

thinking

togetherness

ANDREJ BOŽIČ (*Ed.*)

THINKING TOGETHERNESS

PHENOMENOLOGY AND SOCIALITY

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PHENOMENOLOGY AND SOCIALITY

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Manca Erzetič

THE HERMENEUTICS OF TESTIMONY IN THE CONTEXT OF SOCIAL MEDIATION

Abstract: The problems of conceptualizing testimoniality are intertwined, which is why we cannot examine them in isolation within an individual disciplinary field, but have to take into account the inter-relations of philosophy, literary science, and historiography, as well as the fields of law, theology, sociology, and political sciences. In view of methodology, we primarily rely on hermeneutics, while taking into account certain elements of phenomenological, structuralist, psychoanalytical, and socio-critical orientations in contemporary philosophy. Although at first sight the theme of testimoniality occupies only a marginal place in philosophical discussions, examining testimony explicitly shows that it opens up many new, as yet little-explored problem areas of philosophy itself. We can even conclude that the phenomenon of testimony as such is both an encouragement for and a challenge to philosophy in an era that has become problematic both as a historical time and as a social space.

Keywords: testimoniality, hermeneutics of testimony, socio-historical context, concentration camps, witnesser.

Examining the testimonial topics in a systematic sense takes us to various fields of philosophy, such as ethics, aesthetics, philosophy of history, philosophy of literature and art, philosophy of language, philosophy of politics, philosophy of law, and philosophy of religion. This contribution is based on the

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hermeneutical-phenomenological approach; however, due to the breadth of the field under consideration, the topic is of necessity also interdisciplinary and can serve as a basis for more broadly defining the relevance of human studies in the academic, disciplinary, and social contexts.

414 The development of an elementary conception of the hermeneutics of testimony allows for a suitable analysis of testimonial sources, in the light of which we can, in the broader field of the humanities, discern a general lack of a theoretical approach.¹ This lack also has a negative effect on the evaluation of testimony documents themselves. The treatment of testimonial experience occupies an important place in philosophical hermeneutics, and in this regard Paul Ricoeur's contribution must be mentioned first and foremost. His reflections on testimony allow us to delineate some fundamental conceptual differentiations.² A critical analysis of these differences reveals that the philosophical aspect of studying testimony must be demarcated from the outset from the religious, legal, or literary aspects, because otherwise it is not possible to satisfactorily conceptualize testimoniality. Of course, this does not mean that we should ignore the aspects of testimony just mentioned. Quite the contrary. Giorgio Agamben offers us key support in this regard, since his thinking connects the appropriation of the phenomenon of testimony to the broader reception of Martin Heidegger, Hannah Arendt, Michel Foucault, Jacques Derrida, and other authors, as well as to the testimony literature of Primo Levi (Agamben 1999). Agamben's focus on the possibility and impossibility of the existential structure of being-witness allows us to more precisely unravel the experience of testimony as it is intertwined with remembering, to which Paul Ricoeur attributes central validity (Ricoeur 2004). Furthermore, it makes it possible to unfold the ontological or existential level of testimony, which was initially outlined in Heidegger's *Being and Time* as part of the development of the existential analytic of *Dasein* that, as "this entity, which each of us is himself," (Heidegger 2001, 27) has a tendency to existentially testify, i.e., to bear witness to the human condition as such. On this basis, it is also possible to establish a conceptualization of the hermeneutics of testimony, which encompasses

1 Cf. Heiden 2020 as well as Marinescu and Ciocan 2021.

2 Cf. Ricoeur 1980, Lythgoe 2011 and 2012, as well as Perez 2011.

also a critical discussion of the fundamental philosophical concepts of “self,” “experience,” “personality,” “time,” “space,” “existential situation,” “historical experience,” “memory,” “being,” “meaning,” “linguistic expression,” etc.

