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'W.B. Gallie and Essentially Contested Concepts'

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'W.B. Gallie and Essentially Contested Concepts' *David-Hillel Ruben*

Re-Reading of W.B. Gallie, 'Essentially Contested Concepts', *Proceedings of the Aristotelian Society* (1956) 167-198.*

In an article published over fifty years ago, followed by a chapter in his book in which he elaborated and developed, but did not alter in any fundamental way, the main ideas of the earlier article, W. B. Gallie discussed what he called 'essentially contested concepts'.¹ The question he was interested in was how different parties to a dispute can each claim, with justification, to be the true or authentic successor or later representative for some earlier point of view in aesthetics, history, politics or religion, or which of the later disputing parties stands in the same authentic tradition as the earlier one. Gallie's conclusion was very strong and somewhat surprising: '... I shall try to show that there are disputes ... which are perfectly genuine: which, although not resolvable by argument of any kind, are nevertheless sustained by perfectly respectable arguments and evidence. This is what I mean by saying that there are concepts which are essentially contested, concepts the proper use of which inevitably involves endless disputes about their proper uses on the part of their users' (*PAS*, p. 169, *PHU*, p. 158).

* Editor's Note: 'Re-Readings' is a regular feature in *Philosophical Papers*. Authors are invited to write on a past article, book, or book chapter that they deem, for whatever reason, to deserve renewed attention. Authors are encouraged, where appropriate, to discuss the work's reception by and influence upon the philosophical community.

¹ *Philosophy & Historical Understanding* (Schocken Books, New York: 1968), Chapter 8. I will hereafter refer to the original article as '*PAS*', and the chapter as '*PHU*'; page references in my text refer to the pagination in these references.

Gallie's interests were extraordinarily prescient. He had in mind, among other controversies, the cold war dispute over the meaning of 'democracy' between socialists and liberal democrats. That dispute has lost most of its vigour, but the contemporary world is rife with disputes of the kind he identified, especially religious and political disputes which literally tear some societies apart. Just who are the authentic followers of Mohammed today, the Shia or Sunni? Is Cuba still a Marxist-Leninist State? Do Reform Jews represent a legitimate approach to Judaism? The reader might not of course agree with any of the specific examples I bring, or that he adduced in his paper. But the main and surely uncontentious point is that social conflict takes many forms and that one of its most robust and enduring forms is dispute over questions pertaining to the legitimacy of belonging to a particular temporally continuous group, tradition, organisation, and so on.

Sometimes it seems apparent that questions of the sort that Gallie asked are settled by power struggles. Such social disputes are often, perhaps mostly, settled by considerations of sheer brute force. The stronger of the two wins and runs the loser out of town. I do not deny that that frequently happens—how could I?—but Gallie takes no account of this. He discusses these disputes from the point of view of normative reason, as it were: which of the two parties, if either, has a stronger argument, which of the two has a better—justified claim? From that point of view, we gain normative purchase and can sometimes evaluate negatively the outcome of such power struggles. The group that is most entitled, or equally entitled, to be considered the authentic representative of a certain tradition or the true successor to a pivotal figure at some time does not always obtain this recognition.

It would not be true to say that Gallie's paper failed to receive discussion and was unrecognised. But in spite of his article's explicit title, Gallie was not interested in, and his paper is not about, the nature of concepts, in the way in which contemporary philosophers of language would typically understand that topic. I believe that the discussion that Gallie did receive sometimes took Gallie's article into philosophical areas

that were marginal and not really its main concern. Gallie spoke of a concept and 'its use'. He meant by 'use of a concept' only 'the application of the concept', 'how it is applied'. He did not have in mind some technical use of 'use' that one might find in the philosophy of language.

