

Liberalism, Culture, and Contextual Meaning: A Critique of Kymlicka's Theory of Multiculturalism

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Abstract

Will Kymlicka is the most influential theorist of multiculturalism in the Anglophone world today. In this paper I will examine some of the implications of post-analytic philosophy of mind and language for his theory. Kymlicka's core argument for liberal multiculturalism relies on the way in which he sees culture as facilitating an individual's selection and pursuit of their ends by forming their context of meaningful choice. He does little, however, to flesh out the precise way in which culture makes choices meaningful, nor does he give a substantive account of his broader theory of meaning. Given his description of culture as providing a context of meaningful choice, the most obvious candidate for this theory of meaning is a contextualist position. I will examine how an account of meaning in human life and culture as ultimately contextual, whilst seeming initially to be the best fit for Kymlicka's theory of multiculturalism, both philosophically and in terms of providing a defense against the cosmopolitan critique of Waldron, is in fact deeply problematic in and of itself, and certainly incompatible with some of the most fundamental premises of his theory. I will suggest an alternative account of meaning and culture as derived from intentions and beliefs that could support a defense of a liberal multiculturalism on different grounds from Kymlicka, and which will stress the value to individuals of access to cultural diversity rather than the provision of cultural security.

1. Introduction

In this paper we will examine some of the implications of post-analytic philosophy of mind and language for liberal multiculturalism, focusing on the theory of its most prominent exponent, Will Kymlicka. I have chosen Kymlicka not simply because of the prominence and influence of his theory of multiculturalism, but also because his liberal defense of rights for minority cultures is largely based on the assumption that these cultures form the “context of choice” for their members which provides “meaningful options” as to how to live their lives, and thus must be protected if we are to facilitate the key liberal value of autonomy: “[p]ut simply, freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us.”¹ He therefore explicitly makes use of the concepts of meaning and context in his theory, with the structure of his argument relying heavily on them. Yet despite the key role they play, both the notions of context and meaning are completely under-theorized in his core work, *Multicultural Citizenship*. Whilst this would seem to be a concern in and of itself, it is particularly problematic given the cosmopolitan critique of his theory by Jeremy Waldron, which casts doubt on Kymlicka’s characterization of cultures as what I will call “contexts of meaningful choice”. We will start by giving a brief outline of the core parts of Kymlicka’s theory and the circumstances that gave rise to it, before sketching Waldron’s critique and the problems it poses. Waldron’s critique has bite, but a possible defense against it would be to flesh out

¹ See Will Kymlicka *Multicultural Citizenship* (Oxford: OUP 1995) p83 and 89. The extended passage on p83 makes it clear that Kymlicka’s conception can be usefully summed up by the phrase “context of meaningful choice”: “Put simply, freedom involves making choices amongst various options, and our societal culture not only provides these options, but also makes them meaningful to us.....People make choices about the social practices around them, based on their beliefs about the value of these practices (beliefs which, I have noted, may be wrong). And to have a belief about the value of a practice is, in the first instance, a matter of understanding the meanings attached to it by our culture.....I noted earlier that societal cultures involve 'a shared vocabulary of tradition and convention' which underlies a full range of social practices and institutions (Dworkin 1985: 231). To understand the meaning of a social practice, therefore, requires understanding this 'shared vocabulary'—that is, understanding the language and history which constitute that vocabulary. Whether or not a course of action has any significance for us depends on whether, and how, our language renders vivid to us the point of that activity. And the way in which language renders vivid these activities is shaped by our history, our 'traditions and conventions'. Understanding these cultural narratives is a precondition of making intelligent judgements about how to lead our lives. In this sense, our culture not only provides options, it also 'provides the spectacles through which we identify experiences as valuable' (Dworkin1985: 228).8”

the way in which cultures might operate as contexts of meaningful choice in terms of a contextual theory of meaning. Whilst Kymlicka does not make this move, it is *prima facie* a plausible one, and is not anticipated clearly by Waldron. We will therefore examine various philosophical strategies for defending contextual meaning, assessing whether any of them are viable positions for Kymlicka to utilize against Waldron. Ultimately we will see that these forms of contextual meaning are either unconvincing in and of themselves, or unavailable to Kymlicka within the context of his overall theory. I will then conclude by indicating how this critique of Kymlicka and contextual meaning might be transformed into an alternative account and defense of a form of liberal multiculturalism.

2. Kymlicka's Liberal Multiculturalism

Kymlicka's liberal multiculturalism arose in response to the debate between Rawls and the communitarians, and is best understood as an attempt to defuse that debate by adapting something like a Rawlsian liberalism to make it more amenable to communal attachments. One of the key communitarian claims is that our attachment to our community is at least partly constitutive of the self and thereby our final ends and values, which means we *need* our community because (in some sense) it is part of us. This also means that any attempt to offer an account of our ends (and perhaps morality more broadly) that is abstracted from the community is misguided. Thus communitarians often see our attachment to local groups, including cultural ones, as a valid and vital source of moral claims and duties, and see the recognition of these groups and their importance to their members as crucial. This communitarian attitude to minority cultural groups turns largely on arguments about the nature of the self and society, and flows out of a rejection of what they see as liberal "atomism" and a conception of the self as an abstracted entity which chooses its ends.² This means the communitarian position, or at

² Michael Sandel's *Liberalism and the Limits of Justice* (New York: CUP 1982) is perhaps the most famous example of this line of critique.

least a plausible variant of it, can be interpreted so as to advocate the protection of minority cultures in a given territory against the dominant culture, which would seem to lead to a degree of differential treatment of the minority culture and its members.

Whilst Kymlicka is not a strict Rawlsian, and therefore is not tied to Rawls' particular theoretical apparatus, he does share with Rawls both an account of the self as a "rational reviser" that can choose its ends and values, and Rawls' connected view that a crucial aspect of individual well-being stems from the process of choosing our (rights-respecting) plan of life. Unlike Rawls, however, Kymlicka's central argument emphasizes the importance of culture for individual choice, arguing that one's culture provides a context of choice that provides individuals with "meaningful options" as to how they should live their lives, and thus that a strong culture is a "precondition" of rational revision and thereby well-being.³ Hence, while Kymlicka shares with the communitarian defense of multiculturalism the view that the recognition of our cultural community is crucial to self-respect, he rejects the communitarian claim that our cultural attachments *constitute* the self and provide our unchosen ends and values in some way, instead defending special rights for those in minority cultures on the basis of the role of culture in providing those ends and values that are the subject of choice, and in making them "meaningful" to us. He therefore believes that being in a "weakened" culture has a negative impact on the individuals within that culture and their ability to choose and act on their plan of life.⁴ He argues that liberal egalitarianism requires that any cultural disadvantage be corrected for by "group-differentiated rights" ('GDRs') aimed at supporting the status, security and vitality of minority cultures, leading to something like equality of outcome in matters of culture, with equally healthy and vibrant cultures.

³ Will Kymlicka *Liberalism, Community, and Culture* (Oxford: OUP 1989) p165-6.

⁴ It is a little unclear precisely what Kymlicka thinks a "weak" as opposed to (presumably) "strong" culture is, but he clearly values cultural "security" and "vibrancy" and wishes the nature and status of the culture to be the result of the choices of its members not the choices of those in the majority culture.

Kymlicka therefore needs to be able to demonstrate, *inter alia*, two things in order for his theory to function. First, he must show that it is possible to pick out a particular culture which can act as a context of meaningful choice and which can plausibly be supported, and made equal to other cultures, by GDRS. Second, he must be able to locate individuals within that single cultural framework by showing that the context of meaningful choice for individuals is a single culture, and thus that this unequal and unchosen circumstance needs to be corrected for. These two points are essential for Kymlicka's argument, because without being able to pick out individual cultures and place individuals within them his argument provides no positive reasons for supposing that particular cultures are the contexts of meaningful for choice for individuals. It is only because Kymlicka sees culture as facilitating choice that he is able to make an instrumental argument for its support on the basis of its worth to individuals, and it is only because he sees individuals as situated in a single identifiable culture that he is able to advocate the support for particular cultures that produces equality of outcome in matters of culture. If we exist in more than one "culture", or it is impossible to satisfactorily individuate cultures, then we seem to lose both the key reason for wanting to equalize cultures via GDRs and the technical ability to do so.

Kymlicka focuses in his key work, *Multicultural Citizenship*, on what he calls "societal cultures", and this narrowing of focus from his early work can plausibly be seen as at least partly an attempt to meet the two requirements of his theory noted above. Kymlicka sees societal cultures as "typically" associated with national groups, and indicates that he will be focusing on the multiculturalism "which arises from national and ethnic differences",⁵ using the terms "nation", "people" and "culture" almost interchangeably to refer to "an intergenerational community, more or less institutionally complete,

⁵ See Kymlicka *Multicultural Citizenship* p18, but note this is not a race/descent criterion, although presumably it maps on to ethnicity, and he admits some groups will have "unjust" descent criteria (p22 to 23).

occupying a given territory or homeland, sharing a distinct language and history”.⁶ This excludes from Kymlicka’s definition of culture “non-ethnic social groups” and “lifestyle enclaves, social movements, and voluntary associations” such as homosexuals, atheists, or the working class.⁷ Kymlicka therefore deliberately defines societal cultures in heavily concrete and comprehensive terms; in order to qualify as a societal culture a minority culture must cover be close to a fully functioning and self-contained society that shares a common culture. As Kymlicka admits, this account is clearly biased to national (and frequently ethnic) groups who share a common language and geographical area.⁸ As should be obvious, the concept of “societal culture” helps with both the issue of the individuation of cultures and the location of individuals within them.⁹

Whatever Kymlicka’s motivation in focusing on societal cultures, for the concept of societal cultures to be justified within the context of his theory he must be able to show that it is only societal cultures that form the context of meaningful choice for individuals. Whilst Kymlicka does state that it is societal cultures that are “particularly relevant to individual freedom”,¹⁰ he gives little in the way of detailed argumentation as to *why* it is that societal cultures, and societal cultures only, provide a context of meaningful choice.¹¹ Kymlicka’s definition of societal cultures as contexts of meaningful choice has four

⁶ Kymlicka *Multicultural Citizenship* p11, 18, and 75 to 76. He amplifies this definition in Chapter 5 (p76), when he writes: “The sort of culture that I will focus on, however, is a societal culture—that is, a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres. These cultures tend to be territorially concentrated, and based on a shared language....I have called these 'societal cultures' to emphasize that they involve not just shared memories or values, but also common institutions and practices.....covering most areas of human activity.”

⁷ Kymlicka *Multicultural Citizenship* p18.

⁸ Kymlicka *Multicultural Citizenship* p18 to 19.

⁹ For example, the fact that societal cultures are essentially fully functioning and distinct societies means that individuals could plausibly be said to be located in only one societal culture at a time. Also, individuals may be part of multiple and overlapping groups and associations, but these are only part of the single societal culture of which they are a member, and therefore the problem of an unworkable proliferation of cultures does not appear to arise. Thus societal cultures are precisely the type of entities that could be granted the sorts of GDRs Kymlicka advocates (i.e. self-government, special representation, and “polyethnic” rights). Lastly, as societal cultures are essentially national or quasi-national groups that individuals are born into, they can be seen as the unchosen circumstances they are required to be by Kymlicka’s luck-egalitarian premises.

¹⁰ Kymlicka *Multicultural Citizenship* p75

¹¹ See for instance Kymlicka *Multicultural Citizenship* p82 to 86.

key aspects (institutional embodiment, the “encompassing” nature of societal cultures, the provision of “options” for living, and the capacity to provide “meaning” to these options) yet none of these, taken either singly or jointly, seem sufficient to prove his point as they do not clearly apply only to societal cultures.¹² Any attack that undermines Kymlicka’s key contention that it is individual *societal* cultures that form the context of meaningful choice for individuals located within them (such as Waldron’s) therefore has potentially devastating effects on Kymlicka’s argument. We shall therefore now turn to this critique.

