of a given interpretation. For Gadamer, Warnke writes,

[T]he point of any serious attempt to understand the meaning of a text or text analogue must be to achieve a better understanding of the issues and questions with which we are concerned. . . . [W]e must suppose that the texts or text analogues we are studying can be not only internally coherent but also illuminating, that they can educate us over some subject matter, answer a question we have or clarify some issue.⁷

Gadamer’s work, then, provides insight for a hermeneutic political theory which conceives our conceptions of justice as “constrained interpretations of our democratic traditions, institutions, and practice” and which recognizes that no interpretation of these has

Georgia Warnke, *Walzer, Rawls, and Gadamer: Hermeneutics and Political Theory*, in *FESTIVALS OF INTERPRETATION: ESSAYS ON HANS-GEORG GADAMER’S WORK* (Kathleen Wright ed., 1990).

4. Warnke likens this problem of a hermeneutic political theory with the diversity of interpretations encountered in the humanities. She locates the more pressing need for agreement in the political domain, where she says, “we must be able to agree on shared social meanings so that we can agree on the principles, actions and practices that are appropriate to them.” WARNKE, *JUSTICE*, *supra* note 3, at 62.

5. *Id.* at 131.

6. *Id.* at 129.

7. *Id.* Warnke supplements Gadamer’s approach with a version of Habermas’s proceduralist critical theory to address the existence of social forces that distort practical dialogue and hinder the educative function of conversation. I address the issue of the criterion of “education” below.

exclusivity. Rather, there is a fundamental recognition that “we might learn from others.”⁸

Warnke’s appropriation of Gadamer, then, seeks to provide normative guidelines for what happens in the everyday context of public debate about contested moral and political issues—for example, abortion or affirmative action.⁹ Further, this everyday context of public debate is conceived as one where *ongoing* interpretation and deliberation among a healthy divergence and disagreement of views, and not a homogenizing consensus, is the source of political legitimation.¹⁰ Though Gadamer’s view may need to be supplemented with criteria for assessing the educative function of different interpretations, his hermeneutical philosophy provides a normative dimension for interpretative situations in public, political discourse. This is one of the central and most fruitful aspects of his work.

I single out Warnke’s efforts because my interest in Gadamer shares with Warnke a commitment to drawing out the critical potential of this aspect of Gadamer’s hermeneutical philosophy. I examine his views of language and tradition, connected with his concept of dialogue or conversation, to show that they offer important critical insights. Gadamer offers a model for thinking the position of human beings in the world, at once rooted in a finite and historical situation—the condition of belonging to the contexts of tradition and language—yet not conceiving this context as inherently limiting. Rather, given the centrality of and injunction for dialogue with what is other, other traditions and points of view, Gadamer’s concept of the engagement of hermeneutical understanding conceives it as ongoing and critically motivated dialogue between particular and divergent points of view. That Gadamer’s hermeneutical philosophy has this critical and political potential comes into relief most sharply by examining the specifically *social* dimensions of language in his work. In examining these, I will look at an issue central to Gadamer’s work: his view of linguistically mediated tradition. The critical and

8. *Id.* at 131.

9. Warnke also extends her appropriation of Gadamer and Habermas to further develop an account of the role of interpretation in public political debate in GEORGIA WARNKE, *LEGITIMATE DIFFERENCES: INTERPRETATION IN THE ABORTION CONTROVERSY AND OTHER PUBLIC DEBATES* (1999).

10. Warnke takes up this issue specifically in relation to Alasdair MacIntyre’s work. See WARNKE, *JUSTICE*, *supra* note 3, at 116-17.

political potential of the social dimensions of language come into relief most strongly here.

Despite the fact that Gadamer's work can be so productively used to illuminate efforts to provide normative guidelines vital to fostering an open democratic society, his work, however, continues to elicit charges of conservatism and traditionalism.¹¹ Such readings suggest that, in Gadamer's view, tradition and justice are antithetical. Some of these charges stem from Gadamer's debate in the 1960s and early 1970s with Jürgen Habermas, focusing on the conservative character of Gadamer's work in the face of the interests of a critique of ideology. Other critics (like Richard Wolin's recent review of Gadamer in *The New Republic*) tend to locate Gadamer's conservatism in his relation to Heidegger, whose anti-Enlightenment stance and Nazism are seen to permeate Gadamer's philosophy as well. Yet though these criticisms continue to be leveled, there has also been a developing reception which could be called "left-Gadamerian," which seeks to emphasize the critical and political potential of Gadamer's hermeneutical approach for promoting a democratic political culture. Here, tradition is not at odds with justice.

A particular phenomenon piqued my interest in examining Gadamer's work more closely. In philosophy and social theory it is both the modernist left as well as postmodern thinkers who have branded Gadamer's hermeneutical philosophy conservative and uncritical. The former position is represented by Habermas, and the latter by critics who see far more critical potential in the work of Heidegger, Gadamer's antimodern mentor. (The latter view of

11. See J.M. BALKIN, *CULTURAL SOFTWARE: A THEORY OF IDEOLOGY* (1998); Francis J. Mootz III, *The Quest to Reprogram Cultural Software: A Hermeneutical Response to Jack Balkin's Theory of Ideology and Critique*, 76 CHI.-KENT L. REV. 945 (2000). For a more general context, see Richard Wolin, *Untruth and Method: Nazism and the Complicities of Hans-Georg Gadamer*, NEW REPUBLIC, May 15, 2000, at 36, 36-45. Wolin writes:

Gadamer's hermeneutics, then, was characterized by a proudly uncritical veneration of the powers of tradition. His denigration of the capacities of "insight" and "reflection" are cornerstones of the modern Counter-Enlightenment. *Since he believed that human understanding is intrinsically untrustworthy, he concluded that the best course is to limit its use as much as possible. Should a confrontation between authority and reason arise, it is always safer to err on the side of authority.* This is not exactly the beginning of wisdom for citizenship in an open society.

Id. at 39 (emphasis added). He closes:

In the end, one sees all too clearly that the beautiful soul of the "hermeneutical consciousness" has remained essentially immune to the lessons and the virtues of a democratic political culture. *It loves tradition more than it loves justice, which is the wrong way, the ugly way, the catastrophic way, to love tradition.*

Id. at 45 (emphasis added).

Gadamer stands, obviously, in tension with the one just described, where *both* Heidegger and Gadamer are deemed conservative.) This “double” characterization from positions—modernist and anti-modernist—with radically different commitments, urges us to look more closely at some of the reasons for these interpretations, as both characterizations cannot be correct.

This situation urges one to examine more carefully Gadamer’s relation to both Heidegger and Habermas. For, to address the postmodern view that Heidegger is the more radical, and thus more powerful, thinker, what is it about his work that prompts this view? In the first part of what follows, I will look briefly at Heidegger’s project—his critique of Western metaphysics and his distinctive view of language—examining its critical potential. Next, situating Gadamer in the context of Heidegger’s project provides insight into the antisubjectivist critique Gadamer shares with him. But this is only part of the picture. Heidegger’s own thought is ultimately problematic, precisely in its lack of committed attention to the very public domain of other traditions and persons that Gadamer’s hermeneutical philosophy so champions. What emerges from attention to Gadamer’s conception of language and tradition in Part II is that, while he shares important features of Heidegger’s thought, Gadamer productively grounds his view of language and tradition in such a way that the everyday realm of public discourse not only has a vital and integral place; this domain is also, as noted above, characterized by a healthy injunction to foster reasoned debate among divergent perspectives and interpretations. The charge (originally leveled by Habermas¹² and more recently by Richard Wolin) that Gadamer’s concept of tradition is politically conservative

12. At the time of his exchange with Gadamer, Habermas’s approach was to examine the connection between knowledge and interests. He later shifts to a project combining “reconstructive” social science and philosophy to develop a “universal pragmatics” and his theory of the “ideal speech situation,” disclosing the universal pragmatic presuppositions of communication directed toward understanding. Bringing these pragmatic universals to theoretical reflection, Habermas claims, will yield rational standards for adjudicating social conflicts. I address the differences between Habermas’s and Gadamer’s projects in INGRID SCHEIBLER, GADAMER: BETWEEN HEIDEGGER AND HABERMAS 9-70 (2000). Warnke also puts Gadamer and Habermas in dialogue around the specific question of their approaches to justification of interpretive norms in her *Justice and Interpretation*. WARNKE, JUSTICE, *supra* note 3, at 135-57. For Habermas’s more recent development of the ideal speech situation and a theory of communicative competence, see 1 JÜRGEN HABERMAS, THE THEORY OF COMMUNICATIVE ACTION: REASON AND THE RATIONALIZATION OF SOCIETY (Thomas McCarthy trans., 1984). For a critical discussion of Habermas, see SEYLA BENHABIB, CRITIQUE, NORM, AND UTOPIA: A STUDY OF THE FOUNDATIONS OF CRITICAL THEORY (1986); RASMUSSEN, *supra* note 1.

is too narrow a reading of the richness of this concept. While Gadamer criticizes the Enlightenment's hostility to tradition, paradoxically, his concept of linguistically mediated tradition has far more in common with Habermas's continuation of the Enlightenment project, a commitment to foster a public domain where all are vigilant against forces of domination and where claims to truth and rightness are subject to justification via a process of argumentation. It is in this sense that Gadamer can be positioned between Heidegger and Habermas.

I. GADAMER AND HEIDEGGER

I noted above that one way Heidegger's project—a critique of Western metaphysics—and Gadamer's appropriation of it, is significant is that Heidegger articulates a distinctive view of language, a view harnessed to an antisubjectivist critique. This view of language is quite different from the way language, and our relation to it, is usually conceived in terms of human speech and communication. That is, it is very different from the view of language at the center of debates about the nature of justice and the importance of rhetoric and public debate in fostering democratic discourse. Heidegger's distinctive view of language, then, has an "antisubjectivist" motivation that emerges out of his broader critique of Western metaphysics. Heidegger does not conceive language primarily as something humans use in speech or communication. Before examining the critical force of both Heidegger's general project and his view of language, which Gadamer develops in his own work, however, it is important to discuss why some critics, assessing Gadamer against Heidegger, deem Heidegger's work the more radical. It is helpful to begin by giving some main reasons for this view, and this also raises the question of what "radical" means for supporters of Heidegger's project and for our interpretation of Gadamer.

First, critics acknowledge that Gadamer shares with Heidegger a notion of "retrieval," a powerful idea that stems from a view of history not as something past, but as something active in the present; history is a context with a history of effects in the present.¹³ Heidegger explicitly thematizes the *historicality*¹⁴ of human beings

13. See MARTIN HEIDEGGER, BEING AND TIME 429-34 (John Macquarrie & Edward Robinson trans., 1962).

14. Heidegger defines this historicality by saying of human being [*Dasein*] that,

and the importance of an explicit return to tradition.¹⁵ For him, the very fact of the historicity of human beings and the effectiveness of the past in the present get covered over. Along with this view of history comes a sort of methodological dictate, the idea that one must return to history and uncover hidden aspects. Heidegger writes:

When tradition thus becomes master, it does so in such a way that what it “transmits” is made so inaccessible, proximally and for the most part, that it rather becomes concealed. Tradition takes what has come down to us and delivers it over to self-evidence; it blocks our access to those primordial “sources” from which the categories and concepts handed down to us have been in part quite genuinely drawn. Indeed it makes us forget that they have had such an origin, and makes us suppose that the necessity of going back to those sources is something which we need not even understand. Dasein has had its historicity so thoroughly uprooted by tradition that it confines its interest to the multiformity of possible types, directions, and standpoints of philosophical activity in the most exotic and alien of cultures; and by this very interest it seeks to veil the fact that it has no ground of its own to stand on.¹⁶

This passage is interesting for purposes of comparison with Gadamer. Heidegger is making the point that our everyday understanding of tradition veils the very fact of our own historicity and of the very possibility—which Heidegger enjoins—to “go back to the past in a positive manner and make it productively its [our] own.”¹⁷ He is critical of the ordinary understanding of history

It is its past, whether explicitly or not. And this is so not only in that its past is, as it were, pushing itself along “behind” it . . . Dasein “is” its past in the way of its own Being, which, to put it roughly, “historizes” out of its future on each occasion.