It is an assumption of Gallie's thesis that what is being essentially contested is a single concept, X. A simplistic account of these disputes might put them down merely to the fallacy of equivocation; once the ambiguity is identified, say by identifying two meanings for the word 'democracy' or 'Islam', the dispute would then be in principle capable of resolution. This approach purports to resolve the disputes Gallie identified by multiplying meanings and hence concepts. Gallie certainly would not adopt the meaning or concept multiplication strategy as a mechanism of dispute resolution, because he intended 'endless' in a very strong sense. (In spite of his confusing use of 'ambiguity' in describing his own position in footnote 5 of his paper.)

His idea, to which I have already referred above, was that such disputes tend not only in fact to be undecidable, but that there is something conceptually or logically undecidable about them: '... there can be no general method or principle for deciding between the claims made by the different ... [parties to the dispute]' (*PHU*, p. 166). If the contest only showed us that the parties to the dispute meant different things by 'X', then 'X' would be ambiguous and the dispute easily resolved by distinguishing two concepts where one thought initially there was only one.

So a difficulty that confronted some of the earlier discussion of Gallie's paper was this: how to account for the concept of X being essentially contested, *without* allowing 'X' to be ambiguous (or vague, as Christine Swanton added).² One way in which this was done was to allow for a common core accepted by all parties to the dispute, but a common core

² Swanton, Christine (1992), *Freedom: A Coherence Theory* (Hackett Publishing Company, Indianapolis), p. 1-5.

which employed such vague terms as ‘arbitrary’ or ‘rational’ or ‘proper balance’, and where such terms were open to various interpretations, leading to varying so-called conceptions, while preserving the unambiguity of the core concept. The distinction between ‘concepts’ and ‘conceptions’ is only mentioned in Gallie’s own writings in passing.³ Various writers then use and develop the distinction in order to both explicate the idea of essential contestedness in Gallie and to apply that idea to an increasingly long list of alleged examples of essential contestedness.⁴ John Rawls, Ronald Dworkin, Steven Lukes, and Christine Swanton use the distinction between concept and conception, or one similar to it (say, concept and its instantiations), to discuss such ideas as justice, fairness, power, and freedom.⁵ So the distinction between concept and conception became a standard way in which to explicate the idea of the essential contestedness of certain concepts.

Some of the literature cited above moves too swiftly between issues surrounding denotation and connotation, or extension and intension. There appears to be more than one way in which the concept/conception distinction was explicated. But consider this way, which certainly seems to be what some authors have in mind: the concept’s intension has within its specification some term like ‘a proper X’, ‘authentic’, ‘arbitrary’, or ‘reasonable’. The concept’s extension includes a core extension of the concept that is agreed by all parties to the dispute. Everyone will agree about certain cases that they are cases of a proper X or are reasonable or non-arbitrary. But then there are contested cases, penumbral cases, such that some disputants include

3 Gallie, *PAS*, p. 176.

4 Jeremy Waldron has identified almost 45 concepts that have been alleged to be essentially contested. See: Waldron, Jeremy (2002) ‘Is the Rule of Law an Essentially Contested Concept (in Florida)?’, *Law and Philosophy*, Vol. 21, no. 2, pp. 137-164. See especially p. 149.

5 Rawls, John (1971), *A Theory of Justice* (Harvard University Press, Cambridge, Mass.), pp. 5-6; Dworkin, Ronald, ‘The Jurisprudence of Richard Nixon’, *The New York Review of Books*, Vol. 18, no. 8 (May, 1972), pp. 27-35; Lukes, Steven, (1974) *Power: A Radical View*, (Macmillan, London); Swanton, *op. cit.*

them in the extension and others exclude them, some disputants think they are cases of a proper X and some do not, and this gives rise to different conceptions of the one concept.

If this is the way the distinction were to be understood, it is hard to see how it would solve the problem. If a single concept, X, admits equally of a variety of interpretations because the terms of that concept allow for different 'interpretations' (of 'proper', 'arbitrary', or 'reasonable', for example), then the concept of X must be a vague concept in the standards sense, because there must then be cases which are in dispute between the contestants and which do not clearly fall under or fail to fall under the concept. One party to the dispute will consider something a proper X or reasonable or non-arbitrary, and another party not so. Vagueness besets a concept in cases in which its extension is unsettled and in which there are cases that are borderline, neither clearly within nor clearly without the concept's extension.

