

On Layer Cakes
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In *Being and Time* Heidegger grants a certain kind of ontological priority to the being of equipment over the being of "...objects that are merely present and of their matter-of-factual, nonnormative properties".¹ "To lay bare what is just present-at-hand and no more, cognition must first penetrate *beyond* what is ready-to-hand in our concern. *Readiness-to-hand is the way in which entities as they are 'in themselves' are defined ontologico-categorially.*"² That is, Heidegger asserts that *Zuhandensein* has ontological priority over *Vorhandensein*. In *Being and Time* this ontological priority of the equipmental over the factual is related to, wrapped up in, and, arguably, dependent upon, a second kind of ontological priority. For Heidegger, the being of entities such as ourselves, *Dasein*, has priority over *Vorhandensein*. Notoriously, for Heidegger: "Of course only as long as *Dasein is* (that is, only as long as an understanding of Being is ontically possible), 'is there' Being.... Being (not entities) is dependent on the understanding of Being; that is to say, Reality (not the Real) is dependent upon care."³ It is not entirely clear, however, either how, interpretatively, we are to understand the way in which Heidegger thinks these priority relations, or why we should believe that Heidegger is right regarding these priorities.

In his 1999 article, "Dasein, the Being That Thematises" Robert Brandom accuses Hubert Dreyfus, John Haugeland, and me of adopting a certain position regarding the proper way to understand the priority of *Dasein* and the equipmental over the merely present, a position that Brandom labels the 'layer cake model'. It is appropriate to say that Brandom 'accuses' us of adopting the layer cake model for understanding the priority of *Zuhandensein* over *Vorhandensein* because Brandom himself thinks that this model involves a misinterpretation of Heidegger's text.⁴ As Brandom articulates it, the 'layer cake model' interprets the Heideggerean priority theses as maintaining that agents can be self-interpreting, and thus be *Dasein*, and understand entities as equipment with *Zuhandensein* as their kind of being, even if those agents are incapable of making assertions and thus incapable of intending *Vorhandensein*. Since a fair amount turns on Brandom's exact formulation of the layer cake model, it is worthwhile to quote extensively from his initial specification of that model.

“...it is natural to understand these priority claims in terms of a ‘layer cake’ model, according to which there could be Dasein and *Zuhandensein* without *Vorhandensein*, which arises from them only if Dasein adopts certain optional practices and practical attitudes, involving the use of certain sorts of sophisticated equipment, namely, sentences used to make claims and state rules. This is an understanding according to which the claim that ‘assertion is derived from interpretation and understanding’ invokes derivation in a sense implying the *autonomy* of the underlying layer of ‘circumspective’ (that is, practical) acknowledgments of proprieties in dealing with equipment. The level of assertions, and so of adopting the practical attitude of treating things as occurrent, looks like an optional superstructure, which might be erected on top of human existence (Dasein) and the being of equipment (*Zuhandensein*), but which equally well might not be found with them.... It would seem possible, and in the spirit of the enterprise, to suppose that one could coherently take some community to consist of entities with Dasein’s kind of being, instituting by their practices a world of *zuhanden* equipment, while not supposing that they can talk, and do so while denying that they treat anything as *vorhanden*. On this reading, Heidegger portrays an autonomous, preconceptual, prepropositional, prelinguistic level of intentionality – namely, practical, skill-laden, norm governed directedness towards equipment treated as available.”⁵

It is this natural, but, according to Brandom, erroneous, layer cake understanding of Heidegger that Brandom attributes to Bert Dreyfus, John Haugeland, and me, and which he rejects, both as truth and as Heidegger interpretation.

Now, I must admit to a certain fondness for layer cakes, both on my plate and in my philosophizing. For that reason, if for no other, in this paper I am going to defend the layer cake model for interpreting Heidegger. Perhaps more importantly, I am also going to take the occasion of engaging with Brandom on this point of Heidegger interpretation to engage with him on the important issues regarding intentionality and being that stand behind both Heidegger’s priority claims and the differences between Brandom and myself on the proper way to understand normativity, and thus intentionality, itself.

1. Normative Pragmatism

The reason that it is both possible and profitable for me to engage with Brandom is that we in fact share a great deal in common, both philosophically in general and regarding Heidegger interpretation in particular. Philosophically, both Brandom and I are committed to a set of core views that Brandom calls ‘normative pragmatism’, although as the sequel will show I have differences with Brandom concerning some of the crucial nuances of that position. Regarding Heidegger, both Brandom and I interpret the early Heidegger as a normative pragmatist, although I suspect that Brandom would probably

assert that Heidegger was a normative pragmatist, while for me Heidegger is a normative pragmatist. For Brandom, there is a lot of Sellars and Hegel in Heidegger; for me there is a lot of Dewey in Heidegger. Be that as it may, in this section I lay out from my own perspective the very great area of agreement between Brandom and myself.

As Brandom articulates it, normative pragmatism is characterized by two commitments, commitments having to do, first, with the relation between the normative and the factual, and second, the relation between “norms taking the explicit form of rules and norms taking the implicit form of proprieties of practice”.⁶ Normative pragmatism is the position that results from turning the philosophical tradition upside down by asserting that a certain kind of norm is in some sense more basic than facts, and that implicit proprieties of practice are in a certain sense more basic than action informed by appeal to explicit rules: “...Heidegger treats as primitive a certain kind of social normative articulation and seeks to define the factual as a special case picked out by subtracting something, namely, certain kinds of relations to human projects.Heidegger treats as primitive a certain kind of norm that is implicit in practice and seeks to define explicit rules, principles, and claims in terms of the practical proprieties of using them.”⁷

As Brandom points out, Anglophone philosophers should be quick to recognize the second aspect of Heidegger’s normative pragmatism as similar to the late Wittgenstein’s claim that there must be a way of satisfying, or failing to satisfy, a norm that is implicit in the actual behavior of the agent, and does not involve the agent’s mentally interpreting a rule through coming to believe in the truth of explicit propositions. For both Heidegger and Wittgenstein there must be such implicit adherence or failure to adhere to norms because it is a necessary condition on an agent being able to follow explicit rules that that agent be capable of implicitly adhering to norms in their actual behavior. In an English speaking philosophical context the other aspect of normative pragmatism, the priority of the normative over the factual, is more startling and unfamiliar. According to Brandom, Heidegger’s basic thought in this area involves both a negative and a positive thesis. The negative thesis is that if one starts with the ontological category of a fact, or of a nonnormative state of affairs that can be represented in the content of an indicative sentence, one will never be able to understand, explicate, or account for the possibility of normative determinations. The positive thesis

has two sides. First, it is impossible to understand, explicate, or account for the possibility of beings such as ourselves, who are capable of language and reason, unless one can account for normative determinations. And second, one can account for nonnormative, merely factual determinations in terms of normative determinations. “In *Being and Time*, Heidegger’s primary complaint against the tradition is that it gives ontological and explanatory pride of place to this category [*Vorhandensein*] – attempting to explain Dasein, the proprieties Dasein institutes by its social practices, and the equipmental roles defined by those practices in terms of what is merely occurrent. This approach, he thinks, is wrongheaded and doomed to failure. The thought underlying this claim is that if norm-laden practices are taken for granted, it is possible to explain what it is to treat things as matters of fact, while if one starts with matters of fact, norms of all sorts will be unintelligible – construable only in terms of essentially subjective responses to facts.”⁸

To sum up, according to normative pragmatism as Brandom articulates it, there is some respect in which that it is appropriate or correct to respond in certain situations or to certain entities in certain ways makes *Vorhandensein* possible, and that it is appropriate or correct to respond in certain situations or to certain entities in certain ways has primarily to do with norms implicit in behavior rather than with following explicit rules. To make clear what is involved in normative pragmatism then, one must articulate the respects in which behavior itself can implicitly be correct or appropriate, and the way in which that correctness can underpin both the following of explicit rules and *Vorhandensein*.