Id. at 41.

15. Heidegger writes:

This elemental historicity of Dasein may remain hidden from Dasein itself. But there is a way by which it can be discovered and given proper attention. Dasein can discover tradition, preserve it, and study it explicitly. The discovery of tradition and the disclosure of what it “transmits” and how this is transmitted, can be taken hold of as a task in its own right.

Id.

16. *Id.* at 43. There are two points to be made here. First, there is some resonance in this passage with the way Heidegger conceives the realm of “*das Man*,” “the ‘they’” as obscuring Dasein’s possibilities. See also MICHAEL THEUNISSEN, *THE OTHER: STUDIES IN THE SOCIAL ONTOLOGY OF HUSSERL, HEIDEGGER, SARTRE AND BUBER* 198 (Christopher Macann trans., 1984). In Heidegger’s treatment of the “public” realm of everyday interaction, and his view, above, of interest in other standpoints/exotic cultures, what is other than the self is posited negatively, as obstructing Dasein’s possibilities, its authenticity. A second point is that there are other reasons why the “real” nature of tradition, its being active in the present, might be occluded. I have examined this in relation to Gadamer by looking at what I call the “modern prejudice against tradition,” a prejudice which develops along with the modernist sensibility to value the present, what is “new” over the past, which is perceived to be merely a dead weight on possibilities for the future. See Ingrid Scheibler, *Effective History and the End of Art: From Nietzsche to Danto*, 26 *J. PHIL. & SOC. CRITICISM*, 1-28 (1999).

17. HEIDEGGER, *supra* note 13, at 43.

because it privileges the past rather than recognizing history's effectivity in the present. That is, the usual view of the past conceals both the degree to which we are actively formed by it, the degree to which the past is active and effective in the present, as well as the possibility of the changed attitude to tradition that this awareness would bring, the attitude on which Heidegger's own critical project is predicated. From this we see that Heidegger thematizes the importance of a *retrieval* of the past, based on a recognition of our own historicity and the degree to which the past is effective in the present.

But Heidegger's emphasis on "retrieval" of the past, based on those features just described, has an added dimension, one which bears most on the question of his radicality vis à vis Gadamer. Heidegger defines his project—a critique of the tradition of Western metaphysics—explicitly as a method of "*Destruktion*."¹⁸ As a method, this announces its own radicality in its oppositional position vis à vis existing traditions (in this case, the history of Western metaphysics). Heidegger is well known in this critical, oppositional stance for making the basic claim that the tradition of Western metaphysics and its major thinkers, from Plato to Hegel to Nietzsche, conceals the "primordial experiences" of Being. This means the tradition and its major thinkers define Being in terms of a "metaphysics of presence," conceiving "being" in terms of existence, of being present. Heidegger's main aim is to retrieve an alternative, more original and fundamental, way of thinking about Being, through the method of "*Destruktion*."

But Gadamer, in contrast, does not self-consciously adopt this radical stance of oppositionality, of *Destruktion*. Gadamer's concepts of tradition and "effective history" (*wirkungsgeschichtliches Bewusstsein*) in *Truth and Method* are clearly indebted to Heidegger's view of the past and its effects in the present.¹⁹ But while Gadamer returns in *Truth and Method* to certain traditions, such as his re-reading of the humanist concepts of *Bildung*, *sensus communis*,

18. *Id.* at 41-49. Heidegger writes:

If the question of Being is to have its own history made transparent, then this hardened tradition must be loosened up, and the concealments which it has brought about must be dissolved. We understand this task as one in which by taking *the question of Being as our clue*, we are to *destroy* the traditional content of ancient ontology until we arrive at those primordial experiences in which we achieved our first ways of determining the nature of Being—the ways which have guided us ever since.

Id. at 44.

19. See HANS-GEORG GADAMER, *TRUTH AND METHOD* 301 (Joel Weinsheimer & Donald G. Marshall trans., Crossroad 2d rev. ed. 1989) (1960).

judgment and taste,²⁰ these do not have the “destructive” character of Heidegger’s stated return. Although part of the aim of Part II, below, is to more fully examine Gadamer’s attitude to tradition to draw out its critical possibilities, it is nevertheless clear that, in contrast to Heidegger’s emphasis on destruction, Gadamer emphasizes our *continuity* with tradition, its value as a resource. One gets a good sense of this in the introduction to *Truth and Method*, when he states,

It is not only that historical tradition and the natural order of life constitute the unity of the world in which we live as men; the way we experience one another, the way we experience historical traditions, the way we experience the natural givenness of our existence in the world, constitute a truly hermeneutical universe, in which we are not imprisoned, as if behind insurmountable barriers, but to which we are opened.²¹

Here tradition is a resource to which we are opened, not a force we must destroy. The stance is one of continuity with the past, not discontinuity. In addition to this emphasis, Gadamer’s work draws on both Plato and Hegel—two figures of the metaphysical tradition Heidegger criticizes—as resources in his hermeneutical philosophy. For these and other reasons, which will become plain in further discussion of Gadamer’s concept of language and his attitude to tradition, Gadamer’s attitude to history and tradition is deemed more restorative than destructive, and his emphasis on continuity with the past rather than discontinuity is a central reason given for Heidegger’s greater radicality.

A second, related, reason for the claim by some critics that Gadamer “backslides” vis à vis Heidegger’s radicality, is a criticism shared by postmodernist accolades of Heidegger as well as such modernist critics as Habermas and Thomas McCarthy. This is the view that, when Gadamer talks of a background realm of social solidarity, which he calls a realm of “*soziales Einverständnis*,” this background dimension is seen to be one Gadamer believes to be fundamentally in order; it is, apparently, in no need of criticism, and comprised of substantive and shared agreement. Gadamer’s description of the existence of this shared, social background realm is seen to legitimize the status quo, the problem of conventionalism noted earlier.

A third reason for Heidegger’s perceived radicality over Gadamer is that the destructive part of Heidegger’s major project, the

20. *Id.* at 3-42.

21. *Id.* at xxiv.

critique of the tradition of Western metaphysics, has a constructive side, his project of asking the forgotten question of Being. Critics contend that this radical discovery is lost in Gadamer's work. For Heidegger, the Western metaphysical tradition from Plato to Nietzsche thinks being as "existence," as being present (presence). The tradition conceals what for Heidegger signals a major discovery, the question of Being. When Heidegger asks this question, he asks us—against what we have just seen as his view of the tradition's concealing of the very questionability of the question—to become aware of two things. First, he asks us to become aware of the concealment of a more fundamental or original way of thinking of Being. Second, Heidegger thematizes that more original question of Being. He asks us to recognize that, prior to the traditional view of being as presence—that is, prior to the seemingly mundane fact that something can appear, as "present," before us and hence be intelligible as an object of inquiry or discussion in the first place—there is another meaning of Being. Here, Being is conceived as a prior and more fundamental or original sustaining background, on which the traditional conception of being—as "existence," "being present"—is itself dependent and derivative.²² Heidegger conceives this prior, more fundamental ground of Being as a realm in which, when things are not yet "present," they originally reside. Being is a nonfoundational ground in which things "rest" originally, as withdrawn, or concealed, and out of which they become revealed, able to be "present" for our thinking.²³ For Heidegger, this process

22. I cannot do justice here to the subtle shifts and nuanced ways in which Heidegger's formulation of the Being question develops, from the still transcendentalist focus in *Being and Time*, to the shifts where Being, and later language, which Heidegger comes to identify with Being, become more anthropomorphized in a text like Heidegger's 1947 *Letter on Humanism*. See MARTIN HEIDEGGER, BASIC WRITINGS: FROM BEING AND TIME (1927) TO THE TASK OF THINKING (1964) 189-242 (David Farrell Krell ed., 1977) [hereinafter HEIDEGGER, BASIC WRITINGS]. For an examination of Heidegger's texts which traces these developments, see WILLIAM J. RICHARDSON, S.J., HEIDEGGER: THROUGH PHENOMENOLOGY TO THOUGHT (1974).

23. Rodolphe Gasché describes the metaphysical tradition's inability to think Being as the unity out of which this difference between Being and beings must be thought, as follows:

In conceiving of the event of appropriation as the simple event of the showing forth of any phenomenon, thought thinks what philosophy has not been able to think: the mere "there is" in its singularity and precariousness. But such thought of the leap into presence is also, and necessarily, the most empty thought, empty of content. . . . To merely follow the emerging from absence into presence is a modest task. *Yet the modesty of this task should not blind us to the fact that it is an unheard-of response to the traditional philosophical wonder of why there is something rather than nothing.*

Rodolphe Gasché, "Like the Rose Without Why": Postmodern Transcendentalism and Practical Philosophy, DIACRITICS: A REVIEW OF CONTEMPORARY CRITICISM, Fall-Winter 1989, at 101, 111 (emphasis added) (reviewing REINER SCHURMANN, HEIDEGGER ON BEING AND ACTING:

has an *event* character; there is a certain motility, a verbal quality to it. That is, the event or process consists in a movement of the thing from out of the ground of Being, to its being revealed or disclosed, and hence capable of being “present” to us. We can refer to this event-character of Being as the “Being process.”

Gadamer, some critics contend, does not really “get” the full radicality of this discovery. John Caputo, for example, claims that,

Gadamer is extremely good at hearing what Heidegger has to say about the truth of Being, but there is another, more radical side to Heidegger *which gets no hearing at all. He makes no effort to come to grips with the later Heidegger's delimitation of, and movement beyond, “horizon” in favor of the open of which it is the circumscription. He does not see the hermeneutic gesture in Being and Time itself which consists in going beyond Being to its “meaning,” where meaning means not the one true sense which Being has but that in reference to which (das Woraufhin) the diverse meanings of Being arise, the hermeneutical key to their constitution.*²⁴

Caputo's evaluation of Heidegger has changed since the book from which this quote is taken, but his evaluation stands as a question to pose for the issue of Gadamer's radicality vis à vis Heidegger.