The key research assumption that we will develop in the present contribution is the *special connectedness* the phenomenon of testimony has with the individual-existential experience and the socio-historical situation, in which a particular testimony was formed or to which it refers from a (spatio-temporal) distance. To the extent that this connectedness has a special hermeneutic value, since it refers to the communicative or social context of the testimony’s effect, it is necessary to specifically thematize it and allow it a constitutive role in the conceptualization of testimony.³ This makes it possible for us, in contrast to previous considerations of the phenomenon of testimony, not to attribute to it a mere memoir value; such an attribution prevents the very act of testifying in different and difficult-to-define areas of life experience, burdening it with misunderstanding and non-communication—two aspects that can turn into complete social rejection.

The hermeneutic approach makes it possible to crystallize the phenomenon of testimony in terms of its various aspects (biographical, historical, literary, artistic, religious, legal, cultural, social, media ...). However, it is always necessary to take into account the entire life-world situation, into which the testimony enters (as a direct existential experience) and from which (at the level of expression) it departs. The expressiveness of testimony in the social context cannot be considered exclusively as a manner of interpersonal communication, and this is directly demonstrated by the range of how testimony occurs in both the sphere of law and in the sphere of religion. Equally, in the historiographical and biographical contexts, testimony should not be equated (subjectively viewed) with remembering and (objectively viewed) with documentation. Similarly, in the linguistic-theoretical framework, testimony cannot be defined simply as a form of communicating or stating, and, in the literary-theoretical framework, only as a mode of narration.

Testimony is a concept that we use constantly in everyday life. Yet, testimony does not speak to us and address us in an arbitrary way, and it therefore

3 Cf. also Matthäus 2009.

cannot be grasped from the general concept of speech and utterance. Rather, it is defined by *the existential modus of witness*. At stake is not the matter of understanding testimony as something that we remember and want to verbally express, insofar as it concerns *the claim of understanding the meaning of being*. Remembering does not directly, but only indirectly, fulfill the understanding of the meaning of being. Remembering something witnessed by the one who bears witness (i.e., the witnesser) already presupposes the vital mode of the witness who *was right there*. This brings us meaningfully into the realm of Heidegger's ontological determination of Being, which is ourselves, and has its own vital possibility of understanding being. Heidegger chooses the term *Dasein—being-there—*, which is extremely important for our definition of the essence of testimony, insofar as this situation of *being-there* is a precondition for the definition of testimony. The existence of *Da-sein* does not only include the witnesser, but it holds, through the "Da" (in the sense of "there" and "here"), the openness of the entirety of testimony as such. At the same time, this requires a conceptual demarcation of the terms "witness," "witnesser," and "testimony," which are of wide general use and which are of terminological relevance also in the humanities. In a phenomenological description, we are directed to a prior understanding of these terms, although they are conceptually and semantically opaque. In order to understand what constitutes the essence of testimony, it is necessary to explain what *we as witnessers have been witness to*. Here, it must be taken into account that the understanding of what we are testifying is already put into existence and thus determines our human condition, that is, it bears witness to the very existential *meaning of being human*. At the same time, man, as a being who is capable of being, is, for the sake of being "positioned," "destined," "thrown" into the world, always already exposed to his own misunderstanding, from which the demand for understanding emerges. This requires special caution regarding the validity of the testimony, which must be approached structurally within the framework of what testimony means.

Testimoniality includes questions pertaining to three entities: the witness, the witnesser, and the testifying in connection with factual testimony. This field, which we establish in terms of the triad witness—witnesser—testifying, can be considered in the context of existential analysis of *Dasein* (being-there). The individual links in the witness—witnesser—testifying chain are interconnected