On Brandom’s view, both of Heidegger and of the truth, the crucial way in which behavior itself can be appropriate or inappropriate according to implicit norms has to do with the social practices involved in interacting with a particular class of entities, tools, or equipment. “The available comprises what Heidegger calls equipment – things that are dealt with in social practices and so are thick with practical proprieties or significances that determine how it is appropriate to treat them. To call something available is to treat it as something that can be used correctly or incorrectly, according to proprieties implicit in practices instituted and pursued by Dasein.”⁹ This vision of the normative character of equipment involves four aspects, having to do with what it is for an entity to be a piece of equipment of a given type, what it is for an agent to take some entity as a piece of

equipment of a given type, what it is for an agent to correctly take some entity as a piece of equipment of a given type, and what it is for an agent to be a member of a normatively structured community.

Consider Heidegger's favorite example, hammers. Certain entities are hammers, in the sense that in a given community it is correct or appropriate, (according to the appraisals of the members of the community, as those appraisals are made manifest in their use of the items and their responses to the way other members of the community treat those items), to use them in given socially determined situations, in certain socially accepted ways, in order to achieve certain socially acceptable results. That is, to be a hammer (or any other piece of equipment) is for an entity to be such that it is to be used in a certain socially appropriate way. The being of hammers is *Zuhandensein*. When an agent uses a particular entity as an entity of the hammer type should be used, according to an established socially instituted norm, that agent is treating that entity *as* a tool of the hammer type. That is, someone treats an object as a hammer if she attempts to use that object as a hammer is to be used in order to, e.g., drive nails into boards. If the entity used in this way is accepted as a hammer by the community (that is, implicitly accepted as to be used as it is used on this occasion by the members of the community not correcting the activity of using this object as a hammer in hammering), and the performance is carried out as it should be carried out, according to the supporting and sanctioning behavior of the other members of the community, then the performance is appropriate and correct. That is, a given overt performance of hammering is correct or incorrect in virtue of being accepted by the community, or not accepted, as an act of hammering, not in virtue of falling under some rule or failing to do so. Finally, if a given individual is in general capable of supporting and sanctioning behavior as it is to be supported and sanctioned within the community, that is, as other functioning members of the community do so, and is recognized as such by other community members, then she counts as a member of the community whose responses carry authority regarding the appropriateness of performances with equipment.

So, on this view of what it is to be a tool, there is a way in which correctly or incorrectly engaging in tool using behavior is a matter of being accorded a definite status within a community. And for this kind of correctness, adhering to a norm is a matter of

implicitly following the norm in one's behavior, and implicitly being recognized as doing so by one's peers' overt responses to that behavior, instead of falling under, or failing to fall under, some explicitly storable rule. But what reason do we have to think that this way of adhering to norms by engaging in socially sanctioned skillful practices of tool use, and socially sanctioned skillful practices of discriminating the performances of others into appropriate and inappropriate, has *priority*, in any sense, over adhering to a norm by following an explicit rule? And even if it does, how does this priority help us to understand why, or whether, or in what sense, the normative has priority over the factual? That is, how does Heidegger's analysis of the being of equipment support the twin priority theses of normative pragmatism?

For a very long time now it has seemed to me that the beginning of all wisdom regarding theses issuing from the transcendental tradition concerning ontology and ontological priority is Kant's 'supreme principle of all synthetic judgments': "The conditions of the possibility of experience in general are at the same time conditions of the possibility of the objects of experience..."¹⁰ It is a pervasive feature of the transcendental tradition inaugurated by Kant, and which includes Heidegger, Brandom and myself, that the best, indeed the only, way to understand what it is *to be* an entity of any given type is by understanding the conditions under which it is possible to *intend* entities *as* of that type. (By the way, this is why for Heidegger ontology is phenomenology. For Heidegger, phenomenology is the method for uncovering the necessary conditions on intentional directedness towards entities of different ontological types, and thus, given the supreme principle of synthetic judgment, the means for uncovering the being of entities of those types.) For Kant, what it is to be an object of experience must be articulated through understanding how it is possible to experience those objects. Similarly, for Heidegger one can understand *Zuhandensein*, or what it is to be a tool, only if one understands how it is possible to intend something *as* a tool, one can understand what it is to be a substance with nonnormative properties, *Vorhandensein*, only if one understands the conditions on an agent intending something as such a substance, and one can understand the being of Dasein only if one can grasp what is involved in intending Dasein *as* Dasein. Further, all ontological priority theses must be read through a similar lens. To say that what it is to be A depends on what it is to be B is

to say that no agent can intend anything *as* an A without being capable of intending something *as* B. So to say, as Heidegger does, that reality, or the being of the real, is dependent on care, or the being of Dasein, is just to say that no agent can count as intending anything as real unless it is also capable of intending something as Dasein. (Notice, this interpretation is silent, as Heidegger himself is, on whether or not there is also the opposite dependency, and nothing can count as intending anything as Dasein unless it is also capable of intending something as real. This will turn out to be crucial for our encounter with Brandom.)

His writings give us good reason to think that Brandom, as a good normative pragmatist, accepts something very like the supreme principle of synthetic judgment as I've just articulated it, and that this is the key to his interpretation of Heidegger's normative pragmatism. In a different context Brandom distinguishes between two kinds of conceptual dependence, sense dependence and reference dependence. "Concept P is sense dependent on concept Q just in case one cannot count as having grasped P unless one counts as grasping Q. Concept P is reference dependent on concept Q just in case P cannot apply to something unless Q applies to something. The distinction between these is enforced by the observation that sense dependence does not entail reference dependence."¹¹ To use Brandom's example, consider the concepts pleasure and pleasant. Pleasant is *sense dependent* on pleasure because what it is for an entity to be pleasant is to be such that it would tend to bring about pleasure in beings like us that were exposed to it. Because what it is to be pleasant is essentially specified in terms of what it is for something to have pleasure, an agent can't grasp what it is to be pleasant if that agent cannot grasp what it is to be pleasure. That is, pleasant is sense dependent on pleasure. But, because the conceptual linkage between the two concepts is by way of a potentially counterfactual 'would', pleasant is not reference dependent on pleasure. Since all that is required for something to be pleasant is that it *would* give pleasure to beings like us if they *were* exposed to it, something can be pleasant even if there never were any beings like us and thus no actual occasions on which beings like us experience pleasure.