Caputo raises two questions here: (1) is the Heideggerian discovery evident in Gadamer's work? and (2) in what way is Heidegger's discovery, his focus on Being as “that in reference to which the diverse meanings of Being arise,” “radical”? I will not here address the first point, whether and how awareness of Heidegger's “discovery” is evidenced in Gadamer's work,²⁵ but I want to briefly address the second. Heidegger's asking of the Being question does mark a profound discovery, that in effect displaces a rootedness (of inquiry) in the subjective will as ground for truth. This rootedness is also commonly referred to as a paradigm of the “philosophy of consciousness,” or modern subjectivism. Heidegger details the dangers of this subjectivism, as these are manifested in modern science, Cartesian metaphysics, and modern technology.²⁶ His

FROM PRINCIPLES TO ANARCHY (Christine-Marie Gros trans., 1987)).

24. JOHN D. CAPUTO, *RADICAL HERMENEUTICS: REPETITION, DECONSTRUCTION, AND THE HERMENEUTIC PROJECT* 113 (1987) (emphasis added).

25. For my examination of this, see SCHEIBLER, *supra* note 12, at 129-40.

26. See MARTIN HEIDEGGER, *Modern Science, Metaphysics and Mathematics*, in HEIDEGGER, *BASIC WRITINGS*, *supra* note 22, at 247, 247-82. Also, in *The Age of the World Picture*, Heidegger discusses the role of Descartes's metaphysics as central to a modern, subjectivist “ethos of mastery.” Reflecting on the nature of modern science in order to apprehend its metaphysical ground, and linking Descartes' metaphysics to modern science and its mode of representing, Heidegger writes:

This objectifying of whatever is, is accomplished in a setting-before, a representing, that aims at bringing each particular being before it in such a way that man who

writings on technology are bound to his broader critique of Western metaphysics and his probing of the question of Being. Heidegger connects modern technology—whose roots he traces in developments which precede the modern period—to the attendant rise to prominence of modern subjectivism and its correlate, a conception of the real based on an ethos of mastery and domination. According to Heidegger, in the current age of “planetary technology,” we move even beyond the dangers of objectification of nature and the real. In the essay *The Question Concerning Technology*, he writes that,

As soon as what is unconcealed no longer concerns man even as object, but does so, rather, exclusively as standing-reserve, and man in the midst of objectlessness is nothing but the orderer of the standing-reserve, then he comes to the very brink of a precipitous fall; that is he comes to the point where he himself will have to be taken as standing-reserve. Meanwhile man, precisely as the one so threatened, exalts himself to the posture of lord over the earth. In this way the impression comes to prevail that everything man encounters exists insofar as it is his construct.²⁷

When Heidegger thematizes the Being question in relation to modern subjectivism, he seeks to effect a shift from representational thinking, which conceives truth and the locus of objectivity exclusively in the human subject, to what he calls a more meditative thinking (*besinnliches Denken*). Heidegger’s discovery, the “alternative” to instrumental thinking and modern subjectivism, (1) displaces the rootedness in subjective states and (2) reconceives the strict subject/object distinction, and the objectification and domination of the object-domain that results from this. This can also be described as the effort to shift from a transcendentalist focus. This focus views truth in terms of the certainty of representation, rooted in subjectivity and, more generally, conceives the parameters of inquiry—awareness of a world of objects—from within the vantage point of the subject’s own human “horizon.” Heidegger seeks to reconceive the traditional conceptions of truth and Being, and shift our focus to an awareness of the ground, or field, of the human horizon.

This antisubjectivist critique, made in the name of a

calculates can be sure, and that means be certain, of that being. We first arrive at science as research when and only when truth has been transformed into the certainty of representation. *What it is to be is for the first time defined as the objectiveness of representing, and truth is first defined as the certainty of representing*, in the metaphysics of Descartes.

MARTIN HEIDEGGER, *The Age of the World Picture*, in *THE QUESTION CONCERNING TECHNOLOGY AND OTHER ESSAYS* 127 (William Lovitt trans., 1977) (emphasis added) [hereinafter HEIDEGGER, TECHNOLOGY].

27. HEIDEGGER, TECHNOLOGY, *supra* note 26, at 26-27.

thematization and recognition of Being as the sustaining ground “in reference to which the diverse meanings of Being arise,” has significant critical force. Heidegger’s critique here can be placed along with other powerful critiques of modern instrumentalist calculative reason, like the efforts of the early Frankfurt School, Adorno, and Horkheimer²⁸ and, more recently, Habermas.²⁹ Heidegger powerfully examines the workings of this objectifying, calculative reason in examining the effects of its domination of things in the world and nature. That is to say, Heidegger’s own explicit concern in these writings is with domination, the ethos of mastery, as it is deployed against things and nature.³⁰ To find an alternative, non-dominating and non-objectifying conception of our relation to the world, he does two things: First, he calls our attention to the way that human being is “in” the world in a more relational, rather than divisive, situation of belonging to the world, rather than standing over and against it, as subject over object, lord or master. Second, he calls for a recognition of Being as the ground of the human, transcendental horizon. This is his antisubjectivist thematization of the ground or field of human awareness. In my view, the antisubjectivist critique at the center of Heidegger’s project has a powerful critical force, especially in analyzing the genesis and effects of environmental degradation.³¹

In addition to the critical force of Heidegger’s antisubjectivist critique, his distinctive view of language, in the context of the critical project just described, demands attention. Heidegger’s view of language, harnessed to his critical project, differs from the usual, everyday conceptions of language—language as human speech and communication; the language of validity claims put forward in the public/civic realm and subject to argumentation and justification. I will begin with a brief account of Heidegger’s critique of the customary view of language as a way to introduce how language is

28. See MAX HORKHEIMER & THEODOR W. ADORNO, *DIALECTIC OF ENLIGHTENMENT* (John Cumming trans., 1972).

29. See JÜRGEN HABERMAS, *THE PHILOSOPHICAL DISCOURSE OF MODERNITY: TWELVE LECTURES* (Frederick Lawrence trans., 1987); JÜRGEN HABERMAS, *NACHMETAPHYSISCHES DENKEN* (1988).

30. Heidegger exhibits more concern for the degradation of things and the natural environment than of other persons. For a discussion of this, see EDITH WYSCHOGRAD, *SPIRIT IN ASHES: HEGEL, HEIDEGGER AND MAN-MADE MASS DEATH 150-70* (1985).

31. For efforts to draw out radicality of Heidegger for “green” political purposes, see MICHAEL E. ZIMMERMAN, *HEIDEGGER’S CONFRONTATION WITH MODERNITY: TECHNOLOGY, POLITICS, AND ART* (1990). For a feminist approach to this problem, see VAL PLUMWOOD, *FEMINISM AND THE MASTERY OF NATURE* (1993).

connected to his broader critical project—his critique of metaphysics and subjectivism.

For Heidegger, language is significant as part of the broader critique of the tradition of Western metaphysics and its manifestation in modern subjectivism. Recall that Heidegger wants to retrieve the forgotten question of Being, thematizing Being as different from being as “existence” or “presence.” In his later writings, marked by the influence of the poet Hölderlin and first seen in his 1935 *The Origin of the Work of Art*, Heidegger begins to make language more central to his general inquiry, to his thematization of the forgotten dimension of Being. Recall that he wants to shift focus from a rootedness in subjective states and to awaken an awareness of the “Being process”—the sense of Being as a ground in which things originally reside, and from which they emerge out of this concealment, to become present, or disclosed, and hence capable of intelligibility. Heidegger comes increasingly in his middle and later writings to make language, and specifically poetry, central to his thematization of this “Being process.”

We see one early example of this in the essay on the artwork, in which Heidegger claims that “*All art, as the letting happen of the advent of the truth of beings, is as such, in essence, poetry.*”³² To contextualize this briefly, Heidegger’s *Origin of the Work of Art* essay locates art as one site where the Being process occurs; that is, the artwork is a site for what Heidegger calls the event of truth (*aletheia*), “set into” the work of art. What is of interest to us here is Heidegger’s characterization of language. He writes of art’s connection with language:

[T]he linguistic work, poetry in the narrower sense, has a privileged position in the domain of the arts. To see this, only the right concept of language is needed. In the current view, language is held to be a kind of communication. It serves for verbal exchange and agreement, and in general for communicating. But language is not only and not primarily an audible and written expression of what is to be communicated. It not only puts forth in words and statements what is overtly or covertly intended to be communicated; language alone brings beings as beings into the open for the first time. Where there is no language, as in the Being of stone, plant, and animal, there is also no openness of beings, and consequently no openness either of nonbeing and of the empty.³³

32. MARTIN HEIDEGGER, *The Origin of the Work of Art*, in HEIDEGGER, BASIC WRITINGS, *supra* note 22, at 143, 184.

33. *Id.* at 185.

We see here that Heidegger claims that language is “not only and not primarily” audible or written communication and speech. Rather, what is of greater importance is the capacity of language to “give being”: “language alone brings beings as beings into the open for the first time.” It is the recognition that language “gives being,” bringing something into the open where it can first become intelligible, *prior* to being communicated or spoken, that Heidegger accords decisive significance. Here we see a forging of the fundamental connection of language and Being, which Heidegger continues to probe and develop.

In his later writing, Heidegger develops the idea that language is not a tool for human being but that man is summoned to respond to the speaking power of language. His later writings shift focus from a consideration of language as human discourse (*Rede*) in the earlier work of *Being and Time* to language as the site where the Being process comes into view. This “inverted” relation in connection with language, first strongly articulated in the essay *What Are Poets For?* (1946) and the *Letter on Humanism* (1947), occurs throughout his later texts, notably *Poetically Man Dwells* (1951) and *On the Way to Language* (1959).³⁴ In coming to the idea that it is not man who speaks language but language which speaks through humans—*Die Sprache spricht*—we see a transformation of Heidegger’s earlier effort to think the question of Being. In these texts we see a recognition that his previous focus on language as discourse, which conceived discourse as rooted in human being (*Dasein*) in *Being and Time*, did not do justice to the power and mystery of language. He comes to recognize that the privileged position in the process of disclosure is not occupied by human being, but by language, which is now associated with Being.³⁵ Language is no longer discourse which “articulates intelligibility,” then, for this operates only in a *further uncovering* of entities which are *already manifest* and hence does not give us primary access to the process or event of Being.

Heidegger’s later writings on language locate the capacity to first bring an entity into presence, and to allow it to be uncovered as an

34. Language, specifically linked with poetry and the poet, enters Heidegger’s discussion (of Being and the reformulated concept of truth) as early as the essays *The Origin of the Work of Art*, written in 1935 and found in HEIDEGGER, BASIC WRITINGS, *supra* note 22, and *Hölderlin und das Wesen der Dichtung*, written in 1936 and found in MARTIN HEIDEGGER, ERLAUTERUNGEN ZU HOLDERLINS DICHTUNG 33 (1981).