So this way of understanding essential contestedness of concepts will lead us back only to vague concepts and the way in which to settle that dispute is to 'precisify' the concept at least to the extent that eliminates the disputed cases in one way or another. A natural further move would then be to allow that there are in truth two concepts of X, X_1 and X_2 , each precisified in the way demanded by one of the parties, and thus yielding the ambiguity of X after all.

The aim of this retrospective look at Gallie is to continue the discussion that he began, remaining faithful to the central thrust of what he wrote, and to develop an appropriate conceptual apparatus for handling the issues that Gallie identified. It does not so much answer the question that the earlier commentators were asking (how to account for an unambiguous concept which can be essentially contested?) but rather avoids it by taking the discussion into an altogether different direction, a direction that I think more accurately reflects Gallie's own concerns and interests. I believe one can discuss those central features of what concerned Gallie almost without using the concept of a concept, let alone the concept of a conception, at all.

In my characterisation of Gallie's article above, I have intentionally used two different ideas: tradition,⁶ and faithfulness or true succession (this latter is clearly not the same as the purely temporal idea of succession. Christianity was the successor to the Roman religion but hardly its true successor). Both of these ideas are crucial, I think, for analysing the questions he was trying to answer and we will need to say something about each, and how they relate to one another, in what follows.

Gallie employed the artificial example of game championship, in which two later teams at time t^* , say B and C, both claim to be the true champions, the real champions, at some game, because each says it most fully reflects the way in which the earlier exemplar team, A, to which they both wish to remain true, played the game at the earlier time, t . Both B and C claim to be carrying on the tradition of playing the same game that A played, just as A did, or both claim to be A's true successor at playing the game, faithful to A's way of playing, and both claim that the other is not or does not do so. For Gallie, this artificial example models some of the real disputes one finds in social life.

Team A, the exemplar, displays a complex set of skills in playing the game (say, a certain style, speed, distinctive method, strategy, and so on) and as a consequence A's play was multi-faceted. Each of the subsequent teams has stressed and developed a different aspect of that earlier, paradigmatic way to play the game. There will be some divergence between B and C because of the different techniques of game play each stresses from the set that characterised A's play. Both B and C claim to be the true or real champions at the game, because each can harp back, in different ways, to specific features that A's play embodied that it regards as the most important, and that only it, and not the other team, has continued, developed, and perfected.

Gallie generalises the example and offers five necessary (and jointly sufficient?) conditions for a concept being essentially contested: (1) the

⁶ The concept of a tradition is a very big topic. There are all sorts of traditions (artisanal traditions, purely intellectual traditions, and so on). I limit my remarks to the sorts that Gallie was writing about.

concept must be appraisive, by which he means that its application to a particular case is in virtue of some sort of valued achievement. Gallie must believe that being a democracy or being a Christian, since these are his examples of essentially contested concepts, is, on the view of the disputants at least, a valued achievement of some sort; (2) the achievement must be of some internally complex kind, of the sort found in the championship example; (3) 'Any explanation of its worth must therefore include reference to the respective contributions of its various parts or features; yet prior to experimentation there is nothing absurd or contradictory in any one of a number of rival descriptions of its total worth, one such description setting its component parts or features in one order of importance, a second setting them in another order, and so on' (*PAS*, p. 172); (4) The accredited achievement must be capable of unpredictable modification. The internal complexity must permit subsequent divergence between later competing contestants, all within the limits set by the exemplar; and (5) each contesting party recognises that the other contestants are contesting its own application of the concept and each contesting party must 'appreciate' the criteria being used by the other contesting parties in the application of the concept.

