#### Life is fundamentally pre-ontological – an essential openness that exists solely in relation to the world around it. We have no essence aside from our ability to read possibility into the objects around us – this interaction makes the world intelligible and fosters our being within it.

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**The most astonishing thing about everyday life is not that things exist out there in the world, standing over against us as independent objects, but that they impinge on us, touch us, intrude on our lives, concern us, in short, are significant to us**.1 In the normal course of our daily lives, **things are not indif- ferently “out there in the universe,”** located within some neutral coordinates of space and time. **Rather, they are meaningfully present to us.** They do not just exist; **they make sense,** and the sense they make is their “being.” Things are present and available.2 **I take note of them, name them, admire them, perhaps possess them. I may also fear and flee them, but even so, I am still involved with them. They still have a place within the world of meaning in which I live.** As far as I can see or think or do, whatever I meet (or could meet) is understandable to one degree or another, whether it is currently so, or once was, or will be when I gure it out. Meaningfulness is the mostly unnoticed dimension through which alone I can encounter whatever shows up. Thus **everything I meet is in a sense “mine.”** It is **familiar to me,** part of my “family,” a participant in the meaningful narra- tive that is my life. Or **if they are not immediately familiar**—if the only sense I can make of them is that I do not immediately understand them—**I can still make interrogative sense of them by dealing with them as potentially intelligible phenomena whose specific meaning I do not yet grasp**: “How many members comprise the lepton family?” “Is this an opisthokont?” In both cases I have already intro- duced “the lepton family” and “opisthokonts,” however tentatively, into my world of meaning At least since Homo sapiens came on the scene some 200,000 years ago, “to be” has meant “to be meaningful.” **Meaningfulness is inevitable** for us. **I have contact with things only through this mediating medium, and without it I would not be human.** This is the “wonder of all wonders”3—not that things merely exist in space and time but that they make sense to us. Being itself is understood in a de nite way, and as something so understood, it is open to us.4 Whatever we understand, and in whatever way it is opened up to us in under- standing, we say that it has intelligibility.5 **For Heidegger, “being” refers not to the mere physical presence of a thing to the sense organs. Rather, it refers to the meaningful presence of things, which is given only with human beings.** “Being comes into play with us, with human- kind.”6 There is no way I can get around meaningfulness or outside of it—I cannot step out of my pan-hermeneutical skin. Nor should I want to, because for humans, “outside” of meaningfulness there is only death. I am ineluctably thrown into meaningfulness simply by being human, and I am human only to the degree that I am immersed in meaning. I a priori “exceed” things insofar as I am always already “beyond them,” related to their signi cance. **The different and constantly changing worlds I live in—as student, worker, parent—are saturated with meaning, as is everything that shows up within those meaning-giving worlds. Everything I attend to—everything I can “mind”—turns out to make sense, whether actually or potentially.** Vague and indeterminate though it may be, this acquaintance with meaningfulness is what guides us in everything we do. We do not rst of all under- stand things “empirically”—that is, by merely bumping up against them with our senses—but the other way around: **only because we are a priori engaged with their possible significance can we relate to things at all. Meaning is closer to us than are the things we deal with. It is not only “more real” than they are, but in fact constitutes their realness-at-all for us.** And yet, we constantly ignore or remain unaware of such meaningfulness in and for itself. It seems to be a necessary element of our makeup that we look through meaning without noticing it, whilst focusing instead on (meaningful) things. The transparent medium of meaningfulness is so much in evidence that I rarely attend to it, any more than I normally focus on the air I breathe. I overlook the meaningfulness of things as I go about dealing with (meaningful) things in the usual way. I overlook the cardinal fact that every time I say “is” I mean “is meaningful as” or “makes sense as.” Meaning is the barely heard white noise enveloping everything I meet, and the unnoticed gleam that lets everything shimmer with reality. I have— indeed, am—a familiarity with meaning, even though I need not explicitly say to myself that something “is meaningful as” this or that. Yet I do oper- ate with such an implicit understanding in my silent comportment towards everything, whether in theoretical re ection on things or in the practical use of them. Meaningfulness is already self-evident to me prior to all thematic understanding and speech. And this pertains not only to things in my external environment but also to myself. Without this pre-conceptual familiarity with meaning, I could not understand myself, much less anything else. Without it I could not say “I,” “you,” or “it.” (Of course, I could become a philosopher and doubt that anything in the world has meaning. But then, in spite of myself, I would be making sense of the world and, as Leopold Bloom said, I would meet myself coming around again: “So it returns. Think you’re escaping and run into yourself.”7) Intelligibility is the name of the world I inhabit as I live into and out of an array of possibilities that I am thematically aware of or not, that I welcome or am indifferent to, that excite or bore me, possibilities that in a sense I myself am in the inevitable process of always having to become myself (cf. Zu-sein).8 But if meaning is to occur, my ex-sistence as the clearing is required. On the one hand, the clearing determines the concrete, existentiel me: it is the reason why I exist at all.9 But, on the other hand, without my ex-sistence there is no clearing: I am its sine qua non. That bondedness, wherein the “two” are one, is the very heart of what we mean by “human.”10 It is the ineluctable if hidden fact that determines my life and that I can never get back behind. That **my ontological fate is to be the clearing is evidenced time and again as I talk with others, manage the things of my life, imagine the future, or remember the past: I cannot not make sense of everything I meet because I cannot not be a priori opened up**. By our very nature **we are both the demand for and the reason for intelligibility, for a meaningfulness that determines us and yet has no reality apart from us. And there is no way out but death.** In fact, the whole process of making sense is mortal. Why “mortal”? To answer that we step back once again into Heidegger’s philosophical narrative about the original, non-subjective Greek sense of mean- ingful presence, an experience available to us as well. We nd the things of the world already opened up, accessible, and meaningful before we ourselves have any chance to make it so. The wondrous fact is that things already make sense and that “something” (although the Greeks knew not what) has antecedently opened the world for human use and enjoyment, knowledge and exploitation, creativity and appreciation. Plato and Aristotle were quite aware of the wonder of meaningful presence (τὸ ὄν ὡς ἀληθές = ἀλήθεια-2), but what they did not know is how and why that is the case. They missed the fact that it is our own nature—the very way we are: thrown-open/appropriated—that has “preceded” us and, as ἀλήθεια-1, has always already opened up the world of ἀλήθεια-2. But the poets and tragedians of ancient Greece were attuned to this basic hu- man fact to the degree that they understood our desperate need to hold things together against the onslaught of chaos, to gather them into a coherent whole within which we strive to ful ll our needs and desires. Sustaining and living in such a world is our response to the fact that all around us things are changing, going their own way, unfolding in multiple directions, and at the same time falling apart. Everything is in a state of ux, everything is becoming. And be- coming not only generates novelty but also leads things to their demise. On the one hand, in the return of things and seasons, in the world’s “slow rotation suggesting permanence,”11 the Greeks saw some hope of constancy and eternity—what Heidegger calls “stable presence.” But on the other hand, their tragedians had a strong sense of the struggle to the death, the πόλεμος, that underlies such ultimately transient stability. We are enveloped both by riotous becoming and by death-dealing entropy, and nowhere is this more evi- dent than in our own lives, which ever shoulder up against mortality: nascendo et moriendo.12 Our urge to survive resists death and the chaos of things going their own way apart from us—and yet our mortality is our very bondedness to the chaos that will nally swallow us. We struggle for a secure space where we can, at least for a while, hold things together. We are born as λόγος, the need and ability to gather disparate things into a tentative unity of sense and thereby secure a shared human world (perhaps overseen and guaranteed by the gods) that we can inhabit for these few years. Our inescapable need of meaning is both the passing remedy for and the surest sign of our mortality. We cannot have one without the other. Ours is a ght to the death against death in the name of a fragile and ultimately futile stability. And out of this struggle come the glory of creativity and the grandeur of accomplishment, the openness of things in all their bright innocence and dark terror, as well as the tragedy of ul- timate defeat. Meaning staves off chaos for a brief stretch of time in the losing battle of life. Realizing all this is crucial for understanding the phenomenological turn that underlies Heidegger’s work, and thus the central role played by rst-per- son experience. To continue in that vein: I begin to see that I “mind” whatever I meet, whether in the sense of car- ing about something for my own sake (“Yes, I mind if you smoke”) or mind- ing people for their own sake (“I’ll mind the baby while you’re out”). I also “mind” the things in my immediate world of purposeful activity in the sense that I understand and am involved with what they can do and what they are for. I am structurally a matter of minding (Besorgen, Fürsorge), of being con- cerned about whoever and whatever comes into my ken.13 In my everyday ex-sistence I do not perceive things as objects standing over against me. Rath- er, I am involved and concerned with them. In fact, structurally I am such concern (Sorge), and this structure cuts across the disastrous mind-body split (νόησις/αἴσθησις). I am a bodily minding, which is the same as a minding body. I mind people and things as meaningful in different ways. The “object” of minding is the meant. And the meant is always meaningful. Just as I usually do not thematize the meanings of the things I mind, so too I usually overlook myself as both a priori immersed in meaning and necessary for there to be meaning at all.14 Occasionally I may thematically recognize that I am interpreting this literary text or that historical event—that is, active- ly guring out how they t within certain coordinates of signi cance. But it would be quite a different occasion, and no doubt rare, for me to ask why it is that on this side of death I cannot not make sense of things. I virtually never ask why there must be meaning at all. Yes, perhaps I do during a second-order “philosophical re ection,” when I ask why there are things at all rather than nothing. Or perhaps in rare, shocking moments when meaning seems to drain out of everything, such that my very ex-sistence is threatened, and I anxiously wonder “what it’s all about.” But ask as I might, the question will always re- main aporetic: everything is intelligible except why there is intelligibility at all. And above all, the more I focus on the meaningful, the more I forget that I am the thrown-open clearing that makes meaning possible and necessary. This is what Being and Time means by “fallenness” (das Verfallen), which is the quite ordinary fact of overlooking the clearing despite the fact that “what is closest [= the clearing] is the farthest, and what is farthest [= meaningful things] is closest.”15 The clearing is “the innermost re of human ex-sistence,”16 just as meaning is the invisible air I breathe, absent which I would be dead. And yet, although I am a priori de ned by—and indeed am—the clearing, I cannot grasp and conceptualize it, much less say why it is necessary for being human. In that sense the clearing is intrinsically “hidden”: always present-and-operative but unknowable in its why and wherefore. Heidegger argues that the ancient Greeks lived in a similar situation. They also lived within the world of meaning, but rarely thematized that fact. However, the thinkers among them were struck by the astonishing fact that everything in the world is powerfully present (anwesend, παρόν)—not just existing in space and time, indifferent to the people who live with those things, but always present to them (although not like objects to Kantian subjects).17 Their philosophers called this presence “being” (τὸ εἶναι, οὐσία). However, in re-reading the Greeks Heidegger puts a twist on the word and nally dismisses it. “I no longer like to use the word ‘Sein’,” he said,18 and in fact William J. Richardson noted of the later Heidegger that the word Sein “has almost com- pletely disappeared from his vocabulary.”19 “Sein” remains only the provisional term. Consider that “Sein” [= οὐσία] was originally called “presence” in the sense of a thing’s staying-here-be- fore-us-in-disclosedness.20 “Staying-here-before-us-in-disclosedness” (her-vor-währen in die Unverbor- genheit) is Heidegger’s term of art for “phenomenality”—that is, for the mean- ingful presence of something to someone. The phrase expresses three things: (1) the relative stability and constancy of the meaningful thing (währen); (2) the locus of its meaningful appearance—namely, the world of human concerns (-vor-); and (3) a certain movement into appearance, from an undisclosed, merely potential intelligibility into an actually operative one (in die Unverbor- genheit). He emphasizes the elements