

Bound by Tradition?

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INTRODUCTION

Enlightenment rationalists considered traditions to be obstacles to the development of true knowledge and a good social order; and contemporary critical thinkers are equally disinclined to see in traditions something else than shackles of the past – “reactionary utopica” (Bloch 1970, 24) – that prevent people from moving on: policy-making should bow to the authority of reason, not the force of habit and prejudice; if justice is to obtain, we need to free ourselves from the firm grip of traditions. However, perhaps tradition cannot easily be placed in a dichotomy to rationality. Perhaps traditions are too easily ignored as weights on the balance of public reason when discussing policy. And perhaps traditions are an integral component of – rather than an obstacle to – good governance. Popper believed that such concerns deserved greater consideration and, after having read Oakeshott’s *Rationalism in Politics*, believed that systematic reconsideration was urgently needed. While traditions cannot replace normative reasoning, he hypothesized, it would be reckless to discard them out of hand as irrational remnants of primitive societies. The task, Popper affirmed, is to develop a rational theory of tradition; a theory that manages to rescue traditions from the traditionalists and, to some extent, too, rationality from the rationalists.

This paper attempts to carry forward the project launched by Popper and thus take another step towards a rational theory of tradition.¹ For this purpose, I reconsider and try to specify whether traditions can serve valuable functions in social and political life, focussing in particular on the relationship among traditions, institutions, and institutional reform. I take the “Popper-Oakeshott conversation” (Jacobs and Tregenza 2013) as my starting point because it serves to introduce the reader to moderate

¹ The concept of tradition has rarely received systematic treatment in political theory, which is surprising also because of the crucial role it has played in the communitarian-liberalism debate. Among the exceptions are MacIntyre (1988, 1992, 1997) and of course Oakeshott (1991a, 1991b, 1991c, 1991d). A seminal sociological study of tradition has been provided by Shils (1981). In addition to that many profound reflections on various aspects of tradition, traditionality, and traditionalism are scattered across philosophical, political, sociological, and theological scholarship, to some of which will be made reference in the main body of the paper.

conservative and moderate critical views of tradition (Section 1). The review of this conversation reveals besides substantial differences concerning the understanding of tradition and rationality that Popper and Oakeshott agreed in three important regards: firstly, the functions of traditions justify a status-quo bias in, and piece-meal approach to, policy-making; secondly, rational assessment is a necessary and reasonable strategy to select among the many particular traditions and improve them; and finally, that criticism, argument, and pluralism is either absent from traditions or attenuates their social and political functions. My thesis is that Popper and Oakeshott are wrong in this third respect. To corroborate this thesis, I provide analyse the procedural dimension of traditions in some detail and propose to adopt a causal-similarity model of tradition that offers room for synchronically and diachronically heterogeneous practices (Section 2). It is finally argued that traditions may – due to their capacity to generate synchronically and diachronically heterogeneous practices – serve as a decentralized information system that fosters institutional modernization (Section 3). In the final remarks, I set forth the idea of rationalist anti-traditions (Section 4).

1 THE POPPER-OAKESHOTT CONVERSATION

In 1948 Popper delivered a lecture in which he expressed his concern that the “problem of tradition” had not been solved yet (Popper, 1972a). Rationalists, he said, rarely bothered to criticize Burke’s analysis of “the importance of the irrational power we call ‘tradition’” and lacked arguments to ward off Oakeshott’s (1991a), particularly powerful “traditionalist” attack on rationalism. Let alone the question of whether the dismissive view of traditions could ultimately be justified, rationalists so far kept up with a self-refuting “traditional attitud[e] towards the problem of tradition” (Popper 1972a, 120-1).

Rationality, Popper argues, is the vehicle for social progress. As such, it is not self-sufficient. The exercise of rationality needs things to operate on in order to operate, and these things in the social realm are traditions. Traditions, he defines at this point, are social habits of thought and behaviour. As they will often not be adequate or just, it is an important function of rationality to scrutinize and criticize them. But regardless of whether they are particularly adequate or good, they bring predictability and order to an otherwise chaotic world, thus enabling for individual and collective rational action:

We should be anxious, terrified, and frustrated, and we could not live in the social world, did it not contain a considerable amount of order, a great number of regularities to which we can adjust ourselves. The mere existence of these regularities is perhaps more important than their peculiar merits or demerits. They are needed as regularities, and therefore handed on as traditions. (Popper 1972a, 130)

Traditions are the inherited cognitive and behavioural infrastructure of societies. Without the vehicle of rationality we could not move on, but without using the inherited infrastructure, we would not get very far. While critical scrutiny may result in the rejection of particular traditions, it may also lead to their acceptance. For progress to be possible some social habits of thought and behaviour must be critically accepted, and for progress to occur it is also necessary to accept some of them uncritically. Otherwise, everybody would “start where Adam started”, as Popper (1972b, 122, cf. Popper 1972a, 129) later put it succinctly, and “would not get further than Adam did”. Traditions are valuable, in this regard, because they equip us with tacit knowledge and habitual practices without us having to become active and waste scarce resources to invent all of them ourselves – not least the tradition of rationalism, the habit of questioning traditions.²