35. This is not to suggest that the transformation was not gradual; it was being forged as early as the pivotal text. See MARTIN HEIDEGGER, *On the Essence of Truth*, in HEIDEGGER, BASIC WRITINGS, *supra* note 22, at 113, 113-42.

entity, in language. His identification of language and Being directs us, then, to a recognition that it is through language that we have our *primary* access to Being.³⁶ In his later writings, Heidegger focuses on the mode of being of language itself. In his essay, *The Way to Language*, he writes,

[T]he word, the nature of the word, conceals within itself that which gives being. If our thinking does justice to the matter, then we may never say of the word that it is, but rather that it gives—not in the sense that words are given by an “it,” but that the word itself gives. *The word itself is the giver.* What does it give? To go by the poetic experience and by the most ancient tradition of thinking, *the word gives Being.* . . . And here precisely it comes to light how astounding a power the word possesses.³⁷

Language, then, lets the world appear. What Heidegger is emphasizing is *not* that language constitutes an essential connection between a word (a *concept* for an object) and an object; the word’s primary function is not as a sign, as designation.³⁸ Rather, he is drawing attention to the fact that the world, through language, is disclosed in a way identified with the process of revealing and concealing: “Language is the lighting-concealing advent of Being itself.”³⁹

A final aspect of Heidegger’s conception of language is relevant here; it relates to the privileged role Heidegger accords the poetic word, poetry. Focusing on language in this way prepares us for the possibility of the coming of a new era. But the essential relation of human beings to Language—the human experience of Being identified with language—is, for Heidegger, not adequately expressed in the everyday sphere of colloquial communication. He writes: “Only because in everyday speaking language does *not* bring itself to language but holds back, are we able simply to go ahead and speak a

36. In *Hölderlin und das Wesen der Dichtung*, Heidegger refers to this capacity of language to both “establish” and “name” as “*Stiftung*”: “*Dichtung ist Stiftung durch das Wort und im Wort*”; “*Dichtung ist werthafte Stiftung des Seins.*” MARTIN HEIDEGGER, *GESAMTAUSGABE: ERLÄUTERUNGEN ZU HÖLDERLINS DICHTUNG* 41 (1981).

37. MARTIN HEIDEGGER, *ON THE WAY TO LANGUAGE* 88 (Peter D. Hertz trans., 1971).

38. Gadamer follows Heidegger in this, and it constitutes what he calls the “event character” of language and the inseparability of word and thing. See GADAMER, *supra* note 19, at 456-74. Also note Joel Weinsheimer’s discussion of Gadamer in this regard in JOEL WEINSHEIMER, *PHILOSOPHICAL HERMENEUTICS AND LITERARY THEORY* 87-123 (1991). In a related vein, for a discussion of Gadamer’s so-called 1981 debate with Jacques Derrida, which focuses on Gadamer and the postmodern debate concerning language and texts, the interpretation of texts, see JAMES RISSER, *HERMENEUTICS AND THE VOICE OF THE OTHER: RE-READING GADAMER’S PHILOSOPHICAL HERMENEUTICS* 159-84 (1997).

39. MARTIN HEIDEGGER, *Letter on Humanism*, in HEIDEGGER, *BASIC WRITINGS*, *supra* note 22, at 189, 206.

language, and so to deal with something and negotiate something by speaking.”⁴⁰ Being, as it comes to awareness through an attentiveness to language, cannot be apprehended there. Achieving the special relation to language is reserved for the poet and for (meditative) thinking which is guided by listening to poetic language. While I want to emphasize Heidegger’s attentiveness to the mysterious power of language to “give being,” a discovery which serves as a vital counterweight to the modern subjectivist conception of human beings as the ground of inquiry, and hence of humans as “controlling” language, there is a central problem with this view: the privileging of poetic language over everyday language. Because of his guiding concern, the question of Being now identified with language, Heidegger focuses not on *what* is said, or that something is said by one person to another—language in its communicative dimension, the language of public, civic discourse and the language of moral claims made between persons—but on the very mode of being of something coming to be in and through language.

Precisely this privileging of poetic language over the everyday is where Gadamer departs from Heidegger. Next, I develop the view that we see Gadamer’s radicality in his extension of the concept of language to that of dialogue with both tradition(s) and other persons.

II. THE SOCIAL DIMENSIONS OF LANGUAGE

Gadamer’s conception of language and tradition as supra-subjective forces carries on the critical antisubjectivist impulse we see in Heidegger. His appropriation of Heidegger’s antisubjectivism is mediated by a return to the figures of Plato and Hegel. I turn first to these roots to see how Gadamer appropriates Heidegger’s antisubjectivist critique. Yet Gadamer’s turn to Platonic and Hegelian dialectic is also developed in another direction, one not pursued by Heidegger, which explores the workings of language as dialogue. For Gadamer, dialogue is concretely situated “vertically,” in existing traditions and “horizontally,” in a pluralistic social domain of other persons.

In Part III of *Truth and Method*, Gadamer discusses the intimate connection between thought and language, word and thing.⁴¹ His concept of the linguisticity of understanding is expressed in his

40. MARTIN HEIDEGGER, *The Nature of Language*, in HEIDEGGER, *supra* note 37, at 57, 59.

41. See Gadamer, *supra* note 19, at 405-28.

phrase that, "in language the world itself presents itself,"⁴² and conveys the power of language to disclose the world. Like Heidegger, Gadamer attends to language as that through which humans have "world." In the final section of *Truth and Method*, "*Language As Horizon of a Hermeneutic Ontology*," Gadamer writes not only of the word's disclosive capacity, but also of "language as medium." For Gadamer, again like Heidegger, recognizing the fundamental fact of human finitude is linked to the very way language is conceived. He writes that,

Language is the record of finitude [T]he event of language corresponds to the finitude of man in a far more radical sense than is brought out in Christian thinking about the Word. It is from *language as a medium* that our whole experience of the world, and especially hermeneutical experience, unfolds.⁴³

Gadamer's view of language as medium continues in the direction of Heidegger's thought, which thematizes language as a supra-subjective dimension. But in characterizing the nature of language in an anti-subjectivist direction, Gadamer turns to Platonic dialectic and Hegel's development of it to describe our hermeneutical experience of language and tradition as an event in which we participate.⁴⁴

How does Gadamer link Platonic dialectic and Hegel's development of it, with the concept of language as medium? It is because language is related to the totality of beings and so mediates the finite human relation to the world, he says, that language as medium is related to the dialectical relation of the one and the many.⁴⁵ According to Gadamer, the dialectical puzzle that fascinated Plato is given its "true and fundamental ground" in recognizing language as medium in the context of the ground of human finitude.⁴⁶

Gadamer connects language as medium with dialectic, the problem of the one and the many and of their participation by noting, first, that the word of language, as Plato realized, is both one and many. Gadamer singles out a dialectic of the word, which,

accords to every word an inner dimension of multiplication: every word breaks forth as if from a center and is related to a whole, through which alone it is a word. Every word causes the whole of

42. *Id.* at 450.

43. *Id.* at 457.

44. For Gadamer's analysis of Hegel's appropriation of Platonic dialectic, see HANS-GEORG GADAMER, *Hegel and the Dialectic of the Ancient Philosophers*, in *HEGEL'S DIALECTIC: FIVE HERMENEUTICAL STUDIES* 5, 5-34 (P. Christopher Smith trans., 1976).

45. See GADAMER, *supra* note 19, at 457.

46. *Id.*

the language to which it belongs to resonate and the whole world-view that underlies it to appear. Thus every word, as the event of a moment, carries with it the unsaid, to which it is related by responding and summoning. The occasionality of human speech is not a casual imperfection of its expressive power; it is, rather, the logical expression of the living virtuality of speech that brings a totality of meaning into play, without being able to express it totally. All human speaking is finite in such a way that there is laid up within it an infinity of meaning to be explicated and laid out. That is why the hermeneutical phenomenon also can be illuminated only in light of the fundamental finitude of being, which is wholly verbal in character.⁴⁷

Gadamer illuminates the hermeneutical phenomenon of the “belonging” together of interpreter and text, and of the close relationship between history and tradition expressed in the concept of historically effected consciousness. This relation of “belonging” can be more exactly defined on the basis of the linguistically constituted experience of the world.⁴⁸ If one looks away from the modern, scientific world view to a very different tradition, Greek *logos* philosophy, Gadamer points out that in classical metaphysics, “*belonging* refers to the transcendental relationship between being and truth, and it conceives knowledge as an element of being itself and not primarily as an activity of the subject.”⁴⁹ The view that knowledge is incorporated in being is a presupposition of classical and medieval thought. In contrast to the modern, scientific-methodical view which starts from the concept of a subject existing in its own right, and for whom all else is object, Plato sees the being of the “soul” as participating in true being, belonging to the same sphere of being as the Idea. There is, in this view, no notion of self-consciousness without world, because both are seen to originally belong together; here the *relationship*—one of belonging together—is primary.

In returning to the view that thought participates in “true being,” and parts are purposefully related to wholes, Gadamer does not, however, advocate a recovery of its teleology, which secured the basis of a reciprocal harmony of the parts, and in which the whole in its relations is conceived as more original than the parts.⁵⁰ The ancient world view based on this teleological ordering of parts and wholes, means and ends, and in which knowledge is conceived as an element

47. *Id.* at 458.

48. *See id.*

49. *Id.*

50. *Id.* at 459.

of true being itself and not primarily a subjective activity, is seriously challenged by the advent of modern science with Bacon, and the *justification* of how the knowing subject belongs to the object of knowledge is lost. Instead, modern method seeks to break knowledge down into sequential parts, retracable to the elements from which its knowledge is built up. Gadamer draws attention to the dissolution of the “old co-ordination between man and world that lay at the basis of *logos* philosophy.”⁵¹ He seeks, for his own purposes of describing the nature of language and its relation to the finite hermeneutical experience of the world, to take up the legacy of Greek *logos* philosophy, and its insights into the relation of the one and the many, in which thought and knowledge are conceived as a part of being itself.

But taking up this legacy does not involve an unreflective return to classical metaphysics and its teleological justification, and here Gadamer departs from this problematical aspect of Plato’s (and Hegel’s) conception of dialectic. Rather, it is at this juncture that Gadamer continues to elaborate, on his own terms, what we have seen are Heideggerian commitments to displacing the modern subjectivist starting point in subjectivity—whether in thinking about Being, or language. Gadamer re-returns to the role the concept of dialectic played in the nineteenth-century philosophy of Hegel, and the way Hegel took up the problem of dialectic from its Greek origins. Gadamer does this because, he says, to understand the suprasubjective forces which dominate history, the Greeks—who regarded their thinking as an element of being itself—provide valuable insights into an alternative to the modern view, which takes subjectivity as the ground.⁵²

Ultimately here, Gadamer sheds light on the relation, one of a “belonging” together, of event and understanding—and we shall see in a moment, of individual and tradition—and language is the medium from which the individual act of speech, or word, is related to the totality of being, of what can be said. His interest in Hegel is that Hegel consciously develops the Greek model of dialectic, in which, as an expression of the *logos*, dialectic was not for the Greeks a movement performed by thought, but what thought experiences is the movement of the thing itself.⁵³ Hegel’s dialectic of the determinations

51. *Id.* (emphasis added).

52. *See id.* at 460.

53. *See id.*

of both thought and the forms of knowledge, Gadamer points out, explicitly repeats the Greek conception of the total mediation between thought and being:

We are simply following an internal necessity of the thing itself if we go beyond the idea of the object and the objectivity of understanding toward the idea that subject and object belong together. . . . But we cannot simply follow the Greeks or the identity philosophy of German idealism: we are thinking out the consequences of language as medium.⁵⁴

Gadamer explicitly distances himself from both the classical view of the intelligibility of being, as well as the Hegelian endpoint where thought comes to know itself absolutely in the totality, and where all particulars are resolved into an overarching unity. The concept of “belonging,” in light of “language as medium,” leaves behind the teleological relation of mind to an ontological structure of what exists. Here we see Gadamer’s return to Greek dialectic and Hegel has a motivation—a critique of modern subjectivism—and a model, conceived from “language as medium,” which not only moves beyond the modern starting point in self-consciousness or subjectivity. It also bypasses the subject/object dualism of the modern world view and the instrumentality which follow from this subjective grounding and dualism. In both of these concerns, Gadamer is firmly Heideggerian in linking language as medium to Greek and Hegelian dialectic in order to elucidate a concept of “belonging” suitable to our finite hermeneutical experience, which takes place in language.