3. Waldron’s Cosmopolitan Critique

One of the most notable critics of Kymlicka’s multiculturalism has been Jeremy Waldron, and the most famous articulation of that critique was set out in his article *Minority Cultures and the Cosmopolitan Alternative*.¹³ There are many aspects of this critique, but the crucial claim for our purposes is that our experience of (and location in) culture is itself a cosmopolitan one, characterized by a diversity of cultural material and degree of instability and flux, so that individuals participate in more than one cultural framework at any given time. Waldron’s version of the critique was aimed at *Liberalism, Community, and Culture* and Kymlicka responded to it in the more famous *Multicultural Citizenship*, and therefore Waldron does not refer explicitly to Kymlicka’s concept of societal cultures, which only appears in the latter work. Waldron effectively concedes, however, Kymlicka’s focus on societal cultures by focusing himself on national and ethnic (and sometimes religious) communities that share a common history, institutions, language and geographic area.¹⁴ Waldron’s central point of contention with

¹² See Sarah Song *Justice, Gender, and the Politics of Multiculturalism* (Cambridge: CUP 2007) Ch 2 generally and p23 (and note 16) in particular.

¹³ Jeremy Waldron *Minority Cultures and the Cosmopolitan Alternative* 25 U. Mich. J.L. Reform 751 (1991-1992) p751 to 793.

¹⁴ Early in the article he says he will pay “special attention” to these sorts of communities, which will act in his argument as a “counterpoint... to the cosmopolitan ideal” (p756), taking them as the a paradigmatic example of the type of cultures making claims for support via multicultural rights (see for instance, his talk of being “reared” in the same culture as our ancestors, on

Kymlicka is thus not the types of cultures he focuses on but rather whether or not individuals exist in more than one of these cultures at any one time.

Whilst Waldron seems to concede that the different values, ends and ways of living that Kymlicka's rational revisers choose between are made "meaningful" by culture,¹⁵ he disputes that individuals need to exist in a single cultural framework that provides meaningful options, arguing that:

"it does not follow that there must be one cultural framework in which each available option is assigned a meaning.....[m]eaningful options may come to us as items or fragments from a variety of cultural sources...[which] shows the importance of access to a variety of stories and roles; but it does not, as he claims, show the importance of *membership* in a [particular] culture."¹⁶

Instead Waldron posits that individuals can (and often do) live in a "kaleidoscope of cultures" composed of different "cultural fragments" and so they are not rooted in the "particular culture in which they and their ancestors were reared".¹⁷ He concludes that individuals "need to understand our choices in the contexts in which they make sense, but we do not need any single [cultural] context to structure all our choices"¹⁸ and therefore that, whilst we may want our culture, it is not "a necessary presupposition of rational and meaningful choice".¹⁹ He illustrates this contention using the example of an Irish-American who reads her child *Grimm's Fairy-Tales*, learns Spanish, listens to Verdi and eats Chinese food, with the

p762). He also returns again and again to the example of indigenous peoples (see for instance p763, p779-80). Also, the sources of all the "cultural materials" (p784-85) that Waldron uses to illustrate the crux of his argument are themselves societal cultures: for example p754 where Waldron describes a cosmopolitan as being a San Franciscan of Irish ancestry who "learns Spanish, eats Chinese, wears clothes made in Korea, listens to arias by Verdi sung by a Maori princess on Japanese equipment, follows Ukrainian politics and practices Buddhist meditation techniques". And again, at p756, all the examples (Rome, Germany and First-Century Palestine) are drawn from societal cultures. Although he makes brief references to the sorts of non-national/ethnic "sub-cultures" we met in the previous section, these are clearly not the focus of his critique, nor is he arguing that Kymlicka's theory is flawed because these sorts of sub-cultures should count as minority cultures.

¹⁵ Kymlicka *Multicultural Citizenship* and p102 Waldron *Minority Cultures and the Cosmopolitan Alternative* p783 to 784.

¹⁶ Waldron *Minority Cultures and the Cosmopolitan Alternative* p783 to 784.

¹⁷ Waldron *Minority Cultures and the Cosmopolitan Alternative* at p762 and p783.

¹⁸ Kymlicka *Multicultural Citizenship* p85 and p102 and Waldron *Minority Cultures and the Cosmopolitan Alternative* p762, pp783-84 and p786.

¹⁹ Waldron *Minority Cultures and the Cosmopolitan Alternative* p786.

clear implication that Waldron considers her to be participating in Irish, American, German, Italian and Chinese culture when she does so.²⁰

This “cosmopolitan” account of moving between and within a variety of cultures leads Waldron to conclude that it is not possible to individuate societal cultures in the way Kymlicka supposes.²¹ This is partly because of the constant overlap and exchange between them, and partly because to insist that all the cultural fragments of different provenance are in fact “part of the same matrix” just because they are “available” to individuals in some sense “would trivialize the individuation of cultures”.²² In other words, Waldron believes it would require the proposition that simply knowing about a cultural fragment would make it part of an individual’s culture, and therefore we would end up with the odd-sounding conclusion that each individual has their own “culture”.²³

Thus Waldron directly attacks Kymlicka’s crucial claims that individuals exist in a single societal culture as their context of meaningful choice, casting doubt on our ability to even identify separate cultures with confidence in a non-trivial fashion. Waldron potentially undercuts any claim that we *need* our particular societal culture as a context of meaningful choice, leaving any defensible right to culture as something more like a traditional right to non-interference, such as freedom of religion, rather than Kymlicka’s right to positive support.²⁴ As we have seen, Kymlicka’s argument presupposes that individuals are situated in a single, unchosen, identifiable and distinct societal culture which forms their context of meaningful choice, and that these cultures can feasibly be allocated GDRs to the degree necessary to equalize cultures as contexts of choice. If Waldron is correct, then these assumptions appear to be untenable, and there seems to be no reason for advocating GDRs for minority cultures on

²⁰ Waldron *Minority Cultures and the Cosmopolitan Alternative* p754.

²¹ See *Multicultural Citizenship* p101 for Kymlicka’s admission that he assumes this, and Waldron *Minority Cultures and the Cosmopolitan Alternative* pp783 to 785.

²² Waldron *Minority Cultures and the Cosmopolitan Alternative* pp784 to 785 and Kymlicka *Multicultural Citizenship* p102.

²³ Waldron *Minority Cultures and the Cosmopolitan Alternative* pp784 to 785 and Kymlicka *Multicultural Citizenship* p102.

²⁴ Waldron *Minority Cultures and the Cosmopolitan Alternative* p762-633, and p785 to 786.

the basis of Kymlicka's core argument. Whilst Kymlicka does address Waldron directly on these points his replies seem unconvincing and, in any event, we shall assume they are in order to examine what seems a plausible move Kymlicka could make following Waldron's critique, which would be to focus on culture as the context of *meaningful* choice, and to try and defend a conception of meaning that would suffice to locate individuals within a single societal culture.²⁵

4. Cultural Meaning as Contextual

The possible response to Waldron's critique we will consider are the related claims that meaning is contextual, that the manner in which human beings understand things as culturally meaningful is dependent on the entirety of their current cultural framework, and therefore that Waldron's isolated cultural fragments must derive their meaning from the societal culture they are located in, not the culture in which they arose. If true, this could rescue Kymlicka's claim that our individual societal culture is our context of *meaningful* choice and thereby his theory of multiculturalism. Whilst Kymlicka does not explicitly respond to Waldron in this way, it is a plausible response, and one which would seem to be consistent with (or perhaps even follow from) Kymlicka's premises. This defense therefore turns on the nature of meaning, and the precise way our individual culture acts as a meaningful context of choice.

²⁵ The crux of Kymlicka's response to Waldron is to assert that what Waldron sees as the individual existing in a variety of cultural frameworks is in fact an individual living in a single diverse cultural framework. Kymlicka responds to Waldron in *Multicultural Citizenship* by arguing that the different cultural elements Waldron cites in his example, even though they originated in different cultures, are now all part of the single, albeit diverse, societal culture of the United States, and therefore individuals do not move between cultures in the way Waldron suggests. He argues that Grimm's Fairy-Tales are part of our culture because they have been translated into English and widely distributed in English (p103) and are therefore "available" to us in some way, and concludes that examples of learning or borrowing from other cultures and languages is not the same thing as belonging to those cultures or speaking those languages. Kymlicka therefore seems to believe that concrete "options" are only available if they are socially embodied in practices and institutions, but that other cultural materials such as the "stories" from Grimm's can be available if they are simply known about. However, in stating that examples such as those provided by Grimm's Fairy Tales are not examples from a different societal culture, but rather are part of our societal culture once they are translated, he seems to trivialize the idea of our own, distinct culture, to the point of meaninglessness in precisely the way Waldron suggests.

In fact, Waldron seems to anticipate this type of response, noting that:

“[s]omeone may object to the picture of cultural heterogeneity I am painting [by saying]: ‘Doesn’t each item take its full character from the integrity of the surrounding cultural context, so that it is a distortion to isolate it from that cultural context and juxtapose it with disparate materials?’”²⁶

Nevertheless, whilst he anticipates the possible reply by Kymlicka, Waldron does not deal with it properly. He argues that whilst we could take an “anthropological” approach, and attempt to understand these cultural “fragments” on their original terms, this is an “absurd” account of how these cultural materials actually enter the lives of individuals, “as more or less meaningful fragments, images, and snatches of stories” which have been “misread and misinterpreted”, and therefore “[s]ince this is in fact is the way in which cultural meanings enter into people’s lives...[it] is at least as authentic as Kymlicka’s insistence on the purity of a particular cultural heritage”.²⁷ This response from Waldron is somewhat surprising, given that his position is that simple knowledge of material from other cultures is not enough to make them part of our societal culture, yet he also maintains that they come with “culturally defined meanings”.²⁸ If these culturally defined meanings are not from the original culture then surely they must be from the recipient culture, or at least the recipient culture as enriched in some way by the new example, but that would be to concede the point in a way that protects Kymlicka from his critique. Waldron’s reply to this counter-argument is therefore somewhat puzzling. Perhaps this move by Waldron is motivated by his desire to undercut any idea of cultural “authenticity” and offer a more cosmopolitan account of culture instead, but nevertheless it seems at odds with some of his other commitments regarding cultural meaning. We will therefore ignore Waldron’s treatment of the issue

²⁶ Waldron *Minority Cultures and the Cosmopolitan Alternative* p785.

²⁷ Waldron *Minority Cultures and the Cosmopolitan Alternative* p785.

²⁸ Waldron *Minority Cultures and the Cosmopolitan Alternative* p783

and undertake a full examination of it, disputing the point that Waldron accepts, which is that “[o]f course, choice takes place in a cultural context, among options that have culturally defined meanings”.²⁹

What I am calling a “contextualist” view of meaning has been expressed in a number of different ways and defended on a variety of philosophical bases. Nevertheless, there are some common commitments and ideas. The core idea is that understanding meaningful productions in human life is dependent on understanding the relevant context. Most frequently this is understood to be the linguistic context, although for our purposes we are also thinking of the cultural context, which is itself no doubt partly made up of the linguistic context. A contextualist account of cultural meaning is parallel to a contextualist account of linguistic meaning in many ways because they are both social expressions of meaningful human activity. As language is the primary medium for the expression of human meaning, if we are unable to establish a contextualist account of language, that would seem to cast doubt on the possibility of a broader understanding of cultural meaning as contextual. Also, a claim that cultural meaning is contextual is, if anything, a more wide-reaching claim than a linguistic contextualism, and we will see that culture, and Kymlicka’s particular conception of culture, pose particular problems for a contextualist account.