Rationality is neither the enemy of nor a substitute for traditions; it is primarily a tool to make good selections among the various particular traditions that have or had brought order to social life at different times in different places of the world.³ The employment of rationality might also lead occasionally to the invention of a new

² According to Popper, rationalism (“the scientific tradition”) originated and was soon abandoned again in Ancient Greece and had, luckily, been restored in some parts of the continental and English world. But it was far from being safe from being abandoned again in these regions, as Nazi Germany had proven, and immensely difficult to transplant to regions unfamiliar with it, as Popper believed to have experienced in New Zealand. Here, great efforts were made to “convince people of the need for such a tradition, but that does not mean that the tradition will take root and flourish (Popper 1972a, 121). Kant’s pedagogical writings include similar reflections: the members of new generations can only succeed in becoming autonomous moral agents and cultivating the project of the enlightenment if they are first familiarized with the terms of law and duty by means of prescriptions and habituation through examples (Kant 1987, 445; cf. Dittmann 2004, 38-54).

³ Popper’s theory of tradition displays many analogies to his theory of science, as the following quotations indicate: “The so-called freeing [from the bonds of traditions] is really only a change from one tradition to another”; “that what we call ‘science’ is differentiated from the older myths not by being something distinct from a myth, but by being accompanied by a second order tradition – that of critically discussing the myth”; or “we should always remain conscious of the fact that all social criticism, and all social betterment, must refer to a framework of social traditions, of which some are criticized with the help of others, just as all progress in science must proceed within a framework of scientific theories, some of which are criticized in the light of others” (Popper 1972a, 122, 127, 132). Such statements lend considerable credence to the view that Popper continued the tradition of enlightenment eclecticism rather than enlightenment rationalism (Holzhey 1983, 28).

tradition – even though much more often traditions come to existence as unintended by-products of rational action – but much more important is that rationality may help us to improve those traditions which the members of a society have already internalized. Insofar as traditions have been internalized, people have made experiences with them and are familiar with their particular demerits: “we at least know where the shoe pinches.” Policy-makers can make targeted amendments to solve the problems. Would they instead follow Voltaire’s advice, and replace the existing elements of order with new ones invented from scratch, “it will be quite a time before we find out what is wrong with [them]” (Popper, 1972a, 131).

With these remarks, Popper had good reason to believe that he was on a good way to rescue rationality from certain rationalists. He had given explanations about why traditions are important for social life and justified a status quo bias (“the mere existence of these regularities is perhaps more important than their peculiar merits or demerits”); he had made a case for piece-meal reform and debunked the social-engineering attitude of systematically rejecting traditions in order to make space for the products of autonomous reasoning. He apparently also believed to be on a good way to rescue traditions from the traditionalists by not abandoning rationality and normative principles as independent criteria to select and correct traditions. But he had done rather little to address or even identify Oakeshott’s stance on the subject matter. While Popper plausibly differentiated between a “wrong”, namely “anti-traditionalist” and “dogmatic” rationalism from his own “non-dogmatic” one, he did not sufficiently consider whether Oakeshott’s position actually is “Burkean”, “anti-rationalist”, and “traditionalist” rather than fitting into a fourth, perhaps “non-dogmatic traditionalist”, camp (Popper 1972a, 121).

Oakeshott, after all, advocated a piece-meal approach to policy-making instead of status quoism on the one hand or blue-print planning on the other hand, and portrayed rationality as “the critic of political habit” (Oakeshott 1991a, 27; see also Jacobs and Tregenza 2013, 8). Oakeshott’s real attack on rationalism in politics revolved around two questions that Popper did not, or not directly, address: firstly, whether traditions should be habitually questioned, and secondly, which independent (rational) criteria are plausible candidates for the job of assessing, accepting, rejecting, selecting, or amending traditions.

Concerning the first question, Popper argued that the exercise of rationality, even though it cannot free us from tradition, still manages to free us from the taboos of

tradition. Rationalists will never feel obliged to submit blindly to a tradition and instead be always ready to scrutinize it. The taboo of tradition, the implicit or explicit discouragement to question habits of thought and behaviour, had in fact played a crucial role for “traditionalists”. Early critics of enlightenment rationalism had after all frequently metaphysical truths (e.g. divine revelation) in mind when they spoke about traditions. In Roman Catholic theology, for instance, it was commonly held that certain elements of the Christian doctrine were not included in the Bible but orally handed down from Jesus to his disciples (Kamplung 1991, 174-8). Doubting them was a manifestation of apostasy. Questioning “natural” social traditions (in particular the hierarchical estates of the realm) – Bonald inferred – analogically amounted to political atheism (Spaemann 1998, 151; cf. Dittmann 2004, 24, 29).⁴ At least besides (religious-) “orthodox” accounts, however, already classical conservatives had provided secular and non-metaphysical arguments to justify the taboo of tradition. Burke, De Maistre, Choate and other conservatives pointed to the positive veiling functions of traditions and religiosity to maintain individual morality and social cohesion (cf. Muller 1997, 21-2). And it was rather these “historical utilitarian”, not the “orthodox” considerations for which Oakeshott had sympathy: “The constant analysis of behaviour tends to undermine, not only prejudice in moral habit, but moral habit itself, and moral reflection may come to inhibit moral sensibility” (Oakeshott 1991d, 475). The conservative “veil of ignorance” is far from unproblematic, though Popper did not take issue with it.