There is a fundamental consequence, for Gadamer, of the fact that our hermeneutical experience is linguistic in nature and that there is a dialogue between tradition and its interpreter: “something occurs (*etwas geschieht*).”⁵⁵ In saying that “something happens,” Gadamer underlines that the mind of the interpreter is not able to control what (words) comes down from tradition, to describe the situation as one in which the interpreter could never come to a progressive knowledge of what exists in tradition. As a result, tradition itself, and what it has to say, can never be fully known or contained.

From the point of view of the interpreter, Gadamer says further, that “something occurs” does not mean the interpreter is a knower seeking an object: “But the actual occurrence is made possible only because the word that has come down to us as tradition and to which

54. *Id.* at 461.

55. *Id.* (emphasis added).

we are to listen really encounters us and does so as if it addressed us and is concerned with us.”⁵⁶ That language is the medium of our experience of the world and that our experience is rooted in traditions, shows not only the dialectic of the word, but also the dialectical relation of the individual to the “totality” of what can be said and experienced in tradition. Gadamer writes:

For on the other side, that of the “object,” this occurrence means the coming into play, the playing out, of the content of tradition in its constantly widening possibilities of significance and resonance, extended by the different people receiving it. Inasmuch as the tradition is newly expressed in language, something comes into being that had not existed before and that exists from now on.⁵⁷

In his view, tradition is certainly not sedimented and codified; it is not uncritically sanctioned as a factually existing status quo.⁵⁸ Rather, through the medium of language, individual and tradition belong together in such a way that the individual neither controls nor commands “what is said” in tradition—for the “content” of tradition exists in constantly widening possibilities, newly expressed in language. Language, immanent to tradition, is woven and rewoven. Gadamer anticipates here the post-modern criticism of “grand narratives” and the hegemonic function they can serve, while nevertheless anchoring us in existing traditions.⁵⁹ That is, he anticipates the critical character of a postmodern suspicion of grand narratives, without opting for postmodernism’s (modernist) anti-traditionalism.

Just as tradition is not sedimented or codified, not an “objective context,” the one who stands in a relation of “belonging” to tradition, and who is addressed by tradition, is not conceived as a “knower” of a static object. The implications of this are two-fold. One is that Gadamer’s view of tradition shares with Heidegger’s attitude a critique of the ordinary understanding of history or tradition primarily conceived as something “past.” Recall that Heidegger

56. *Id.*

57. *Id.* at 462.

58. This issue is central to his “debate” with Jürgen Habermas and to the charges of conservatism still leveled against Gadamer by critics claiming that he holds a view of tradition as an objective context, one antithetical to reason, in the sense that Gadamer is meant to view tradition as the bearer of eternal truths that the individual in the present somehow uncritically adopts.

59. See JEAN FRANCOIS LYOTARD, *THE POSTMODERN CONDITION: A REPORT ON KNOWLEDGE* (Geoff Bennington & Brian Massumi trans., 9th prt. 1984). I examine this further in relation to the hegemonic functions of “grand narratives” in the domain of art criticism and history in Scheibler, *supra* note 16.

criticized this because it occludes the nature of history and tradition as a living “‘context’ of events and ‘effects’” which, once its “effectivity” or living character is recognized, can be made to speak again.⁶⁰ Gadamer develops this in his concept of “effective history.”⁶¹ Second, the “knower” (interpreter) is also conceived as reflectively ready to have his or her own presuppositions challenged by the relation to tradition, a point central to emphasize in the face of the charge of subjectivism. That is, the interpreter’s approach to the past is characterized by an explicit attitude of “openness,” to which I will return in a moment.

In his critique of the Enlightenment’s abstract antithesis between reason and tradition, Gadamer argues that a particular attitude toward tradition must be overcome: the Enlightenment’s conception of tradition as a purely dogmatic force. Gadamer’s point here is an important one: a critique of modern, and modernist, anti-traditionalism. It is worth noting that he can be put into productive dialogue with other thinkers—not from a hermeneutic lineage—who have criticized the modern, bourgeois, denigration of tradition. Theodor Adorno’s *A Theory of Pseudo-Culture* and *On Tradition*,⁶² and more recently, David Gross’s *The Past in Ruins*, both develop this critique.⁶³ Both Adorno and Gross refer to the importance of

60. See HEIDEGGER, *supra* note 13, at 430.

61. See GADAMER, *supra* note 19, at 301.

62. *On Tradition* was originally published as Theodor W. Adorno, *Thesen Über Tradition*, INSEL ALMANACH AUF DAS JAHR 1966, at 21-33. The translation is based on the text in 10 THEODOR W. ADORNO, GESAMMELTE SCHRIFTEN 310-20 (1977). See Theodor W. Adorno, *On Tradition*, TELOS, Winter 1992-93, at 75.

63. See DAVID GROSS, *THE PAST IN RUINS: TRADITION AND THE CRITIQUE OF MODERNITY* (David Gross & William M. Johnston eds., 1992); see also Deborah Cook, *Tradition and Critique*, TELOS, Winter 1992-93, at 30. Cook raises questions regarding Adorno’s and Gross’s positions, and some of these can be directed to Gadamer as well. She asks, “But if, as both Adorno and Gross agree, one simply cannot turn back the clock and return to more traditional orientation horizons, the effectiveness of their approaches is questionable.” *Id.* at 33. I would disagree that an effort to cultivate an awareness of the living quality of tradition, our continuity with tradition, is “questionable.” Cook also notes the anachronism (noted by Adorno) that, “To use traditions and high culture against contemporary societies, however critically or dialectically, is to invoke the past against the present.” *Id.* This is true, but I do not see it as a serious difficulty. More compelling, and worth addressing further (as, for example, Habermas has done), is Cook’s point, directed to Gross, that his sweeping characterization of modernity as “anti-traditional” needs reassessment. Referring to S.N. Eisenstadt’s *Post-Traditional Societies*, Cook writes:

As Eisenstadt has pointed out, despite the fact that the “premises of universalism and equality” have undermined “the basis of legitimation found in historical or traditional societies,” this does not mean that modern societies are without traditions:

It means, rather, that modernization has greatly weakened one specific aspect of traditionality—namely, the legitimation of social, political, and cultural orders in terms of some combinations of “pastness,” “sacredness,” and their symbolic and structural derivatives. At the same time, however, modernization has given rise to

tradition as a way to criticize what they perceive—albeit from different vantage points—as deformed situations in the present. A more detailed comparison of Gadamer, Adorno, and Gross is needed, but here I want simply to establish a productive line of future inquiry, which links Gadamer to writers whose concern is with modern anti-traditionalism and its implications for a critique of modernity and of various deformations in the present. There are a number of implications to Gadamer's view that we should recognize the effectivity of the past in the present, the living quality of tradition. One of these is the consequence I describe above, that a reflective return to the past can serve to break the sedimented standpoint of the present. Gross shares with Gadamer the view that one can “salvage certain outmoded traditions by asking what they can contribute to solving contemporary problems.”⁶⁴ I return to this, briefly, below.

Gadamer rehabilitates the concept of tradition from the Enlightenment's abstract antithesis between tradition and reason and makes two related claims. The first is the point that tradition does not get perpetuated mainly by rational justification and grounding, but by an act of affirmation and preservation. He says that, “Even the most genuine and pure tradition does not persist because of the inertia of what once existed. It needs to be affirmed, embraced, cultivated.”⁶⁵ This affirmation, he continues, is essentially, preservation, and “preservation is an act of reason, though an inconspicuous one.”⁶⁶ This point is central to Gadamer's debate with Habermas, where Habermas's interpretation of Gadamer's concept of tradition seemed to come out of a modernist prejudice that reason and tradition are antithetical. The second claim is the Heideggerian one that the “ordinary,” i.e., modern Enlightenment, understanding

the continuous reconstruction of other aspects of tradition, often as a response to the problems created by the breakdown of traditional legitimation of sociopolitical and cultural orders.

Id. Cook's reference is to POST-TRADITIONAL SOCIETIES 6 (S.N. Eisenstadt ed., 1972). The question of modernity's “anti-traditionalism” is important: Cook's criticism, however, applies more to Gross than to Gadamer, since Gadamer believes that, while there is a pervasive modern “prejudice” against tradition, traditions and a basis of always-existing social solidarity (*soziales Einverständnis*) are nevertheless vitally preserved in contemporary late-modernity. Cook calls for the need for a more sustained effort to examine some contemporary sites—she names, for example, churches, therapeutic groups, new age psychology (i.e., which offer very different resources and responses)—attempting to respond to the problems of everyday life generated by a disintegration of relatively stable norms. *Id.* at 35. The many and varied efforts to do this are worth examining for a more concrete picture of the interaction of traditional and “anti-traditional” contexts in late-modernity.

64. GROSS, *supra* note 63, at 78.

65. GADAMER, *supra* note 19, at 281.

66. *Id.*

of tradition privileges tradition as something merely past, no longer effective in the present. As an alternative, Gadamer claims that one can return to tradition and, by discovering aspects which are living, yet have become hidden, reflectively retrieve something useful from the past in order to preserve it, giving it new relevance for contemporary concerns and critique. To address the question of what motivates the substance of the critique, Gadamer shares with Heidegger a strong commitment to combat the dominance of instrumental thinking encroaching all aspects of our life and covering over the alternatives to such a calculative world view.⁶⁷ Yet, for Gadamer, if it is to function as an authority in this way, the concept of tradition must be rehabilitated from the modern view of it as a dogmatic force.⁶⁸ A particular trained sensitivity must accompany a reflective relation to tradition, which recognizes it as a potential source of knowledge. Such a return can serve as a means to identify illegitimate prejudices, those which obstruct knowledge.

Viewing our relation to tradition in this way, however, requires a trained sensitivity in the face of a modern prejudice against tradition, which tends either to view the past as something lifeless and neutral, something separated from the present, or to view tradition as objective convention, dogmatically affecting the present and hence needing to be “smashed” by the autonomous use of one’s own analytical reason. The first attitude denies a force to the past, remaining naive about the effects of the past on the present. Both attitudes deny to tradition its positive possibility, a resource or site carrying positive “content”—former possibilities (claims) that have been concealed, and which it is the task of the present to reactivate and actively preserve.

In this sense, tradition can be characterized by the term “virtuality,” which Gadamer uses toward the end of *Truth and Method* specifically in relation to language. His reference here is to what he calls the “living virtuality of speech.”⁶⁹ In addition to

67. See Gadamer’s discussions in HANS-GEORG GADAMER, *REASON IN THE AGE OF SCIENCE* (Frederick G. Lawrence trans., 1981) [hereinafter GADAMER, *REASON*]; HANS-GEORG GADAMER, *DIE VIELFALT EUROPAS: ERBE UND ZUKUNF* (1985).