of light and brightness that characterize the Greek vision, an element (as we noted earlier) that classics scholar John Finley noted with regard to Homer’s epic poems: [E]verything that he describes keeps a ashing concreteness and beautiful knowability.21 Each [thing] . . . keeps its inherent nature, and a chief marvel of the poems might be said to be the ineffable act of concentration whereby men and women, great people, small people, towns, elds, animals, seas, rivers, earth, sky, and the lucent gods themselves, remain each distinct while jointly comprising the brilliant world.22 Finley speaks of Homer’s universe as “the brilliant world that draws to bril- liant action,” attuned by “an outgazing bent of mind that sees things exactly, each for itself, and seems innocent of the idea that thought discerps and colors reality.”23 In Heidegger’s view the brilliant “presence” of things (Anwesen, παρουσία) bespeaks the Greeks’ proto-phenomenological view of the world. One of Heidegger’s rst tasks in reading the Greeks was to re-enact the phenomenological attitude at work in Greek philosophy and culture and there- by thematize the rich but implicit sense of meaningful presence within which the Greeks lived their lives. To that task, beginning with his early Freiburg courses, he brought to bear on Greek thought, and particularly on Aristotle, the phenomenological way of seeing that he was then learning from Husserl. The keystone of that phenomenological vision was the inevitable fact of mean- ing in human comportment—this as over against a supposed dumb encoun- ter with isolated sense data that are only subsequently gathered into a uni ed sense. Human beings always encounter things within an intelligible ensemble of other meaningful things. Signi cance accrues to the things of this ensemble due to their orientation to the human concerns and interests that de ne that intelligible whole. Heidegger designates such a context by the technical term “world”—a speci c context of signi cance, such as the world of the business woman or the world of the cleaning staff. [T]o live means to care. What we care for and about, what caring adheres to, is equivalent to what is meaningful. Meaningfulness is a categorial determination of the world; the objects of a world—“worldly” or “world-some” objects—are lived inasmuch as they embody the character of meaningfulness.24 In his rst course after the Great War Heidegger used the example of the lec- tern from which he was speaking in the classroom. He took the occasion to make one of the earliest presentations of what he would later articulate as the contextualizing world of meaningfulness (Welt als Bedeutsamkeit), which oc- curs a priori in and with human being. In the experience of seeing the lectern something is given to me from out of the rst-hand world around me [Umwelt]. This lived world (teacher’s lectern, book, blackboard, notebook, fountain pen, beadle, student, fraternity, streetcar, automobile, and so on) does not consist of mere things, objects, which are then conceived of as meaning this or that. Rather, what is primary and what is immediately given to me without some mental detour through a conceptual grasp of the thing is something meaningful [das Bedeutsame]. When we live in the rst-hand world around us, everything comes at us loaded with meaning, all over the place and all the time. Everything is within the world of meaning: the world of meaning holds forth [es weltet].25 Which means: If things are the meaningful (das Bedeutsame), their being is their meaningfulness (Bedeutsamkeit).26 Heidegger equates “the question of the meaningfulness of things” with “the question of the being [of things].”27 Whether in Heidegger’s reading of the Greeks or in his own philosophy, his implicit phenomenological reduction of things to their meaningful presence recasts their being as their signi cance to human beings. The lectern, of course, appears in a meaning-giving context: the classroom, where the students and the professor already know their way around and are familiar with what ts and doesn’t t. Coming into the lecture-room, I see the lectern. . . . What do “I” see? Brown surfaces, at right angles to one another? No, I see something else. Is it a largish box with another smaller one set on top of it? Not at all. I see the lectern at which I am to speak. You see the lectern from which you are to be addressed and from which I have previously spoken to you.28 It is a bad reading of the situation, Heidegger insists, to pretend to see de-con- textualized “things” that subsequently get meanings slapped on them, as if I rst of all would see intersecting brown surfaces that then reveal them- selves to me as a box, then as a desk, then as an academic lecturing desk, a lectern, so that I attach lectern-hood to the box like a label.29 It is not the case that objects are at rst present as bare realities, as objects in some sort of natural state, and that they then in the course of our experience receive the garb of a value-character, so that they do not have to run around naked.30 In other words, there is a priori operative a context of lived experience that already “places” things in relation to my needs and interests. I see the lectern in one fell swoop, so to speak, and not in isolation, but as ad- justed a bit too high for me. I see—and immediately so—a book lying upon it as annoying to me (a book, not a collection of layered pages with black marks strewn across them), I see the lectern in a certain orientation, within a certain light, against a background.31 Even if someone from an entirely different lived context—“a farmer from deep in the Black Forest”—enters the room, he does not see, in Heidegger’s words, “a box, an arrangement of boards.” Instead, “He sees ‘the place for the teacher,’ he sees the object as fraught with a meaning.”32 Suppose, likewise, that some- one from a tribe remote from Western civilization enters the classroom and notices the lectern. It is possible that he would not immediately understand what it is. It is dif cult to say precisely what he would see: perhaps something to do with magic, or something behind which one could nd good protection against arrows and ying stones. . . . Even if he saw the lectern as a bare something that is just there [bloßes Etwas, das da ist], it would have a meaning for him, a moment of signi cation. [Even if the tribesman is entirely perplexed by the lectern,] he will see the lectern much more as something “that he does not know what to make of.” The meaningful character of “instrumental strangeness” [for the tribesman] and the meaningful character of “lectern” [for the professor and students] are in their essence absolutely identical.33 Heidegger’s early lectures are replete with his insistence that every en- counter with a thing is an encounter with something meaningful. For example, in his lecture course of 1921–1922 on “Phenomenological Interpretations of Aristotle”: The category of meaningfulness indicates how objects are in life according to the basic sense of their content and how and as what they hold themselves and comport themselves in a world.34 We do not meet things by taking on board dumb sense data; rather, we always encounter things as something or other, even if (as in the example above) it is as something we cannot gure out. The as-what and the how of the encounter may be designated as meaningful- ness. This itself is to be interpreted as a category of being.35 Heidegger continued with this theme in his 1919–1920 course “Basic Prob- lems of Phenomenology.” He advises his students: You should put aside all theorizing and reject what epistemologists say about the matter. Instead, see the sense in which factical experience ever and anew has what it experiences in the character of meaningfulness. Even the most triv- ial thing is meaningful (even though it remains trivial nonetheless). Even what is most lacking in value is meaningful.36 There is nowhere else for a human being to live except in meaning. I live factically always as a prisoner of meaningfulness. And every instance of meaningfulness has its arena of new instances of meaningfulness. . . . I live in the factical as in an entirely particular matrix of meaningfulnesses. . . . In this unobtrusive character of meaningfulness stands whatever is factically experi- enced in factical life-contexts.37 Meaningfulness is a thing’s relatedness-to-oneself (Mich-Bezogenheit),38 and the phenomenologist studies this relatedness of the subject matter and the person involved with it. Phenomenology, as Husserl said, is “correlation research,” and for Heidegger “the philosophizing individual belongs togeth- er with the matters being treated.”39 In the everyday, meaningfulness mostly remains implicit and unnoticed and need not be thematically known or ex- pressed. In one’s daily life “[m]eaningfulness as such is not explicitly expe- rienced, even though it can be experienced.”40 In fact, “The phenomenon of meaningfulness is not what we originally see.”41 But that in no way speaks against the reality that “factical life lives in factical relations of meaningful- ness.”42 Indeed, “In factical life the meaning of ‘ex-sistence’ lies in forms of meaningfulness, whether actually experienced, or remembered, or awaited.”43 Even “just anything” that I experience . . . as inde nite and without determina- tion, I nonetheless experience in the indeterminacy of a determined context of meaningfulness—as a noise in the room “which I can’t understand” (“Some- thing’s not right,” “it’s something eerie”).44 This meaningfulness functions at every moment and in every comport- ment. Taking “world” not as a technical term (as in Being and Time) but as referring to “whatever’s out there,” Heidegger says, “I experience the world by living in contexts of meaningfulness. The world announces itself as actual and real in those contexts.”45 Indeed, “the ‘objective’ comes forth in the mean- ing-context of one’s factical life-situation.”46 In fact, I do not live in a given meaningful context; rather, I live it.47 This position is again enunciated in Heidegger’s lectures and writings of 1924—for example, in his course “Basic Concepts of Aristotelian Philosophy”: For a long time now, I have been designating the ontological character of hu- man ex-sistence as meaningfulness. This ontological character is the primary one in which we encounter the world.48 Or in reading through his essay “The Concept of Time” (1924; the essay meant for publication, not the Marburg address), one can hardly take a step without stumbling over the word Bedeutsamkeit. The lived world is present not as a thing or object, but as meaningfulness.49 We have now identi ed the basic character of encountering the world: mean- ingfulness.50 We identify meaningfulness as the world’s primary ontological characteristic.51 . . . the primary character of encountering the world—meaningfulness.52 That same year Heidegger explicitly identi es being and meaningfulness in his course on Plato’s “Sophist,” when he speaks of metaphysics as the inquiry into the intelligibility of things, that is, the inquiry into being.53 And the following year, on the verge of writing Being and Time, he again sig- nals the centrality of meaningfulness in his course on logic and truth: The very being of ex-sistence is to make sense of things, and therefore ex-sistence lives in meanings and can express itself in and as meanings.54 Thus, for Heidegger, whether in his own phenomenology or when reading the Greeks, his rst move is to focus on meaning. But the question then be- comes: What kind of meaning? In his earliest course after World War I, Hei- degger’s main attack was on the primacy that Husserl attributed to theory over lived experience and to the pure transcendental ego over what Heidegger at this point was calling the “historical ego” and the “ego of the situation.”55 “We nd ourselves at a methodological crossroads,” he remarked, “where it will be decided whether philosophy shall live or die.”56 And survival depends on rst getting clear about what philosophy’s true issue is. “What is distorting the real problematic is not just naturalism as some people think,” he said with obvious reference to Husserl, “but the overall dominance of the theoretical.”57 To keep the focus on our lived world as where we primarily experience meaningfulness, Heidegger radically recasts the “principles” that Husserl had laid down for phenomenology in Section 24 of his Ideas for a Pure Phe- nomenology and a Phenomenological Philosophy (1913).58 If, according to Husserl, rsthand intuition is the starting point of phenomenology, such in- tuition—“even though Husserl does not say this in so many words”—is not some theoretical comportment towards objects but an “understanding intui- tion, a hermeneutic intuition,” from which theory is but a precipitate.59 This hermeneutic intuition, which already understands the world as meaningful in a lived way prior to any theorizing, and which is the basis of all the rigor that phenomenology claims for itself, is the primordial intention of genuine life, the primordial bearing of lived expe- rience and of life as such, the absolute sympathy with life that is identical with lived experience. Prior to anything else—that is, if we take this path away from theory and more and more free ourselves from it—we see this basic com- portment all the time, we have an orientation to it. This basic comportment is absolute, but only if we live in it directly. And no conceptual system, no matter how elaborately constructed, can reach it. Only phenomenological living, as it gets continually more intense, can get to it.60 ❖❖❖ Heidegger carries into his magnum opus the conviction that phenomenology is strictly about meaning. In Being and Time he designates the very structure of world (Welt) as meaningfulness (Bedeutsamkeit),61 and he referred implicitly to SZ I.1 as his “doctrine of meaning” (Bedeutungslehre).62 He explicitly equates being and intelligibility when he says that ontology, which deals with the being of things, is in fact “the explicit theoretical inquiry into the intelligibility of things.”63 And he calls the (usually unnoticed) being of things their “intelligibil- ity” (Sinn).64 With such formulations, Heidegger was announcing his phenom- enological re-interpretation of the central topic of “ rst philosophy” as not the being (existentia and essentia) of things but their meaningfulness. At the core of that doctrine is the phenomenology of ex-sistence as “being- in-the-world.” But since the essence of world is meaningfulness, we should interpret In-der-Welt-sein more precisely as In-der-Bedeutsamkeit-sein: the very structure of ex-sistence is its a priori engagement with meaning and its