Concerning the right kind of independent (rational) criteria to assess, accept, reject, select, or amend traditions Popper made, in the first instance, an open concession to Oakeshott’s modest epistemology (pace Jacobs and Tregenza 2013, 12). The rational assessment of a tradition, he admits, faces many obstacles given that the plethora of traditional and legal arrangements of a society form an intricate web of functionally interdependent social regulations: “the world in which we live is extremely complex, I should be tempted to say that it is infinitely complex” (Popper 1972a, 129). The identification of the precise content and functions of even one single tradition might therefore be impossible; yet there is no better way than trying to do our best in understanding their functions, merits, and demerits. Fallibilism, rather than scepticism,

⁴ To be noted is that Bonald’s critique of enlightenment rationalism and in particular Descartes’ project of radical doubt was not unsophisticated in that he stressed the impossibility to transcend the strictures of language (cf. Spaemann 1998, 44-5; see also Larmore 1990, 343-5).

is the consequence Popper draws. At the same time Popper slurred over Oakeshott's ontology of knowledge that constitutes the nub of *Rationalism in Politics*.

Traditions, Oakeshott had suggested, are epistemic structures that preserve knowledge in a complete manner, because real knowledge includes a practical dimension ("knowing-how"). It cannot be reduced, abridged, or restated in the propositional terms of the "technical" dimension of knowledge (knowing-that) without a remainder. There is a difference, so to say, between speaking a language and having understood the rules laid down in a grammar book. In contrast to books, traditions embody knowledge in customs and habits of behaviour and thus manage to preserve the practical dimension of knowledge along with the technical one (Oakeshott 1991a, 12-17; 1991b, 52-54; cf. Marsh 2012, 251; Jacobs and Tregenza 2013, 12).

Rationalists are not aware of the practical dimension of knowledge. They unselfconsciously reduce knowledge to technical knowledge, decontextualize political experiences and abridge them into doctrines of abstract principles to be universally applied and ends to be generally pursued (Oakeshott 1991b, 54-5). Advocates of the different ("ideological") doctrines aspire to bring the established arrangements of their society before the tribunal of pure reason, whereas in fact they only bring them before the tribunal of some abridged and decontextualized selection of political experiences. The right way to assess the established arrangements of a society, such as particular traditions, Oakeshott affirms, is a different one; namely, the pursuit of intimations:

This activity... spring neither from instant desires, nor from general principles, but from the existing traditions of behaviour themselves. And the form it takes, because it can take no other, is the amendment of existing arrangements by exploring and pursuing what is intimated in them. The arrangements which constitute a society..., whether they are customs of institutions or laws or diplomatic decisions, are at once coherent and incoherent: they compose a pattern and at the same time they intimate a sympathy for what does not fully appear. Political activity is the exploration of that sympathy; and consequently, relevant political reasoning will be the convincing exposure of a sympathy. (Oakeshott, 1991b, 56-7)

Some arrangements in a society, one could say with Wittgenstein (1969, 21 §144), "stand unshakeably fast and some are more or less liable to shift. What stands fast does so, not because it is intrinsically obvious or convincing; it is rather held fast by what lies around." An example Oakeshott gives for a convincing exposure of an incoherence in a society's arrangements is gender equality:

...the only cogent reason to be advanced for the technical “enfranchisement” of women was that in all or most other important respects they had already been enfranchised. Arguments drawn from abstract natural right, from “justice,” or from some general concept of feminine personality, must be regarded as either irrelevant, or as unfortunately disguised forms of the one valid argument; namely, that there was an incoherence in the arrangements of the society which pressed convincingly for remedy. (Oakeshott 1991b, 57)

A tradition, may therefore well be modified, and there will be frequent occasion for deliberation and disagreement about how it ought to be modified; the incoherence of a tradition with the other arrangements of the social order may occasionally indeed be so grave that it is necessary to break with it and look for a substitute either in the past (Oakeshott 1991c, 408) or in other societies (Oakeshott 1991b, 55). The relevant criterion, however, is in neither case its accordance with premeditated principles, but the tradition’s coherence with the other arrangements of the social order.