68. For Gadamer’s view of authority, see HANS-GEORG GADAMER, *PHILOSOPHICAL HERMENEUTICS* (David E. Linge trans. & ed., 1976); Hans-Georg Gadamer, *Authority and Critical Freedom*, in HANS-GEORG GADAMER, *THE ENIGMA OF HEALTH: THE ART OF HEALING IN THE SCIENTIFIC AGE* 117, 117 (Jason Gaiger & Nicholas Walker trans., 1996) (1983). See also my analysis of authority relations in INGRID SCHEIBLER, *GADAMER: BETWEEN HEIDEGGER AND HABERMAS* 15-26 (2000).

69. GADAMER, *supra* note 19, at 458.

characterizing language as a supra-subjective element, Gadamer's point is to describe language as a reservoir in which an infinity of meaning resides, and whose "living virtuality" is actualized, or realized, by the finite, human act of engagement with it: speaking. One can say that the individual's relation to tradition functions like the relation to language. Tradition, too, is a supra-subject element; like language, it is a reservoir of potentially infinite meaning, which depends on individual acts of retrieval to bring the concealed, or "virtual," claims to our attention.

Having just emphasized Gadamer's view of dialectic, that the event of understanding is one directed not by the subject but by the subject matter, and that significant consequences for understanding the nature of tradition follow from this, it is important to emphasize that Gadamer also places an injunction on the individual who is addressed by tradition, to be vigilant for the concealed possibilities within tradition. The consequence of this is that it is the individual's engagement with what comes down, is uncovered in tradition, that serves reflectively to develop tradition further. That this is possible is due to another feature of language Gadamer locates, what he calls the "virtuality of the word."⁷⁰ His description of the "living virtuality of speech"⁷¹ returns us to his analysis of the dialectic of the word and "language as medium."

He emphasizes the fact that every word has an "inner dimension of multiplication"; each word achieves its sense only against the background of the "whole" or (potential) totality of language. To recall this passage, in a different context, Gadamer says,

[E]very word breaks forth as if from a center and is related to a whole, through which alone it is a word. . . . The occasionality of human speech is not a casual imperfection of its expressive power; it is, rather, the logical expression of the living virtuality of speech that brings a totality of meaning into play, without being able to express it totally.⁷²

Gadamer calls this feature of language a dialectic of the word, located in a word's "inner dimension of multiplication." Here, every word receives its sense only against the background of a totality of language to which it is implicitly related. This implicit relation is the source of the word's infinite potentiality for (multiplying) sense. Human speaking is finite in that, within the concrete particularity of a

70. *Id.*

71. *Id.*

72. *Id.*

given statement, or linguistic event, there is an infinity of meaning to be interpreted and laid out.

It is important to emphasize the capacity we have, through language, to make what has become static fluid again. Though Gadamer clearly is emphasizing the virtuality of the word, *of language*, here he gives a role to human subjectivity, which is not limited by its equation with an “empire of subjectivity” (as in modern subjectivism). The individual must always stand in the middle and the medium of, and take orientation from, what has been said in tradition, by which we are addressed. Recall Gadamer’s description of the “living context” of the word of everyday language: the very character of tradition as “living” requires a recognition of the role of the virtuality of thought, which remains oriented to the realm of creative transformation, of the possible. It is a feature of the virtuality of language and thought immanent to the context of tradition and history that must be seen as linked to an ability to break apart sedimentations which are themselves expressed through the medium of language; this means to recognize *as a feature of human linguistic practice* that a possibility always exists to dissolve meanings that have become sedimented through ideological or other hegemonic forces. At this point I am emphasizing Gadamer’s discussion of a feature *of language* that makes this breaking apart of sedimented meanings possible. In a moment, we will see that his discussion of the importance of practical judgment is linked to this capacity as well.

To return now to the theme of cultivating a trained sensitivity that a reflective relation to tradition requires, which recognizes it as a potential source of knowledge and, in fact, even as a means to identify illegitimate prejudices, how is this to be done? It is, according to Gadamer, by being confronted, “caught up” by an encounter with tradition in which one’s own pre-set prejudices or preschematized opinions are not borne out by what is encountered in the context of the past/tradition. This experience can provide a lens with which to refract one’s own situated position in the present. But for this relation to obtain, a particular, trained awareness for the “otherness” of the past, and its potential as “virtual” possibility, must be cultivated. To cultivate this attitude, Gadamer says, we must conceive our relation to tradition on the model of a conversation or dialogue. In this relation, “as in genuine dialogue, something emerges that is contained in neither of the partners by himself.”⁷³

73. *Id.* at 462.

The knowledge derived from tradition, which Gadamer calls its “claim to truth,” is a:

truth that becomes visible to me only through the Thou, and only by my letting myself be told something by it. It is the same with historical tradition. It would not deserve the interest we take in it if it did not have something to teach us that we could not know by ourselves.⁷⁴

Though he does not raise this directly, and needs to, one can locate an implicit criterion which guides the reflective engagement with tradition: an educative function. Further, determining the meaning of “educative” is something that requires discussion and debate. Clearly, not all traditions are worth cultivating.⁷⁵ That a reflective return to tradition must be educative is one criterion. David Gross offers other criteria for reclamation, citing truth-value, prospects for enriching heterogeneity and diversity, promotion of critical consciousness, autonomy, responsibility, and moral self-awareness.⁷⁶ These criteria must be made explicit, and in doing so we strengthen the critical force of Gadamer’s conception of a reflective return to tradition.

Looking at his view of our relation to tradition on a model of conversation, not only shows how tradition gets extended and

74. *Id.* at xxxv.

75. Russel Jacoby effectively makes this point in Russel Jacoby, *Rotten Traditions*, TELOS, Winter 1992–93, at 66–68. As I noted above, Georgia Warnke takes this up in *Justice and Interpretation*. See WARNKE, JUSTICE, *supra* note 3, at 135–57. In her interest to adjudicate amongst divergent self-interpretations of a given community, Warnke also addresses the question of providing a means to assure “the rationality of different lessons that might be learned from a society’s texts and traditions.” *Id.* at 88. She looks also to hermeneutic criteria she designates, of “fit” and “best light,” and engages with Ronald Dworkin’s interpretation of law as “integrity,” which offers constraints and a criterion for justification for legal interpretation. *Id.* Warnke shows that Dworkin’s concept of “integrity” falls prey to a conventionalist mode of justification, and she re-reads Dworkin’s “integrity” standard so that,

Although Dworkin, himself, does not seem to understand his constraints in this way, we might claim that their merit lies in promotion of a kind of education. By conceiving of the standards of fit and best light hermeneutically we can see our interpretive task as that of making sense out of and learning from that which we are trying to understand.

Id. Further, while the hermeneutic concept of conversation proves useful to her project, this concept is not attentive enough to dealing with those—Warnke cites, among others, racists and fascists—with whom conversation is not educative. Warnke turns to Habermas’s project to supplement the *aporia* of the hermeneutic model of conversation, while also using this notion to question Habermas’s implicit conception that such public discussions must result in consensus. The issue of curtailing the conversation with some others who don’t meet certain criteria of educative conversation raises questions about First Amendment rights, a contemporary issue that we see on college campuses where speakers deemed “racist” or “sexist” are “shouted down” by the audience in their effort to curtail the expression and perpetuation of such views. This raises complex questions, and the problem that to not allow such “non-educative” voices to speak means to value not being offended more than valuing freedom.

76. GROSS, *supra* note 63, at 129.

cultivated, it also illuminates guidelines that can be extended to the role of dialogue in the everyday realm of public and civic discourse. Recall that the significance of Gadamer's attention to Hegel's development of Platonic dialectic is seen in the antisubjectivist implications of what can be called an "openness" of the interpreter/dialectician for what is constantly unfolding in and through the participants to the event of understanding, be it the individual in relation to tradition or two individuals in conversation.

Connected to his view of the relation between the finitude of human subjectivity and the openness needed for a reflective and dialogical relation to tradition is Gadamer's distinctive conception of "experience." He emphasizes the connection of knowledge to experience as one of fundamental openness. This openness has an essential *negativity*; it is a continuous and on going process. That is, the knowledge gained from experience is not definitive but subject to revision; so the "experienced" person is one who is constantly ready for new experience, whose views are seen as in principle open to revision. One may hold strong convictions, but one is "experienced" if, while holding to these, one conceives them as open and fallible and not fixed and absolute. Gadamer writes that, "[t]he dialectic of experience has its proper fulfillment not in definitive knowledge but in the openness to experience that is made possible by experience itself."⁷⁷

This understanding of experience and its essential negative moment, its openness, is connected to the way Gadamer views the relation to tradition as a living, virtual one. When it is tradition that has to be experienced, there is no relation of "knower" to "object." Rather, we have seen that for Gadamer tradition is not an objective context, and with his concept of "experience," the position of the "knower" is not stable and fixed; the knower's orientation to what he or she encounters is one of openness, not fixity. Gadamer says that tradition, whose mode of being is language, expresses itself like a partner in a conversation: he conceives our relation to tradition on the model of dialogue. He says, "tradition is a genuine partner in dialogue, and we belong to it, as does the I with the Thou."⁷⁸

In the form of a genuine dialogue between an "I" and "Thou," the relation is not directed by the "I," nor does the "Thou" merely assert its dogmatic convictions. Rather, in conceiving our relation to

77. GADAMER, *supra* note 19, at 355.

78. *Id.* at 358.

tradition as genuine dialogue, our experience of tradition is like experience of another person, in the sense Gadamer says, that it is like a *moral* phenomenon.⁷⁹ The moral phenomenon obtains because of the quality of the living relation to tradition. If one reflects oneself out of the living relation to tradition, denying that history is effective in one's judgment, the moral bond (*sittliche Verbindlichkeit*) to tradition is destroyed.⁸⁰ The relation of "belonging," of being open and actively attuned to what the "Other," tradition, has to say:

[A]lways also means being able to listen to one another. . . . Similarly, "to hear and obey someone" (*auf jemanden hören*) does not mean simply that we do blindly what the other desires. We call such a person slavish (*hörig*). *Openness to the other, then, involves recognizing that I myself must accept some things that are against me, even though no one else forces me to do so.*⁸¹

The "openness" of experience, and its essential negativity, is further connected to another feature central to genuine dialogue, with tradition or another person—what Gadamer calls the hermeneutic priority of the question.⁸² The openness of experience, Gadamer says, has the logic of a question:

The significance of questioning consists in revealing the questionability of what is questioned. It has to be brought into this state of indeterminacy, so that there is an equilibrium between pro and contra. The sense of every question is realized in passing through this state of indeterminacy, in which it becomes an open question.⁸³

Gadamer illuminates not only the art of genuine conversation in a hermeneutically trained relation to tradition, but also between persons in a conversation. For him, the concept of knowledge itself involves a priority of question over answer:

Knowledge always means, precisely, considering opposites. Its superiority over preconceived opinion consists in the fact that it is able to conceive of possibilities as possibilities. Knowledge is dialectical from the ground up. Only a person who has questions

79. See *id.* at 358. There are, further, questions of "fit" to consider in conceiving the relation to tradition on analogy with the relation to another person in conversation, and ascribing a moral bond (*sittliche Verbindlichkeit*) to this relation. Does the same moral bond obtain? Does the dialogue with tradition—as something that can be written, a monument, unwritten—require a more differentiated account of the moral bond involved? Such questions need further clarification.