source, expressed as “ex-sistence . . . in its familiarity with meaningfulness.”65 Absent that engagement, we cease to exist. When we can no longer relate to meaning, we are dead. This a priori engagement with intelligibility—as our only way to be—entails that we are ineluctably hermeneutical. We necessarily make some sense of everything we meet, and if we cannot make any sense at all of something, not even interrogative sense, we simply cannot meet it. We can have no encounter with things that lie outside our hermeneutical horizon of meaningful Anwesen. As we saw, Heidegger insists that meaning—which is always discursive— is con ned to the realm of the human. But then how exactly do things become meaningful to us? In Being and Time Heidegger writes: Intelligibility is a structural characteristic of ex-sistence, not a property attach- ing to things. . . . Only ex-sistence “has” intelligibility.66 And at the same time: When things within the world are discovered with the being of ex-sistence— that is, when they come to be understood—we say they make sense.67 That is, we alone have the ability to make sense of things, and we do so by connecting a possibility of ourselves (a need, interest, or purpose) with a pos- sibility of something we encounter. **We take whatever we meet as related to our everyday concerns and goals. When things are discovered in such a relation with human beings within a given context or world, they make sense. And world is what brings that about**.68 Heidegger says, “As existing, the human being is its world.”69 That is, **the world** is ourselves writ large as a matrix of intelligibility. It **is our thrown-open- ness structured as a set of meaning-giving relations. The world consists of lines of referral to our concerns and possibilities** (represented by the arrows above) **that** in turn **establish the meaningfulness of things**. We are a hermeneutical eld of force, like a magnet that draws things together into unities of sense insofar as these things are connected with a possibility of ourselves as the nal point of reference.70 Anything outside the scope of our embodied hermeneuti- cal ken does not make sense. ❖❖❖ “**The world**,” as Heidegger understands the term, **is the prior “open space” or “clearing” that we need in order to understand X as Y or use something in terms of one of its possibilities**. In doing so we make sense of the thing—or, in traditional language, we “understand its being.” But **why do we need such a prior openness in order to make sense of something? Making sense of something is a matter of synthesizing it with a possible meaning: “Socrates is a Theban”—no, wait: that possible meaning is wrong. So we might try another possible meaning: “Socrates is an Athenian.” The need to synthesize a thing with a possible (correct or incorrect) meaning is an index of our nitude.** The highest form of knowing, says Heidegger, is not a matter of synthesis (which entails the possibility of getting things wrong) but direct and unerring intuition of what a thing actually is. But traditionally it is God, not man, who has such an intellectual intuition. God does not make sense of things but simply makes them. **Heidegger describes Kant’s position: [W]hat remains closed off to us are the things themselves insofar as they are thought as objects** [i.e., noumena] **of an absolute knowledge,** i.e., as **objects of an intuition that does not first need an interaction with the things and does not first let them be encountered, but rather lets them first of all become what they are through this intuition**.71 **In our case, things do not show up directly as what and how they are, the way they might to a divine intellectual intuition. Rather, they appear only to a me- diating and dis-cursive intellect, one that must** “run,” so to speak, from subject to predicate, or from tool to task, and back again (dis-currere: to run to and fro) in order to **synthesize two things that lie apart one from the other: subject and predicate or tool and task.72 According to the classical tradition, a perfect in- tellectual intuition requires a fully actualized and self-present subject, whether that be the self-coincident act-of-thinking-about-itself-as-thinking, the νόησις νοήσεως, of Aristotle’s Metaphysics, or the perfect reditio completa in seipsum (the perfect return to itself) of Aquinas’ God.73 But for Heidegger**, **discursivity, unlike the “closure upon itself”** of Aristotle’s self-thinking God, **requires open- ness. Human reason must traverse an open “space”** (constituted by ex-sistence as thrown-open) **within which alone reason can synthesize disparate things. This prior openness is “the realm a person traverses every time he or she, as a subject, relates to an object**.”74 Apprehension and presence—in order for both to be possible and at the same time to be for one another—require a free space and an open domain, within which they pertain to one another.75 But we are able to do such “traversing of an open space” in existentiel knowl- edge and action only because we already are such an open space in our existen- tial essence (a priori and structurally, of course, and not of our own volition). Our essence is to be the existential wiggle-room required for existentiel acts of taking-as. We [erroneously] think that a thing becomes accessible when an “I” as subject represents an object. But in fact prior to that, there must be already operative an open region within whose openedness something can become accessible as an object for a subject and in which the accessibility itself can be traversed and experienced.76 Over the course of Heidegger’s career this open domain would ride under various titles: the clearing, ἀλήθεια-1, the thrown-open realm (Entwurfbere- ich) for being, and so on. This open region—along with the opening of it by our being thrown-open or “brought into our own” (ap-propri-ated)—is the core fact, die Sache selbst, of all Heidegger’s philosophizing. ❖❖❖ To return to the question of the being of things: As we have seen, Heidegger never understood it as the raw existence of things out there in space and time. That was what he called existentia, the ontological “substance” of things when they are considered apart from human involvement with them, which is to say, before the enactment of a phenomenological reduction. It is wrong to think that Heidegger refused the phenomenological reduction and instead conducted his early investigations of the everyday world within the natural attitude. Husserl, however, thought that was the case, and he always accused Heidegger of not understanding the reduction. Heidegger himself gave Husserl reason enough to doubt his protégé when in October of 1927 Heidegger drafted signi cant sections for Husserl’s eventual Encyclopedia Britannica article, speci cally on the idea of phenomenology and the method of pure psychology, including the phenomenological reduction.77 In that draft Heidegger argued that the proper topic of phenomenology is being (das Sein), but always in cor- relation with some form of human being78 (hence as Anwesen). When that cor- relation is made explicit by way of a phenomenological reduction, the things out there in the universe come to be seen as meaningfully present phenomena: the perceived of a perception, the loved of an act of love, the judged of an act of judgment—that is, always in correlation with a human concern or practice. In his early work, of course, Heidegger focused the reduction on practical action, and there the phenomena are the things with which we engage (τὰ πράγματα) in our practical dealings (πρᾶξις, Umgang). A few months before composing that draft for Husserl, Heidegger had clar- i ed the phenomenological reduction in his course “Basic Problems of Phe- nomenology,” where he contrasted (4 May 1927) his own understanding of the reduction with that of Husserl. For Husserl, he said, it means leading things back to “the transcendental life of consciousness and its noetic-noematic ex- periences, in which objects are constituted as correlates of consciousness.” On the other hand: For us phenomenological reduction means leading the phenomenological vi- sion back from the apprehension of a thing, whatever may be the character of that apprehension, to the understanding of the being of the thing (i.e., under- standing the thing in terms of the way it is disclosed).79 We see here that “being” in Heidegger’s sense does not stand on its own with no relation to ex-sistence. Even prior to the reduction the being (= meaning) of the things is already operative in our everyday understanding. The phe- nomenological reduction merely draws the re ective philosopher explicitly into the already-operative correlation between the φαινόμενον on the one hand and the λόγος that lets it be seen on the other: the reduction thematizes for the phenomenologist the meaningful disclosedness of the thing. In other words, leading one’s philosophical vision away from a thing and onto its “being” means seeing the thing in terms of its current form of meaningful presence. The reduction “puts the breaks on” (see epoché) our natural tendency to over- look meaningfulness as we look through it to the entity—even though meaning is the most ob-vious (etymologically, “in-the-way”) element of the process.80 The reduction takes us back re ectively and thematically to where we always already stand in our everyday lives: in relation to the thing as meaning this or that. Therefore, as long as we take the word λόγος in the broad sense in which Heidegger meant it—as encompassing every kind of intelligent activity (“minding”), whether practical, theoretical, or whatever—we may say that the thing’s presence, which the phenomenologist focuses on in and through the reduction, is the thing’s current meaningfulness and never its mere “out-there- ness” apart from human engagement. Of course, neither Husserl nor Heidegger doubt that things remain “out there” after the reduction. Husserl explicitly said that we must not overlook the most essential thing of all, namely that even after the purifying epoché, perception still remains perception of this house, indeed, of this house with the accepted status of “actually existing.”81 We have seen that for Heidegger “Questions like ‘Does the world exist inde- pendent of my thinking?’ are meaningless.”82 He added that the thing in nature shows up in the reducing gaze that focuses on the act of perceiving, because this perceiving is essentially a perceiving of the thing. The thing belongs to the perceiving as its perceived.83 For Heidegger as well as for Husserl, a thing is still out-there (vorhanden) after the reduction; it’s just that, as such, it is not the focus of their philosophy. The subject matter of a phenomenological inquiry is things only insofar as we are in some way meaningfully engaged with them. After the phenomenological reduction, the only philosophical problems one may properly pursue are those of sense and meaning–that is, hermeneutical questions. In its most basic form, the phenomenological reduction is a matter of learn- ing to stand thematically where we always already stand in lived experience. **The upshot of Heidegger’s phenomenological reduction is that we engage with things from a contextualized, first-person, embodied-experiential involvement with things, which inevitably makes sense of them. Even if I get information about a thing from someone else, it is still I who get that information in the first person**. (This is the unavoidable truth of Descartes’ ego cogito.) And no mat- ter where I get that information from, I cannot not make sense of it. (In other words, human being is pan-hermeneutical.)84 **No matter how much we forget about meaningfulness and get absorbed in things, we always remain, by our very structure, phenomenological. This first-person experiential sense-making is where I already stand prior to any subsequent move into the theoretical or the practical.** ❖❖❖ In Being and Time **Heidegger** refocuses and crowns his earlier investiga- tions into meaningfulness by grounding it in human being. “The doctrine of meaning is rooted in the ontology of ex-sistence.”85 He **sees human being as possibility** (i.e., as ex-sistence: “**being made to stand out and beyond”) while** at the same time, as **always related to itself** (mineness).86 Ex-sistence is a form of movement of the self in which possibility always outrides actuality.87 **Man** is a unique kind of κίνησις that, of and as itself, is related to itself: a self-related relation (i.e., its self-understanding is part and parcel of what man is) that is itself in its incompleteness (it **will never fulfill all its possibilities**). For Hei- degger that movement is grounded in the most basic fact of human being, its a priori understanding of meaningfulness.88 **If we cannot encounter anything except by understanding it, then our facticity—the necessity that determines the structure of our being—is our bondedness to the world of meaning and, a fortiori, to what makes that world possible**.89 Heidegger begins his analysis of the world of meaning with where we live our ordinary lives, the “everyday,” as he calls it, where **we deal with things by handling them, using them, and managing them as extensions of ourselves, rather than merely observing them as objects of theory or speculation**. Whether we attend to this fact or not, **all such things are significant to us, meaningful in a practical way. We use them instrumentally to achieve a purpose: cooking dinner, painting the garage, researching an event. They are not merely “avail- able” for mental observation but are functionally accessible and usable**. Hence we call these things “the useful” (Heidegger’s das Zuhandene). **They fulfill a need, achieve a purpose, help us to reach a desideratum**. Before functioning as mere observers of our world, we work in it to satisfy our needs. We are lacking, and we seek satisfaction; we are concerned and seek to work things out. We want to change some things, accomplish others, and do away with yet others. Another characteristic of human being is that **we** usually **see things not as scattered and unrelated but rather within wholes or sets, as somehow unified and interacting with each other**—perhaps because we are de facto the perspectival center that denies our encompassing horizon, perhaps **because we see our own selves as a whole, an open-ended narrative unity that gathers things into significance for ourselves and manifests them in such a way that we can relate to them. We live in meaningful contexts, worlds of meaning shaped by our interests and concerns, which confer meaning on the things that inhabit those contexts**. We live in many such contexts at the same time.