Whether we are dealing with the quasi-structuralism of someone like J.G.A. Pocock, a conventionalist account of the intended and actual “illocutionary force” of particular expressions of meaning such as Quentin Skinner’s, Kuhn’s account of paradigm shifts in the history of science, or the externalist occasionalism of Tyler Burge, the central claim that is relevant to us stays approximately the same: the conventional socio-linguistic framework in some sense determines the meaning of particular utterances or practices, rather than the intentions of those making the utterances or participating in the practices, or the understandings of those who are listening to the utterances or observing the practices. This

²⁹ Waldron *Minority Cultures and the Cosmopolitan Alternative* p783.

would seem to be equivalent to the claim that the meaning of a cultural “fragment” depends on the cultural framework of meaning in which it is situated, so moving it into another cultural framework will inevitably change its meaning, which will then be derived from the meanings embodied in the second cultural framework. For brevity’s sake we will refer to all these sort of arguments as “contextualism”. We will start by setting out an example which seems to indicate that meaning is derived from the intentions of actors not from the linguistic context, and then examine and critique possible replies by the contextualist, exploring how these relate to Kymlicka’s theory. I will conclude by setting how an “intentionalist” account of meaning might provide an alternative liberal approach to multiculturalism.

5. Intentions and Context

The key contention I will defend is that linguistic (or cultural) context does not determine meaning but rather that meaning is the result of the intentions of actors. A mistake that is common between the arguments for contextual meaning is to confuse the standard meaning of an utterance abstracted from its particular context with the actual meaning of a particular utterance in its context. A useful example of this cited by Mark Bevir in his *The Logic of the History of Ideas* is Mrs Malaprop’s famous line from Sheridan’s *The Rivals*, where she defends her use of English by saying that she is able to present “a nice derangement of epitaphs”.³⁰ What she means, of course, is “a nice arrangement of epithets”, which is the entire point of the joke. The linguistic meaning of “a nice derangement of epitaphs” is, however, “a nice derangement of epitaphs”, not “a nice arrangement of epithets”. Thus the linguistic meaning and what Mrs Malaprop means differ, and the latter can only be understood by reference to her intentions. The conventional linguistic meaning is therefore not always sufficient to fix the meaning. In fact, as

³⁰ Mark Bevir *The Logic of the History of Ideas* (Cambridge: CUP 1999) p45 to 46.

Bevir points out, one would not even need to know what an epitaph was in order to understand what Mrs Malaprop meant, provided one knew what an epithet was.³¹

A plausible contextualist response to the above example would be to argue that whilst the meaning of Mrs Malaprop's utterance "a nice derangement of epitaphs" is clearly "a nice arrangement of epithets", the fact that we understand it to be so is due to the details of the occasion on which it was used, and thus the meaning is still contextual in some sense. Mrs Malaprop is having a conversation with Captain Absolute, during which it is related that a third party has accused her of using words she doesn't understand, at which point she asserts to the contrary that she can make "a nice derangement of epitaphs". Thus one could argue that it is the broader linguistic context and the occasion of her utterance that makes it intelligible; it is because someone else has previously used words conventionally on a particular occasion that we are able to grasp her deviation from linguistic meaning. Therefore the meaning of her utterance is still contextual.

It is possible, however, to design a set of circumstances in which the broader linguistic context and particular occasion does not enable us to decipher meaning in this way because on some occasions the linguistically correct use of a word or phrase cannot be used to fix the meaning of a particular use of it. The word bat, for instance, can refer to a wooden object generally used to hit balls or to a small flying mammal, but generally not to both at the same time. The linguistic meaning of "bat" is one of two alternatives, and thus cannot be used by itself to fix the meaning of this particular utterance. Whilst the occasion of the use of the word bat will normally enable us to determine which referent is intended, this is not always the case; if you are in a room with one other person and nothing else but a wooden cylindrical object and a small flying mammal, and you are told by that person to "pick up the bat", there is no way of telling conclusively from the linguistic context or the occasion which object is being referred

³¹ Bevir *The Logic of the History of Ideas* p45.

to. The fact that linguistic contexts and occasions can sometimes be a reliable guide to the meaning intended by an individual making an utterance does not require that the meaning intended by the speaker is entirely derived from or dependent upon the linguistic context or occasion. To understand what was meant, we must understand the intentions of the speaker. If we are to reject the idea that the meaning of “bat” is derived in this instance from the intentions of the speaker, we would also seem to be committed to the position that the speaker did not in fact mean either object, that her utterance is either meaningless or that the meaning is indeterminate. Both of these seem implausible, as the speaker was clearly asking us to pick up one of the two objects. The meaning of the utterance still seems to come from intentions not context.

The import of the example we examined earlier should be now clear. When we acknowledge Mrs Malaprop *said* “a nice derangement of epitaphs” but *meant* “a nice arrangement of epithets” we assume that what she means has to do with what she intends to communicate, which is not identical with the conventional linguistic meaning of the words she actually says. Bevir would therefore seem to be correct to state that “[w]hen we say something, we normally assume we are communicating our thoughts” and that we normally assume the same thing of other people.³² This “hermeneutic” meaning of the sentence stems from her intentions, not its form, and without an understanding of her intentions will we will not understand what the sentence means.³³ We shall call this view “intentionalism”. Intentionalism can also be extended beyond the author by arguing that intentional meanings are not just for derived from the intentions of those who make utterances or participate in practices, but also

³² Bevir *The Logic of the History of Ideas* p32.

³³ This idea can, like most things, be taken too far: the meaning of an utterance cannot be absolutely fixed by the prior conscious intentions of the speaker/writer, as the relationship of prior intentions to actual meaning is only contingent. This is why Bevir defends “weak” intentionalism, which equates “authorial intentions with the [final] meaning an utterance has for its author rather than the prior purpose of its author”, and which includes unconscious and preconscious intentions as well as conscious ones (Bevir *The Logic of the History of Ideas* p62). Bevir also extends his weak intentionalism beyond the author by arguing that meanings can be meanings for the speaker/writer or for the listener/reader (Bevir *The Logic of the History of Ideas* p71ff).

for those who listen to these utterances or observe these practices,³⁴ although, as Bevir points out, we can only recover the meaning for the listener/observer in so far as they communicate their thoughts about it through further meaningful expressions.³⁵ Thus it seems that not only is meaning intentional, it depends on the intentions of all individuals who are party to an act of meaningful expression, and is therefore potentially subject to creativity from all sides.

A plausible response from the contextualist would be to argue that the intentional state of the speaker, whilst sometimes necessary for understanding the meaning of an utterance, is in fact ultimately derived from, or conditioned by, the broader context. In other words, intentional meanings are the result of the context, and the context is not just the immediate linguistic context or the salient details of the occasion on which the utterance is made, but the entirety of the speaker's relevant context. Thus the linguistic meaning and the occasion of an utterance must be set against the background of a wider framework of meaning, and this framework of meaning as the relevant context enters into the occasion and linguistic context, ultimately influencing the intentions of the speaker and therefore the meaning of an utterance. Thus the contextualist can admit that we may need to recover the intentions of the speaker in order to understand the meaning of an utterance but still maintain that ultimately meaning is contextual not intentional, as it is the context that gives form and meaning to the intentions, even if it does not determine mind *per se*. For Kymlicka, the relevant context is culture, and he would have to hold that the cultural context enters into the understanding of the occasion by the speaker and thence into her intentional meaning, which entails that these meanings are ultimately derived from the cultural context.

I will suggest three intentionalist responses to this sort of move by the contextualist. The first is to argue that whilst the broader socio-linguistic occasion of an utterance is relevant to the formation and recovery of intentional meaning, the relevant occasion is the "subjective" one, the occasion as

³⁴ Bevir *The Logic of the History of Ideas* p71 to 72.

³⁵ Bevir *The Logic of the History of Ideas* p72 to 73.

understood and perceived by the speaker, not the “objective” one, that exists in a particular form independently of the speaker. The second is to argue that since the wider context affects intentions through the “subjective occasion” we have no reason to suppose that the relevant context for determining meaning is the cultural one unless we were to define cultural context in a way that it becomes incompatible with the role it must play in Kymlicka’s theory. The third is to argue that even if we were to allow that we could clearly delineate the broader cultural context and locate the individual within it, the claim that this context determines intentional meanings would seem to rule out the possibility of linguistic or cultural change, which is an unsustainable claim.

6. Objective and Subjective Occasions

Whilst the broader occasion on which an utterance is made may have an effect on the intentions of the speaker, and thus on meaning, it does not necessarily follow from this that meaning is ultimately contextual. The reasons for this are two-fold.

First, the crucial form of the occasion for understanding the intentional meanings of the speaker is the occasion as perceived and understood by the speaker (what I will call the “subjective occasion”), not the features of the occasion that pertain to the utterance yet subsist independently of the subjective mental state of the speaker (what I will call the “objective occasion”). This entails a rejection of the externalism of thinkers such as Hilary Putnam and Tyler Burge, who claim that facts about the world independent of the mind of the speaker can in some circumstances be said to fix or even constitute the content of the intentional state and utterances of that speaker.

Second, the fact that the subjective occasion is strongly connected to intentional meaning does not commit us to a contextual account of meaning. In so far as it does, the account of contextual meaning

either becomes indistinguishable from intentionalism, and thus not truly “contextual” in key ways, or collapses Kymlicka’s position back into Waldron’s “one-person one-culture” critique.

The “Objective” Occasion and Externalism

The first point leads us to the internalism/externalism debate in the philosophy of mind and language, which is extraordinarily wide-ranging and complex, and a proper account of it and all the issues it touches on is impossible here. Instead we will focus the aspects of it crucial for an assessment of theories of contextual meaning and their potential to rescue Kymlicka’s theory of multiculturalism from Waldron’s critique. These aspects revolve around the issue of the relation of the particular belief states and meaningful utterances of individuals to factors external to the individual, such as the physical environment and the socio-linguistic context. Externalism has become something of an orthodoxy in recent years, and would seem to offer the most philosophically robust defense of the contextualist position.³⁶ We will proceed by defining our terms and then examining one of the most prominent arguments put forward in support of externalism, the Twin-Earth thought experiment of Tyler Burge.³⁷

For our purposes, internalism is the position, related (but not identical) to Cartesianism, that the contents of intentional states and meaningful utterances can be individuated, that is (approximately speaking) identified and understood, solely by reference to the person concerned. In other words, that particular intentional states and meaningful utterances depend only on the mind of the specific individual who gives rise to them. In contrast, externalists hold that intentional states and meaningful utterances cannot be individuated and understood solely by reference to the individual who holds or uttered them, but rather fundamentally depend on factors external to the individual’s mind. Externalism thus construed should not be confused with the banal observations that languages are

³⁶ See the *Stanford Encyclopedia of Philosophy* entry <http://plato.stanford.edu/entries/content-externalism/> recalled 04/10/14.

³⁷ Tyler Burge *Individualism and the Mental* in *Midwest Studies In Philosophy*, 4: 73–121 (1979)

communal constructs and therefore part of the social world, and that factors external to the individual may precipitate particular thoughts, beliefs, actions and utterances. Rather externalism is the more dramatic claim that factors about the external world in fact *constitute* the content and meaning of the beliefs and utterances of individuals in such a way that, to use Putnam's phrase, "'meaning' just ain't in the head".³⁸ The contrast will become clearer when we examine the thought experiments.

The original "Twin Earth" thought experiment of Hilary Putnam, which revolves around the use of the term "water" by identical subjects on alternate Earths where the chemical composition of water is the only difference, is not directly relevant for our examination of culture and contextual meaning.³⁹ This is

³⁸ Hilary Putnam *The meaning of 'meaning'* in Minnesota Studies in the Philosophy of Science 7:131-193 (1975) p144.