80. See *id.* at 360.

81. *Id.* at 361 (emphasis added). Gadamer writes, "Offenheit für den anderen schliesst also die Anerkennung ein, dass ich in mir etwas gegen mich gelten lassen muss, auch wenn es keinen anderen gäbe, der es gegen mich geltend machte." HANS-GEORG GADAMER, *GESAMMELTE WERKE: HERMENEUTIK I: WAHRHEIT UND METHODE* 343 (1986).

82. See GADAMER, *supra* note 19, at 362-79.

83. *Id.* at 363.

can have knowledge, but questions include the antithesis of yes and no, of being like this and being like that.⁸⁴

Gadamer advocates here a view of knowledge not as dogmatic but as a measured consideration of both sides to a question. Although he does not explicitly connect his account of conversation, experience, and the priority of the question (in knowledge) with normative guidelines for debate in the public realm, his discussion of these illuminates important features of what occurs in everyday dialogue about contested issues and conflicting interpretations.

So far we have seen that Gadamer's turn to the Platonic/Hegelian insight into dialectic, which illuminates the "belonging together" of event and understanding, individual and tradition, acts as a counterweight to the modern subjectivism of our relation to both language and tradition. In this he carries on Heidegger's critical trajectory. We have also seen that his conception of our relation to tradition is one where both "partners" to the dialogue are not conceived as static and fixed but open and fallible. Tradition itself contains sedimented possibilities that can be revealed, "made to speak," due to both the living quality of tradition, as well as the "virtuality of the word," the capacity of language itself to resist fixity, being taken up by individual and collective acts of engagement with it, weaving and reweaving the context of tradition "in its ever widening possibilities."

Having looked at the antisubjectivist implications of Platonic/Hegelian dialectic, and how Gadamer's view of our relation of belonging to tradition provides a means of extending and engaging, "vertically," with tradition, attentive to tradition's character of living virtuality, and not sedimentation, I want to examine how his model of conversation also extends in another, "horizontal," direction. Here, there is also an injunction to cultivate an openness to new experience, and to preserve a recognition of the priority of the question in all knowledge, which we see in a feature of everyday existence, dialogue in the social domain of other persons. This injunction can be seen in Gadamer's interest in Platonic dialectic and dialogue extended to a view of the importance of practical judgment in the public domain, judgment used in public discourse and debate amongst everyday citizens interested in preserving truth and rightness over the status quo, sedimented opinion.

Gadamer's view of knowledge as experience, with its structure of

84. *Id.* at 365.

openness to new experience, militates against the fixity of a radical dogmatism. His linking of knowledge with the logic of questioning has the further consequence that “[a]ll questioning and desire to know presuppose a knowledge that one does not know.”⁸⁵ It is Plato, Gadamer says, who shows the great difficulty in knowing what one doesn’t know. This, too, raises and responds to the problem of the immanentism of a hermeneutical situation rooted in concrete traditions, and the concern that, being so rooted, “deformations” or ideologically sedimented opinion cannot be thematized. Gadamer’s use of Platonic dialogue provides a critical resource available in everyday civic discourse, which makes it the responsibility of all persons as citizens to maintain the openness to what is other, to different points of view, and to be responsible for assessing those views with the ultimate aim of truth and rightness.

For Gadamer, Plato shows us that it is opinion that suppresses questions.⁸⁶ Of Plato’s insight here, Gadamer writes,

As the art of asking questions, dialectic proves its value because only the person who knows how to ask questions is able to persist in his questioning, which involves being able to preserve his orientation toward openness. The art of questioning is the art of questioning ever further—i.e., the art of thinking. It is called dialectic because it is the art of conducting a real dialogue.⁸⁷

Two important features of dialectic and the art of genuine questioning are allowing oneself to be conducted by the subject matter to which the participants are oriented, and a fundamental concern not simply to win every argument, without a concern for, or connection to, truth or rightness. Genuine dialogue does not seek to win every argument, but here one really considers the weight of the other’s opinion; it is an art of testing.⁸⁸ Gadamer’s discussion of the art of questioning and Platonic dialectic is firmly rooted in the domain of public discourse and exchange. It is against the fixity of opinion that questioning makes the object and its possibilities fluid. Gadamer says that, “[a] person skilled in the ‘art’ of questioning is a person who can prevent questions from being suppressed by the dominant opinion,” and he draws the distinction between the art of arguing, which can make a strong case out of a weak one, from the art of thinking, which strengthens objections by reference to the subject

85. *Id.*

86. *See id.* at 366.

87. *Id.* at 367.

88. *See id.*

matter.⁸⁹ He emphasizes the unique relevance of Platonic dialogue in this search for strengthening, “for in this process what is said is continually transformed into the uttermost possibilities of its rightness and truth, and overcomes all opposition that tries to limit its validity.”⁹⁰ In contrast to written language of the statement, Gadamer sees the art of conducting a living conversation in the spoken language of dialogue—in the process of question and answer, give and take, talking at cross-purposes and seeing each other’s point of view—which performs the communication of meaning that, with respect to written tradition, is the task of hermeneutics.⁹¹

According to Gadamer, not only written tradition, when it is interpreted, is made present in living conversation, question and answer. So, too, dialogue in the language of everyday conversation between persons in the public domain preserves the concern of Platonic dialectic to accord priority to the question and remain vigilant when opinion suppresses questions, or when genuine dialogue disintegrates into mere argumentation, unconnected to truth and rightness. This is the Habermasian concern of a critique of ideology. The unique significance of Platonic dialectic can be linked to a final aspect of Gadamer’s view of language in the everyday public domain, his stress on the role of practical judgment and rhetoric. Here, what we have seen of Gadamer’s model of genuine conversation extends productively to the realm where individuals hold different convictions and opinions, offer different interpretations, and the important question of not only the adjudication but justification of these views comes to the fore. Conceiving the task of civic discourse on the model of Platonic dialogue stresses a concern to transform what is said into the utmost possibilities of rightness and truth and to cultivate practical wisdom in the public sphere where exchange of views takes place.

In analyzing the nature of hermeneutical experience in *Truth and Method*, Gadamer is not explicitly focusing upon (and hence does not offer an abstract principle for) the adjudication of issues where concrete disputes and questions of power and interest are in question.⁹² But his discussion of the role of rhetoric and the weight he

89. *See id.*

90. *Id.* at 367-68.

91. On the deconstructionist challenge to Gadamer’s according primacy to spoken over written language, see *RISSE*, *supra* note 38.

92. Warnke and Habermas are both concerned with elucidating a rational procedure whereby just such discussion and argumentation about contested views can take place. I noted,

gives to the concrete exercise of critical judgment (*Urteilkraft*) illuminate this problem.⁹³ It is, Gadamer says, the responsibility of every individual to be always vigilant in exercising critical judgment. Central to this exercise is the concept of practical wisdom—*phronesis*—which involves the activity of making choices—*prohairesis*.⁹⁴ It is in the exercise of judgment in the public domain—as well as with written statements or texts—that we can encounter a resistance between differences of opinion or misunderstanding. In this “most authentic realm of hermeneutic experience,” we see the close affinity between hermeneutics and practical philosophy.⁹⁵ For understanding, like action, remains always at risk and does not involve a simple application of general knowledge of rules to what is to be understood.

In *The Idea of the Good in Platonic-Aristotelian Philosophy*,⁹⁶

above, Warnke’s concern to generate hermeneutic criteria for the adjudication of conflicting interpretations. It is also worth noting her analysis of Rawls and Habermas. Warnke examines Rawls’s “pragmatic hermeneutical” approach to justice and claims that Rawls’s model conception of justice may itself involve presuppositions and procedures about which consensus wouldn’t be achieved, due to different interpretations of the meaning of shared history and traditions which would impact the very agreement about principles necessary for implementing the “original position.” Raising further questions about the efficacy of Rawls’s claim that his model conception of justice would gain an “overlapping consensus,” she turns to Habermas’s effort to link philosophy with “reconstructive” social science to uncover the universal pragmatic presuppositions of communication oriented toward understanding. For Warnke, Habermas’s discourse ethics provides a better model than Rawls’ account of conditions of an “original position.” For Habermas, discourse ethics

does not locate the grounds for normative principles in an original position that is constructed by the moral theorist in the hope for thereby establishing an overlapping consensus. It locates the grounds of normative principles in the pragmatic presuppositions ordinary individuals themselves always already make in entering into argumentations with others.

WARNKE, JUSTICE, *supra* note 3, at 94. She then goes on to develop a theory for dealing with interpretive conflict, using Habermas in conjunction with the hermeneutic conception of interpretation on the model of conversation. For Habermas’s project, see JÜRGEN HABERMAS, THE THEORY OF COMMUNICATIVE ACTION (Thomas McCarthy trans., Beacon Press 1984 & 1987) (1981) (two volumes); JÜRGEN HABERMAS, BETWEEN FACTS AND NORMS: CONTRIBUTIONS TO A DISCOURSE THEORY OF LAW AND DEMOCRACY (William Rehg trans., MIT Press 1996) (1992).

93. For a discussion of the broader role of rhetoric in relation to the debate with Habermas and the specific questions of hermeneutics and the critique of ideology, see Hans-Georg Gadamer, *Rhetoric, Hermeneutics, and the Critique of Ideology: Metacritical Comments on Truth and Method*, in THE HERMENEUTICS READER 274-79 (Kurt Mueller-Vollmer ed., 1985). For a discussion examining the critical resources of Gadamer’s account of rhetoric for a hermeneutical conception of justice, see Mootz, *supra* note 2, at 492-610.

94. Gadamer addresses the centrality of *phronesis* and *prohairesis* in GADAMER, REASON, *supra* note 62, at 90-93; HANS-GEORG GADAMER, PRAISE OF THEORY: SPEECHES AND ESSAYS 50-61 (Chris Dawson trans., Yale Univ. Press 1998) (1983); HANS-GEORG GADAMER, THE IDEA OF THE GOOD IN PLATONIC-ARISTOTELIAN PHILOSOPHY 159-78 (P. Christopher Smith trans., 1986) [hereinafter GADAMER, THE IDEA OF THE GOOD].

95. See GADAMER, REASON, *supra* note 67, at 111.

96. See GADAMER, THE IDEA OF THE GOOD, *supra* note 94.

Gadamer emphasizes the idea that *phronesis*, as opposed to abstractly designated conditions of reason, is a universal feature of human ability. But his emphasis on practical wisdom, *phronesis*, looks not so much, as is more conventional, to Aristotle's account of *phronesis* (*Nichomachean Ethics*), but to Plato's own development of the notion of dialectic.⁹⁷ Gadamer's linking of Platonic dialectic with *phronesis* offers a distinctive reading of Plato, a view of Plato which differs sharply from Heidegger's conception of Plato as the starting point of substance metaphysics. In looking to Platonic dialectic in its proximity to practical judgment, Gadamer contends that:

Plato in fact widened the customary usage [of *phronesis*], whose proximity to practice must have always been sensed, to include dialectical knowing, and he did so in order to ceremoniously exalt dialectic. In other words, he took what was called practical reasonableness and expanded it to include the theoretical disposition of the dialectician.⁹⁸

Regarding the relevance of Platonic dialectic linked to *phronesis*, I would like to emphasize the connection to the individual's exercise of judgment [*Urteilkraft*] and the giving of justification, which it is the responsibility of all individuals who comprise the social totality to exercise and maintain. That Platonic dialectic and *phronesis*—the important role given to the exercise of critical judgment—take on the role they do in Gadamer's account of the linguisticity of understanding provides a critical resource, giving insight into the problem of conflicting points of view and interpretations in a given social context.