#### Western philosophy and scientific thought are the very essence of technology – an incessant striving to capture, calculate, and inquire about the world within a pre-given context that only propagates the nihilism of modernity.

**Linker 06** [Damon Linker, Senior Writing Fellow in the Center for Critical Writing at the University of Pennsylvania, “Heidegger’s Revelation: The End of Enlightenment,” (American Behavioral Scientist), 733-749 (2006). 10.1177/0002764205282221] *~bxnk*

Heidegger (1962) was especially interested in examining two outstanding human possibilities in particular, each of which is a permanent feature of all worlds. One is the fundamental ontological shift in outlook that occurs with the emergence of philosophy from average everydayness. According to Heidegger, human beings find their way around the world using a special kind of “sight” that he called “circumspective concern.” In its light, every tool has its purpose, its place, and its suitability, which it acquires from the “equipment context” as a whole. The pen is “in the drawer”; the hammer is “too heavy for the task”; the screwdriver “has the wrong head for the screw”; the sports car is “just what I needed to soothe my midlife crisis”; and so forth. It is this special “vision” that defines and governs prereflective human life. But there are times when this vision falters. When a tool breaks, when it gets lost, or when something is left out of place or undone, the equipment context shatters.8 Suddenly the tool becomes “present” in a way it never was before. When it breaks, I must treat it as an object to be examined; instead of being too-heavy-for-the-task, it is now 2.3-pounds-with-an-iron-head-glued-to-a-wooden-handle (cf. Heidegger, 1962, p. 412). In a similar manner, when the hammer is lost, I set out to look for it, and in doing so the equipment context shows up in a new way: I begin to notice the spatial locations of the various tools in the workshop—or rather, the workshop “appears” for the first time as a place containing objects with various spatial locations. The same kind of shift occurs when a tool is out of place; suddenly I begin to gaze on the equipment context as something obtrusive, that stands out, drawing attention to itself. In all three cases, the circumspective concern that lights up the prereflective world gets “dimmed down” and a particular entity within that world gets decontextualized and de-worlded— for the first time, that entity becomes an object of possible theoretical reflection. The ready-to-hand object now reveals itself as something “present-at-hand.” 736 American Behavioral Scientist Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 At first, this ontological shift is temporary and it serves practical ends (praxis); we gaze on the tool objectively to fix it, find it, or put it back in its place—and we do that to set it back to work within the equipment context. In most cases, searching for a misplaced car key does not inspire me to reflect on the character of keys as such, or the chemical composition of the missing key, or role that keys or cars play in our lives more generally; on the contrary, I simply want to find my car key so that I can drive to work to earn my paycheck to support my family and so forth. As soon as the reason for the momentary diversion from the totality of ready-to-hand equipment has been removed, the key ceases to be present and reverts back to its proper place in my world. Yet as the history of the West since the Enlightenment so vividly shows, it is also possible for human beings to treat the achievement of a present-at-hand standpoint on objects as an end in itself—as the for-the-sake-of-which toward which all worldly involvements are aimed. Of course, the philosophers and scientists who do so continue to live for the most part, like everyone else, within a prereflective equipment context. This is true even in the very act of philosophic and scientific reflection, when philosophers and scientists employ ideas and experimental devices as tools that enable them to strive for their goal of worldless detachment. **But the fact that the philosophic or scientific outlook uses a totality of ready-to-hand equipment for the sake of achieving a state of detached “gazing on” that normally prevails only when the equipment context breaks down, means that as a mode of Being-in-the-world, this outlook is profoundly pathological.** As Heidegger (1962) wrote, when human beings concern themselves with “becoming rid of . . . Being-in-the-world,” the result is a world characterized by superficiality—by “idle talk” (Gerede), by mere “curiosity” (Neugier), by “restlessness and the excitement of continual novelty and changing encounters,” by the longing for the “constant possibility of distraction” (pp. 214-216). In such a world, a person will happen on a wholly “new kind of Being” in which **one must “constantly uproot” oneself in an attempt to reach a state of “never dwelling anywhere**” (Aufenthaltslosigkeit) from which one will (presumably) be capable of “seeing the ‘world’ merely as it looks while one tarries and takes a rest” (Heidegger, 1962, pp. 216-217). For Heidegger (1962), **this is a false outlook on the world**—**one that dramatically distorts its true character.** Not only is it mistaken to believe that one attains a greater understanding of the world when one ceases to act within its ready-to-hand equipment context and instead stands back from and gazes on it in a state of present-at-hand detachment. But more profoundly, such an outlook fails to understand that an advanced scientific account of the world (such as mathematical physics) is possible only on the basis of what Heidegger called a “projection” of a view of beings as a whole (i.e., “nature”). Scientists do not merely discover “facts” about a world that are already present before them, as empiricists would claim; rather, scientists mathematically “project” nature itself: In this projection something constantly present-at-hand (matter) is uncovered beforehand, and the horizon is opened so that one may be guided by looking at those constitutive items in it which are quantitatively determinable (motion, force, location, and time). Only “in the light” of a Nature which has been projected in this fashion can anything like a Linker / Heidegger’s Revelation 737 Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 “fact” be found and set up for an experiment regulated and delimited in terms of this projection. (pp. 413-414) **Far from telling us about “the way things are,” scientists first adopt (or project) an outlook on beings as a whole and then seek to provide an exhaustive account of the whole in terms that are compatible with this outlook**. When seen in the light of Heidegger’s phenomenology of Being-in-the-world, **this adoption of an outlook on beings as a whole cannot help but appear to be a constriction or narrowing of one’s view of the world, not an expansion of it. For Heidegger, philosophers and scientists fundamentally misunderstand themselves and misconstrue the true character of the world and the place of human beings within it.** It is important to note how foreign—and indeed, diametrically opposed—this account is to the traditionally philosophic standpoint that the members of the Enlightenment understood themselves to be championing. The traditional view received its classic formulation in the “allegory of the cave” presented by Socrates in Plato’s Republic. In this image, philosophical enlightenment is described as a process of liberation from imprisonment in a cave where shadows of beings (false opinions about them) are mistaken for truth. Eventually the philosopher escapes the cave, leaving behind its illusions to dwell in the light of the “ideas” (or true “looks” of the beings). Heidegger (1962), by contrast, described the same process in wholly negative terms: “The ‘emergence’ of the theoretical attitude” consists, he claimed, in the “disappearance of praxis”; that is, because “‘practical’concern” is the “primary and predominant kind of Being” that human beings possess, “the ontological possibility of ‘theory’will be due to the absence of praxis—that is, of a privation” (p. 409). Although Heidegger clearly rejected the assumption underlying Plato’s allegory (namely, that there is a region of theoretical truth outside of the practical world into which we are thrown), it is not entirely inaccurate to say that for Heidegger, the rise of philosophical reflection amounts to the digging of a “cave beneath the cave”; what appears to the advocate of philosophical-scientific enlightenment to be an ascent to a higher truth is in fact a descent from or a distortion of the true human situation. The quest for philosophical scientific enlightenment, in other words, leads not to wisdom but to obfuscation.9 The Ground and the Abyss of the World The account of Being-in-the-world in Division I of Being and Time is intended as a sketch of the broad outlines of the human situation as Heidegger (1962) understood it. Some of the most accessible and rhetorically powerful passages in his writings and lectures are attempts simply to describe the everyday experience of the world and defend it against those who would dismiss it as “unscientific.”10 Yet we would be wrong to think that Heidegger’s ultimate goal is to defend average everydayness as a human ideal. On the contrary, despite his abiding sympathy and appreciation for conservative and rural, even peasant, ways of life, especially when contrasted with urban cosmopolitanism, Heidegger’s philosophical project points in a very different direction, toward the affirmation of a much more radical human possibility.11 738 American Behavioral Scientist Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 The key to understanding this possibility is Heidegger’s (1962) account of “moods,” and the mood of anxiety (angst) in particular. Far from being a subjective psychological state that interferes with, by distorting or enhancing, the experience of a neutral world of objective facts, the mood of anxiety, for Heidegger, discloses the deepest truth about the human situation. One could say that anxiety enables Heidegger to proceed to the next level in his excavation of human life: Just as phenomenological description reveals that philosophical reflection is grounded in Being-in-the-world, so an intense focus on the experience of anxiety shows that Being-in-the-world is itself grounded in something even more fundamental or primordial. Anxiety can be grasped most clearly by comparing it to the mood of fear, with which it is