In sum, the review of the Popper-Oakeshott conversation has shown, firstly, that both authors consider traditions to be indispensable for social life, even though for partly diverging reasons. Whereas Popper highlights the ordering function of traditions, Oakeshott sees their specific value in the capacity to disseminate the practical dimension of knowledge. In addition to that, they refer to and hint at other valuable functions, such as the creation of social cohesion, the endowment with routines that allow for coping with recurrent problems in an efficient way, or knowledge about the demerits of a society’s arrangements. Because of such functions of traditions, both see no alternative to a piece-meal approach to politics. Secondly, it has become clear that Popper and Oakeshott agree that intellect should be employed to assess, accept, reject, select, or amend traditions, but substantially disagree about the precise independent criteria. Oakeshott, rather implausibly (Franco 2004, 96), becomes set on the idea that the only legitimate independent criterion is a tradition’s coherence with the rest of life. Popper appears to be open to more than one criterion – perhaps also Oakeshott’s coherence criterion – but leaves no doubt that there is ultimately no way around normative beliefs. Finally, it emerges out of Popper’s and Oakeshott’s respective explanations of how and why intellect must serve as the critic of traditions that criticism, argument, and disagreement is extrinsic to thriving traditions. Perhaps the question of the inner constitution of traditions was irrelevant to their general arguments; yet it might well, as I will argue, affect our understanding and evaluation of

the functions that traditions serve in social and political life. To prepare the ground for my argument, the next section analyses the concept of tradition in greater detail.⁵

2 THE CONCEPT OF TRADITION

Popper and Oakeshott employ the term “tradition” in various, by tendency undifferentiated, and only partly overlapping ways, denoting, for instance, all that what is handed down, certain things that are handed down, the action of handing down, the result of having obtained something, or the process by which something is handed down. A promising way to disambiguate these meanings and acquire a formal understanding of tradition consists in inquiring into the threefold valence of the verb “to hand down” (or “to pass on”): somebody hands something down to somebody else. A *tradition act*, I will accordingly understand, is a process by which something is handing down and a *tradition* is a series of tradition acts (cf. Dittmann 2004, 326). Let us consider a single tradition act in isolation to analyse the implications for the concept of tradition.

A tradition act requires that a *tradent* (T) passes on some *tradition material* (M) to a *recipient* (R). The tradition material can, in principle, be anything: a belief, doctrine, practice, institution, a material object such as the dress watch that is forwarded from generation to generation within a family, and even machines, monuments, or landscapes

⁵ Oakeshott emphasizes on various occasions that “every tradition contains within itself a multiplicity of different, sometimes colliding, intimations” (Franco 2004, 94), which seems to contradict my diagnosis. And perhaps I should better say that my paper tries to conciliate Oakeshott’s theory of politics as the pursuit of intimations and deliberation about coherence with Popper’s project of developing a rational theory of tradition. Nevertheless, I am inclined to adhere to my diagnosis because Oakeshott operates with two different concepts of tradition: one relates to particular social habits of thought and behaviour as one kind of arrangement within a society, and the other to the cognitive horizon that a person cannot easily cross (Oakeshott seems to have in mind for instance the terms of debate set by a national political discourse; see also Jacobs and Tregenza 2013, 15), or even more generally, as the insurmountable traditionality of all human thinking. The activity of exploring intimations and increasing coherence is without any alternative for Oakeshott because of *tradition as cognitive horizon*. Yet the pursuit of intimation’s subject of enquiry is the coherence of the various *particular traditions* with other arrangements of society such as “institutions or laws or diplomatic decisions” (Oakeshott 1991b, 56-7). Internal criticism, argument, and disagreement would accordingly be something that Oakeshott is concerned with only in regard to tradition as cognitive horizon, but not in regard to particular traditions. The same applies, I believe, to MacIntyre’s (1997, 221-2, 1988, 360) critique of the unacknowledged traditionality of liberal political philosophy. To be added is that philosophical discussions of tradition frequently approach revolve around the hypothesis that all thinking is traditional, and accordingly are interested exclusively in traditions as macro-cultural units, horizons, life forms, languages, cultures, collective narratives, or rationalities (e.g. Gadamer 1976, 15; Wittgenstein 1969, §144; cf. Annas 1989; Dittmann 2004, 38, 140-1; Shils 1981, 7; Yadgar 2013).

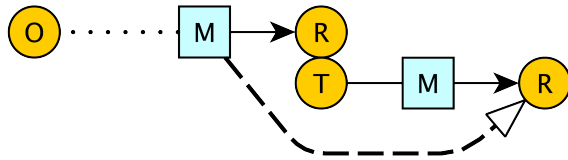
(Shils 1981, 12). The decisive point is always that tradition materials present or imply “patterns or images of actions ... and the beliefs requiring, recommending, regulating, permitting, or prohibiting the re-enactment of those patterns” (Shils 1981, 12). One might therefore say that not the dress watch itself is the tradition material, but rather the custom of making such a transmission; that the transmission is made by the head of the family to the firstborn child, the ceremony accompanying the transmission, etc. (Dittmann 2004, 354; Shils 1981, 201). Following Shils, I include institutions in the list, and they can certainly become the material of a tradition, even though it has probably been historically much more common that tradition materials are transformed into institutions. Be it as it may, an institution – just like a tradition material – presents or implies a pattern or image of actions and the beliefs requiring, recommending, regulating, permitting, or prohibiting the re-enactment of those patterns. In contrast to traditions, however, institutionalization legally fixates and juridically explicates those patterns of action. The pattern of action may be invented, transplanted from another context, or be handed down from tradents to recipients, in the case of which institutionalization means the partial fixation and legal explication of a tradition’s material. Following this logic, we might for instance say that the German marriage law and unemployment assistance are partial institutionalizations of traditions of marriage or charity.