I think the best way in which to model what Gallie is describing is through (a) problems about true succession and faithfulness, and (b) the questions about membership of traditions over time in situations in which branching occurs. Whatever we say about traditions and true successions, we need some building blocks on which to base the discussion and those building blocks must be people and groups of people (Gallie's example is in terms of teams). Groups or people belong to or make up traditions and groups or people are true successors of one another. That seems to me to be the right place to start. It is a truism. That thought does not presuppose any view about the reduction of groups or traditions to people or sets thereof, although it is consistent with it.

People have beliefs and engage in practices. I adopt two of the features of Durkheim's definition of religion, for my accounts of true

succession and of these types of traditions more generally in which Gallie was interested: '[A] unified system of beliefs and practices relative to sacred things, that is to say, things set apart and forbidden ...'⁷ (Obviously, I ignore the sacredness component for the cases of traditions that are not religious traditions.) The idea of a 'unified system' is something of an ideal construct. In truth, actual traditions often include contradictory beliefs and practices. Real traditions and real cases of true succession are messy things. But, for the present, I will stick with the ideal, constructed versions of these ideas. It is natural to suppose that true succession or faithfulness of one group by another and of membership of a tradition supervene somehow on sameness or difference of beliefs held by those groups or people and of the practices in which they engage.

Let me start with (a). In Gallie's initial example, teams B and C both claim to be the true and authentic successors to the game tradition to which team A belonged. So one way in which to frame Gallie's question is this: is group B at t^* or is group C at t^* the true successor of or faithful to group A at t ? True succession and faithfulness are not topics whose importance many philosophers have recognised.⁸ Faithfulness, and true succession, in the sense I am using them, are the ideas of qualitative similarity of beliefs and practices with a certain temporal unidirectionality included in them. For diachronic questions of the sort that Gallie is addressing, qualitative similarity takes a particular form: degree of faithfulness or true succession. A later person or group is more faithful to an earlier person or group, or is its true successor, the more the latter's beliefs and practices are qualitatively similar to the earlier's beliefs and practices. Faithfulness and true succession, since they admit of degrees, play a role something like that played by memory in discussions of personal identity.

7 Durkheim, Emile (1912, English translation by Joseph Swain, 1915) *The Elementary Forms of the Religious Life* (The Free Press, 1965), p. 47.

8 An exception: Williams, John N. (1988), 'Confucius, Mencius, and the Notion of True Succession', *Philosophy East and West*, 38, pp. 151-171.

The reason that these questions take a temporally directed form is this. In a synchronic case, we can think of persons or groups A and B, both at t , as on a par. Take the unrealistic case in which they have qualitatively identical beliefs and practices at t . Nothing distinguishes one over the other in their claims for tradition membership; their entitlement, whatever it might be, is symmetric. But in the diachronic case, there is an assumed asymmetry based on time, even in the unrealistic case of qualitative identity of beliefs and practices of groups A and B.

The earlier person or group sets the standard by which the later one is to be judged, for which there is no analogue in the synchronic case. We want to know not just how similar the earlier and later are to one another, but specifically how faithful the later is to the earlier. The earlier has a paradigmatic role by which the later is to be judged. The more similar the beliefs and practices of a later, for example a religious, group are to those of an earlier group, the more faithful the later is to the former. We want to know if the later is a true successor to the former.

True succession and faithfulness are backwards looking ideas. A later person or group bears those relations to an earlier one. It might not have been this way. We might have conceived of the social world in terms of traditional inheritance differently, as teleological, forwards looking. We might have held up the beliefs and practices of a group-at-the-later-time t^* as the exemplar, and asked which of two groups' beliefs and practices at some earlier time t better match those of the latter group. Instead of degree of faithfulness to a past exemplar, we could have spoken about degree of potentiality or ease for something to develop in a certain direction.