in some ways akin. Fear is inspired by an identifiable threatening object within the world—Heidegger (1962) gave the example of a tiger lurking “over there,” just behind a patch of nearby brush—whereas anxiety can be described as fear in the face of nothing at all. I fall into the mood of anxiety when I begin to sense that despite my attachment to the world and my myriad involvements in it, I am, in fact, a finite being who confronts the prospect of my own death—and, hence, the end of myself and my world—at every moment of my life. Anxiety discloses, in other words, that my “own most outstanding possibility”—the one that unlike all other possibilities, cannot be outstripped—is absolute annihilation. Anxiety thus reveals that beneath the seeming solidity of the world and its for-thesake-of-which there is, quite literally, nothing. **The world** **(in which I am “fallen” and “stuck”) and its ends (to which I devote myself in everything I do)** **are fundamentally arbitrary** and contingent. The world could easily have been quite different than it is and thus I could have been quite different than I am—or I could have been thrown into a completely different world, in which case I would have devoted myself just as intently to completely different (but equally arbitrary and contingent) ends. Everything that matters to me—everything that I care12 about, including most of all, myself—floats, mysteriously, over the gaping maw of an abyss. When we turn back to our involvements in light of what is disclosed in the mood of anxiety—in the state that Heidegger (1962) famously called “anticipatory resoluteness” regarding our finitude—the world appears quite different than it did before (in other, less intense and existential and thus also for Heidegger, less clarifying, moods). What once appeared to be a rock-solid, unquestionable given—namely, **the sense of meaning and purpose** that prevails **within my world**—now **appears to be the product of a** mysterious emergence or **disclosure of truth from** out of **the nothingness that** **precedes**, surrounds, and underlies **every world**. Put somewhat differently, anxiety discloses to us that beneath or prior to my prereflective understanding of the beings that make up my world is the origin or source of that understanding, which Heidegger called Being (Sein) as such. Precisely what Heidegger meant by Being is notoriously difficult to determine, not least because there is evidence that Heidegger’s understanding of it changed to some extent throughout his career.13 In the terms employed in Being and Time, however, it is possible to say that for Heidegger (1962), **Being is the ungraspable and unmasterable** Linker / Heidegger’s Revelation 739 Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 source of the meaning that permeates every human world; hence, Heidegger’s repeated use of the term meaning of Being to describe the subject of his inquiry in Being and Time. In other words, Being is that from which the truth that holds sway within every human world arises**.** **Truth** in this primordial sense **should not be confused with the theoretical and “commonsense” understanding of truth as the correctness of an assertion or proposition**. Although Heidegger never denied that the latter is a valid way to think of truth—and indeed, his own numerous discussions of truth inevitably employ assertions that he obviously held to be correct—**he maintained that** the condition of the possibility of the truth or falsehood of an assertion is a prior**, propositionally inexplicable, revelatory “**unconcealment” (aletheia, in Greek). This, for Heidegger, was the primordial meaning of truth: the revelation of meaning (by, in some sense, Being itself) that establishes a human world in a heretofore “open region” (somewhat like a house that mysteriously appears on an open plot of land). **It is only on the basis of this prior** **unconcealment that it becomes possible to** make an assertion and thus begin to **construct a philosophical or scientific system at all** (Heidegger, 1998b, p. 144; cf. also, Heidegger, 1962, p. 256ff). In Heidegger’s thought, **revelation everywhere and always trumps reason.** This is the early Heidegger’s substitute for philosophical-scientific enlightenment: an anxious leap into an awareness of the groundlessness of human existence and meaning. For his project to succeed, Heidegger needed to inspire an existential crisis (an anxious mood) in his readers, which he did by presenting a highly formalistic account of the prereflective world that relativizes the content of every particular world. That is, Heidegger set out to provoke an existential crisis that would reveal the true groundlessness of all human worlds.14 And he believed or hoped that this crisis and the vision of meaninglessness that accompanies it would prepare the way for the emergence of a new world—one purged of the distortions and degradations of enlightened reflection.15 The End of Enlightenment For anyone sympathetic to the enlightened ideal and aware of its fragility, there is something especially chilling about Heidegger’s project after the end of World War II. **The late Heidegger attempted nothing less than to eviscerate the critical intellect as such, to extricate it from the mind once and for all. He sought to do so by initiating a new form of thinking—one from which reflection and criticism, and especially selfcriticism, have been thoroughly exorcised.** Once this had been accomplished, it would become possible for humankind to receive a new revelation of truth that could ground a new world without reflection—**a world permanently closed to enlightenment**. To think with Heidegger in his late writings is thus to abandon enlightenment as a human ideal altogether. 740 American Behavioral Scientist Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 The Tyranny of “Why” In 1955 and 1956, Heidegger taught a lecture series and delivered a public address titled “The Principle of Reason” (Heidegger, 1994). The two texts contain the most powerful and compelling statement of his late outlook and ambition. We “know,” Heidegger (1994) claimed, **that modernity is an age in which “technology intractably presses toward bringing its contrivances and products to an all-embracing, greatest possible perfection”** (p. 121). Technology is everywhere **in our world—from** mechanized agriculture **to the “manufacturing of** corpses in gas chambers**”; and its reach extends down even to the level of** the atom**, where it has unleashed the power to destroy the human race and its planetary home** (Farias, 1989, p. 287). Yet Heidegger (1968) maintained that **the “essence” of technology** lies elsewhere—beneath the surface of our technologically permeated lives. For Heidegger, technology “brings to fruition” the “innermost,” and at the same time “most concealed,” essence of modernity. This essence **is nothing other than** what Heidegger (1994) called “**the principle of reason**” (p. 121). Much of Heidegger’s (1994) 12-part lecture series is devoted to a methodical interpretation of **Leibniz’s statement** of this principle: **“Nothing is without reason.” In Heidegger’s view, this principle**—which, he asserted, **has covertly shaped Western thinking and histor**y at least **since the time of Plato**, despite having been explicitly articulated for the first time by Leibniz in the 17th century—**determines in advance** (as a primordial, ontological presupposition**) “that every thing counts as existing when and only when it has been securely established as a calculable object for cognition”** (p. 120). **Having** thus **posited the** **essential calculability of all beings, cognition then asks, Why does what is cognized exist, and why is it the way it is? Hence, the principle of reason can be reformulated as follows: “Nothing is without a why”** (Heidegger, 1994, p. 35). **The West in general and modernity in particular are thus characterized by their incessant striving for an answer to the question of why—by a restless longing to reflect on grounds**. As Heidegger wrote, We have an eye for grounds in all that surrounds, concerns, and meets us. We require a specification of reasons for our statements. **We insist upon a foundation for every attitude. Often we content ourselves with the most immediate reasons; after a while we investigate the more remote reasons; finally we try to get at the first reasons and ask about the ultimate reason**. (p. 117) **Philosophers** as otherwise different from one another as Aristotle, Hobbes, and Kant **believed that the longing for an answer to the question of why is rooted in human nature**—and **that it demonstrates humankind’s natural proclivity for philosophy and science, physics and metaphysics**. But in his late work, **Heidegger claimed that far from being “natural,” the longing to answer the question of why**—**which motivates all critical reflection and thus makes possible intellectual inquiry of every kind**—is merely the result of a historical dispensation or “destiny” (Geschick) that has been “sent” by Being. It **has culminated in the** technological nihilism of modernity—or rather, its nihilistic essence has finally been disclosed in modernity—and moving Linker / Heidegger’s Revelation 741 Downloaded from abs.sagepub.com at PENNSYLVANIA STATE UNIV on September 15, 2016 beyond that **nihilism can be prepared for only by expelling the longing from the privileged position it has come to hold in the West.** For a suggestion of how such a revolution can be accomplished, Heidegger (1994) turned to a short poem by the 16th-century Christian mystic Angelus Silesius: “**The rose is without why: it blooms because it blooms, / It pays no attention to itself, asks not whether it is seen”** (p. 35). **For Heidegger, the West must learn to become more like the rose—to understand that “humans, in the concealed grounds of their essential being, first truly are when in their own way they are like the rose—without why”** (p. 38). **We must learn, in other words, to stop asking after causes, to stop striving for grounds and explanations—about ourselves, about beings and events within the world, and about the world as a whole—and simply allow ourselves, the world, and its contents to be, like the “blooming” of the rose, a “pure arising on its own, a pure shining”** (Heidegger, 1994, p. 57).16 In the 1956 lectures and address, Heidegger offered little beyond these vague pronouncements. We receive somewhat more guidance about what it might mean to live “without why” from a pair of essays Heidegger wrote in the early 1950s.