³⁹ Putnam's famous Twin-Earth thought experiment forms the basis of Burge's later work and thus provides a useful start point. The purported force of the thought experiment comes, however, from the way it plays upon longstanding philosophical commitments (and, he claims, "common sense" linguistic intuitions (Putnam *The meaning of 'meaning'* p190) related to "sense and reference", or "intension and extension" (he appears to use the pair of terms interchangeably), and how these relate to meaning, which therefore need to be examined before setting out the thought experiment. Prior to Putnam's article it was generally held (following Descartes and Frege) that the sense/intension of a word or utterance is, loosely speaking, the content of the concept what is communicated by it, and the reference/extension is the class of things that the term properly applies to. Thus standard philosophical accounts of meaning would tend to say that "in one sense" meaning meant sense/intension (i.e. the content of the concept, what we would colloquially call "meaning"), and in "the other sense" it meant reference/extension (i.e. the thing referred to) (Putnam *The meaning of 'meaning'* p134). These standard accounts came with two associated commitments: (a) that concepts are grasped mentally and internally and therefore it is the particular mental state of an individual that determines sense/intension, so that "knowing the meaning [sense/intension] of a term is just a matter of being in a certain psychological state" (Putnam *The meaning of 'meaning'* p135); and (b) a statement/proposition could have the same reference/extension but a different sense/intension (e.g. "creature with a heart" vs "creature with a kidney"), but the reverse was not true, and so a statement/proposition could not have the same sense/intension but different referents/extension (i.e. sense determines reference). Putnam's thought experiment challenges a dual commitment to (a) and (b) above. He posited two parallel worlds (Earth and Twin-Earth) where the only difference is that water, which has the same superficial properties (e.g. it looks and tastes the same, and boils and freezes in the same way at the same temperatures etc) and thus plays the same role on both worlds, has a different chemical composition (H₂O on Earth and XYZ on Twin-Earth). He then posits two identical people, let us call them person "P" on Earth and twin-person "TP" on twin Earth, who are identical in all physical and mental respects. Their only difference is which version of Earth they are located on. Putnam then argues that when the identical P and TP make the identical statement "water is wet", which would seem to express identical beliefs, the meanings of their utterances are in fact not identical due to the fact that they refer to two different substances, H₂O and XYZ respectively. He maintains this is the case whether or not P and TP exist in societies with the technology to differentiate between H₂O and XYZ at a molecular level. Thus Putnam's thought-experiment purports to show that one cannot always hold both propositions (a) and (b) above: P and TP are in identical psychological states when they make the utterance "water is wet" and so the utterances should have the same intension, yet "water" refers to two different things and therefore these identical psychological states and intension do not seem to determine the extension. Therefore meaning in the sense of intension is either not a matter of being in a particular psychological state or it does not determine extension. Putnam decides to give up on the first proposition and retain the second, arguing that meaning determines extension but "the psychological state of the

because Putnam focuses purely on terms he deems “natural kinds” such as water, gold, and aluminum⁴⁰ and on the truth conditions in the physical world for linguistic propositions containing them, whereas we are concerned more with terms that refer to the objects or practices that we would typically find in a culture, which are themselves often socially constructed, and on the way in which these objects and practices are part of the meaningful intentional states of individuals. Tyler Burge, however, extends Putnam’s narrow version of externalism into a “social-externalism” that affects the use of all terms within a socio-linguistic community, claiming that they permeate completely an individual’s intentional state and utterances in such a way that they can be said to be constituted by the norms of their social environment. It seems clear, therefore, that if we are to use externalism in Kymlicka’s defense to show that intentional meanings are ultimately derived from cultural norms, it must be externalism of the Burgean variety.

Burge’s thought experiment is also a Twin Earth experiment, looking at two patients (let us say “P” and “TP”) who believe they have arthritis in their thigh and therefore go to their Doctor. P has a number of correct beliefs about arthritis, but has the mistaken belief that he has arthritis in his thigh bone. This belief is mistaken because in P’s linguistic community (which is the same as ours) arthritis can only occur in the joints, not in bones. When P states “I have arthritis in my thigh” he is corrected by the Doctor who states that he cannot have arthritis in his thigh because arthritis is a rheumatoid disease that affects only the joints and not the bones, and P accepts the correction. TP is identical to P in all

individual does not determine ‘what he means’’. In other words, for Putnam whilst P and TP are identical they mean different things when they refer to water and the extension of their utterances is different – meaning still determines reference. Thus Putnam’s version of externalism holds that intentional states and meaningful utterances cannot always be individuated and understood solely by reference to the individual who holds or uttered them, but rather can depend in a constitutive sense on factors external to the individual’s mind; in this case the meaning of the term “water” depends on the actual chemical microstructure on Earth and Twin-Earth, whether P and TP are aware of the differences in microstructure or not.

⁴⁰ I.e. terms which refer to objects that have unique physical microstructures, and therefore the similarity of objects made of gold does not seem to rely on human beings for that similarity, which would exist whether or not humans were here to observe them or group them together.

respects, the key one being he also thinks he has arthritis in his thigh. However, in his linguistic community “arthritis” includes rheumatoid diseases of the bones as well as the joints, so when he states “I have arthritis in my thigh”, the Doctor doesn’t correct him. As P and TP are physically and psychologically identical, the only relevant difference between them is the way that “arthritis” is used in their linguistic communities, which means P is wrong about its use, and TP is right. Burge concludes from this that, despite the fact that P and TP are internally indistinguishable in all respects, we are justified in attributing different concepts to them because of the different extensions of the concept arthritis as arbitrated by their linguistic communities. In other words, Burge thinks that TP does not possess P’s/our concept of arthritis but instead possesses a different concept (say “tharthritis”), but that P does possess our concept of arthritis but simply misapplies it in this case.⁴¹ Thus different social norms determine the content of identical individual intentional states and thereby meaning.

Burge acknowledges that this involves attributing “beliefs and thoughts to people even where they incompletely understand [the] contents of those very beliefs and thoughts”, arguing that this sort of “literal” interpretation is justified “wherever the subject has attained a certain competence in large relevant parts of his language and has (implicitly) assumed a certain general commitment or responsibility to the communal conventions governing the language’s symbols”.⁴² He supports his contention by pointing out that the literal interpretation fulfills a key social function in providing information about what people think and intend, and thus is “essential” for much explanation and prediction and also for “fulfilling many of our cooperative enterprises”.⁴³ He therefore ultimately concludes that propositional attitudes “depend partly for their content on social factors independent of

⁴¹ Tyler Burge *Individualism and the Mental* p78-79.

⁴² See Tyler Burge *Individualism and the Mental* p114, although he admits “specifying the conditions under which a person has the relevant general competence in a language and a responsibility to its conventions is obviously complicated” and that in some instances the individual may “fashion his own usage with regard to particular words”

⁴³ Tyler Burge *Individualism and the Mental* p116.

the individual”, which is a conclusion that could clearly be used as a “contextual” account of meaning in defense of Kymlicka’s theory of multiculturalism.⁴⁴

Burge’s thought experiment, however, does not conclusively prove his social externalism. The reason for this, as both Bevir and Tim Crane point out in slightly different ways, is that there is often a distinction between the “public” linguistic meaning of a word and the concept a user of the language intends to express via that word, and therefore in some instances (a la Mrs Malaprop) the speaker will say one thing, but *mean* another.⁴⁵ If this is correct, the literal interpretation of the speaker’s words should not be attributed to them, but rather a “private” concept that is deviant from standard linguistic usage. In this instance, the move would be to say that whilst both P and TP share a concept with the same extension, namely tharthritis (a rheumatoid disease that affects both the joints and the bones), as well as sharing the belief that the correct term to refer to such a concept is “arthritis”, the difference is just that P is wrong about the technically correct use of the term and TP is right. We would thus attribute to P the dual beliefs that, (a) “I have the disease tharthritis in my thigh”, and (b) “Arthritis is the correct word to express this belief about the perceived disease in my thigh”, which lead him to make the linguistically false statement “I have arthritis in my thigh”. Burge anticipates this move, but maintains that there is a strong presumption on the facts of his thought experiment (and in general) for making the literal attribution. This is incorrect, as the way Burge has designed his thought experiment seems not only to make it possible that both P and TP have the concept tharthritis, but actually probable that they do. This follows from two things.

First, as Crane points out, it is impossible to use words to express first order beliefs without also having second order beliefs about the meaning of the terms used to express those first order beliefs: in order

⁴⁴ Tyler Burge *Individualism and the Mental* p85.

⁴⁵ See Bevir *The Logic of the History of Ideas* p62-67 and Tim Crane *All The Difference in the World* in *The Philosophical Quarterly*, Vol. 41, No. 162 (Jan., 1991), pp. 1-25.

to express the belief “I have arthritis in my thigh” I need to have a belief that I have a disease in my thigh and that the term “arthritis” is the correct term to use to refer to it. Burge’s rejection of this “metalinguistic” move as one that would only be made by those with philosophical training as part of “rearguard defenses of a vastly overextended model” is deeply unconvincing; to use a word to express a concept necessitates having a belief that the standard use of that term communicates that concept.⁴⁶

Second, Burge’s argument relies on the fact that P has incomplete understanding of the concept “arthritis” due to a lack of mastery of the relevant term, yet this seems to provide good reason for attributing the dual beliefs rather than the concept in its entirety. This incomplete understanding typically occurs in cases of technical terms which experts understand completely but layman do not, what Putnam calls a consequence of the “division of linguistic labor”.⁴⁷ (As Burge points out, “scientific” terms (in which it seems fair to include medical ones) are particularly prone to such misuse.⁴⁸) An incomplete understanding by P of arthritis (and thus something like the division of linguistic labor) is therefore *necessary* for Burge to be able to read the “literal” (i.e. technically correct) socio-linguistic concept back into the content of P’s intentional state. The problem for Burge is that in order for his thought experiment to get off the ground on the facts, both P and TP have to be placed on the non-expert side of the of the division of linguistic labor; if they were both Doctors they would fully understand the concept of arthritis and its use as a term, and thus P could not make his mistake, which is necessary for the thought experiment to go through.⁴⁹ The fact that P is a layman and therefore doesn’t fully understand the concept of arthritis and the correct use of the term seems, however, to be

⁴⁶ Tyler Burge *Individualism and the Mental* p105.

⁴⁷ Tyler Burge *Individualism and the Mental* p117 Note 2 and p80. The idea of a division of linguistic labor is that the meaning of some terms in a language, particularly technical ones normally used by “specialists” are used non non-specialists in ways that are inaccurate, as the specialists fully understand the terms whilst the layman do not. The term was coined by Putnam in his article *supra*.

⁴⁸ Tyler Burge *Individualism and the Mental* p80.

⁴⁹ Tyler Burge *Individualism and the Mental* p78.

a good reason to attribute to P the dual beliefs that Crane supposes: P clearly has beliefs about rheumatoid diseases and his thigh, he must have a belief that arthritis is the correct term, yet it would seem fair to assume that he is also aware that he is not an expert on rheumatoid diseases and the use of the term arthritis. That must be part of the reason that he goes to see his Doctor, who is, *inter alia*, arbiter of the correct use of the term arthritis, and part of the reason he accepts the correction of his use of the term. There is no reason on the facts as presented by Burge to assume, as he does, that P accepts the Doctor's correction as one of usage *and* belief, rather than one simply of usage.⁵⁰ In any event, as Crane points out, until P has acquired the correct linguistic usage there is no reason to suppose he can discriminate between the concepts of arthritis and tharthritis and therefore no reason to attribute the narrower concept to him.⁵¹

It would therefore seem to be plausible to attribute further intentional content to P, which is that he is aware that he *thinks* he has a rheumatoid disease in his thigh properly called "arthritis", but that he doesn't *know* that to be so.⁵² If P is aware that he doesn't *know* he has arthritis in his thigh, it seems plausible (perhaps even necessary) to attribute the dual beliefs proposed by Crane, which undercut the thought experiment.⁵³ Thus we see that Burge's specification that P picks up "the word 'arthritis' from

⁵⁰ Tyler Burge *Individualism and the Mental* p101.

⁵¹ Crane *supra* p19.