The recipient receives the tradition material. He or she may hand it down in turn, yet of course may also fail or refuse to pass it on; and if all recipients of a tradition happen to do so, the tradition comes to an end. While the recipient of a tradition can become a tradent or not, any tradent of a tradition material must necessarily him- or herself have been a recipient before. Otherwise he or she would not hand the tradition material *down*, but *over*.⁶ The tradent may have received the tradition material from an earlier tradent or from the *originator of the tradition* (O) who has actually handed *over* the tradition material. The originator of a tradition, however, although necessarily presupposed by the concept of tradition, is not involved in a (and precedes the first) tradition act. In other words, a person (or group, or deity) may hope to invent a tradition when (consciously) transmitting something to somebody else or be identified as the

⁶ Modern usage (and the understanding advocated in this paper) differs in this regard from the original meaning in Ancient Rome, where *traditio* denoted the performative act of transfer of ownership in purchase agreements as well as law regulating inheritance (Dittmann 2004, 117).

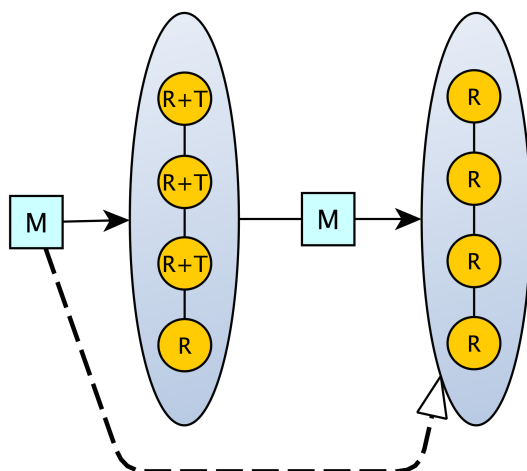
originator of a tradition in retrospect; yet a tradition comes into being not by invention, but by at least one successful tradition act.

Figure 1: The basic model of a tradition



The basic model of a tradition takes the form of a one-one chain of transmission ($T \rightarrow R$), and captures, if considered in isolation, the intra-family tradition of transmitting a dress watch from family head to the firstborn. Most usually, however, traditions are many-many chains in that some tradition material is handed down from a vast number of tradents to a vast number of recipients. Because traditions are most usually many-many chains, they can have the regulation effects, as capitalized by Popper, of synchronically attuning contemporaries to a pattern of action that increases predictability and enabling individuals as well as the collective to act rationally in addition to the diachronic effect of generating continuity in the social infrastructure across generations. The basic model of tradition can easily be modified accordingly and be illustrated (in slightly simplified form) as follows.

Figure 2: The causal-identity chain model of a tradition



I term this model the causal-identity chain model of a tradition. Whilst the tradents and recipients are many, the tradition material is one, and it is one and the same for each

link of the chain of transmission. This model grasps well how traditions are usually thought of in religious contexts, where the transmission of tradition materials is thought of in terms of initiation: tradents are custodians of a tradition material, recipients submit to their authority. The point is not to discuss a topic but to inject (holy) knowledge; one person talks, the other listens. The recipient needs not even understand what he or she is being taught; the recipient just needs to believe what the tradent him- or herself was told to believe. The recipient is neither a conversation partner nor pupil of the tradent, neither an equal nor contemporary, but a “disciple (in German: “Jünger”) and heir to whom the tradition will be entrusted in the future. That is why Paul calls those who accept his message his ‘sons’” (Pieper 2010, 11). In consequence, the tradition act is successful if and only if the *tradendum* becomes a *traditum*: that what was supposed to be handed down must actually (and without modification) be that what is handed down. Otherwise, the tradition got lost (Pieper 2010, 9-22).