#### The technical rationalization of education policy has entrenched social and economic inequality and cemented political passivity – the totalization of calculative metaphysics subverts deliberative politics and enrolls students in an abhorrent process of endless economic commodification

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Introduction The relationship between policy and politics is marked by mutual imbrications (Ball, 1990; Dale, 1989) and reflects a shared etymology. As Codd argues, 'fundamentally, policy is about the exercise of political power and the language that is used to legitimate that process' (1988, p. 235). Both politics and policy are normative, rather than merely technical domains, in that each is concerned with values — their formulation, institution, reproduction and contestation. But whereas policy concerns 'the authoritative allocation of values' (Easton, 1953), politics concerns the process of prioritising those values (Strath, 2005). The inseparability of educational policy and politics stems from the social and economic value attaching to education and the inevitable requirement, given finite resources, to make decisions regarding its allocation. Yet, contemporary neo-liberal discourses, for example, those around issues of standards and accountability, are typically presented by politicians and policymakers as matters of technical efficiency rather than normative choices. As a consequence, their political nature, including the deep implication of these discourses with issues of sociopolitical power, is effectively backgrounded. My aim in this article is to examine some of the strategies through which this shift from the political to the technical is achieved, using the Australian 'education revolution' as a case study, and to consider possibilities for reinserting politics. The assertion that education policy has been reduced to a technical discourse is in itself not new. Writing over two decades ago, Shapiro (1990, p. 13) made the following, by now all too familiar, observation in relation to the educational pronouncements of Democratic candidates in the 1984 and 1988 US elections: Notions of quantifiable results, demonstrable competencies, the search for verifiable and empirical criteria for judging excellence (of students and teachers), an emphasis on performance and discrete skills —these permeated all the candidates' statements. There was a strongly shared desire to assimilate the process of schooling to the forms and methods of technology . . . to shape teaching and knowledge to a technical discourse. Since Shapiro wrote these words, the educational policy arena has been subject to the full onslaught of neo-liberal political intervention in the form of marketisation, privatisation, standardisation and accountability measures. Yet, although the assertion of the political nature of education policy may seem obvious to many readers, my argument here is that, despite its ideological saturation, contemporary neo-liberalism in education disavows its political nature in a number of ways. It does so, most notably, by refraining political issues in economic terms through processes of commodification and by assuming and promoting a broad consensus in relation to this economising agenda — in each case, backgrounding the struggle over values central to both policy and politics. Contemporary neo-liberal policy tendencies thus simultaneously undermine the democratic potential of education, posing the challenge for educators, in many ways a 'captive' profession (Reilly, 1996), and edu-cation policy analysts, of how to resist 'the process of de-politicisation of policy-making, the erasure of ideology, and the legitimisation of common sense' (Pykett, 2007, p. 307) and reinsert the political into policy debates. In what follows, I will illustrate this depoliticisation at work in neo-liberal education policy, using Australia's education revolution as an example. I will then take up the issues this example raises in a broader discussion of the nature of politics in education policy, drawing on the key distinction made by Mouffe (2000, 2005) and others between 'politics' and 'the political' in order to argue that a focus on the latter is key to renovating the absent politics of neo-liberal education policy. Depoliticisation and the performative production of the education revolution A key policy agenda of the Australian Federal Labor government since their election in 2007, after 11 years of Liberal (conservative) government, has been the so-called 'edu-cation revolution', announced in the 2008 policy manifesto, Quality education: The case for an education revolution in our schools' (Rudd & Gillard, 2008). As is evident in its design, including features such as the setting of the text against a deep red background and the choice of the somewhat dramatic term 'revolution', Quality Education is clearly a 'symbolic' (Privity, 1984, p. 5) policy document. Indeed, its deployment of the term 'revolution' can be read as an attempt to reference a wider social democratic tradition, while also suggesting a radical and dramatic shift in policy and practice. This conceit of new policies representing a clean break with the past is reiterated in subsequent pub-lic policy pronouncements making reference to the education revolution. For example, in a 2010 speech the then education minister and current Prime Minister, Julia Gillard, argued, 'As Australians we have an obligation to the future, an obligation to ensure the Australian school students of today and tomorrow each get a world class education .. . Through the Education Revolution, as a nation we are fatally shouldering that obligation and making progress' (Gillard, 2010a, emphasis added). The revolution trope also features prominently in the titles of a number of speeches (e.g. Gillard, 2008a, 2010a), while the 'clean break' theme can be found in the titles of media releases relating to the My School website,2 My School website to provide unprecedented school performance data (Garrett & Gillard, 2010) and My School 2.0 delivers a new era of school transparency (Garrett & Gillard, 2011). The use of such speeches and media announcements for the dissemina-tion, promotion and 'spinning' of policy (Gewirtz, Dickson, & Power, 2004), in addition to reflecting the increasing mediatisation of education policy (Lingard & Rawolle, 2004; Wallace, 1993), creates the space in which a high profile policy like the education revolu-tion can be (re)iterated, (re)cited and (re)performed. The result is that these rhetorical media acts to a large extent produce the very thing they claim to describe — politics via packaging rather than sustained debate (Franklin, 2004a, 2004b). But aside from its rhetorical and performative dimensions, what of the substantive content of the education revolution: in what ways is this also depoliticising? Depoitticisation and the substantive content of the education revolution The policy document, Quality Education, makes numerous references to the unprece-dented competitive global economic climate confronting Australia and the consequent need to reform Australian education. The following from the ministerial foreword to Quality Education (p. 5) is typical in this regard: Australia faces significant challenges to its social and economic environment though an aging population and increasing international competition. The nation must invest in developing a world class education system and drive development of a workforce that is highly skilled, flexible and adaptable in responding to increasing global competition for skills. Notions such as 'the tough reality of international competition' and the dominance of an economic agenda in general are stated categorically as matters of incontrovertible fact. Yet, as Steger (2008, p. 187) notes, 'public policy based on economic inevitability appears to be above politics', while simultaneously facilitating the political project of increasing the penetration and entrenchment of market modalities in all domains of society by inter-weaving ideological prescriptions with 'factual' explanations. This imperative modality reoccurs elsewhere in Quality Education, for example, page 35 emphasises the need to build a 'world-class' education system 'ready to face the challenges of a globally compet-itive world', while the conclusion reminds us of the 'fact' that 'as other countries continue to advance, we cannot afford to delay' (p. 36). This message is repeated in subsequent media announcements and speeches: as one example, in a speech in March 2010 to the Independent Education Union, Minister for Education, Julia Gillard (2010b), argued: The education revolution is about offering the best opportunities Australia can provide. But in the global village in which we live there is also a tough reality. The tough reality of international competition. A reality which gives us a moment of pause. A moment in which to ask in which areas do we really achieve a world class standards? The references to 'the global village', 'the tough reality of international competition' and the need to achieve 'world-class standards' reflect the powerful influence of the global imaginary on education policy (Rizvi & Lingard, 2010). But it is worth noting that the anx-ieties expressed here have surfaced regularly in times of socio-economic change or turmoil, both in Australia and in other international contexts, as reflected, for example, in the debate surrounding A Nation at Risk in the United States (National Commission on Excellence in Education, 1983). Indeed, such anxieties are inherent to the competitive nation-building aims of modern state education systems (Green, 1990). Against the background of this dis-course of tough global economic competition, the promise of the education revolution to offer 'the best opportunities Australia can provide' suggests an unproblematic link between education and individual economic success, reflecting the hegemonic penetration of human capital theory in education and ignoring the positional, rather than purely substantive, nature of educational qualifications (Marginson, 1997; Wolf, 2002). It is important to note that a concern with the instrumental in education is not new or unique to neo-liberalism. As long ago as 1864, Herbert Spencer lamented 'the truth that with the mind as with the body the ornamental precedes the useful' and decried the Cinderella-like position of science in education, 'kept in the background that her haughty sisters might flaunt their fripperies in the eyes of the world' (1864, pp. 25 and 96). Concern with the economic imperatives of education was heightened in the attenuath of the Second World War (e.g. Halsey, Lauder, Brown, & Wells, 1961), receiving a further boost from human capital theory in the 1960s and becoming hegemonic from the 1980s onwards as education, like many other domains of life, came under the auspices of neo-liberalism's master signifier, the market. But importantly for the purposes of this article, neo-liberalism's augmentation of the instrumentalisation of education is also symptomatic of a wider shift in the relationship between the neo-liberal state and its citizens, one which 'has become less a political relationship — that is, a relationship between government and citizens who, together, are concerned about the common good — and more an economic relationship — that is, a rela-tionship between the state as provider and the taxpayer as consumer of public services' (Biesta, 2010, pp. 53-54). As Biesta goes on to argue, this pattern reflects the wider ero-sion of the political in contemporary neo-liberal society: 'Not only can it be argued that the relationship between the state and its citizens has been depoliticized. One could even argue that the sphere of the political itself has been eroded' (2010, p. 54). The instrumental conception of education evident in the education revolution relies on another key component of neo-liberal education policy, a logic of competition whereby students, teachers, schools and education systems are evaluated and compared in the belief that such a competition will improve the performance of all. In this vein, Quality Education asserts, 'there is good evidence, primarily from the United States and the OECD's Program for International Student Assessment (PISA), that the publication of school-level test scores tends to improve the performance of all schools' (p. 31). Yet, there are good rea-sons to query whether high-stakes testing and the publication of test results are forces for democratic openness as they claimed to be. Aside from the reduction of educational excellence to test scores (as if teachers and schools were previously unable to monitor and assess student progress), with its constraining effects on professional trust and collabora-tive relationships (Carless, 2009), and its narrowing effects on curriculum and pedagogy (Alexander, 2009; Au, 2009; Hursh, 2008; Stobart, 2008), competition is depoliticising insofar as it naturalises the current forms and content that are at stake in the game of education. In the process, it occludes wider structural and socio-economic factors that impact on educational achievement (Hyslop-