It is crucial to notice that Brandom's distinction between sense and reference conceptual dependence turns on two factors. First, many concepts apply to their objects in such a way that they apply whether or not they are ever grasped by any agent *as*

applying. S can seem to P to be A, even if it is not A, and S can be A, even if it does not appear to be A to any agent, and this can be so even when the condition that must be met for S to be A is specifiable only in terms of S's relation to P. Something can be pleasant even if there is no one to whom it gives pleasure, or even if there is no one to whom the pleasure could be given, even though what it is to be pleasant is to be such that it would give pleasure to agents of a certain sort, if there were any such agents. Second, sense dependence is essentially a matter of the conditions under which it is possible to intend something as something, while reference dependence is not. That is, if concept P is sense dependent on concept Q this is in virtue of the fact that no agent can count as *intending* something as P unless she also is capable of *intending* something as Q. But the conditions on intending something *as* P or Q might be entirely irrelevant to the reference dependence of P on Q. So, to use Brandom's example again, no agent can count as intending something as pleasant unless she is capable of intending something as experiencing pleasure. But something might very well be pleasant, while there is no pleasure in the world, even though no agent could intend that entity as pleasant without being capable of intending something as experiencing pleasure.

We can use Brandom's distinction to explicate what is involved in Heidegger's claim that implicit adherence to norms in tool using and tool sanctioning behavior has priority over the following of explicit rules and his claims that *Vorhandensein* depends upon *Zuhandensein* and *Dasein*. The crucial move in all three of these cases is to recognize the central role of a very special tool type, assertion. On Heidegger's view, nonnormative facts are essentially articulated in and represented by assertions. To be a possible fact is to be the content of a nonnormative assertion, or, as Heidegger puts it, "...presence-at-hand determination [*Vorhandenheitsbestimmung*] is...the specialty of assertion."¹² We can see why someone might think that this is the case if we ask ourselves what could count as an agent *intending* something *as* merely present at hand, as having merely factual determinations. What one takes something to be when one takes it as *vorhanden* does not depend on how it is appropriate to use or respond to it overtly, so it is hard to see how any such overt respond could be relevant to an agent's intending something as *vorhanden*. Rather, all that is relevant to something's character as *vorhanden* is what is *true* of that entity, that is, which assertions can correctly be used of

it. That is, to intend an entity as *vorhanden* is, necessarily, *to make assertions* regarding that entity. But, (and this is Heidegger's second crucial insight in this area), the normative character of assertions, that it is part of what it is to be an assertion that they can be true or false, derives from the fact that assertions are *tools* that are typed, that have content, in virtue of having socially instituted conditions of appropriate use, just as is the case with every other type of tool.

To grasp an entity as merely present an agent must grasp it as essentially a possible object of an assertion. But to grasp something as an object of an assertion is to *use* the appropriate group of assertions as they are *to be used* within one's community. That is, what it is to grasp an entity as merely present at hand essentially involves implicitly grasping an assertion *as* an instance of a particular type of tool, by using it in the appropriate way. The being present at hand and no more of any entity is simply *invisible* to an agent if she can't use assertions to make claims about that entity. So no agent can count as grasping something as *vorhanden* unless she is capable of grasping some assertion *as zuhanden*; that is, *Vorhandensein* is sense dependent on *Zuhandensein*. No agent can intend what it is to be merely present unless that agent is capable of implicitly intending what it is to be a tool by actually using some assertion as a tool of a given type.

We can also use Brandom's distinction to explicate Heidegger's claim that Dasein has ontological priority over *Vorhandensein*. If we have been right to understand Heidegger's priority theses by way of Kant's supreme principle and Brandom's distinction between conceptual sense dependence and conceptual reference dependence, then Heidegger's priority thesis regarding Dasein and Reality primarily concerns the conditions under which an agent can count as intending something as *vorhanden*. As we have already seen, on the normative pragmatist reading, such intentions are mediated by an agent's capacity to implicitly intend a certain kind of specialized tool as that kind of tool, as an assertion, by using it as one. According to Heidegger, what formally distinguishes assertions as a distinctive tool type is that the act in which they are used, asserting, is a "derivative mode of interpretation".¹³ Interpretation, in turn, is an act of *explication*, in which the socially instituted proprieties of use that constitute the roles that specify how equipment is to be used are intended as such and made explicit. In describing

interpretation Heidegger says the following: “The ready-to hand comes *explicitly* into the sight that understands. All preparing, putting to rights, repairing, improving, rounding-out, are accomplished in the following way: we take apart in its ‘in-order-to’ that which is circumspectively ready-to-hand and we concern ourselves with it in accordance with what becomes visible through this process. That which has been circumspectively taken apart with regard to its ‘in-order-to’ and taken apart as such - that which is *explicitly* understood – has the structure of *something as something*.”¹⁴ When an agent simply uses a tool as a tool she implicitly treats it as a tool by using it as it is to be used in her community. But her focus, so to speak, is on the work to be done, the goal of the use, not on the role that defines the tool as the tool that it is. What the various modes of interpretation (repairing, improving, etc.) share in common is that they are all acts in which the goal of the act is that some entity come to be more *suitable* for fulfilling the role that defines it as the entity that it is. That is, an act of interpretation implicitly intends that some object be suitable for *this* role, and thereby makes *this* role *explicit* as such.

Assertion, as a derivative mode of interpretation, depends upon interpretation. Only agents who are capable of engaging in acts of interpretation are capable of intending assertions as assertions by using them appropriately as such. Only agents who are capable of intending the socially instituted proprieties of action that constrain and constitute who they are by specifying how entities in their world are to be approached are capable of making those proprieties explicit in acts of interpretation. But any such entity is a being that is capable of intending its own being. That is, any such being is Dasein, the being who intends itself through that being being an issue for it. Now, since the ability to intend assertions as assertions is a necessary condition on an agent intending entities as *vorhanden* it follows that any being capable of intending *Vorhandensein* is capable of intending Dasein. That is, the being of Dasein, care, has priority over the being of merely real things, reality.

(By the way, Brandom’s distinction gives us a very nice way of making clear why it is that Heidegger is right in denying that the supposed ontological priority of Dasein over reality doesn’t imply any ontical priority of Dasein over rocks, for example. Since for an agent to grasp an entity as present-at-hand requires that that agent grasp itself as Dasein, *Vorhandensein* is sense dependent on Dasein. But since sense dependence

doesn't imply reference dependence, it doesn't follow that there could only be *vorhanden* entities if there are entities that are Dasein. In fact, since for an entity to be *vorhanden* is to be such that certain assertions *would* be true of the entity, if such assertions *were* asserted, there could be *vorhanden* entities in a possible world with no Dasein.)

Finally, we are now also in position to articulate why it is that Heidegger is committed to the other aspect of normative pragmatism, the priority of implicit adherence to norms in overt behavior over explicit rule following. To follow an explicit rule because it is a rule an agent must be capable of articulating the rule as a rule. But to do that the rule must itself be explicit as a rule. All such explicitation of rules, however, involves an act of assertion. But, as we have just seen, assertion necessarily involves the tacit adherence to norms that is found in tool using behavior in general. So it is a necessary condition on an agent being capable of intending an explicit rule as a rule that that agent is able to tacitly or implicitly adhere to norms in her overt behavior. That is, implicit adherence to norms in practice has priority over explicit rule following. The justification of this principle completes our articulation of Brandom's normative pragmatic interpretation of Heidegger's priority principles.