⁵² That P self-consciously "thinks" but doesn't "know" seems to follow whether you use "know" in a philosophical sense to indicate belief + truth of belief (the way Burge seems to use it elsewhere in the article), or in a more colloquial sense to indicate an epistemically warranted belief (i.e. belief + having checked that belief in a manner and to a degree that one has no good reason to doubt that it is correct); if P knew in the first sense he would know he didn't have arthritis, and if he knew in the second sense he would have had to already have had confirmation of his beliefs from his Doctor or looked up the term arthritis in the dictionary, in which case he'd also know he didn't have arthritis. Burge argues that "knowledge" relies on the world actually being the way the person thinks it is i.e. the "truth value of the content" of a propositional attitude relies on the environment. Therefore if you change the environment in a relevant way "the subject could no longer be said to know the content" (see Tyler Burge *Individualism and the Mental* p85-86). (Presumably he means "to be true".) Therefore Burge thinks knowledge = belief + truth of belief.

⁵³ In fact, the same must be true of TP: he thinks he has tharthritis in his thigh and that the term arthritis is the correct one to refer to that, but he can't know that he is right in second sense of "know" because to do so he would have had to render himself an "expert" on the term/concept of arthritis on Twin-Earth as a matter of fact, thus placing himself on the other side of the division of linguistic labor from P, undercutting the identity with P necessary for the thought experiment. Of course TP

casual conversation or reading” and never hears “anything to prejudice him for or against applying it the way he does” is a necessary part of the thought experiment, and one which seems to open Burge up to precisely the sort of objection we are considering.⁵⁴ P’s acceptance of the Doctor’s correction, as someone who is specified to be “competent in English, rational and intelligent”, seems actually to add weight to the supposition that he was not completely sure of the accuracy of his use of the term arthritis, making the attribution of Crane’s dual beliefs convincing.⁵⁵

Perhaps Burge could resist this line of argument by specifying that both P and TP, despite being “non-experts”, are absolutely certain, in a subjective psychological sense, that they had arthritis in their thigh and could alter their utterances in the thought experiment accordingly (e.g. “I’m sure” or “I’m certain”). Whilst that would seem to mitigate the plausibility of attributing the dual beliefs to P/TP by removing their self-consciousness regarding their own lack of expertise, it does so only at the cost of rendering them somewhat irrational. This irrationality, as well as a breach of the facts as set out by Burge, is fatal to the thought experiment in and of itself, because it would seem to reverse the presumption in favor of a literal interpretation that Burge fights so hard to establish and which he sees as crucial for his argument. Instead of normally assigning a literal interpretation to rational, intelligent, competent speakers of English, we would normally only assign that interpretation when they have demonstrated a degree of irrationality regarding their linguistic expertise. It also seems that attributing a high degree of irrationality to P causes problems for Burge’s premise that he has assumed a “commitment or

could know in Burge’s sense of “belief + truth of belief” without it affecting the thought experiment, but this does not alter the point.

⁵⁴ See Tyler Burge *Individualism and the Mental* p78. Also, Burge’s declaration on p97 that “In fact, there appears to be a general presumption that a person is reasoning at the object level, other things being equal. The basis for this presumption is that metalinguistic reasoning requires a certain self-consciousness about one’s words and social institutions. This sort of sophistication emerged rather late in human history. (Cf. any history of linguistics.) Semantical notions were a product of this sophistication.” seems particularly odd, as it is the very foundations and facts of his thought experiment that push us towards such a metalinguistic interpretation.

⁵⁵ Tyler Burge *Individualism and the Mental* p77.

responsibility” to standard linguistic usage, as it implicitly assigns him a resistance to the division of linguistic labor that undergirds those selfsame norms.⁵⁶ Ultimately it seems then, that far from being a convincing case that we should almost always make a literal attribution, Burge’s experiment only seems plausible in a narrow set of cases where the speaker is generally competent in conventional linguistic meanings yet incompetent in this case, and generally rational yet irrational (but only mildly so) in this instance.

This means that Burge’s contention that the literal interpretation (and presumably the “responsibility” to it) fulfills key social functions has to take almost all the argumentative burden.⁵⁷ This is a burden it cannot bear. Whilst Wittgenstein’s Private Language argument demonstrates the existence of conventional rules are necessary for a language to exist, the fact that language is conventional doesn’t justify collapsing all cases of intentional meaning into linguistic meaning; the communal linguistic structures are often good shorthand for meaning and belief, but sometimes they aren’t, as the case of Mrs Malaprop demonstrates. In fact, as Bevir points out, whether we decide to take the meaning of someone’s words literally or attribute to them a deviant concept or usage depends on our purposes, on what we are doing. If we are having a dialogue, the focus is on understanding what the speaker *meant* rather than what they *said*, but in argument we hold people to what they *said*, rather than what they may have *meant*. Burge’s mistake therefore stems from thought experiments the facts of which decide to treat “utterances as we would in argument...[whilst] their conclusion purportedly applies to how we would treat utterances in dialogue”.⁵⁸

⁵⁶ Say, for instance, that P was so certain of himself, so irrational, that he rejected the Doctor’s correction of his usage. That hardly seems a reason for attributing to him a “commitment or responsibility” to socio-linguistic norms, quite the opposite in fact; it seems a good reason to attribute to him the desire to “fashion his own usage with regard to particular words” that Burge allows in some cases (Tyler Burge *Individualism and the Mental* p114).

⁵⁷ Tyler Burge *Individualism and the Mental* p116.

⁵⁸ Bevir *The Logic of The History of Ideas* p65. In terms of the thought experiment, this involves taking P’s words as if he is attempting a diagnosis rather than attempting to communicate his symptoms.

Even if Burge is right that we often make “literal” attributions because they serve a social function, and that doing so works well enough for it to regulate behavior and guide our action and social cooperation, in itself this does not prove that the “literal” interpretation is 100% correct as an actual attribution of content, rather that in most cases it is “good enough”. In any given linguistic community there may in fact be a degree of “conceptual fragmentation” whereby numerous individuals have the sort of deviant concepts and usages we have been examining, but the fact that our society still functions and we understand each other doesn’t mean a literal interpretation is always right, but rather that a literal interpretation generally maps well enough onto the world to fulfill our “cooperative enterprises”.⁵⁹ When we make a literal attribution we *may*, as a matter of sociological fact, attribute 100% of the standard conceptual and linguistic meaning to the speaker, but the fact that doing so works pragmatically doesn’t give us good reason to infer that the intentional meaning of the speaker actually *is* the literal meaning. All the social function argument can show is that the literal interpretation functions socially, not that it is “literally” correct. Thus it seems that Burge’s social externalism is unconvincing, and thus unable to use the “objective” socio-linguistic occasion of an utterance as a form of contextual meaning that can defend Kymlicka.

The Subjective Occasion and Culture

In this section, we have been assessing the contextualist claim that a wider framework of meaning (such as a cultural one) influences intentions in such a way that these intentional meanings are ultimately derived from the context, and that meaning is therefore still contextual. In the sub-section above we examined externalist arguments purporting to show that the “objective” occasion is a constitutive element in the intentional states and meaningful utterances of individuals, but found them unconvincing. In this sub-section we will examine whether the “subjective” occasion, the occasion as it

⁵⁹ Tyler Burge *Individualism and the Mental* p116.

is understood or perceived by the individual, could be influenced by culture in such a way as to make it plausible that culture enters into the intentional meanings of an individual, and also to what degree the contextualist and intentionalist positions can and should make use of the subjective occasion.

If the intentional meanings of an individual are to be ultimately derived in some way from a wider framework of meaning posited by the contextualist, such as a culture, this wider framework of meaning must also influence that speaker's perception of the occasion of her utterance, the way that they understand the occasion. This is because the speaker's perception of the occasion is in fact part of their intentional state, and to recover their intentional meaning we must understand their perception of the occasion, at least to the degree that the speaker's perception of the occasion is actually part of the meaning of the utterance.⁶⁰ If culture as a "context of meaning choice" provides a set of beliefs about the meaning/value of certain things in the social and physical world, this will always be relative to the particular occasion as the immediate context, which will supply the objects of belief that form the context of the utterance or cultural practice. The very things that go into making up the "subjective" occasion are the very things that culture purports to make meaningful.

To return to our previous example, if the only object in the room were a tennis racket and the speaker told me to "pick up the bat", I would grasp her intention provided I realized that she thought the tennis racket was in fact a type of bat, or if I in fact thought a tennis racket was a type of bat. In other words I would grasp the meaning of the utterance if I understood or shared her perception of the occasion. The occasion as understood by the listener, or even the occasion described objectively, cannot help us understand the intentional state of a speaker unless it also influences that speaker's intentions in some way or is shared by the listener. This is true even if alternative understandings of the occasion are more

⁶⁰ See Bevir *The Logic of The History of Ideas* Ch 4 for a full discussion of the way beliefs enter into meanings, and for a defense of the proposition that meanings are expressed beliefs.

“accurate” than the speaker’s understanding; the speaker may well be wrong in some sense in how they perceive the occasion, but pointing out that fact gets us no closer to understanding their intentional state. The fact that a tennis racket is not a bat is irrelevant to understanding the speaker in the above example, what matters is what they think the object is or should be called. All utterances are responses to subjective occasions, to the speaker’s perception of their current situation.⁶¹ As we have seen we must recover intentions to recover meaning, if the contextualist holds that intentional meanings are ultimately derived from a wider framework of meaning, such as the cultural context, they must also hold that the wider context influences the occasion understood subjectively as part of those intentions.⁶²

The next question is to what degree and by what mechanisms must culture influence the subjective occasion. The mechanisms would seem fairly straightforward; all we need is for the individual to have been socialized into the culture, and for this socialization to have influenced her cognitive processes in such a way as they alter, or enter into, her perceptions of the occasion of her utterance. The question of the degree of influence is much more complex. We will see that culture will have to influence all aspects of the subjective occasion if it is to be a plausible candidate for the defender of contextual meaning, but in order to have this influence culture must be understood in such a way as to either collapse the contextualist position back into the intentionalist one, or in such a way so as to be incompatible with Kymlicka’s account of the form and nature of culture within his theory. In the remainder of this sub-section we will deal primarily with the first two claims, leaving the bulk of the third until the following section.

⁶¹ This should be broadly construed. For example, it has to include purely internal occasions (e.g. daydreaming, fantasy etc). Another way of articulating this idea of the subjective occasion as part of the speaker’s intentional state is through the metaphor of the individual’s “web of belief”, her theoretical construct of the world, which will of course contain, at any one time, her understanding of the subjective occasion.

⁶² Bevir *The Logic of The History of Ideas* p66.