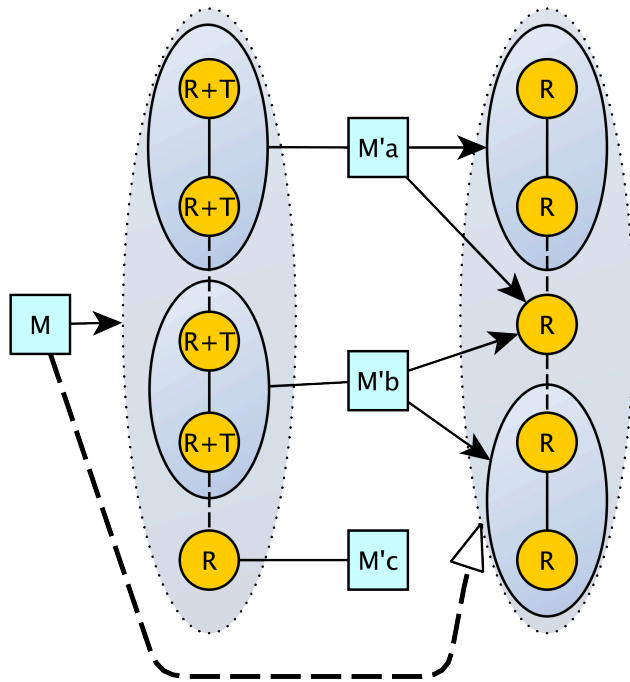
Puzzlingly, Popper (just as anti-traditionalist rationalists) adopts this account of a successful tradition act even though his focus is on secular affairs, even though he provides a markedly different account of how their acquisition, and even though he does not consider the departure from tradition as a vice by definition. While it is easy to understand why the lack of alterity is an attractive feature of a sound tradition in religious contexts, it is difficult to see why Popper thinks that it could be adequate for a rational theory in social contexts. If a tradition material is presupposed to be of divine origin, it ought not to be changed because of its divine origin, and perhaps it has a better chance of remaining unchanged if recipients do not even try to make sense of it. However, on Popper’s account all kinds of mundane patterns of action are grasped as tradition materials, no special authority is attributed to the originators of traditions, there is no predefined answer as to whether particular traditions are desirable or not. Why, then, should we believe that tradition materials would, if no effort is made, or could possibly, remain unchanged in the course of events? Popper argues that a tradition material may be rationally accepted or rejected, passed on consciously or not, reactivated from and transplanted in other contexts; yet as long as they are passed on as a tradition, Popper posits, they must be inter-generationally and intra-generationally the same. Traditions are constituted by “a uniformity of people’s attitudes, or ways of behaviour” (Popper 1972a, 133). If recipients – deliberately or accidentally – modify

tradition materials, which happens “only very rarely”, we experience the creation of a new tradition, not the continuation of an existing one (Popper 1972a, 125).⁷

Empirically, this is certain, changes in tradition materials occur rather frequently. It has often been shown that pattern of action internalized by one generation of tradents significantly differed from those which they believed their ancestors had internalized (cf. Dittmann 2004, 125). Additionally, internalized patterns of action also differ among members of one and the same generation of tradents, the consequence of which can be the rise of social disputes over the faithful continuation of a tradition. (Just think of Shia and Sunni, Catholics and Protestants, Stalinists and Trotskyists, or Left and Right Hegelians). Sometimes diverging claims may lead to a lasting and violent conflict, sometimes they may be tolerated by the rivalling parties and co-persist, and some claims may simply die away; on other occasions they (or some of them) may be reconciled, or combined and a compromise be negotiated. It goes without saying that it will often be contested whether a concrete tradition continues to persist as one tradition despite (synchronically) heterogeneous tradition materials or effectively split in one faithful tradition and some heretical sects, or whether it was abandoned because of (diachronically) alterations in the tradition materials. Nevertheless, the empirical reality of diverging tradition materials inspires a model of tradition that is constructed as a causal-*similarity* chain (cf. Beckstein 2014a; Payton 2013, Ruben 2013a. See also Beckstein 2014b, 3-4). In the causal-similarity chain model of tradition each link in the tradition chain is (only) qualitatively similar, to a very high degree, to the preceding generation’s tradition material, and developed because (in a causal sense) of the predecessor’s tradition material ($M \rightarrow M'$). And sub-links may also display only a high degree of qualitative similarity among one another ($M'a - M'b$).

⁷ Tellingly, Popper believes that we speak naturally of “living” traditions not because they evolve over time, but because they are “closely bound up with persons” (Popper, 1972a, 133).

Figure 3: The causal-similarity chain model of a tradition



The next section discusses the rationale of this tradition model, spells out its implications for a rational theory of tradition, and reconsiders the functions of traditions for social and political life.

3 TRADITIONS AS FACILITATORS FOR INSTITUTIONAL MODERNIZATION

The causal-similarity model implies two claims: that heterogeneity of tradition materials as such does neither diachronically nor synchronically considered affect the continuation of a tradition. These two claims need to be justified separately, and compose the first two steps I take in this section. In a third step, I reflect about the relation of traditions and institutions in the light of the two claims. In so doing I attempt to lend credence to the idea that traditions have a central *political* function that should be added to a rational theory of tradition: they inform policy-making about perceived needs and available options for the modernization of established institutions.⁸

⁸ Popper considered the clarification of the interdependent relationship of traditions and institutions to be a central aspect of a rational theory of tradition. While he did not go into great detail, he expressed that traditions serve as “intermediaries between persons and institutions” as well as checks against the tendency of institutions to serve perverse rather than their “prima facie or ‘proper’ functions” (1972a, 134).