As far as I can see, almost everything that I have said to this point is the common property of me and Brandom, both as a matter of Heidegger interpretation and as a matter of philosophical truth. This far, I take it, we mostly agree. This should not come as any shock. As I believe that I was the first to actually use the words 'Heidegger' and 'pragmatism' in the same sentence, and as I laid out (with a big assist from Brandom's earlier work) roughly this view of the relation between tool use and intentions directed towards the present-at-hand in *Heidegger's Pragmatism*, it should come as no surprise that I basically endorse both normative pragmatism and the interpretive thesis that Heidegger is a normative pragmatist. But the ground I have just covered includes a thorough interpretation of Heidegger's suggestions that both Dasein and the being of equipment have ontological priority over the being of substances. So what is there left to disagree about, and what is all this talk about layer cakes?

2. Concerning Layer Cakes

The amount of agreement between Brandom and myself, regarding both philosophy and Heidegger, makes the determination of the exact point of difference

between us a non-trivial matter. (While I am in no position to speak for Dreyfus and Haugeland, I believe that Brandom is right to think that on the issue of layer cakes we agree with each other and disagree with Brandom.) Basically we agree on what it means to suggest, as Heidegger does, that *Dasein* and *Zuhandensein* have priority over *Vorhandensein*: no agent can count as capable of intending substances and their properties unless that agent is also capable of intending tools as tools and itself as *Dasein*. And, basically, we agree on the judgment that Heidegger was right regarding these priorities because of a string of transcendental conditions. It is a necessary condition on an agent intending a substance and its properties that that agent be capable of making assertions, it is a necessary condition on an agent being capable of making assertions that that agent be capable of intending tools as tools and intending the roles that are constitutive of tools as tools by engaging in acts of interpretation, and it is a necessary condition on an agent intending tools as tools and engaging in acts of interpretation that that agent be capable of an understanding of being and making its own being an issue for itself, that is, it is necessary that that agent intend itself as *Dasein*, which is sufficient for that agent to be *Dasein*. Nevertheless, despite all of these agreements, Brandom is right to think that there is a crucial disagreement lurking in the area, and that that disagreement is captured by the metaphor of a layer cake.

As Brandom articulates the disagreement it has to do with the *autonomy* or lack of autonomy of a certain level of intentionality. The difference turns crucially on the role of speech in both Heidegger's and the correct transcendental account of *Dasein*ish intentionality. The critical question is whether or not it is possible for there to be an agent that both is and intends itself as *Dasein* and intends tools as tools *without* being capable of articulate language and thus without the capacity to intend *vorhanden* entities as *vorhanden*. Brandom invokes this notion of autonomy of *Dasein*ish being from language several times in drawing the distinction in question. "This (the layer cake model) is an understanding according to which the claim that 'assertion is derived from interpretation and understanding' invokes derivation in a sense implying the *autonomy* of the underlying layer of 'circumspective' (that is, practical) acknowledgements of proprieties in dealing with equipment."¹⁵ "On this [layer cake] reading, Heidegger portrays an autonomous, preconceptual, prepropositional, prelinguistic level of intentionality –

namely, practical, skill-laden, norm-governed directedness toward equipment treated as available. Dasein can already be discerned at this level.”¹⁶ And, finally, he says in addition that the “‘layer cake’ model of the conceptual priority of the way of being of the available over that of the occurrent” involves the “picture of an autonomous stratum of practice in which entities already count as having Dasein’s characteristic being and as operating amidst a world of equipment but are not as yet taken to be able to talk.”¹⁷

One needs to be careful in handling this central notion of ‘autonomy’. According to Brandom, the layer cake model (both of Heidegger interpretation and of intentionality as such) asserts, and Brandom denies, that it is possible for there to be a group of social animals that, through their sanctioning and supporting practice regarding the use of entities as instrumental to the achievement of standardized ends, succeeds in instituting proprieties of behavior in regard to those entities and through that institution (1) count as Dasein and (2) count as intending entities as equipment having *Zuhandensein* as their kind of being, even though these animals entirely lack the ability to speak, make assertions, or intend entities as *vorhanden*. One needs to be careful regarding the character of the autonomy that, according to Brandom, divides him from the layer cake theorists, such as myself, because it is easy to erroneously take the issue between us as an empirical one, when it is not. Brandom is not denying that in fact there might be such non-verbal social animals that for all the world act as if they were using tools in a holistic ‘tool-kit’ as they are to be used according to the sanctioning behavior of the group. In fact, Brandom thinks that such social animals are not only possible but also quite likely to have been actual in the evolutionary past of the human lineage. What Brandom is specifically denying is that such non-verbal social animals would count either as Dasein or as intending tools as tools. That is, according to Brandom, he is asserting, and we layer cakers are denying, that no agent can count as intending entities as equipment that are *zuhanden* or as intending itself as (and thus being) Dasein, unless it is also capable of making assertions and intending entities as *vorhanden*. “Again, the claim to be defended here ... is that although such an autonomous level of practice is no doubt possible – talking does not develop ex nihilo – it would not be proper to describe it in Heidegger’s terminology as characterized by Dasein, being-in-the-world, *Zuhandensein*...”¹⁸

So, for Brandom, while the social practices that, in Dasein, institute tool types and, beyond that, a world, are autonomous from the capacity to be linguistic in such a way as to use assertions and thereby intend entities as substances with properties, in the sense that those practices might exist without language, such practices are not autonomous from language in the sense that agents that engage in those practices, but lack language, would not count as Dasein or as intending tools as tools. For Brandom, such animals would act as if their being was being-in-the-world, but they would be worldless. The layer cake metaphor is appropriate for Brandom's opponents because they read Heidegger's priority theses as asymmetrical, while Brandom take them to be symmetrical. For the layer cake theorist, one can't intend *Vorhandensein* without being capable of intending Dasein and *Zuhandensein*, but it is possible to intend *Zuhandensein* and Dasein without being capable of intending *Vorhandensein*. So on this view there are two layers to Dasein's intentionality, the non-linguistic skillful coping involved in the utilization of equipment as tools that is essential to Dasein as Dasein and the linguistic, assertoric intentionality that intends substances as substances and is not essential for Dasein as Dasein. All actual Dasein that we know of have both kinds of intentionality, but according to the layer cake theorist not all possible Dasein are linguistic. But Brandom denies that there are two distinct layers of intentionality. For him, it is a necessary condition on any agent intending tools as tools or counting as Dasein in virtue of having its own being as an issue, that it be able to speak and make assertions. Any agent that is incapable of articulate language is also incapable of intending equipment as equipment, being-in-the-world and being Dasein.

In "Dasein, the Being That Thematises" Brandom's specific target is Heidegger interpretation. His thesis there is that Heidegger is not a layer cake theorist. It is also clear from the rest of his writings, however, that Brandom himself is no layer cake theorist. In fact, Brandom is committed to the stronger view that there is no agent who is capable of original intentionality of any kind without also being able to make assertions, although those agents who are capable of language are also capable of attributing a certain kind of derived intentionality to non-linguistic agents.¹⁹

As I have already mentioned, I am in no position to speak for Dreyfus or Haugeland. As for myself, however, I am proud to say that Brandom is right in one

respect. I am a layer cake theorist to the core, both in regard to Heidegger interpretation and regarding the nature of intentionality. I am convinced that not all intentionality is discursive and that it is possible for non-linguistic agents to do things for reasons, even if they can't use tools or be Dasein, and that agents can be Dasein, be-in-the-world and intend tools, even if they can't speak. I am also convinced that Heidegger agrees with me at least in part, and that in *Being and Time* he held that the capacity to use assertoric language is necessary neither for the being of Dasein nor for Dasein to intend equipment as equipment.