The reason a contextualist cannot insulate any part of the subjective occasion from the influence of the wider framework of meaning, in our case the cultural context, is because this would be to admit that part of the intentional state that gives rise to the meaning of the utterance is unaffected by the broader context, which is fatal to the argument that intentional meaning is, ultimately, contextual. This is because utterances express, *inter alia*, beliefs about the occasions on which they are uttered, and if these beliefs are uninfluenced by the context then part of the meaning of the utterance is also uninfluenced by that context.⁶³ This is not to say we must reconstruct the speaker's entire mental state to grasp the meaning of the utterance, but rather that we would have to understand whatever beliefs are expressed in that utterance, and therefore the subjective occasion as expressed in that belief or beliefs. It is not to suggest that recovering these beliefs will necessarily exhaust the meaning of an utterance, nor that attempting to reconstruct the speaker's subjective occasion is an infallible "method"

⁶³ Some of the basic perceptions about the occasion can be shared by people of different cultures without it affecting the overall claim i.e. people may agree about the basic facts (e.g. particular physical motions that constitute practices, such as singing or dancing or praying) but just disagree about the significance/meaning of those action. That would mean that cultures was entering into the perception of the occasion because the fact that these things are seen as meaningful in some way will be relevant to the intentional meaning of the utterance; the perception includes the perception of meaningfulness, and this is always relevant to the meaning. In other words, there may be some overlap in the perceptions of the occasion, but the differences, particularly those pertaining to the significance and meaning of aspects of the occasion, will alter the overall understanding of the occasion in such a way so that it is plausible to say that the broader framework of meaning (e.g. culture) enters into the entire occasion. Now this seems an easy argument to make in the case of basic sense data that is clearly carrying meaning (e.g. religious or cultural practices) but it is less clear with some other brute data, such as trees, rocks etc. Nevertheless, it seems likely that our perception of the occasion influenced by culture must include "non-cultural" perceptions (e.g. basic sense data, physical objects) if the argument is to hold. If the perception of the occasion is itself holistic (i.e. the speaker just sees the entire occasion, rocks and all) then culture may influence some of the occasion directly but the rest indirectly by "standing behind" the whole occasion and the way we perceive it, even if this influence is more obvious on some aspects rather than others. In fact, this would seem to be a logical (or even necessary) move for the contextualist to make, given that she says meaning is contextual and the more overtly "cultural" elements in some sense form the context for the perception of the (supposedly) "non-cultural" aspects of the occasion. And even here, it is possible to argue that our understanding of even basic physical phenomena will be influenced by our culture e.g. rocks and trees may have different significances for different cultures. Michael Walzer's observation regarding the multiple understandings of bread in different cultures in his *Spheres of Justice* (Roberston: Oxford 1983) see to sum this up nicely: "Bread is the staff of life, the body of Christ, the symbol of the Sabbath, the means of hospitality" (p8).

for recovering meaning, but rather that as part of the intentional meaning, expressed beliefs cannot be beyond the influence of context if contextual meaning is to be consistently maintained.⁶⁴

The contextualist might respond that not all utterances contain beliefs about the occasion of the utterance, and therefore that the requirement that all beliefs about the occasion be influenced by culture is sometimes irrelevant. Even if true, this move would seem to be a severe weakening of the contextualist claim, and seems questionable in any event. For example, “Help!” seems to convey little in the way of beliefs about the subjective occasion, but as a bare minimum (if sincere) expresses a belief that one needs help, which is itself a belief about the occasion, even if the utterance does not include the other beliefs about the occasion that have led the speaker to that conclusion. Nevertheless, it is still a belief about the subjective occasion, and thus sufficient for our purposes.⁶⁵ Also, such a move would seem to be of limited use to Kymlicka, as it would only apply to a small sub-set of utterances, excluding many of the sorts of beliefs about the nature, value and meaning of cultural practices that he appeals to in his account of culture.

Another plausible contextualist response would be to ask, if it is only the beliefs about the subjective occasion as expressed in the utterance that form part of the meaning of the utterance, why we need to be concerned with the speaker’s “entire” subjective occasion. Surely there are aspects of the speaker’s

⁶⁴ None of this should be taken as suggesting the reconstruction of the subjective occasion as some sort of strict method for recovering meaning. It isn’t a method because, as Bevir shows supra Ch 3, there is no strict process that could lead us to grasp meaning correctly invariably, because; (a) understanding the subjective occasion 100% doesn’t allow us to just read off the intentions (unless we include intentional meaning in the subjective occasion, in which case the point is redundant) because we still need to know what the intentional meaning was; (b) beliefs about the occasion will form part of the beliefs that are expressed in the utterance, and therefore in so far as the utterance expresses beliefs about the occasion we will not recover the intentional meaning without also recovering those beliefs, but these beliefs will not necessarily exhaust the meaning of the utterance; and (c) even if the beliefs about the subjective occasion do, in some rare circumstances, exhaust the meaning of the utterance, saying we need to recover those and that that is a “method” for doing so, is no different from saying “if we don’t understand all of Y we don’t understand Y”, it is describing what we need to understand, not a process for doing it.

⁶⁵ If insincere, the utterance “help” must express some other beliefs including, as a minimum, that you don’t need help, and to fully grasp its hermeneutic meaning you may need to grasp some other beliefs, even if these are not expressed directly in the utterance itself.

perception of the occasion of the utterance that will not form part of the utterance and therefore do not need to be influenced by the cultural context? It is of course true that the speaker will have a vast number of beliefs, including many about the occasion, that are not expressed in the utterance, but this is irrelevant because any aspect of the understanding of the occasion as understood by the speaker can potentially come into the meaning of an utterance, so we can't *a priori* privilege some over others. Given any aspect of the subjective occasion can enter into any utterance, then if any aspect of that world view is beyond the influence of culture then potentially we can have an utterance that is related to and partially constituted by an intentional meaning that is not derived from the context, which means context can't determine meaning in all cases. That would mean all of the occasion is potentially relevant and so we cannot (at least without further argument) privilege some aspects of it over others.⁶⁶

This seems to leave two obvious moves for the contextualist, the first of which, whilst plausible, seems to conflate their position with the intentionalist one in such a way that it is no longer "contextualist" in any significant sense, and which is unavailable to Kymlicka on the terms of his theory. The second, which analyzes cultural meaning in terms of shared beliefs, will be considered in the following section.

This first move would be to attempt to turn the intentionalist argument against itself by positing that the speaker's perception of the subjective occasion, which forms part of their broader theoretical construct of the world (what some call their "web of beliefs"), is itself the relevant context for determining meaning, so the intentions only make sense in relation to that context, and thus an account of meanings as intentional is ultimately "contextual". If this is taken as the claim that the subjective occasion as the "context" must determine meanings, this is incorrect. Nothing we have seen so far requires that the

⁶⁶ See Bevir *The Logic of The History of Ideas* p66-67 for a fuller account, where he stresses the diverse nature of "things that can enter into the occasion of an utterance" and that "there are no logical reasons why we should privilege one aspect of an occasion over all others" since "[o]ther utterances, personal reflections, social experiences, and numerous other things can provide the occasion for an utterance", so "[a]ll aspects of an occasion can influence the way authors understand the things they discuss.[w]hen we describe an occasion, we fill out the meaning of an utterance only in so far as the author perceived the occasion as we describe it.....historical meanings are either intentions or abstractions from intentions."

entire subjective occasion (or anything else for that matter) *determines* intentions and meaning rather than just providing a necessary context for free intentional meanings. Intentional meaning is formed in a context, not determined by that context, and even if that context (i.e. the subjective occasion) is necessary for the utterance to be intelligible, or forms part of the meaning of the utterance, that doesn't entail the meaning of the utterance is itself determined by the subjective occasion as context. The subjective occasion is the necessary context for the development of the intentions, but that necessary relation shows no more than that. It shows that intentions must be formed *in* a context, it can't show in and of itself that they are formed *by* that context.

Characterizing the subjective occasion itself as the context that conditions meaning also seems to significantly alter the way a contextualist uses the term, and robs the criticism of much of its force. The subjective context is part of the intentional state, so isn't context in the sense the defender of contextual meaning generally uses the term, which is as an external context that influences and gives meaning to the utterances of individuals. Thus when a contextualist says that the subjective occasion determines intentional meaning, they seem to be saying something very different from when they say the linguistic framework, the objective occasion, or culture determines meaning. In order to push this point it seems likely that the contextualist would have to make an argument in favor of some sort of determinism of mind more broadly, a detailed consideration of which is beyond the scope of this paper, although we will see later that such a determinist account seems to be inherently flawed because it cannot account for change. Without a separate argument for determinism it seems that the contextualist and intentionalist are just describing two sides of the same coin; the intentional meanings are just a subset of the subjective occasion, which is a subset of the individual's entire intentional state, and as such we could read the meanings from the subjective occasion or that intentional state, but that

seems vacuous and/or redundant. Therefore a stress on the subjective occasion does not, in and of itself, open intentionalism to being reinterpreted as a form of contextualism in a meaningful sense.

In an event, this response is not available to Kymlicka for two reasons. First, he cannot adopt a determinism of mind that conflicts with his commitment to autonomous choice. Second, this move would collapse a person's culture into their entire set of beliefs, experiences etc, indicating that each person has their own "culture" which forms their context of meaningful choice. As we have seen, this seems to be at odds with how we normally use the term culture, and is very different from Kymlicka's conception of culture as a shared framework of meaning which is concretized and institutionalized as a societal culture. The idea that each individual has their own "culture" makes it impossible in practical terms for Kymlicka to advocate GDRs for minority cultures, and is the very criticism put forward by Waldron that we are trying to avoid.

We will now turn to the most intuitively plausible variant of the contextualist position, which would be to claim that the subjective occasion/web of beliefs is in some sense the context of an utterance, but that this is determined by some aspect of the external context, such as culture, entering into this internal context.

7. Culture as a Broader Framework of Meaning

This is a more familiar form of contextualist argument than the above.⁶⁷ Culture would at least seem to be a plausible candidate for this role, as it does seem to be some sort of framework of meaning that

⁶⁷ For example, this is essentially what the conventionalists a la Skinner do with linguistic context, and Marxist's do with economics: they point to an external framework or reality that enters into and determines at least some of the products of mind, including meaningful utterances. These obviously raise very broad-ranging issues, which are beyond of the scope of this paper. Instead, I will focus on the ones most relevant to us here, which are language and culture. We have already seen there appears to be a fatal flaw in the argument that linguistic context determines meaning because of the inevitable ambiguities in language.

influences how we see the social (and even physical) world.⁶⁸ If Kymlicka wants to maintain a contextualist account of meaning that can support the claim that we should focus solely on the “cultural” context as forming meaning, yet avoid the problem of personal “cultures” noted above, he could define the cultural context as beliefs, perceptions or understandings that are *shared* by individuals. Thus a culture would not be what one person knows or believes, but what its members have in common, and thus would stand behind but enter into the multiple different aspects of an occasion referred to above, which would get their meaning from culture but would not “be” culture *per se*. In the terms we are discussing it, that would seem to reduce to the claim that the shared cultural framework enters into the intentions of a speaker through her understanding of the occasion of an utterance, which it colors to the degree that the intentional meanings of an individual who is speaking (and presumably any member of the same culture who is listening) are derived entirely from this shared cultural context. In other words, people are always operating against the background of a cultural framework of meaning that is shared by some others, which will alter and enter into their understanding of a particular occasion, thus ultimately influencing their intentions and determining the meaning of particular utterances or practices. Thus we could say that the cultural framework provides the context for individual utterances or practices and ultimately determines their meaning, and thus forms any given individual’s context of meaningful choice. In which case, Kymlicka would be able to resist Waldron’s many cultures critique by holding that the cultural fragments Waldron points to are given their meaning by the shared cultural framework in which the individual giving rise to them is immediately situated, and thus it is our culture only that forms our context of meaningful choice.

Whilst this version of the contextualist claim seems *prima facie* plausible, it remains the case, for the same reasons cited in the previous section, that culture as a shared set of beliefs/framework of meaning

⁶⁸ See Note 63 *supra*.

must enter into all aspects of the subjective occasion that form part of the intentional states of its members. It does not need to determine the intentional states (and thence intentional meanings) *in toto*, but if beliefs about the occasion, including beliefs about the meaningfulness of certain aspects of the occasion, are beyond the reach of culture, then it seems to put some aspects of meaning beyond the reach of culture as context of meaningful choice. At face value, the claim that a culture colors the entirety of its member's perceptions of a given occasion does not seem problematic, in fact that would seem to accord with a colloquial understanding of cultures as frameworks of belief that structure how we understand the world. Once it is married, however, to the claim that culture as a broader framework of meaning must be shared by the members of that culture it seems to necessitate the further claim that members of the culture share their entire subjective perception of any given occasion. If two people in the same culture do not share their perception of the subjective occasion completely, then we seem to have returned to the one culture per person problem via a different route, because if two members of the same culture have different understandings of the subjective occasion they could potentially produce radically different intentional meanings in response to it, casting doubt on Kymlicka's contention that they share the same culture as their context of meaningful choice. In other words, since the contextualist has to argue that intentions, whilst constituting meaning in some way, are nevertheless influenced by culture as the broader context, if the supposedly shared culture produces different understandings of the subjective occasion, this potentially produces intentional meanings that are so different it does not seem accurate or helpful to describe the shared culture providing a shared context of meaningful choice.