and form a whole. The interdependence of each individual member of the whole and at the same time their own entities form a hermeneutic circle. In this way, the links within the testimony structure are connected to each other as a whole, but simultaneously they maintain and demonstrate their own character, which allows for the possibility of their detailed interpretation of the testimony set. When we inquire about testimoniality, we presuppose the following questions: what constitutes meaning, how does the “witnesser” participate in this meaning, and what does it mean in this context to exhibit this relationship as “testifying” or as “bearing witness”? With regard to testimony as a particular way of showing something or someone, the consideration of the meaning of being-witness is best linked to the phenomenological philosophical method, which is specifically aimed at demonstrating something as something. The hermeneutic aspect of such a demonstration, however, demands that bearing witness as demonstration should be captured in its meaningful specificity. This meaningful peculiarity is special in that it is directly personified in the self of man. Thus, meaning appears as a problem of bearing witness to the meaning of humanity, which calls for a clarification of how exactly the ability to testify and bear witness to what is witnessed in the world belongs to the selfhood of the human personality. The question of *how-it-is-for-me-to-be-in-the-world* implies by itself that I cannot be *indifferently* present among the other beings, but in the way that I am testifying to something in the world. This being-present-in-the-world is never simply being-present-at-something (in the manner of bare existence at something). A witness is always a witness to something or someone, not just a witness-by-something/someone. The witness also does not have something merely in sight, but is directly confronted with what is in sight. Where what being-witness is like for a witnesser is not specified, where the vital manner of a witness is lacking, the meaning of this being-witness-to-something-for-someone is also lacking.

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In *Oneself as Another*, Ricoeur relies on Levinas’s determination of the credibility of the witness to use the accusative form “Me voici!” that translates not as “Here I am!”, but as “It’s me here!”⁴ This turns out to be problematic precisely in the case of the social context to the testimony that comes into play, and it cannot be simply assumed, insofar as it is dictated by the sense of *how-it-is-for-me-to-be*.

4 For a more extensive account, cf. Ricoeur 1992, 22.

Being-witness shows not only “me,” but at the same time also others, the whole world, and the situation of being-in-the-world. However, it does so not in the way that one steps into the place of the subject, but rather in the way that one *represents the irreplaceability of being* and with it also oneself as a being who is in an essential relation to being. It is here that we distinguish the existential definition of being-witness from the subjectivist position that, from the outset onwards, equates *the witness* with *the witnesser*. *In this way, in principle, access to the consideration of the phenomenon of testimony, which is carried out in the witness–witnesser–testifying frame, is prevented.* It would be a mistake to understand the triad in such a manner that we place the “witnesser” into the position of the subject and the “witness” on the level of being! The witnesser is always more or less than the subject, insofar as the witness is vitally determined by *being-witness*. If we declare someone to be a witnesser and testifier, we do not mean by him only the subject, but also his relation to what he witnesses and testifies to as meaning. Without this connection, there is no witnesser and testifier, only *an author*. The witnesser does not have any “copyright” to what and what about he testifies. Because of this, he is free to express meaning, even if it turns out to be nonsense. In fact, the witnesser himself brings to light an understanding, rather than conforms to general understanding and understandability.⁵ Testimony, as a testimony, always deviates from the general and generalized understanding, which shows the marginal position of the witnesser, insofar as he follows the dictates of being a witness.

Agamben notes that Foucault in his theory of the author in his essay “What is an Author?” (1998) overlooked the question of the ethical implications of the theory of enunciation or of the semantics of enunciation. This is especially true of an act of enunciation that has the status of a testimony, where:

⁵ Here, one can discern a parallel with Waldenfels’s understanding of responsivity: “The voice of the respondent is pro-voked [pro-voziert]; it is called out from elsewhere; one responds to something or to someone. What the response is made to is not to be confused with the about-which [Worüber] of a statement that I make or with the what-for [Wozu] of a decision I make. The response does not depart from me myself. The person who appears in the response stands across the usual definitions. He is neither a mere ‘deficient being’ who has to compensate for what is lacking, nor does he stand out as a ‘crown of creation,’ nor does he live ‘at the center of the World.’” (Waldenfels 2015, 6.)

[...] what momentarily shines through these laconic statements are not the biographical events of personal histories, as suggested by the pathos-laden emphasis of a certain oral history, but rather the luminous trail of a different history. What suddenly comes to light is not the memory of an oppressed existence, but the silent flame of an immemorable ethos—not the subject’s face, but rather the disjunction between the living being and the speaking being that marks its empty place. Here life subsists only in the infamy in which it existed; here a name lives solely in the disgrace that covered it. And something in this disgrace bears witness to life beyond all biography. (Agamben 1999, 143.)