In the remainder of this essay I will criticize Brandom's Heidegger interpretation on these points by attacking the argument he advances for his interpretive conclusion that for Heidegger there is no Dasein without assertion. Fortunately, the structure of Brandom's argument concerning the interpretation of Heidegger on the priority of linguistic intentionality closely parallels his own arguments against intentional layer cakes in general. So attacking the one set of arguments also amounts to an attack on the other.

3. Interpretation, *Rede*, and *Gerede*,

"There can be no Dasein without *Aussage*."²⁰ This is the central claim of Brandom's Heidegger interpretation, as well as the tenet of Brandom's own philosophizing that marks him as an anti-layer cake theorist. As a bit of Heidegger interpretation this claim faces the difficulty that Heidegger never quite says this, although, of course, Heidegger is a bit addicted to making claims of the form 'There can be no Dasein without ...'. What Heidegger as good as says is something that to the uninitiated sounds an awful lot like 'There can be no Dasein without *Aussage*'. What Heidegger actually says is that "*Discourse [Rede] is existentially equiprimordial with state-of-mind and understanding*"²¹, and, since it is abundantly clear that for Heidegger there is no Dasein without understanding and state-of-mind, this directly implies that 'There can be no Dasein without *Rede*'. Since '*Rede*' is both a common German word for 'discourse' and one of Heidegger's preferred renderings of the Greek word '*logos*' this might suggest Brandom's formulation.

Unfortunately for Brandom, however, '*Rede*' is a technical term in Heidegger, and it is pretty clear that for Heidegger '*Rede*' is quite distinct from assertion. Indeed, for

Heidegger *Rede* grounds both *Aussage* (“Therefore, it [*Rede*] lays the ground for interpretation and assertion.²²) and language in general (“*The existential foundation of language [Sprache] is discourse or talk [Rede].*”²³). Brandom recognizes this distinction in Heidegger between *Rede* and *Aussage*, of course. How could he miss it? So he takes as his task the construction of an argument that starts with the overtly Heideggerean premise that *Rede* is a necessary condition on Dasein and concludes with the Brandomian principle that there are no Dasein who are incapable of making assertions.

Brandom’s task is made more difficult by the fact that Heidegger suggests that not all forms of discourse in the sense of *Rede* are linguistic in the narrow sense at all. To understand this problem, and the contours of Brandom’s response to it, I’m afraid we need to make a fairly extensive excursion into Heidegger interpretation. Formally, for Heidegger, discourse “is the Articulation of intelligibility”.²⁴ As we saw above, for Heidegger the primary form of understanding is the understanding of entities as tools, an understanding that in the first instance is accomplished ‘circumspectively’, by agents in communities that, in their practical overt dealings with things, cope with them as they are to be coped with in the community. To understand a tool in this sense is to grasp it in its ‘meaning’, as it is to be grasped, in and through our practical dealings with it. The ‘intelligibility’ or ‘understandability’ of things, then, their ability to be understood as having the meanings they have, depends upon the ability of agents in a society to cope appropriately with things as they are to be coped with around here, to, as John Haugeland puts it, tell ‘right from wrong’ in one’s actions. But *Rede* is the articulation of intelligibility. As practical, understanding circumsecutive activity with equipment makes use of a suite of tools which are functionally organized into a tool kit in which the role of each type of tool is defined in terms of its relations with other types. Hammers are to be used to make boards fast by hammering nails, etc. As such all tool use is holistic and articulated and all tool users have a tacit understanding of how their tool chest is articulated insofar as they use the tools in their appropriate roles. But such implicit understanding does not, by itself, constitute an articulation of those equipmental roles as such. One can use a hammer as a hammer is to be used, (I’m told that orangutans can do it), without being capable of understanding what it is to be a hammer, without intending that hammers are entities that are to be used as hammers are used. But for Heidegger,

Dasein, as the being whose being is an issue for it, is a being that is capable of an articulation of its world in just this sense. That is, Dasein is the being that not only knows how to understandingly use tools as they are to be used; it is the being that articulates the world constituted by that understanding. To say, as Heidegger does, that there can be no Dasein without *Rede*, and that *Rede* is the articulation of intelligibility, is to say that the distinguishing mark of Dasein, its understanding of its own being, is impossible without the capacity to articulate the structure of the proprieties that institute its world.

Now, the problem for Brandom in all of this is that Heidegger is clear that not all such articulation is linguistic, let alone assertoric. The primary type of act that carries out an articulation is what Heidegger calls ‘interpretation’. Here is how he specifies it: “That which has been circumspectively taken apart with regard to its ‘in-order-to’, and taken apart as such – that which is explicitly understood – has the structure of *something as something*. The circumspective question as to what this particular thing that is ready-to-hand may be, receives the circumspectively interpretive answer that it is for such and such purpose. If we tell what it is for, we are not simply designating something; but that which is designated is understood *as* that *as* which we are to take the thing in question. That which is disclosed in understanding ... is already accessible in such a way that its ‘as which’ can be made to stand out explicitly. The ‘as’ makes up the structure of the explicitness of something that is understood. It constitutes the interpretation.”²⁵ What is made explicit in the interpretation is the meaning of what is interpreted, and to make such meaning explicit in an interpretation is to articulate what is already intelligible in the understanding. “That which has been articulated as such in interpretation and sketched out beforehand in the understanding in general as something articulable, is the meaning.”²⁶ Heidegger is explicit that not all such interpretation of something as something involves assertion: “In dealing with what is environmentally ready-to-hand by interpreting it circumspectively, we ‘see’ it *as* a table, a door, a carriage, or a bridge; but what we have thus interpreted need not be also taken apart by making an assertion that characterizes it.”²⁷ Rather, as we have already seen, there are many non-verbal activities that count as interpretations that articulate, ‘take apart’, the holistic web of proprieties, including “all preparing, putting to rights, repairing, improving, rounding-out”.²⁸ The basic thought here is that the very act of improving a tool, an act that need not have any

linguistic dimension, involves an implicit comparison of this object with the role that it is to play, and thus involves a tacit intention directed towards that role as such. So the act of improvement *itself* is an articulation of the intelligibility of the tool,

Heidegger is clear that in the sense in which he is interested in it, *Rede* is to be distinguished from interpretation and the acts in which interpretation is carried out. In fact, Heidegger says both that before there is any specific act of interpretation there has been an articulation in the sense of *Rede*, and that for that reason *Rede* underlies both interpretation and language. “The intelligibility of something has always been articulated, even before there is any appropriative interpretation of it. Discourse is the Articulation of intelligibility. Therefore, it underlies both interpretation and assertion.”²⁹ So *Rede* is the already established store of articulations in terms of which all specific acts of interpretation occur. Heidegger’s thought here is that when one takes a hammer as a hammer in an act of interpretation, one can do so because one already has the category of ‘hammer’ available to one from one’s tradition, as it were. And it is certainly the case that one way in which such a *But*, since for Heidegger overt non-linguistic acts of e.g., improvement or repair count as interpretations, and thus acts that depend upon a pre-established context of *Rede*, and counts as *Rede* in Heidegger’s technical sense. *But*, since the act of improvement itself counts as discourse, and Heidegger explicitly and plausibly denies that such acts of improvement must be accompanied by assertions regarding the type of tool that is improved, or even the capacity to articulate the tool type in assertions, Brandom is confronted with the problem of articulating why it is that he thinks, nevertheless, that there is no *Rede* without *Aussage*.