As I said above, it is natural to suppose that truths about true succession and faithfulness supervene somehow on sameness or difference of beliefs held by those groups and of the practices they engage in. A later person or group can, in their beliefs and practices, be more or less faithful to an earlier group or person, the more they share

those earlier beliefs and practices. It is unrealistic to suppose that we will find groups or persons at two different times (or even at the same time) which or who have qualitatively identical beliefs and practices. What is much more likely is that we will find overall qualitative similarity of beliefs and practices across people and groups.⁹

Let's say, then, that a group or person is a true successor of, or faithful to, an earlier group or person if the former has beliefs and practices that are qualitatively similar to the latter. Unlike qualitative identity, qualitative similarity comes in degrees, in more-or-less. A's beliefs may be more like B's than are C's, but A's practices more like C's than B's, but overall, taking into account both beliefs and practices, B and C may then be about equally qualitatively similar to A. Again, think of this simplistically for a start. Suppose one could count the beliefs and practices of an individual or a group, at least in some rough and ready way. So the more beliefs and practices two persons or groups had in common, the more similar their beliefs and practices would be and the clearer would be the case for arguing that the latter was the true successor of and highly faithful to the former.

True succession (and faithfulness) are (c) non-transitive, (d) many-many relations. (c) The ideas of succession and faithfulness are not transitive, in a way similar to that in which memory is not transitive. Person or group C at t^{**} can be the successor or highly faithful to B at t^* , and B at t^* can be the successor or highly faithful to A at t , but C not be the true successor or faithful to A. Just as memories can weaken and fade over time for the case of persons, so can the degree of faithfulness and succession that links past and future individuals or groups of individuals that succeed one another in matters of cultural, political, or religious belief and practice.

⁹ I am assuming that one can make reasonable judgments about overall similarity between the different beliefs and practices of different groups or individuals. Such judgments may be tricky but presumably no more problematic, and perhaps a good deal less so, than David Lewis' idea of overall similarity between possible worlds. No counterfactual intuitions will be required. See Lewis (1973) *Counterfactuals* (Basil Blackwell, Oxford), pp. 91-5.

(d) If B is the true successor to or faithful to A, does it follow that no distinct group C, co-temporal with B, but having somewhat different beliefs and practices from B, perhaps a group which is disputing with B the line of traditional succession in a Gallie-style example, can also be a true successor of or faithful to A? I see no reason to think that this is so. Succession and faithfulness are many-one relations (like Parfit's psychological continuity and connectedness relations): many distinct groups or thinkers, with different thoughts, ideas, practices, or whatever, might all be true successors of or faithful to A. Hence, we should more accurately speak of 'a group or person which or who is a successor or faithful', not '*the* group or person which or who is the successor or faithful'. Or put it this way, neither B nor C might be more truly the successor of or faithful to A's practices and beliefs than the other. B's and C's beliefs and practices might be equally qualitatively similar to A's, although different from one another's.

From this point of view, often it will simply be a fact that a thinker or a group has no unique true successor, even if he or it has many of them. If the standard to be employed is degree of overall qualitative similarity of beliefs and practices, then there are many plausible examples of this: both the Roman Catholic and Greek Orthodox Churches were equally true successors to the early Church. Each interpreted a phrase about the relationship of the Godhead and Jesus differently, and subsequently evolved different practices (celibacy or not for the priesthood being an obvious example). They are both and equally true successors to the early Church, equally faithful in different ways to that earlier tradition.

Alas, given the way the world is, the logical point is unlikely to deflate the fighting, but that really is what the example is an example of: two later groups, both of which are, perhaps equally, similar or faithful to the beliefs and practices of A, yet dissimilar from another in crucial ways, even if neither of the successor groups is able to acknowledge this fact. Looked at in this way, wherein might disputes lie? Why might such disputes remain essentially contestable, as Gallie asserted? Why can't we just count the beliefs and practices of the earlier and later groups and

determine which of the latter ones has beliefs and practices more similar to the earlier and hence which is more faithful to the earlier, its true successor? And if they are equally similar, then they are equally faithful and equally a true successor. Wouldn't that end the dispute?