MacIntyre (1988, 353; 1997, 211) claims that the absence of change over time is the defining feature of Burke's, and more generally, the conservative conception of tradition. This claim is simplifying in several regards. It is true that, on Burke's account, progress or improvement is something that cannot be achieved from within traditions.⁹ Good governance includes, Burke affirms, a "principle of improvement" in addition to the "principle of transmission" and the "principle of conservation". Yet improvement can be realized only if historical-utilitarian statesmen refine patterns of action like a good gardener cultivates plants to increase their fruit production. The traditional patterns of action themselves, however, even if they cannot improve by themselves, may well change endogenously just as plants change endogenously during their lifetime. Burke's botanic vocabulary portrays the kinds of change that are compatible with the continuation of a tradition in terms of homeostatic processes. The imagery implies that "organic" or "natural" change is not only compatible with, but in fact necessary for, the survival of a tradition. One central argument of Burke against revolutionary politics is accordingly that rationalist *philosophes* jeopardize a society's self-renewing capacity by trying, like bad gardeners, to improve a plant by grafting shoots "alien to the nature of the plant" (Burke 2009, 21-2, 31, 33, 157-8).

Burke speaks in analogy without clarifying its precise meaning and limits, and perhaps there is no precise meaning. If we take it literally to mean that traditions are natural processes in which tradition materials are automatically and by themselves renewed when handed down from one generation to the next, the idea of organic change remains obscure. However, it is quite plausible if taken in a more metaphorical sense to mean that the recipient generation can only conserve the tradition material by adapting it to changed circumstances. A successful tradition act would accordingly have to generate a timely update of the tradition material to make sure that its meaning is for the bearers of the tradition in the present world what it was for their predecessors in their world. Minimally, this may require translating the beliefs requiring, recommending, regulating, permitting, or prohibiting the re-enactment of the traditional pattern of action into the current language (Beckstein 2014a, 32).

While the absence of change as such is hardly constitutive for Burkean and conservative accounts of tradition, it appears to be the case that tradition-endogenous change is meant to occur unconsciously. For Burke conscious change is exogenous

⁹ For MacIntyre, traditions include a teleological dimension; the task of tradition acts is to approximate the inner potency of the tradition material.

change. It is brought about either by inconsiderate *philosophes*, who destroy traditions, or by wise statesmen who have an instrumental take on traditions. Oakeshott follows Burke in this regard. When Oakeshott criticized rationalists (just as MacIntyre later criticized conservatives) for erroneously identifying the traditional with the changeless, he argued that they would do so because they exclusively acknowledge forms of change that are self-consciously induced (Oakeshott 1991a, 7?). In other words, traditions just seem to be changeless because its members are not aware of modifying tradition materials. Yet neither Burke nor Oakeshott provide an argument, let alone a compelling argument, why a recipient generation's actualization of tradition materials cannot be at least the partial result of conscious reflection about necessary adaptations. And if recipients sometimes analyse which relevant circumstances have changed since the times of their predecessors (be they linguistic, technological, economic, social, cultural, environmental, etc. developments that necessitate a modification of a tradition material to restore its contextual meaning) it is all the more likely that different recipients of the same generation come up with different "timely updates" of the tradition material.

I want to give two reasons why we should not assume, for the purpose of a rational theory of tradition, that there cannot be more than one adequate solution for a timely update of a tradition material. On the one hand, there may not be certainty about which circumstances have changed, and which of them are relevant, because the world is so complex and the changes that occur in it are manifold. On the other hand, tradition materials are polymorphic just as texts are polysemic; they lack a discrete and objective structure of signification, even though the possible range of signification is pre-structured (Eco 1987; van Ingen 1974; Holub 1984). The meaning of a tradition material is therefore necessarily co-determined by its reception. Taken together, it is not foregone conclusion what it means exactly to do things as they have traditionally been done (M^a , M^b , or M^c ?). More than one proposal for a timely update of a tradition material can be plausibly justified without there being an objective way of deciding the dispute.

The most important consequence of the adoption of the causal-similarity model for a rational, non-dogmatic and to some extent pragmatic, theory of tradition becomes obvious when reconsidering the relation of traditions and institutions. Institutions, we said earlier, can be institutionalizations of theoretically conceived – planned – patterns of action or institutionalizations of tradition materials, i.e. patterns of action that have been handed down in at least one successful tradition act. In the latter case, a tradition's

material is legally fixated and juridically explicated, yet – and this is the decisive point – the tradition does not cease to persist, flourish, and reproduce its material in heterogeneous ways in the processes of handing down and receiving. The tradition lives on, whereas institutions are born dead. By way of handing down, receiving, and adapting its material to changing circumstances, the tradition permanently presses for re-institutionalization; it counteracts the finality proclaimed by legal fixation and thus contributes to preventing political closure. As the tradition does not speak with one voice, it is not itself a decision-making procedure, not the incarnation of a single-issue general will. Rather, it serves as a decentralized data gathering system that informs policy-making about perceived needs and available options for the modernization of established institutions.¹⁰

To offer at least a brief illustration of the modernization function, consider German marriage law. Either the pattern of action of engaging in a marital relationship was the material of a tradition before its first fixation and legal explication in 1949 or, if indeed a social engineer had invented the pattern of action, it became a tradition material thereafter. The law defines marriage as a life-long monogamous relationship among persons of different sex. It thus offers room for the social practices of marriage prescribed by various, though obviously not all, branches of the tradition of marriage that have emerged in the meantime. The proposal to open the legal institution to persons of the same sex, that has gained momentum in the past two decades, is frequently argued for in the name of the principle of non-discrimination (although the question is rather whether homosexual couples should be positively discriminated along with heterosexual couples), portrayed as emancipatory and anti-traditional. However, while a same-sex inclusive institution of marriage may be anti-Christian or at least anti-Catholic, due to biomedical innovations it is increasingly becoming a self-suggesting