Brandom is well aware of the difficulties facing his interpretation and he confronts them directly. First, he distinguishes two forms of his conclusion, a local and a global form. The local form implies that an agent can’t e.g., interpret an entity as a hammer by acting to improve it unless that agent can linguistically assert that the entity is a hammer. Brandom rejects this interpretation of his thesis on the sensible grounds that Heidegger explicitly denies it and in any case it is almost undoubtedly false. Rather, we are to take his claim in a global sense: No agent can count as *Dasein*, that is, as capable of articulating the structures of its world of equipment at all, whether linguistically or non-linguistically, unless it sometimes counts as articulating those structures linguistically by

making assertions. The global formulation of Brandom's thesis at least has the virtue as a Heidegger interpretation of not directly contradicting what Heidegger says, and as a philosophical claim of not being entirely implausible. But what reason is there to think that it is true, either as Heidegger interpretation or *tout court*?

Brandom's principle argument concerning Heidegger interpretation, (he calls it the 'strongest' argument), goes by way of a connection Brandom discerns between the Heideggerean category of *Gerede* or 'idle talk' and language use. According to Brandom, that *Rede* sometimes takes the form of *Gerede* is necessary for there being any *Rede* at all, and *Gerede* itself is an essentially linguistic phenomenon. "There is no *Rede* without *Gerede* (idle talk), and no *Gerede* without *Sprache*."²⁹ Since we have already seen that for Heidegger there is no *Dasein* without *Rede*, if this argument goes through it follows that for Heidegger no agent that is incapable of linguistic expression could count as *Dasein*. As there isn't really much question that Brandom is right in thinking that there is no *Rede* without *Gerede*, both for Heidegger and in fact, the crucial move in this argument is the claim that *Gerede* is an essentially linguistic phenomenon.

This crucial step in the argument is buttressed by an appeal to "a model of the structure of authority that is distinctive of specifically linguistic equipment"³⁰, a structure of authority that Brandom claims is implicit in, and necessary for, *Gerede*. My strategy for criticizing Brandom's argument is to suggest that certain non-linguistic activities, in particular just those that Heidegger identifies as interpretive, embody structures of authority that are analogous, in the respects necessary for *Gerede*, with Brandom's linguistic structure of authority, from which it follows that there can be *Gerede*, *Rede*, and *Dasein* without *Sprache*. As Brandom explicitly commits himself to this model of what is distinctive of the normative structure of linguistic tools, any discussion of this model in the context of Heidegger interpretation is also directly relevant to the evaluation of crucial aspects of Brandom's own work.

As I mentioned above, the first part of Brandom's discussion is uncontentious. Brandom and I basically agree on how *Rede* and *Gerede* are related, and on the claim that there is no *Rede* without *Gerede*, both for Heidegger and in fact. The Heideggerean notion of *Gerede* depends upon the communicative aspect of discourse. For Heidegger all *Rede* is communicative, but not all communication involves the transmission of

information or the use of assertions. Rather, communication essentially involves the sharing of an articulation, a public sharing of an interpretation of what it is to be the thing about which the communication communicates. “It [communication] is letting someone see with us what we have pointed out by way of giving it a definite character. Letting someone see with us shares with the Other that entity which has been pointed out in its definite character. That which is ‘shared’ is our *Being towards* what has been pointed out – a Being in which we see it in common.”³¹ “‘Communication’ in which we make assertions – giving information, for instance – is a special case of that communication which is grasped in principle existentially. In this more general kind of communication, the Articulation of Being with one another understandingly is constituted.”³²

The Heideggerean act of articulation of an understanding of the being of an entity is an overt act by a Dasein that is available to the other members of her community, and in that sense public and communicative. When I take something as something, either by improving it so that it fulfills its role better or by making an assertion about it, what I take this thing as is shared with the others who are there with me in my world. Now, what is ‘shared’ in such an act of articulation, the taking of this thing in the act as something definite, can either be legitimate or not. Not all acts of articulative interpretation are right in how they take their ‘object’. But the others, the onlookers to the act, might not have direct access to the thing itself, an access that would allow them to ‘check’ to see if the interpretation is appropriate. Rather, all they have to go on might be how the thing is taken to be by the communicator, what is ‘said-in-the-talk’. Indeed, given the public, social, and developmental factors involved in using tools, it is inevitable that at least sometimes, for any given Dasein, most of her interpretations of entities, how she takes it that they are to be taken, will depend solely on how others in her community interpret those entities. That is, the public character of Dasein and its articulation of being guarantees that for any particular agent that is Dasein there will be two in principle separable grounds for taking some entity as something, her interactions with the thing itself, ‘what is talked about’, and what others in her community pass along concerning the thing in shared acts of articulation, ‘what is said-in-the-talk’. *Gerede* is that form of *Rede* that is warranted solely by how the others articulate the entity interpreted, to the exclusion of the thing itself. And, given the public character of articulation, and the fact

that the normative structure of interpretation is socially validated, there will always be some *Rede* that is *Gerede*. “What is said-in-the-talk as such, spreads in wider circles and takes on an authoritative character. Things are so because one says so. Idle talk is constituted by just such gossiping and passing the word along – a process by which its initial lack of grounds to stand on becomes aggravated to complete groundlessness.”³³

As it turns out, the feature of *Gerede* that is central to Brandom’s argument is not the distinctive character of this form of *Rede* itself. Rather, what is important is the dual authority structure of the public articulation of intelligibility that both allows for the possibility of *Gerede* and is illuminated by its actuality. For Heidegger an interpretive articulation of an entity can be warranted either by appeal to how ‘we’ interpret it, what is ‘said-in-the-talk’ concerning that entity, or by appeal to what that talk is about, the thing talked about itself. Brandom interprets the second element in this dyad, what is talked about, as involving a tacit appeal to individual, personal responsibility for the articulation. “*Gerede* precisely refuses to assign accountability for the propriety of a claim to any particular individual, deferring demands for justification instead to the general practice, appealing to ‘what one says’ or ‘what is said’. In fact, however, the public social practice of communicating and the undertaking of individual responsibility presuppose and complement one another.”³⁴ In this is he undoubtedly right. The distinction between accepting an articulation on the basis of what ‘one’ says about some entity, or how ‘one’ normally interprets some entity, and accepting an articulation on the basis of what such an articulation is about, implicitly contrasts an articulation that is merely socially prescribed and one that demands an encounter between the interpreter and the entity that the interpretation is about, an encounter that is the source of the agent’s acceptance of the interpretation, and for which the interpreter must accept responsibility.