#### Scientific rationalism, ideals of social progress and efficiency results in the worst atrocities – an embrace of radical responsibility that imagines social justice as an ontological imperative is a prerequisite to political theorization

Kalanges 10– Kristine Kalanges is Associate Professor of Law and Concurrent Associate Professor of Political Science at the University of Notre Dame. From the Violence of Positivism to the Ethics of Encounter: Restoring Relationality to International Relations, 9-23-2010, msm//recut BXNK

Levinas’s reference to Reason encapsulates the long intellectual history rooted in Enlightenment thought and including subsequent developments in scientific and social theory, which came to be grouped under the rubric of modernity. I identify among the formative thinkers of the modern era Hegel, whose dialectical theory of history imbued modernity with the ideal of progress through time. Hegel’s work cemented the relationship between Western consciousness and the seemingly unalterable course of history, particularly for those who attempted to understand (and utilize) his philosophy in isolation from his theology. Like Kant before and Kierkegaard after him, Hegel maintained a dialectical division between faith and reason, one that flourished during industrialization and fast became the hallmark of modern thought. Indeed, the division inspired a humanist movement which sought to improve the condition of humanity without reference to divine inspiration or authority. Paradoxically, humanism found its greatest challenge in a coincident occurrence – the dawn of mass production. The Industrial Revolution had ramifications throughout economic, cultural and martial relations. Individuals as laborers, citizens or soldiers were transformed into commodities to be manipulated by managers, politicians and other ancestors of today’s technocrats. Left with little local or even regional political significance (apart, of course, from their role as cogs in the machine of the new economy), the expanding lower classes found identification within the freshly-delineated borders of 12 the nation-state. Benedict Anderson illustrates how the fires of nationalism spread throughout the Western world, stoked by capitalist necessity for resources and new markets.14 In this way, the advancement of the nation-state (taken to include both economic and military might) was inextricably tied to that of humanity. This relationship assumed fascist dimensions in Nazi Germany, where the German working classes rallied behind a message triumphing their state, economy, culture and race. The rise of Hitler and the success of National Socialism can thus be read as the reification of modern ideals; specifically, Nazism embraced the rational discipline of progress via purity of the nation-state and its fractal counterpart, the body. It is important to recall that the dialectical system of history marked the continuing presence of the Jewish people as an historical aberration (the coming of Christ, in fulfilling Old Testament prophecy, had rendered Judaism obsolete).15 Therefore, Nazi anti-Semitism, insofar as it participated in the intellectual culture of modernity, conformed to the rationality of historical progress. The true significance of Hitlerism for modernity, however, lies not in historical theory, but in the objectification and subsequent processing of the human body for ends that were both scientific and rational. Earlier in the nineteenth century, political scientists had introduced the systematic construction, maintenance and improvement of the nationstate via the manipulation of strategic resources and statistical accounting. By the time of Hitler, the implementation of scientific methods into policy formulation and enforcement was gaining in popularity, particularly after the disaster of World War I. The German dictator’s unique contribution was embracing the body – in all its composite parts and signifiers – as a strategic resource of the state. 13 The Nazis, operating within an essentially Euclidean conception of the nation in political space, relocated the borders of the nation-state along racial lines. Human bodies, eugenically-delineated, became the basis of nationalist identity and the target of competitive aggression. The logic of nationalist conflict, in which the opponent is acted upon without consequence to the actor, was transferred into the calculated elimination of the Jewish body. In its faceless savagery, genocide is the progeny of modern scientific warfare. The fact that the Holocaust and the bombing of Hiroshima and Nagasaki happen concurrently is not a coincidence. Characterizing modernity as the elimination of the human face and the scientific processing of the human body recasts the introduction of the atomic bomb (a sterile, faceless technology of holocaust) as the exclamation, rather than the unexpected event, of modernity and the modern nation-state. The Holocaust emerged, for Levinas, as a powerful and painful example of rationalized hell. By reducing human identity to blood and genetics, Nathan Bracher argues, the Nazis had renounced ‘in no uncertain terms the Judaeo-Christian doctrine of freedom, according to which the soul, distinct from the body, stands apart from the material conditions of existence and can freely choose its destiny, therefore transcending the bonds of history’.16 Instead, a Nietzschean will-to-power was embraced, and the moral Self was sacrificed to the biological Self in pursuit of a society based on race. This was but one socio-political outcome of philosophical solipsism. A second one was the incredible ability of the German ideology and its foot soldiers to deny the community of their non-Aryan fellows. In an account of his experience as a Nazi prisoner of war, Levinas describes how he was placed in a unit solely composed of Jews. Their interactions with other soldiers and citizens, denigrating 14 in the extreme, stripped them of their humanity, made them ‘subhuman, a gang of apes’. 17 Only a stray mutt named Bobby, whose barks and yelps simultaneously called for play and demarcated animal and man, helped them to recall their fundamental humanness. Raoul Mortley rightly points out that the final and most significant horror of the Holocaust was, for Levinas, not so much the number of his fellow Jews and other innocent people murdered, but the way they were processed and killed…without faces, without names, without recognition that the bodies ransacked for resources were indeed human.18 Ultimately, the horrific thread unifying these three observations is the rationality informing each of them – the scientific reductionism of race, the ideologically-based denial of community, the production-minded processing of human bodies. …And a Philosophical One For Levinas, the evidence of God in the Other’s face confers extraordinary significance upon the human person. In this sense, his philosophy might be considered humanist. However, this would only be true in a sense radically different from the contemporary humanism of secular intellectual culture. Levinas is deeply troubled by the secularization of ideals originally rooted in the Scriptures.19 Absent the patient character of Scriptural study, Greek wisdom ‘demystifies, depoeticizes, demythicizes’ the Infinite; in short, it risks dissolving into ‘lie and ideology’ masked by the rhetoric of humanism.20 Levinas is thus disappointed but not surprised by an academy that takes delight in fetishizing difference, while falling dramatically short of assuming responsibility for the Other. He denounces humanism as inhumane,21 and charges ‘the little humanity that adorns the earth’ with pursuing justice via responsibility and sacrifice, not rhetoric and Self-indulgence. ‘One has to find for man another kinship than that which ties him to 15 being’, Levinas exhorts, ‘one that will perhaps enable us to conceive of this difference between me and the Other, this inequality, in a sense absolutely opposed to oppression’.22 Levinas directly criticizes Western philosophy and the State for their refusal to acknowledge the interruption of the ontological by the transcendent. This criticism, including its origins and formulation, is explored in greater detail throughout this and the following sections. For now, briefly, he argues that while philosophy and government rest upon true human relationality (which for him necessarily includes an element of transcendence), their ontological structure precludes language vested with originary meaning in favor of the thematized ‘said’. 23 Put another way, philosophy and government go astray because their essential foundations – human relationships infused with transcendent responsibility – are obscured by language that filters everything, even the mysterious, through the lens of scientific rationalism. T

#### Thus, this debate ought to be a question of the aff’s form of relating to educational institutions.

#### [1] Specificity – We are in the university, which requires a paradigmatic analysis of the way it operates to be ethically responsible; an interrogation of the space is a prior question since all your arguments presume a neutral starting point.