This is not to suggest that two different individuals in the same culture must think or respond to a particular situation in identical ways, but rather that they must *perceive* the occasion the same way if they are to be plausibly said to share a context of meaningful choice. We saw in the previous section

that as the subjective occasion actually enters into intentional meanings one cannot arbitrarily privilege some parts of the occasion over others and thus that culture must affect all of the occasion as perceived by the speaker. Even if there is a high a degree of overlap between two individuals within the same culture there seems to be the potential for divergent meanings and therefore different contexts of meaningful choice in some sense, which begins to look very like the individualized contexts of meaningful choice the contextualist and Kymlicka are trying to avoid. Certainly a contextualist could try to mitigate this issue by defining culture very broadly, in terms of the aspects of occasions shared by all individuals, but this understanding of culture would seem to thin too be of much assistance, and is unavailable to Kymlicka in any event, as he is basing his argument for GDRS for different and separate cultures, not one broad but thin “human” culture.

Even if we were to accept the stipulation that members of a culture perceive the occasion in the same way, this seems to indicate (or perhaps even require) that it is this commonality that justifies attributing to them a shared context of meaningful choice, which opens the cultural-contextualist to a further problem. If it is the fact of the shared perception of the occasion that is doing the work in providing a common context of meaningful choice, there would seem to be a logical possibility of two people from different societal cultures sharing their entire perception of a particular occasion, which would seem to indicate, on the contextualist’s own terms, that (at least in this instance) they shared a common context of meaningful choice. Perhaps cultures could be redefined in this way, and used to support a variant on Kymlicka’s argument? Such a definition of culture, however, would not seem to map onto cultures as we generally understand them, and as Kymlicka must understand them in the context of his theory, because many of these shared understandings will cut across what Kymlicka would see as the boundaries of societal cultures. The relevant shared understandings that determine meaning may be between groups of individuals who would not normally be thought to constitute a culture, and certainly

not a societal culture in Kymlicka's sense; they are just a group who share *these* understandings on *this* occasion. As well as not mapping onto societal cultures as Kymlicka defines them, these contexts of meaningful choice generated by temporary overlaps in perceptions of the occasion would seem to be fluid in such way that it would be practically impossible to identify them and locate individuals within them consistently, and to allocate GDRS to them in such a way as to equalize them. If the contextualist seeks to define culture purely in terms of the shared understandings of occasions of utterances, the determinant of what is or isn't a culture is whether or not the understandings are in fact shared on any particular occasion, not whether they individuals are members of the same societal culture as defined by Kymlicka. Kymlicka would have to demonstrate the two always coincide, which he doesn't, and which seems implausible in any event.

Kymlicka could perhaps respond by arguing, as he seems to in some places, that he is not suggesting that the nature of societal cultures require that their members share all their beliefs, values, and understandings, but rather that they present a certain range of these sorts of understandings which nevertheless allows for a high degree of internal diversity i.e. members of a culture share an overall framework, not each and every belief or perception or understanding or meaning.⁶⁹ In other words, there may be more than one cultural "meaning" as an option, but all the options are rendered meaningful by the culture and thus the individual intentional meanings come from our choice between the range of possible meanings attached by our culture. This would mean that the supposition that two members of a culture need to have identical or near identical perceptions of an occasion, or identical belief systems more broadly, is not a requirement of Kymlicka's theory; they could both have different understandings of the subjective occasion which are both conditioned by a shared cultural framework.

⁶⁹ Kymlicka *Multicultural Citizenship* p88-89 and Ch 9 generally.

This would seem to rescue a claim that cultures are the contexts of meaningful choice which is based on contextual meaning, circumventing Waldron's critique.

The line of argument we have been developing hitherto causes problems for this sort of move, however. Arguing that a culture provides a range of meanings that form the context for its members necessitates the claim that this range has (in theory) definable limits in the sense that some meanings/beliefs should be identified as falling within the culture and others should not. If this were not the case we would not be able to say where one culture starts and another stops, which means we could not locate people within particular cultures, itself a requirement of Kymlicka's theory. This is not to suggest that cultures must have clear bright lines between them, but rather that as a matter of conceptual necessity the range of possible meanings provided by a particular culture as opposed to another must be a sub-set of all the possible meanings (cultural or otherwise) that are available to human beings, otherwise there would be no such thing as individual cultures. Also, as a practical necessity we must be able to identify the approximate (and no doubt fuzzy) boundaries of cultures in order to identify those who clearly fall within them. Once we admit the need to be able to identify somehow the "limits" of the range of meanings provided by a culture, we find ourselves faced with the same problem we met earlier. Why should we draw the boundaries of cultures in the way Kymlicka suggests? Why not draw them around the shared perceptions of a particular occasion as suggested above, or some other way?

This problem flows from the nature of cultures themselves. Cultures are the meaningful productions of human beings, and are therefore phenomena that are social-constructed rather than being one of Putnam's "natural kinds" that are not themselves created by human consciousness. Obviously they exist in the world independently of particular individuals, but not independently of all human beings, as they are emergent properties of certain groups of human beings. Many of the objects and practices imbued with meaning by culture are, or utilize, physical objects that exist independently of human beings, but

the sense in which they are part of a culture is the degree and manner in which they are imbued with meaning as cultural artifacts. As themselves the socially-constructed productions of human beings, any boundary we draw around a series of “cultural” beliefs and practices, which is a conceptually necessary part of identifying a culture and distinguishing it from others, is not around something that exists independently in the world a la chemical elements, but rather itself is a form of social construction. As such, how we attempt to delineate different cultures, and thus the range of meanings we attribute to them as contexts of meaningful choice, must be justified by our purpose in doing so. Just as how we understood Burge’s Patient would change depending on whether we were having a dialogue or an argument, or whether we thought his purpose was communicating his symptoms or providing a diagnosis of his illness, how we identify cultures (however roughly this may be, and however much they may overlap) is a function of purpose. Whilst there may be a wide range of allowable or useful purposes, Kymlicka has simplified our task by stipulating that cultures are the contexts of meaningful choice. That is why he (and we) are interested in them, and what they must be if they are to support his normative argument for multicultural rights.

If what we are trying to do is explain why/how culture relates to the way people see things as meaningful/valuable, then the definition of culture must be driven by that purpose. This means we should identify cultures in a way that helps us explain/understand/identify them as contexts of meaningful choice for individuals. We have seen, however, that if a form of contextual meaning is to be used to undergird the idea that cultures are the contexts of meaningful choice then the role of the subjective occasion is crucial. For culture to be a shared framework of belief that provides a range of meanings to its members, it must enter into the entirety of that subjective occasion for its members. We also have seen this indicates that it is the shared understanding of the occasion that places two different individuals within a shared context of meaningful choice, that these would not seem to map

onto societal cultures as Kymlicka defines them and would seem to be too fluid and shifting to be of use in his argument or a variant thereof. His “institutional” definition of societal cultures is not directly related to do what we are trying to identify, which is contexts of meaningful choice. Perhaps some form of empirical (or even psychological) argument could be made by Kymlicka for treating societal cultures as contexts of choice, but this is an argument he does not clearly make, and will still be vulnerable to the problem of cultural and linguistic change we shall turn to now.

8. Cultural and Linguistic Change

Lastly, and most importantly, trying to identify actual meaning invariably with conventional contextual meaning cannot account for change.⁷⁰ We will start with the clearest example for making this argument, that of linguistic meaning and change, and then explain how this can be easily extrapolated to apply to cultural meaning.

The key question is: if the actual meaning is derived entirely from the conventional linguistic context, how can there ever be deviation from, and changes to, that linguistic context? If, according to a strong account of meaning as purely contextual the meaning of a particular utterance comes from its conventional linguistic meaning, then it follows that the author of an utterance cannot use words in any way other than the conventional linguistic usage. This would mean that not only is the actual meaning of an utterance fixed by reference to the linguistic framework at the time it was made, the linguistic framework cannot be altered by the use of old words in new ways, since such use is deemed to be impossible. In which case, how do languages change, which they clearly do? Advocates of a purely contextual account of meaning are incapable of accounting for internal change of a language, despite

⁷⁰ Bevir *The Logic of the History of Ideas* p48.

Skinner's protestations to the contrary.⁷¹ As Bevir points out, Skinner can only account for conventional use of language to make an unconventional point, he cannot account for unconventional and innovative use of language itself, a la Mrs Malaprop, or for new words being invented by members of a linguistic community.⁷² The proponents of the argument that meaning is purely contextual cannot get away from the fact that languages do change, and that new words are introduced from outside the language, new words are created by those who speak the language, and old words are used in new ways within that language. In some senses, this is a simple empirical point: the Oxford English Dictionary definition of "nice" traces 14 different meanings from the Middle English "foolish", through the early 18th century "precise", to the modern day "pleasant". When we assess a language at any given time it would be possible to reduce it to, *inter alia*, a series of grammatical rules, dictionary definitions and colloquial uses, but the fact that we can take a snapshot of a language should not delude us into thinking it is a static structure that exists independently of the people who speak it and which functions so as to place an absolute limit on their usage. Languages evolve over time, along with the people who give rise to them; they do not spring fully-formed into the world, containing in nascent form all of the meanings that they will someday come to possess. Thus it seems that linguistic meaning cannot be *purely* contextual; if all meanings were derived entirely from the linguistic context rather than the agency of human beings languages could not change over time, which they do.

The fact that this change occurs seems to me to be fatal to the argument for contextual linguistic meaning: the rigidity with which its proponents fix actual meaning to linguistic meaning precludes the ability of speakers/writers to use, and listeners/readers to understand, words in new ways. The fact that individuals do use and understand words in new ways seems to imply that we have some sort of

⁷¹ See Skinner *Some Problems in the Analysis of Political Thought and Action* in *Meaning and Context: Quentin Skinner and His Critics* (Cambridge: Polity Press 1988) at p105.

⁷² Bevir *The Logic of the History of Ideas* at p49 to 50.

creative linguistic faculty, a faculty that allows us, at least in some instances, to create or grasp new meanings by going beyond the conventional context of meaning. The only way a proponent of purely contextual meaning could resist this would seem to be if they could account for linguistic change in a way that did not stem from people gradually using new words or using old words differently (consciously or otherwise) to convey a slightly different meaning from the conventional one in use at that time. In other words, they would have to show that a language could change independently of the people who speak it,⁷³ and to show that they would have to be able to show that a language has *existence* independently of the people who speak it. Both of those propositions seem to me extremely bizarre; there is no reason to suppose that there is a Platonic ideal of a language that has existence separate from those who speak it.⁷⁴

The analogy between linguistic meaning and context and cultural meaning and context seems particularly strong here. Just as a contextualist account of linguistic meaning must hold that the overall linguistic framework determines the meaning of its individual components and therefore utterances, a contextualist account of cultural meaning must hold that the overall cultural framework determines the meaning of its individual components and therefore the understanding by members of that culture of the options for living, examples, practices etc contained in it. Just as we can use language unconventionally, and so the meaning of an utterance is primarily what was meant by an individual, it seems clear that individuals can evaluate or understand cultural artifacts unconventionally, so that their meaning is primarily their meaning for an individual, not the meaning or meanings provided by their culture. Language may provide us with evaluative terms but it does not fix how we apply them.

⁷³ Although no doubt “coincidentally” in parallel too!

⁷⁴ In fact, as Bevir demonstrates, both semantic and linguistic meanings are abstractions from the actual use of language in particular utterances: semantic meanings derive from webs of beliefs held by individual people; and linguistic meanings are conventions based on how individuals, on the whole, actually use the language (see Bevir *The Logic of the History of Ideas* p57 and p61).

Likewise, it is clear that membership in a societal culture cannot rigidly fix the way that individuals approach, evaluate, or even understand the contents of that culture. They may provide an initial set of meanings, beliefs, practices etc, and these may be acquired through a process of socialization into the culture, and thus provide a reason for initially “placing” an individual in one culture rather than another, but they simply cannot be said to fix the meanings, or range of meanings, that its members attach to these cultural beliefs and practices.