Brandom, however, goes on to assimilate this distinction, which is certifiably Heideggerian, with a second distinction that finds its home in Brandom’s Sellarsian analysis of language, the distinction between warrant by the epistemic authority of a communicator and warrant by inference. On Brandom’s “model of the structure of authority that is distinctive of specifically linguistic equipment”³⁵, both communicative authority and the authority of inference play essential roles in determining when it is

appropriate to use a particular assertoric kind of linguistic equipment, and thus in the constitution of that specifically linguistic kind of equipment. “Without the articulation provided by proprieties governing the practice of inferring, including inferences from the commitments that agents find themselves with perceptually, sentences would not express determinate propositional contents at all. Without acknowledgment in practice of the propriety of inheriting entitlement to claims from the assertions of others, there would be no communication of information, and assertion would be socially idle, instituting no sort of equipment at all.”³⁶ That is, for Brandom the assertions that are the specifically linguistic tools have a dual normative structure. On the one hand they are equipment for communicating, and as such it is appropriate for a member of the speech community to repeat an assertion made by other members of the same community. But such proprieties of repetition are insufficient to sort various assertions into types according to their contents. For such sorting by content, the identity of a type of assertion must be fixed by its role in proper inference. That is, assertoric linguistic tools are identified as to type by their roles in proper inference. Now, since assertions are typed according to which other assertions they can be inferred from, and which assertions can be inferred from them, and these proprieties are defined in terms of the commitments of the asserter, not in terms of what others would say, (not in the sense that the proprieties are established non-socially, but in the sense that on any given occasion whether it is appropriate to infer a given assertion depends on what other assertions the *asserter* is committed to), Brandom concludes that the dual structure of communication/inference instantiates the dual Heideggerean structure of what is said-in-the-talk/what the talk is about that is essential to *Rede*. The taking of responsibility for one’s own articulation of intelligibility that is necessarily implied by appeal to the thing itself is, when dealing with assertions, embedded in the propriety of inferring one’s own conclusions. But, by definition, any structure of tool use that embodies the communication/inference structure of authority is linguistic. So, according to Brandom, *Rede* is essentially linguistic and any version of the layer cake interpretation is both wrong of Heidegger and wrong of Dasein.

The force of this argument turns on the claim that the duality of authority of the articulation of intelligibility that is constitutive of *Rede*, the distinction between what is said-in-the-talk and what the talk is about, can be realized only if it is realized in the

constitution of linguistic tools through the inherited warrant/inference distinction. If a society could ever realize the first distinction in their practice without ever realizing the second, then for all Brandom's argument shows us, such a community would count as Dasein and the members of that community would count as intending *Zuhandensein*, but not *Vorhandensein*. Brandom recognizes this and is at pains to contend that the normativity governing non-linguistic equipment can, by itself, never instantiate the distinction between what is said-in-the talk and what the talk is about, because it is incapable of independent appeal to what the articulation is about. "The proprieties concerning the latter [ordinary equipment such as hammers] are exhausted by how one uses a hammer – there is only 'what one does with hammers,' in the sense of how it is appropriate for anyone to use a hammer. The public proprieties one picks up from others are all there is to such nonlinguistic equipment; if one uses hammers as others do, then one uses them correctly."³⁷

It seems obvious to me that this claim, that "if one uses hammers as others do, then one uses them correctly", represents a profound misunderstanding of both Heidegger and the normative structure of tools.³⁸ This misunderstanding has two aspects. First, all tool use, as such, is embedded in a dual normative structure. It is not only the case that an activity doesn't count as tool use unless it is sensitive and responsive to socially instituted proprieties of use. It is also the case that no activity counts as tool use unless it is embedded in a generally successful, instrumentally rational, context. A group of animals can support and suppress the behavior of its constituent members as much as one likes, but if the activity that results is not in general successful at achieving the biologically and socially constituted ends of the members of that community, then nothing that any of these animals do would count as using a tool. Hammers are hammers only if they are good for attaining the ends of hammering, (when they are used as they are to be used within the society in which they function), hammering with that hammer is hammering only if it has the goal of realizing the ends of hammering, and charity constraints guarantee that an activity has that goal only if it is part of a context of activity that mostly achieves its ends. Because all tool use is embedded in a context of instrumental rationality, there is more to using a hammer correctly than using it as others do. Sometimes it is possible to use a hammer better than the others do, even if no one else

has ever done it in that way, and no one else recognizes that one is doing so, because the norm that defines this use as ‘better’ is independent of what is actually recognized within the community. That norm is the norm of instrumental rationality: it is good to do that which would achieve one’s ends most completely and most efficiently, were anyone to do it in that way. For the same reason, it is sometimes possible for a member of a society to improve a hammer, or repair it, by giving it a structure that no hammer has previously had in that society.

When an agent acts so as to improve or repair a tool she of course does so in light of an understanding of what that tool is for, its equipmental role. And making those improvements amounts to appealing directly to that role in the face of social pressure to use the previously constituted tool as it is to be used, according to community standards. That is, improvement has the structure of appealing to the thing itself in the face of what has already been articulated socially regarding the structure of the equipmental role of the tool. And this is the second respect in which Brandom’s understanding of tool use is seriously misguided. It is important to recall that as Heidegger sees it, being Dasein involves more than having a shared social understanding of how various items of equipment are to be used. It also necessarily involves interpretation, and in this context it is well to remind ourselves of Heidegger’s list of the paradigm forms of non-linguistic interpretation: “The ready-to-hand comes *explicitly* into the sight which understands. All preparing, putting to rights, repairing, improving, rounding out, are accomplished in the following way: we take apart in its ‘in-order-to’ that which is circumspectively ready-to-hand, and we concern ourselves with it in accordance with what becomes visible through this process.”³⁹ I submit that both for Heidegger and in fact, the ‘it’ that becomes visible through this process of improvement is precisely what the *Rede*, the articulation, is about, in opposition to what has already been articulated concerning it and been communicated to the agent socially.

The fact that the non-verbal forms of Heideggerean interpretation, repair, improvement, etc., implicitly involve activity that embodies the dual normative structure of what is said-in-the-talk and what the talk is about shows that Brandom is wrong in thinking that the necessity for *Rede* of the possibility of *Gerede* commits Heidegger to the thesis that there is no Dasein without the ability to speak. Rather, the Heideggerean thesis

that some forms of interpretation are non-verbal, together with the equally Heideggerean theses that (1) all interpretation involves a two level, what is-said-in-the-discourse/what the discourse is about normative structure and that (2) any being that is capable of interpretation is Dasein, commits Heidegger to the possibility that there can be non-linguistic creatures that are capable of being Dasein and intending *Zuhandensein*, but cannot intend *Vorhandensein*. That is, Heidegger is a layer cake theorist regarding intentionality. Further, the actual presence of a dual normative structure in the non-linguistic activities that Heidegger designates as interpretive equally shows that Brandom's argument to the conclusion that only verbal creatures are capable of either self directed intentionality or original intentionality of any sort is unsound. One of the premises in that argument is that the proprieties concerning non-linguistic tool use are exhausted by how it is appropriate in a given society to use the tools in their tool chest. And, for any animals that are incapable of acting interpretively so as to improve and repair the tools in their tool chest, this is probably true. But, as the existence of the non-linguistic practices of repair and improvement make clear, there are some non-linguistic activities with non-linguistic tools that do display a dual normative structure of the appropriate kind. So Brandom's conclusion does not follow. It is possible for there to be a level of intentionality that is (1) non-linguistic, (2) intends *Zuhandensein* and (3) embodies Dasein. The truth is that at least in this respect intentionality comes in layers, much like the layers in a cake.