In a passage discussing Aristotelian *phronesis* as a development of Plato's widened sense of dialectic, Gadamer describes this capacity for practical judgment and the making of choices as a natural and human capability. He emphasizes that:

97. Aristotle does play an important role in Gadamer's discussion of the hermeneutic problem of "application," and Gadamer writes of the moral relevance of Aristotle's distinction between scientific and moral knowledge in Part II of *The Hermeneutic Relevance of Aristotle*. GADAMER, *supra* note 19, at 312-24.

98. GADAMER, THE IDEA OF THE GOOD, *supra* note 94 at 37-38. Note also, in a similar vein, Gadamer writes of Plato that,

Now it strikes me as significant that Plato holds fast to this characteristic of practical knowledge, and that he distances himself from technical knowledge. Dialectic is not general and teachable knowledge, even if Plato often follows customary language usage and also speaks of it as *techne* or *episteme*. It is not in the least surprising, however, that he can call dialectic "phronesis" too. Dialectic is not something that one can simply learn. It is more than that. It is "reasonableness."

Id. at 36-37 (emphasis added).

By the same token, however, the use of *phronesis* in Plato himself does indicate that he was aiming at something common to both practical and theoretical knowing that transcends the distinction between them. Precisely this may have been his motive for broadening the usage of *phronesis* to include the highest form of knowing: he wants to assign to the true dialectician *not a mere skill, but real reasonableness*. At the same time, this distinction implies that for Plato the dialectician does not possess some superior art, which he employs in *self-justification*, but that, instead, he seeks real justification. Hence he does not possess an art he uses whenever he so desires. *Dialectic is not so much a techne—that is, an ability and knowledge—as a way of being.*⁹⁹

And:

After all, dialectic, as the art of differentiating rightly, is really not some kind of secret art reserved for philosophers. Whoever is confronted with a choice must decide. Being confronted with choices, however, is the unalterable circumstance of human beings. Their having to make choices removes them from the realm of the rest of living things, which unquestioningly follow their animal desires (*therion erotes*) wherever these—like forces of nature—may drive them. To be a human being means always to be confronted with choices. As Aristotle puts it, human beings “have” *prohairesis* (choice). They must choose. Having to choose, however, entails wanting to know, that is, to know what is best, to know what is good. And that means knowing reasons why, knowing grounds, and using grounds to differentiate. Socrates’ partners in the discussion experience this: they learn that concern for a life of justice and rectitude necessarily leads to giving justification for the good.¹⁰⁰

Dialectic, then, is not a *techne*, but is like what Aristotle called a *hexis*, a disposition. There is a moral dimension here in that what is at stake is not simply the exercise of judgment as technique, about matters scientific or technical; rather, dialectic exercised in the practical, social, realm is concerned with the good, and is related to one’s “way of being.” As noted above, in a different context, it is the role of every citizen to exercise practical judgment. Gadamer focuses on the fact that giving justification is not simply applied to technical matters or the decisions in the art of making (handwork). Rather, the exercise of judgment takes place in the everyday social domain, without specialized knowledge. Yet, that there is no specialized knowledge to guide one’s actions and judgments does not mean that the everyday, status quo, views prevail.

99. *Id.* at 38-39 (emphasis added).

100. *Id.* at 109-10.

In light of some still-prevailing criticisms of Gadamer's hermeneutical philosophy, this is especially pertinent. Recently, for example, Richard Wolin's review of Gadamer's hermeneutical philosophy for *The New Republic* makes much of Gadamer's well-known claim that all understanding is prejudiced.¹⁰¹ Wolin claims that:

Since [Gadamer] believed that human understanding is intrinsically untrustworthy, he concluded that the best course is to limit its use as much as possible. Should a confrontation between authority and reason arise, it is always safer to err on the side of authority. This is not exactly the beginning of wisdom for citizenship in an open society.¹⁰²

Such a charge labels Gadamer uncritical and conservative through the method of linking Gadamer to Heidegger, whose anti-Enlightenment position and Nazism are meant to apply to Gadamer as well. But this linking is seriously misguided. Gadamer is far from limiting the capacities of critical judgment in the public domain; we see that his attention to the language of concrete dialogue, and his emphasis on practical judgment in the public domain, provide important resources for the forging of public and democratic discourse, moreover ones which, like Habermas's own concern, seek to foster shared wisdom over irrationality, precisely a requirement for citizenship in an open society.

It is vital to emphasize that Gadamer makes use of Plato's distinction between knowledge and *doxa*, without *denigrating* the pluralistic social and public domain of practice, in which the exercise of dialectic and its art of giving justification by submitting assertions about the good to question and answer takes place. Gadamer, in other words, extends certain aspects of Heidegger's treatment of language firmly into a concern with the vitality of civic discourse, a domain of different, and conflicting, points of view. In the exercise of judgment in the everyday realm, which entails the responsibility of making choices, *prohairesis*, Gadamer writes,

Here, in the question of the good, there is no body of knowledge at one's disposal. Nor can one person defer to the authority of another. One has to ask oneself, and in so doing, one necessarily finds oneself in discussion either with oneself or with others. For the task is to differentiate one thing from another, to give preference to one thing over another. . . . Such differentiation is not

101. Gadamer's account of prejudice is in GADAMER, *supra* note 19, at 271-300; see also Richard Wolin, *supra* note 11, at 36.

102. Wolin, *supra* note 11, at 39.

a scientific method in the logical sense. . . . [T]he insight which guides Plato is that such an ability to differentiate dialectically is exactly the same sort of thing as that ability to give justification which characterized the man Socrates in his holding undiscordantly to what he had recognized to be good. Here we really have knowledge (and not *doxa*) insofar as someone, knowing his ignorance so well, is completely willing to give justification.¹⁰³

As I noted, crucially, differentiating dialectically is not a scientific method but related to one's "way of being." This is a point that serves to bring several threads of the discussion so far together. Socrates's theme is *arete* (virtue) and, Gadamer points out, "To use the fashionable word today, *arete* requires self-understanding."¹⁰⁴ For Plato, who gives self-understanding a more general meaning,

[W]herever the concern is knowledge that cannot be acquired by any learning, but instead only through examination of oneself and of the knowledge one believes one has, we are dealing with dialectic. Only in dialogue—with oneself or with others—can one get beyond the mere prejudices of prevailing conventions.¹⁰⁵

Emphasizing the importance of the exercise of practical judgment in the social domain, then, is central to Gadamer's retrieval of Platonic dialectic and its affinity with *phronesis*. The social totality is not one dominated by a horizon of prevailing convention. Rather, the horizon of prevailing convention is characterized by *doxa*, which we saw, above, is *itself* contrasted in Gadamer's account with Plato's view of Socratic dialectic, which is concerned with giving justification and not blindly submitting to prevailing convictions. To be sure, in our pluralistic modern world, holding fast to "what is good" is itself a matter about which citizens must debate and give an account. Recognizing this as a feature of our increasingly globalized world seems to bring Gadamer's account of the individual's relation to the social domain very close to Habermas's (and Warnke's) vision.

CONCLUSION

This aspect of Gadamer's concept of language, his hermeneutic account of understanding on the model of conversation, shows its critical force in linking Platonic dialogue to the responsibility of the everyday citizen to exercise critical judgment central to democratic public discourse, using the art of persuasion by appealing to the force of better argument grounded in an appeal to truth and rightness. It is

103. GADAMER, THE IDEA OF THE GOOD, *supra* note 94, at 41-42.

104. *Id.* at 42.

105. *Id.* at 43.

Gadamer's focus here that connects with recent efforts to develop an appreciation of the rhetorical dimension of everyday understanding and a hermeneutical account of justice. But while central, the language of conversation, claim and counterclaim, is not the only way language figures in Gadamer's account. The Heideggerian-inspired view of language as supra-subjective also stands in some tension with these efforts; that is, while vital, focussing on the importance of language in public debate does not exhaust the critical potential of Gadamer's conception of language and tradition.

Returning to the question of Gadamer's relation to Heidegger, and the issue of the meaning of the "radicality" of their projects, there is, first, the radicality of Heidegger, located in his explicitly oppositional stance of "destruction" of Western ontology, and his sustained focus on thematizing the question of Being. Gadamer, we have seen, doesn't adopt an explicitly oppositional stance vis à vis tradition. Moreover, it is interesting to locate the reception of Gadamer's rehabilitation of tradition as occurring in a contemporary modernist context, an "anti-traditionalist" context. That Gadamer, Adorno, and Gross are all critical of the modern Enlightenment denigration of tradition is worth emphasizing in the context of assessing the critical potential of Gadamer's thought. But if Gadamer is not radical in the sense above, of adopting an explicitly oppositional stance against tradition, then there is a second radicality. This is the radicalism of critical engagement with altering the deformed parts of the present; a radicality of process that we see in Gadamer's account of the essential "negativity" of our experience, of tradition, and of other persons in conversation. In light of this, Gadamer's focus on continuity over discontinuity can be given a radical interpretation. For, as we see with his view of our belonging to tradition, cultivating a sense of the living virtuality of the past and our relation to it, cultivating and carrying it forward, Gadamer enjoins an ongoing process of critical engagement. We see this, too, in his view of language in the everyday public domain, where there is a constant task responsibly to exercise critical judgment. This aspect of his work links with efforts—like Warnke's and Habermas's—to legitimize conflicting and divergent interpretations of matters we hold central to fostering a democratic way of life.

The engagement Gadamer describes with both tradition and in the public domain of other persons is ongoing; there is an injunction to "achieve continuity," but a continuity of constant and agonistic engagement. This, in fact, is the reflective way tradition is carried

forward. His hermeneutical philosophy is rooted in the realm of social tumult; Heidegger's, in contrast, steers away from this dimension, focussing on a more rarefied attentiveness to the mode of being of language and poetry. What Gadamer does with the notion of language exceeding us is not where Heidegger takes us, toward poetry and away from a concern with everyday discourse. Gadamer, in contrast, while aware of the mysterious power of language to disclose the world, and concerned to view our human relation to language and tradition as one of participation in something greater, rather than of masterful control, grounds language in specifically social dimensions, concrete traditions, and interaction with different others. Gadamer's view of language exceeding us takes us into concrete traditions and existing communities in which we're embedded, as well as other traditions, persons, points of view with which we are engaged (in the double sense of that word). Here, Gadamer's conception of language and tradition demonstrates its radical potential.

If Heidegger's conception of language draws our attention to the "whole" (the Being process) through which thought is "sustained," and Habermas's interest is in the political domain where language functions in a concrete exchange of claims in a process of argumentation, Gadamer keeps our attention fixed firmly in both directions. In view of the significance we have seen Platonic dialectic holds for his thinking, it is especially fitting to locate Gadamer's position in these contemporary debates as between Heidegger and Habermas, the whole and its concrete expressions.