¹⁰ As already stated in footnote 5, there is room for controversy regarding the separation of my argument from Oakeshott's theory of political activity. At this point, again, logical and terminological similarities strike the eye. Oakeshott (1965, 90) described, for instance, a (macro) "tradition of behaviour" as "multi-voiced creature". However, three further differences, not yet noted in footnote 5, can be stated now: firstly, not every particular tradition material has been institutionalized, whereas Oakeshott's (macro) "tradition of behaviour" relates to the various formally and informally regulated arrangements of a society. Secondly, the endogenous adaptation of tradition materials, on my account, is just an indirect means on which policy-makers can rely; it is neither a direct means, nor all what political activity is about. Thirdly, the different proposals for institutional modernization growing out of living traditions do not qualitatively improve the respective pattern of action on my account; they only constitute – more or less congenial – timely updates. For Oakeshott, endogenous change aims at increasing the coherence within (macro) traditions of behaviour. Ironically, Shils (1981, 215) characterizes such phenomena of tradition-endogenous change as processes of "rationalization".

“timely update” even among those tradition branches that consider mutual care, romance, and economic risk-sharing to be of secondary relevance if compared with the function of marriage to produce and raise descendants. After all, heterosexual intercourse is not anymore a necessary condition for fertilization, and the nutritional quality of infant formulas has immensely improved; the sex of spouses is largely irrelevant for the success or failure of marriages that are principled on the function of reproduction.

Rival adapted social practices of marriage that press (less noisily) for re-institutionalization arguably suggest that the marriage law is out-dated in regard to the “life-long monogamous” aspect. Besides adaptations of wedlock to intimate care-giving unions, one may perhaps think of Islamic practices of polygamy and temporary marriage (Nika mut’ah, Misyar) or consumerist practices of serial monogamy (i.e. diachronic polygamy).¹¹ Normative reflection about which reform options for marriage law best corresponds to principles of justice (e.g. Brake 2012; Metz 2010; Stoddard 1997), is a different matter, even though many proposals made by political philosophers appear to be more loyal to the tradition of marriage than admitted. Indisputably emancipatory and progressive is perhaps only the proposal to abolish the legal institution of marriage (Chambers 2013), just as an individual person’s failure or refusal to get married means (if he or she is a recipient of the tradition of marriage) that he or she does not hand down the tradition material to the next generation.

4 RESISTANCE AGAINST THE PAST

In place of a proper summary, let me just conclude that traditions – because of their modernization function for institutions – should not be identified precipitately with anachronism, nostalgia, reactionary utopias, or shackles of the past. They can make a valuable contribution to the renovation of institutions and the social order.

To avoid misunderstanding, let us be clear, existing institutions and the established social order may not be good and just, so that it is sometimes desirable to abandon

¹¹ *Force majeure* has always been recognized as a reason for substituting spouses, yet some branches of the tradition of marriage seem to take de-Christianization and post-secularism as a reason to acknowledge that *force majeure* may be exercised not only by God (who releases the marriage partners in different ways) and Devil (who seduces the spouse away through adultery), but also by other supernatural entities such as Cupid (who fire his arrows indiscriminately at persons without respecting their voluntary commitments) or Mercury, the god of mobility and economic opportunity.

certain traditions, abolish institutions, and even instigate revolution. There is a legitimate place for social engineering in politics even if it is normally smarter to cultivate a piece-meal approach to policy-making. Abstractly conceived patterns of action, once institutionalized, may become the materials of new traditions – “the revolution is the tradition of future generations” (Bloch 1970, 22). Yet the conscious rejection of a tradition may also prepare the ground for a new tradition without a product of social engineering taking its place. The habit of subjecting all traditions to constant scrutiny while retaining awareness of its own traditionality – whether we call it, following Popper, the tradition of non-dogmatic rationalism or, following Adorno (1998a, 64; 1998b, 316), the “tradition of anti-traditionalism” – occasionally gives rise to *rationalist anti-traditions*. Anti-traditions are traditions and have the same functions as traditions, while constituting a habit of resistance against the past. They develop when the critical rejection of a particular tradition material is being passed on as a pattern of action that includes beliefs requiring, recommending, regulating, permitting, or prohibiting the re-enactment of the pattern. The tradition material then lives on in conscious negation as the material of a new (anti-)tradition. Illustrating examples are not far to seek: the tradition of negative nationalism in post-World War II Germany (which since the 1990s has either been abandoned or has become subject to an unlikely timely update), the tradition of Kemalism in Turkey (which is currently suffering the same fate), or the tradition of neutrality in Switzerland (which should have suffered that fate in 1937).

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