This leads us to another important point, which also turns on the analogy between language and culture. Once we appreciate that individuals can go beyond the ways of understanding or evaluating that are conventional in their culture then, just as individuals can add to and change a language by using words unconventionally, individuals can add to and change a culture by understanding and evaluating beliefs and practices in a new way, or by acting in a new way. Thus a member of a culture that has an understanding or assessment that is deviant from the cultural norm has added to and changed that culture in some way. It is not the culture that determines meaning for the individuals in it, it is the individuals who determine meaning for the culture. The simple fact of cultural change would seem to disprove the contextualist claim regarding culture, just as linguistic change disproves the claim regarding language.⁷⁵ It should also be noted that the contextualist account of meaning cannot be rescued by

⁷⁵ Perhaps Kymlicka could respond by arguing that these “deviant” views are not, in fact, part of the culture, as they are too unconventional and therefore not shared by the vast majority of people within the culture. This is the sort of “wide distribution” qualification for what counts as part of a culture that he uses during his response to Waldron’s critique, where it caused substantive problems. Waldron had put Kymlicka on the horns of a dilemma, either knowledge of a cultural fragment is enough to make it part of our culture, or we know about fragments that come from other cultures. The equivalent dilemma here is that either an unconventional assessment by an individual in a societal culture is automatically part of that culture, and therefore a culture consists of any and every assessment/understanding by a person within it, which totally undermines Kymlicka’s idea of culture as shared understandings, conventions etc that fixes meaning, or an unconventional assessment by an individual in a societal culture is not part of that culture, but can be known about by the members of that culture, and so can provide meanings from outside that culture. This means that we cannot be said to need our culture to provide the meaning for options and examples in the way Kymlicka suggests. Whilst it is clearly possible, even likely, that a member of a societal culture will assess/understand an option/example in the conventional cultural manner, there is no reason to suppose that they must necessarily assess the example/example in the conventional manner. They may do, it may be likely that they do, but they could always change their mind and create or adopt an unconventional understanding. Either a deviant understanding is counted as

positing that the context fixes a range of meanings as opposed to fixing specific meanings, as even fixing a range of meanings supposes there are some limits we cannot go beyond, and the fact of linguistic change married to the creative linguistic faculty that drives linguistic change shows this is not the case; fixing a range of meanings is still fixing meaning, and cannot account for genuinely new meanings entering the language or culture.

A further important point follows from this analysis. The fact that cultures change shows that they can be transformed by those within them, and that meaning is therefore intentional rather than contextual, which also means that individuals can move across cultures as well as changing them from within. Whilst Kymlicka clearly allows that people can move between societal cultures, even though he thinks they do not generally do so, this in itself seems to undercut any attempt to use contextual meaning to defend himself against Waldron.⁷⁶ If individuals can move from their initial culture and adopt the meanings of another culture, there seems little reason to suppose that they are limited to the meanings of their initial culture even when in it. It follows that individuals may “belong” to more than one culture at the same time in precisely the way Waldron suggests. For a defense of cultural meanings as contextual meanings Kymlicka needs to show that cultures provide a limited range of meanings to their members, and thus that they limit their members’ ability to participate in meanings beyond the range that culture provides. Without the assumption that cultures provide a range of meanings that act as a real limit on their members we seem to lose the reason to locate individuals within a single culture as a context of meaningful choice with any degree of permanence, which is essential for Kymlicka’s argument.

part of the societal culture by the very fact of it being held by at least one person in that society, or this deviant understanding is somehow not part of a person’s culture but capable of being adopted by them (and therefore providing meaning), in which case they cannot be said to need the understanding provided by their societal culture.

⁷⁶ Kymlicka *Multicultural Citizenship* p84-85.

It is not possible to circumvent this problem by maintaining that cultures are limiting frameworks of meaning for individuals we classify as members of that culture but *only* whilst they are members of that culture, and therefore that it is still possible for cultures to act as a limiting framework of meaning in a weak sense *and* for individuals to move between cultures. In doing so we would not be able to offer any positive reason why the limit was in fact a limit, nor demonstrate how the identified limit is actually anything other than our proposed definition of the culture. In order to identify the supposed limit we would have to draw a rough boundary to the range of meanings provided by the culture. This “boundary”, however, would seem to be indistinguishable from the attempts to identify cultures as contexts of meaningful choice in general, which we saw in the previous section are fraught with difficulty as these boundaries would not seem to map onto cultures with any consistency. Even ignoring that problem, the fact that cultures are not natural kinds but rather social constructs which could be delineated in a number of ways according to our purposes would seem to give us reason to think that any limit we try to identify is not in fact a limit at all, but rather one of several ways in which we could divide up the social world. If identifying the limit of the range of meanings provided by the culture simply is the same thing as identifying the culture as a context of meaningful choice, we have no reason to think it is a limit because we can’t test whether it is a limit. We have simply stipulatively excluded all the people from the culture who might test the efficacy of the limit and reclassified anyone who moves beyond that range of meanings as leaving the culture. In which case the argument seems circular in that it allows the limit is not a limit in terms of movement but has to simultaneously assert it is a limit for those who are “in” the culture, without providing any reason for us to accept this.

If Kymlicka is to fix us to our societal culture as our context of meaningful choice with any permanence he would need to be able to maintain that meaning is purely contextual; once he allows for a creative linguistic and cultural faculty whereby we can go beyond our context, he has allowed in a key aspect of

the intentionalist account of meaning that undermines the claim. It is difficult to see how he could maintain that we can move between cultures without also maintaining that we possess a faculty that allows us to grasp meanings that come from beyond our cultural or linguistic context. In addition, the bare fact that languages and cultures evolve gradually, in a piecemeal fashion, mitigates against extending Kuhn's analysis of sudden "conversions" from one scientific paradigm to another to languages and cultures more generally.⁷⁷ In any event, the point remains that a contextual account of meaning that allows for movement between cultures is in some sense unstable, and for there to be a purely contextual defense of Kymlicka against Waldron, it must be accompanied by the assertion that movement between cultures is impossible. This contradicts what Kymlicka expressly says about the possibility of cultural movement, and seems an implausible position in any event. It therefore seems that Kymlicka cannot use a contextual account of meaning to defend himself against Waldron's critique.

9. Conclusion

We started this paper with a brief outline of Kymlicka's theory of multiculturalism, noting that it is crucial for his argument to be able to individuate cultures and to locate individuals within a particular societal culture as their context of meaningful choice. We then saw that Waldron's cosmopolitan critique cast serious doubt on Kymlicka's ability to do this, indicating that the context of meaningful cultural choice was either composed of fragments of several cultures or could be reduced to a personalized "culture". Nevertheless, using arguments that cultural meaning was contextual seemed a

⁷⁷ For a process of conversion to be possible, as Kuhn clearly thinks it is, we must presuppose a creative linguistic faculty that will enable us to grasp and understand beliefs that have hitherto been incomprehensible. A creative linguistic faculty that allowed for a "conversion" from one conceptual framework to another would therefore seem to undermine Kuhn's claim in so far as it implies that same faculty may facilitate translation and gradual movement. Kuhn's incommensurability thesis is perhaps able to resist this critique and is not unstable in the same way as the purely contextual account of meaning because he only makes the claim in respect of different scientific paradigms, rather than a broader claim regarding all human meaning that the advocate of purely contextual meaning would have to make. Thus for Kuhn positing a creative linguistic capacity does not necessarily undermine his more limited claims regarding the nature of scientific paradigms.

promising avenue for Kymlicka to defend himself against Waldron, as it would indicate that the isolated cultural fragments Waldron identifies are given their meaning by the cultural context within which they are currently located, and therefore he could still maintain that we need our culture as our context of meaningful choice in some sense.

We saw that the socio-linguistic external occasionalism of Tyler Burge, whilst promising a robust defense of the contextualist position, was ultimately unsatisfactory. We then turned to an examination of what we called the “subjective occasion”, the individual’s perception of the world and the particular occasion, and found that for a shared culture to influence these intentional meanings it must enter into the entirety of that subjective occasion. We also found, however, that to do this culture must be defined in a way that either collapsed the contextualist claim into the intentionalist one, or made it incompatible with Kymlicka’s understanding of societal cultures. In any event, as cultures are not “natural kinds” but are rather social constructions, the way we define and delineate them must be driven by our purposes, which here turns on the way in which they act as contexts of meaningful choice. In the absence of further argument, this seems to leave us with fluid and shifting “cultures” that would cut across the boundaries of what we traditionally think of as cultures, and which are too unstable to support anything like Kymlicka’s argument for cultural rights. Lastly, we saw that the fact of cultural and linguistic change fundamentally undercuts any claim that culture or language form a limiting framework of meaning for their adherents, either permanently or temporarily.

If the claim we are attributing to Kymlicka is that it is our societal culture that exclusively provides meaning for those within it, as it must be if he is to use a theory of meaning to defend his central claim against this aspect of Waldron’s critique, then that claim seems implausible. Whilst we may understand the world through the lens of our cultural context, we need not do so. Our creative linguistic faculty that allows us to grasp the intentional meanings of others coupled with the fact that linguistic and

cultural meaning is intentional and driven by creative individuals, shows that we cannot with any assurance say that the context of *meaningful* choice for individuals is their societal culture. The upshot is that Kymlicka cannot maintain that our context of *meaningful* choice is only our societal culture, because the purely contextualist account of meaning he would have to use to fix the meaning of any individual cultural fragments within it is not tenable. We cannot defend Kymlicka in this way against Waldron's claim that we would seem to exist in a kaleidoscope of cultural influences and therefore that individuals cannot be located in, nor said to need as a "precondition" of rational choice, a single societal culture in the way that his theory would seem to suppose. We would therefore seem to have no reason to attempt to equalize cultures through GDRs on the basis of Kymlicka's luck-egalitarian argument, which means Kymlicka must rest his claims on a different basis.⁷⁸ We have also gone farther than Waldron, because we have cast doubt on a point he concedes to Kymlicka, which is that "[o]f course, choice takes place in a cultural context, among options that have culturally defined meanings".⁷⁹ This means that Waldron's cosmopolitan critique of Kymlicka goes even further than it at first seemed to, undercutting the most basic premise of his key argument, that of culture as instrumentally valuable because of its role in providing *meaningful* choice.

The overall thrust of this paper has therefore been negative rather than positive in that I have been critiquing Kymlicka's position rather than articulating a free-standing theory of my own, and one logical way of responding to the cosmopolitan critique of Kymlicka would be to retreat back into the communitarian position. There is, however, an alternative response, which would seem to be implied by the sorts of arguments I have been making. In the course of the critique I have taken positions on the nature of the self and the role of meaning in human life that would seem to lay the groundwork for an

⁷⁸ For example, the "historical" and "diversity" arguments set out in MCC, or in the weaker claim that we are strongly attached to our culture and it is therefore a "reasonable entitlement". I argue elsewhere that these arguments cannot take the weight of Kymlicka's claims.

⁷⁹ Waldron *Minority Cultures and the Cosmopolitan Alternative* p783.

articulation of a positive cosmopolitan account of culture. An attempt to outline and defend a cosmopolitan multicultural position would seem to be the next logical step, and the work done so far perhaps suggests that a defense of multiculturalism on the basis of the value of a broad cultural diversity for the individual may be fruitful. One may not be able to defend multiculturalism on the basis of the role of individual societal cultures in meaningful choice, but one might be able to defend the instrumental value to individuals of a broad and diverse cultural context, a context that offers a wide-range of resources for individuals to examine, adopt or amend as part of the process of choosing how to live their lives. This would not require being able to locate individuals in a particular culture, nor attempting to bring about the equality of individual cultures via multicultural rights. It would give culture a role in meaning, but not a deterministic one; culture would form the context for agency, but would facilitate that agency rather than restricting it. Thus, one might be able to give a cosmopolitan defense of multiculturalism that bears a resemblance to Mill's "experiments in living" argument from *On Liberty*.⁸⁰ Nevertheless, that project is best left to another occasion.

⁸⁰ It would not, however, be strictly Millian, in that Mill's understanding of culture was strongly influenced by Romanticism, and he therefore did not couch his experiments in living argument in multicultural terms: in blunt terms he was an international multiculturalist and a domestic monoculturalist.