The hermeneutics of testimony can be based on the theory of enunciation, but at the same time it also exceeds it, specifically, where the authority of the author-witnesser comes to the fore or is challenged, either because of the trauma of the witnesser or because of intimidation by some other authority that has appropriated social power. The Slovenian writer Boris Pahor (b. 1913) who died in 2022 at the age of 109 confronts both aspects in his extensive literary work, and he has rightly been called the witnesser of the 20th century.⁶ Pahor’s literary oeuvre not only draws attention to the totalitarian conditions of the past century and the living conditions within it, but he primarily confronts the reader with questions of *affection and (mis)understanding or (mis)meaning*. Affection is not tied to an emotional experience or an event as a real historical fact, but is *primarily and fundamentally characterized by misunderstanding*. “Experiencing” an event in a socio-historical situation is therefore only possible, if *someone witnesses it*, i.e., the witnesser is the one who assumes the role of a witness to the extent that it is assigned to him in his own existence.

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When the Slovenian National Hall on Oberdan Square in Trieste was burned down on July 13, 1920, Pahor was there as a witness to the totalitarianism that marked the 20th century. For Pahor, the experience of seeing this act of arson was not only the one that would mark his feelings, but rather the one that had

⁶ Cf. Rojc 2013. See also: *Wikipedia*, s.v. “Boris Pahor,” accessed November 23, 2022, https://en.wikipedia.org/wiki/Boris_Pahor.

been stamped upon his actual existence of being-in-the-world, which, “from then on” and “from there,” is distinguished by the aspiration of the testimony. Being-witness involves being touched by something that is to be testified to. Of course, the question is whether what concerns the witness as a witness to the event can be treated as “the subject’s experience” and whether we do not thereby contextually falsify the frame of testimoniality itself. When Boris Pahor describes his experience in the Nazi concentration camps and the war, as well as the post-war situation, he repeatedly emphasizes the importance of the burning of the National Hall in Trieste (this is also a key point for understanding his testifying), since he wants to highlight, from the viewpoint of a historical situation, what actually established it. Usually, concentration camp victims are asked about their factual experience. Their testimony thus boils down to describing the facts, leaving out the question of what they actually witnessed. To the extent that bearing witness is reduced to such a description, we forestall the possibility of understanding testimoniality. If we ask what feelings someone had, when they saw the burning National Hall, we forestall the possibility of understanding what the person present witnessed. What Pahor witnessed marked the entire 20th century. In *Grmada v pristanu* (*The Pyre in the Port*), where Pahor for the first time describes the burning of the National Hall, he emphasizes the glowing, red sky and the smell of smoke in the air. He also describes the event in his most famous literary work, *Necropolis* (2011), by indicating the origin of what he later witnessed in the concentration camps.

In her article “Trauma, memory, testimony,” Claudia Welz systematically addresses the relationship between the three denoted concepts. She turns to the experience of the concentration camps, interrogating statements made by the Holocaust survivors, expressed by sentences, such as: “No one can describe it” and “No one can understand it.” Welz also deliberates upon the problem of integrating and communicating the traumatic experience in the sense of testifying. Her paper encompasses the process of testimony, the (in)ability to transform traumatic memory, and the fundamental role of speech as a traumatic experience. Welz considers the etymology of the Greek word τραῦμα in the sense of “being wounded.” The English translation “wound” does not fully satisfy the meaning of the word τραῦμα, as it implies physical injury. “Trauma” refers also to a psychological condition that has marked an individual due to

an event. Welz argues that trauma, which results from having experienced some kind of horror, impairs our memory and renders us unable to testify.