#### [2] Education is the internal link to the rest of society since [a] It’s a prior question to engaging in any form of scholarship if that scholarship is influenced by the university [b] Systems of technology control society through a manipulation of education, that’s the Clarke evidence [c] Education is independently necessary to solve any problem since only learning about the problem and how to solve can actually solve anything, if solvency matters.

#### The Role of the Ballot and Judge is to embrace ontological thinking, a form of thought that interrupts our pre-conceived hegemonic understandings of being.

Thomson 16 – Iain, associate professor of philosophy at the University of New Mexico, Rethinking education after Heidegger: Teaching learning as ontological response-ability, Educational Philosophy and Theory, msm//recut ~*bxnk*

The later Heidegger abandons this misguided metaphysical quest for a fundamental ontology capable of unifying the University. Instead, he comes to recognize that all the different academic disciplines are already unified; they all implicitly derive their guiding understandings of the being of the classes of entities they study from the nihilistic ontotheology that underlies our late-modern age of technological ‘enframing’. In Heidegger’s later view, all the academic disciplines increasingly understand the being of the classes of entities they study in terms of ‘eternally recurring will-to-power’, that is, they understand the being of all entities as nothing but competing forces coming together and breaking apart with no end beyond the maximal perpetuation of force itself. (We can see this in biology’s guiding understanding of life as a self-replicating pattern of information interacting with an environment; in psychology’s guiding under- standing of consciousness as a randomly emergent faculty that confers evolutionary advantages by coordinating the competing information from the earlier emergence of the various sensory modalities; in **the understanding of literature as an arena for the struggle between competing voices and perspectives**; in the historian’s understanding of history as a study of those clashes between forces which subsequently shaped us the most; and so on.) This nihilistic Nietzschean ontotheology, Heidegger insightfully sug- gests, increasingly leads all the academic domains, and all of us, to pre-understand entities technologically, as mere ‘resources’ or Bestand, intrinsically meaningless stuff on stand by for efficient optimization. As a result, Heidegger’s later goal for education in general and the university in particular becomes to teach the other disciplines to think ontologically in order to help them uncover other, non-nihilistic ways of understanding being at the frontiers of their own research.17 Heidegger’s hope is to uncover ways of thinking being that no longer reductively preconceive ‘it’ as a modern realm of objects to be mastered and controlled by a subject, nor as an undifferentiated late-modern domain of intrinsically meaningless resources standing by to be efficiently optimized. Heidegger hoped the other disci- plines could instead help us discover other, more meaningful ways of thinking being, just as he thought he had already found a genuinely postmodern understanding of being at work in the art of Van Gogh and the poetry of Ho ̈lderlin. Their artwork is postmodern avant la lettre, in Heidegger’s view, because it helps us understand ‘the being of entities’ neither in terms of modern objects to be mastered, nor as late-modern resources to be optimized, but, instead, as a phenomenologically dynamic source of intelligibility that both informs and also exceeds our every meaningful attempt to conceptualize or otherwise make sense of things.18 It is precisely here, in my view, that we should situate Shepperd’s insightful focus on the pedagogical significance of the ‘gap’, that is, the situational encounter with a profound breakdown, aporia, or interruption which exceeds our mastery and so frustrates our pre-existing plans and intentions. When we teachers of learning effectively ‘open up a space, a gap in the world’, we not only serve the important Socratic first step of disabusing (all of us) students of our ignorance about our own ignorance; by enduring such an initially humbling and anxiety-provoking confrontation with genuine aporia, we can learn to step beyond the limits of our current world into an unmastered space beyond. Doing so helps us see (in the Heideggerian terms Shepperd adduces) that learning is not primarily about acquiring ‘information’ but, rather, about ‘freeing vision’. Stepping into the open beyond what-is (I would emphasize), we can encounter that ‘noth-ing’ from which the not-yet comes to be. A positive encounter with this dynamic ‘noth-ing’—or this texture-rich ‘earth’, or this phe- nomenologically unstillable ‘presencing’—becomes the crucial pivot that helps us learn to respond ontologically and so ‘turn’ beyond our current technological under- standing of the being of entities as nothing but meaningless resources. By learning to creatively and responsibly respond to this initially inchoate ‘noth-ing’ as the ‘not yet’ of what is coming to be (and so not as nothing at all but instead as ‘the noth-ing’ of that which needs our disclosive efforts to help name and so bring it into being), we post-Heideggerian thinkers of ontological education can help serve a larger historical transformation from nihilism into a genuinely meaningful postmodernity. It is, in my considered judgement, this vision of spiritual revolution that makes Heidegger’s think- ing so dangerous and yet also so suggestive, important, and inspiring (Thomson, 2011, chapters seven and eight).

#### IP laws are a façade through which individuals securitize themselves against contingent experimentation with the law that inevitably upends their stable metaphysical view of the law being a vanguard of natural rights - this fuels the relentless drive towards utility and appropriation by desiring the absolute demarcation of who should and should not have property

**Wu 1** [Tim Wu, White House official and professor of law at Columbia university. “Intellectual Property Experimentalism by Way of Competition Law” (2014) <https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=2843&context=faculty_scholarship>] BXNK

III. INTELLECTUAL PROPERTY LAWS To say that the **copyright, trademark and patent laws do not have an experimentalist spirit** might be something of an understatement. Rather, to describe the laws as an ongoing experiment might easily risk offense. "There is no reason, a priori, that the intellectual property laws could not be subject to an experimentalist approach.23 "The laws have general goals and there are many potential ways to achieve them. To take a minor example, no one really knows what duration of copyright or patents is optimal. However, there seems **at present to be very little apparent interest among lawmakers for trying different terms in di!erent jurisdictions** or for different subject matters **and seeing what happens**. Even though the IP laws are sometimes discussed and defended in economic terms, one might say that the influence of economic thought has been partial. "There is, to be sure, much discussion of incentives as the justi$cation for intellectual property, but a full application of the scientific method has not generally been welcome. In fact, **proposals** by economists **to tinker with obvious defects** in the law **are more often met with panic** than interest. Rather, despite the e!orts of some scholars, **the dominant culture of intellectual property** retains a persistent linkage with the natural law tradition, which **recognizes a natural right in the inventor or creator**, and the language of property, of which the phrase “intellectual property” is just the most obvious sign.24 **In this view, the primary duty of the law is to recognize and protect rights of individuals** (or corporate individuals). "These could be rights against the government, like the American right against self-incrimination; rights in contract; or rights in property. "**The recognition of such rights is** less a means to some other goal than **the point of the law itself.** **What rights should be protected is, moreover, less a matter that depends on circumstance, but rather an answer that comes from consideration of fundamental truths.** "The intellectual culture of the rights tradition has created two important differences with the competition regime in the face of changing conditions and the evolution of the law. First, **in the face of changing conditions**, the **logic of a vested right suggested** that the **priority should be the protection the right against erosion. Courts must defend the holder of a vested right not just against external threats, but against subsequent government action that might threaten the value of existing rights.**

#### The WTO and IP laws represent a will to mastery and uniformity that reactively seek to safeguard the system and our static perception of property - homogenizing individual and geographic variation into an absolutist international agreement

**Wu 2** [Tim Wu, White House official and professor of law at Columbia university. “Intellectual Property Experimentalism by Way of Competition Law” (2014) <https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=2843&context=faculty_scholarship>] BXNK

Second**, rights systems** generally **aspire toward uniformity across jurisdictions**. Given a clear idea as to what rights should be protected, there is, logically, no clear reason for variation between jurisdictions or nations. We can see the practical implications of both of these tendencies as they have manifested over the last few decades. For one thing, **the reaction to technological change has usually been a fortification of the right rather than a rethinking of the system**.25 Consider, for example, the reaction of the laws to the massive technological changes over the 1980s and 1990s, when the successive development of personal computers, digitalization techTHE DOMINANT CULTURE OF INTELLECTUAL PROPERTY RETAINS A PERSISTENT LINKAGE WITH THE NATURAL LAW TRADITION, WHICH RECOGNIZES A NATURAL RIGHT IN THE INVENTOR OR CREATOR, AND THE LANGUAGE OF PROPERTY, OF WHICH THE PHRASE “INTELLECTUAL PROPERTY” IS JUST THE MOST OBVIOUS SIGN.24 Volume 9 | Number 2 | Autumn 2013 35 **Technologies and the Internet** rather **obviously changed the assumptions on which both patent and copyright had** long **relied**. In both the United States and Europe **the** predominant **legal response was to strengthen copyrights** and to expand the subject matter of patent. The merits of such laws are not the subject here; the point was that, as opposed to reconsidering what would serve the broader purposes of the law under changed conditions**, the challenge was framed as protecting the existing rights against potential erosion. The goals of uniformity and predictability has had its clearest implications at the international level**. Unlike competition law, which varies significantly between OECD nations, over the last several decades **all of the IP laws have become subject to a much stronger and geographically broader web of harmonizing international agreements**, on multinational, regional and bilateral levels. **The general aim of these treaties is to homogenize the world’s IP regimes, reducing or eliminating geographical variation**. All of the major laws are the subject of longstanding global treaties specifying minimum protections (!e Berne and Paris conventions), which were forti"ed in 1994 by the addition of an intellectual property agreement to the World Trade Organization, and further strengthened by numerous bilateral treaties since then. And of course **the World Trade Organization**, unlike the informal organizations common to competition law, **has the power to punish deviations from the intellectual property treaties with serious trade sanctions**. !e pattern can also be observed at the national level. Both in Europe and the United States the last few decades have witnessed many important measures taken to create uniformity. In the United States, a single appeals court, the Federal Circuit, has heard the nation’s appeals in patent cases since 1982 in an effort to bring greater uniformity to the patent law. Though proposals for constructing a uniform patent court akin to the Federal Circuit in the European Union have been unsuccessful so far,26 **the European Patent Convention, founded in 1973, provides a common application for the prosecution of patents in each of the member states.**27 In short, **stronger protection of uniform rights has been the clear trajectory of the intellectual property laws over the last few decades**. That tendency is sharply at odds with the predispositions of the competition laws.