But all this is too simplistic. The idea of individuating and counting beliefs and practices of an individual-and moreover finding a similar total number of beliefs and practices in both persons and groups-is highly artificial. Further, not all beliefs and practices carry the same weight. Some beliefs are more central to a tradition than other beliefs and some practices more central than other practices. But if two persons or two groups do not agree about the relative weights of various beliefs and practices in assessing overall similarity, the idea that qualitative similarity even of centrally important beliefs and practices could work for settling questions of faithfulness and true succession fails. This is, in essence, the point Gallie makes in his (3) above. We are not likely to settle any disputes by the use of degree of qualitative similarity of centrally important beliefs and practices. The Divine Origin of the Pentateuch is a centrally important belief for Orthodox Jews; for non-Orthodox Jews, it is not centrally important at all.

I spoke earlier of needing two ideas in order to think through Gallie's examples, true succession and traditions. Thus far I have only spoken about true succession and degree of faithfulness. What now of traditions and how do these ideas interconnect? Traditions, let us suppose, start with some exemplar beliefs and practices of a person or group of people. (Real cases can be much more complicated than this but this is a good place to begin.) In Gallie's example, it was of course the exemplar team A. The relevant exemplar might be a person like Mohammed, and his writings, or the beliefs of the Gospels, or the beliefs and practices of early Athenian democracy.

Traditions embrace latter groups that are true successors of or faithful to an earlier group or exemplar. I think that this too is a potential, and additional, source of essential contestedness. The interesting cases are *not* those in which two later rival groups have

equally similar beliefs and practices to the exemplar, although different from one another. This was the sort of case I described above. In that case, the truth of the matter is just that the latter two groups or persons have equal entitlement to a claim to belong to the same tradition as the exemplar and their failure to recognise this is a problem for them but poses no interesting theoretical problem for us. Traditions can embrace two later groups that differ in this way.

The more interesting cases are ones in which there is an asymmetry: B's beliefs and practices overall are very similar to the exemplar A's, and much more similar to the exemplar A's than are C's. The more beliefs and practices two persons or groups have in common, the more similar overall their beliefs and practices would be and the clearer would be the case for placing them in the same tradition. So it is clear that A and B belong to a single continuous tradition. But what of C? Does C at t^* belong in the same tradition as A at t and B at t^* ? C claims that it does; B wishes to deny C's claim to co-membership of the same tradition to which it belongs.

I doubt whether anything useful can be said in a general way about just how qualitatively similar the beliefs and practices of the persons or groups must be, in order to count as sufficiently similar to entitle us to conclude that the persons or groups belong to the same tradition. Each tradition may set the limits of permissible variation for itself, so that the criteria for membership become internal. Moreover, these criteria may not be agreed between the two groups, each of which claims to belong to the same tradition. Each tradition may not speak with a single voice about the limits of permissible variation. Finally, the criteria are themselves susceptible to change over time, since the criteria are themselves only further beliefs of the groups.

I think we have the tools to restate what interested Gallie and which captures best the issues that he was addressing. In his case, the two later teams dispute which features are the centrally important features of how team A played the game, and so the dispute seems irresolvable because there is no agreement on degree of importance of features. But even

suppose that could be resolved, there are further difficulties. Suppose B and C could come to agree that B was more faithful to A's way of playing the game and was more truly A's successor than was C. But suppose both B and C still want to claim membership of the same game league ('they belong to the same game tradition'). That too may be further essentially contested without hope of resolution, because we have no clear criteria for deciding how similar the beliefs and practices of a temporal successor like B to an exemplar's must be, in order to count as belong to the same tradition.

If there is any vagueness, it is in not in the idea of a game or of Islam or of democracy, but in the idea of membership of a tradition itself. It is the vagueness of that idea that lies behind the endless social, religious, and political disputes in which Gallie was interested.

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