Welz states that a non-traumatized witness is capable of the normal communication process *from seeing to saying*. He testifies to what he saw. In the case of a traumatized witness, however, this natural process is prevented. Her research uses phenomenological, psychological, and ethical questioning of the relationship between trauma, memory, and testimony, highlighting the “inner witness” and the importance of “the social context.” According to Welz, socialization plays an important role in de-traumatizing the witness (e.g., helping the witness by talking, encouraging testimony and restitution of memory and identity). She takes Claude Lanzmann’s film *Shoah* as an example, which very directly tries to present the problem of testimony as such.

Shoah follows a witness to a concentration camp in such a manner that the viewer is given no reflections except their own. The purpose of the film was to let the testimony as such be imprinted upon human consciousness and conscience. Welz, in the case of *Shoah*, states: “those who were closest to the ‘facts’ died first, and those who have survived can witness only vicariously with the help of ‘fiction’” (Welz 2016, 106). In a similar vein, Agamben, quoting Primo Levi, reiterates: “I must repeat: we, the survivors, are not the true witnesses. [...] The destruction brought to an end, the job completed, was not told by anyone, just as no one ever returned to describe his own death. [...] We speak in their stead, by proxy.” (Agamben 1999, 33–34.)

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In Welz’s view, *Shoah* represents an insoluble problem of testimony, precisely because it cannot testify to the past of those whose past it was: “The narrative of the past cannot be told by those whose past it was.” (Welz 2016, 106.) She refers to Agamben who says that, in testimony, there is something akin to the inability to bear witness. Here, the relation is to “the living dead” (to the *Muselmann*, which is a Yiddish expression for “a Muslim”).⁷ If the Shoah is something like

7 “The so-called *Muselmann*, as the camp language termed the prisoner who was giving up and was given up by his comrades, no longer had room in his consciousness for the contrasts good or bad, noble or base, intellectual or unintellectual. He was a staggering corpse, a bundle of physical functions in its best convulsions. As hard as it may be for us to do so, we must exclude him from our considerations.” (Jean Améry; quoted in: Agamben 1999, 41.)

an event without witnesses, as defined by Shoshana Felman and Dori Laub, then, accordingly, it is impossible for it to be witnessed, neither from the inside (i.e., inside death) nor from the outside (i.e., outside death no one can be a witnesser and testifier; according to Levi, they can act *only as a proxy*, or, in Agamben's view, as an *outsider*). Lanzmann's film aims to "capture" precisely this *in-betweenness*, and, as such, show it directly to the viewer who assumes the role of an inexperienced witness to what the camp survivors testify. Welz's "wounded identity" of the victim (the label is Lawrence Langer's) is a witness who tries to remember, but their memories are always anew irretrievable (they cannot be testified), which as a result continues to haunt the witness as a survivor. In her opinion, something like the guilt of the survivor remains in the memory. They survived, because they adapted to the camp conditions, which puts the camp inmate in a traumatic situation.⁸ The desire to survive (for example, through taking the position within the *Sonderkommando*, suffering humiliation in the banal matters, such as the fortune of stealing a piece of bread from another inmate, etc.) included debasing situations that did not leave elevating feelings after surviving the camp.⁹ None of the inmates had a real choice, no one was capable of deliberation; the inmates had to act only as they were told (that is, they functioned, but did not live).¹⁰ The punishment of the inmates depended on disobeying the orders of the superiors, but all opposition would have been ineffective, since *extermination* and dying were the order of the day in the camp. On the basis of the testimony of Luna K., Welz states that choosing whether to obey or to disobey an order was not a choice at all, because anyone who resisted, in order to possibly prevent/resist the killing, did so at the cost his own life and consequently endangered the lives of other; if he did not oppose it, the act itself meant indirect "participation" through the means of silent observation of the killing and extermination. According to Welz, this destroyed any mutual relations and consequently compromised personalization with the victim. Trauma was inflicted upon the inhabitants of

8 Cf. also Santos, Spahr, and Morey Crowe 2019.

9 "This created humiliating, un-heroic memories." (Welz 2016, 107.)

10 "As the witness Chaim E. explains, no one had a choice in the death camps, and no one could think over what to do. The prisoners were just driven to do whatever they did. They were like robots rather than human beings." (Welz 2016, 107.)

the concentration camps as a wound, through which the inmates either lost human contact with themselves and their inner world, the soul, or became dehumanized, alienated in the manner of a *Muselmann* (i.e., he was no longer capable of perceiving himself as being human). They lacked a *Thou* as an *I*.¹¹ A *Thou*, with whom *I*, as a being-there [*Dasein*], can establish a dialogue¹² or, rather, “talk to” within myself (*I talk to myself*), which actually means bearing witness to myself in the way of being-witness. By eliminating *the witness* as presence, the possibility of establishing the individual as an individual is also destroyed (cf. Welz 2016, 109). In the continuation, Welz also deals with the inner consciousness of the witness, insofar as self-awareness and conscience are concerned. According to her, *testifying* and *conscience* have the same characteristics: *watchfulness*, *wakefulness*, and *alertness* (ibid., 110). For the witness to even recognize something like conscience, conscience must already appear to them as a remembering. If this remembering is traumatized or if PTSD (*post-traumatic stress disorder*) occurs,¹³ the process of testifying or bearing witness becomes impossible.¹⁴

In section 60 of *Being and Time* entitled “The Existential Structure of the Authentic Potentiality-of-Being Attested to in Conscience,” Heidegger provides an analysis of the attesting relevance of the call of conscience in co-affiliation with duty, determination, silence and immediacy, and non-locality. On the

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11 In *Testimony* (1992), Dori Laub bears witness to the childhood experience of a concentration camp, where he describes the loss of the essentiality of the *self*, according to which a person has a self: “There was no longer an other to which one could say ‘Thou’ in the hope of being heard, of being recognized as a subject, of being answered. [...] The Holocaust created in this way a world in which one *could not bear witness to oneself*. [...] This loss of the capacity to be witness to oneself and thus to witness from the inside is perhaps the true meaning of annihilation, for when one’s history is abolished, one’s identity ceases to exist as well.” (Quotation taken from: Welz 2016, 108.)

12 “The internal ‘Thou’ is here presented as the addressee with whom an inner dialogue takes place. Furthermore, the ‘inner Thou’ is characterized as a prerequisite to symbolization and internal world representation.” (Welz 2016, 109.)

13 Cf. the chapter “Traumatized memory” and its subheading “PTSD and witnessing: ‘from seeing to saying’ or ‘reinventing in recounting?’” (Welz 2016, 114–121).

14 Irrespective of the psychological designation of the condition (PTSD), when a person is able to testify despite the trauma, the more essential process can be named as from seeing to saying or from perceiving to recounting the perceived.

one hand, this confirms the connection between testimony and conscience, as represented by Welz, but, on the other hand, she also does not place the call of conscience, which can be understood as an existential dictate to being-witness, in the function of remembering. Rather, it is the other way round. Thus, no culture of remembering—which is a very popular concern in the humanities today—is possible without the ethics or, even better, *the ethos of testimony*. Adjusting the possibility of testimony to the capacity of memory deprives testimony of its socio-historical context.

In Ricoeur's book *Memory, History, Forgetting*, we come across the definition that "testimony constitutes the fundamental transitional structure between memory and history" (2004, 21). The problem, of course, is what we understand by the transitivity of the transition in the way of testimony. Based on our findings, this transition is connected with the structure of being-witness or with the assumption of this structure by the witnesser.

424 Bearing witness means that the transition comes to mean by becoming historical. Becoming historical also means passing into memory and remembering, which can be fulfilled in testimony. However, testimony in its existence is not just a memory. According to St. Augustine, who, especially with regard to *Confessions*, could be characterized as a philosopher-testifier, a testimony is, besides memory, fulfilled by insight and anticipation: "For the mind expects and attends and remembers, so that what it expects passes through what has its attention to what it remembers." (Augustinus 2008, 243.)

Translated by Jason Blake

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