4. Conclusion: The Layers of the Cake

This paper has been narrowly focused. The point at issue is the subtle one raised by Brandom in his Heidegger commentary. Is it possible to have an intentional agent that is capable of intending itself as intentional, and intending equipment as equipment, and yet is incapable of making linguistic assertions and intending substances as substances? I have argued that the Heideggerean recognition of the class of non-verbal interpretive activities gives us a strong reason to believe that (1) the stratum of non-linguistic tool users, improvers, and producers instantiates a distinct level of intentionality that involves both intentional self-interpretation as intentional and intentionality directed towards tools as tools and (2) that Heidegger himself recognized this distinct non-linguistic stratum as Dasein. That is, when Heidegger says "...assertion has not a primary cognitive function

but only a secondary one. Some being must already be unveiled if an assertion about it is to be possible.”⁴⁰, he means to say just what he seems to say. There are at least two layers on the intentional cake and it is possible that there could be non-linguistic Dasein. I have also argued that *pace* Brandom, Heidegger is right to think this.

Behind this narrowly focused issue there is a larger and more contentious issue. There is a long and impressive philosophical tradition stretching from Brandom, Sellars, and Davidson back through Kant to Descartes that holds that the ability to use language is a necessary condition on intentionality of every sort. In the tradition this thesis is usually associated with a second: The ability of an agent to intend itself as intentional is a necessary condition on that agent displaying intentionality of any sort. If my interpretation of Heidegger in this paper is correct, then these two theses come apart in Heidegger’s thought. He is committed to the second, but not the first. It seems to me that Heidegger is wrong in this commitment to the second thesis. There are more layers to the intentional cake than Heidegger realizes.

As I see it, here are all of the five autonomous layers of intentionality.⁴¹ (To say that the layers are autonomous is to say that it is possible for an agent to exhibit any of the lower layers without exhibiting the higher, but that it is not possible for an agent to exhibit any level of intentionality without also exhibiting all of the levels below it.) At the lowest level is the type of goal-directed teleology that is displayed by virtually all of the animals. The actions of such agents have goals, even though the agents themselves have no states that are about or directed towards anything. At the next highest level are those agents whose behavior exhibits instrumental rationality. Such agents, including many mammals and birds, not only do things in order to accomplish ends, they also do things for reasons of their own. There is no reason that such instrumentally rational agents can’t use found tools, and many of them do, even if such agents neither intend tools as to be used in socially prescribed ways nor act to improve the tools that they use. In Heidegger’s terms, such agents do not count as Dasein and do not intend tools as *zuhanden*. At the next level are those animals, if there are such, that display both instrumental rationality and the rudimentary form of culture that is necessary to institute tool types as to be used in various socially prescribed ways, but do not display the kinds of interpretive activity, such as improvement and repair, that Heidegger marks as the necessary condition on

Rede. Even such agents, however, are significantly different from us. As Bert Dreyfus puts the point in the title of the paper he has just given, ‘skillfully coping human beings differ from animals’. I would add, however, that such animals are essentially different from human beings, because human beings are self-interpreters, Dasein. One level up from the social tool users are those non-linguistic tool users, if such exist, who not only use socially instituted tools, but interpret the roles that define those tools, and thereby themselves. I have argued in this paper that such animals would count as Dasein in the same sense that we language users do. The last layer at the top of the cake is language. It tastes good, and it is good for you, but unless all of the other layers are capable of autonomous existence, the linguistic top layer is impossible.

¹ Brandom, R., “Dasein, the Being That Themmatizes” in *Tales of the Mighty Dead* (Cambridge: Harvard University Press, 2002), p. 325.

² Heidegger, M., tr. Macquarrie, J. and Robinson, E., *Being and Time* (New York: Harper & Row, 1962), p. 101.

³ Heidegger, M., *Being and Time*, p. 255.

⁴ It will be important in the sequel that Brandom himself accepts something like the layer cake model in his own understanding of the intentionality displayed by human animals. What he crucially denies, however, is that non-linguistic animals can display original intentionality in the same sense that linguistic agents do.

⁵ Brandom, R., “Dasein, the Being That Themmatizes”, p. 328.

⁶ Brandom, R., “Dasein, the Being That Themmatizes”, p. 324.

⁷ Brandom, R., “Dasein, the Being That Themmatizes”, p. 324-325.

⁸ Brandom, R., “Dasein, the Being That Themmatizes”, p. 326

⁹ Brandom, R., “Dasein, the Being That Themmatizes”, p. 326.

¹⁰ Kant, I., tr. P. Guyer and A. Wood, *Critique of Pure Reason* (Cambridge: Cambridge University Press, 1998), p. 283.

¹¹ Brandom, R., *Tales of the Mighty Dead*, p. 50.

¹² Heidegger, M. *Being and Time*, p. 201. Translation modified.

¹³ Heidegger, M., *Being and Time*, p. 195.

¹⁴ Heidegger, M., *Being and Time*, p. 189.

¹⁵ Brandom, R., “Dasein, the Being That Themmatizes”, p. 328.

¹⁶ Brandom, R., “Dasein, the Being That Themmatizes”, p. 328-329.

¹⁷ Brandom, R., “Dasein, the Being That Themmatizes”, p. 332.

¹⁸ Brandom, R., “Dasein, the Being That Themmatizes”, p. 334.

¹⁹ For example, cf. *Making It Explicit*, (Cambridge: Harvard University Press, 1994), especially p. 642.

²⁰ Brandom, R., “Dasein, the Being That Themmatizes”, p. 331.

²¹ Heidegger, M., *Being and Time*, p. 203.

²² Heidegger, M., *Being and Time*, p. 204, translation modified.

²³ Heidegger, M., *Being and Time*, p. 203.

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- ²⁴ Heidegger, M., *Being and Time*, p. 203-204.
- ²⁵ Heidegger, M., *Being and Time*, p. 189.
- ²⁶ Heidegger, M., *Being and Time*, p. 195.
- ²⁷ Heidegger, M., *Being and Time*, p. 189.
- ²⁸ Heidegger, M., *Being and Time*, p. 189.
- ²⁹ Heidegger, M., *Being and Time*, p. 203-204.
- ²⁹ Brandom, R., “Dasein, the Being That Themmatizes”, p. 335.
- ³⁰ Brandom, R., “Dasein, the Being That Themmatizes”, p. 338.
- ³¹ Heidegger, M., *Being and Time*, p. 197.
- ³² Heidegger, M., *Being and Time*, p. 205.
- ³³ Heidegger, M., *Being and Time*, p. 212. . The translation of ‘*Geredete*’ as ‘what-is-said-in-the-talk’ makes it seem that it is a given that the phenomenon is necessarily linguistic. This, of course, is an illusion, as the German word is a variant on *Rede*, and the point at issue is whether there can be *Rede* without assertion and language.
- ³⁴ Brandom, R., “Dasein, the Being That Themmatizes”, p. 341.
- ³⁵ Brandom, R., “Dasein, the Being That Themmatizes”, p. 338.
- ³⁶ Brandom, R., “Dasein, the Being That Themmatizes”, p. 339.
- ³⁷ Brandom, R., “Dasein, the Being That Themmatizes”, p. 342.
- ³⁸ I have articulated my understanding of the normativity of tool use more completely than I can do here in “Games and Workshops”.
- ³⁹ Heidegger, M., *Being and Time*, p. 189.
- ⁴⁰ Heidegger, M., tr. Hofstadter, A., *Basic Problems of Phenomenology*, (Bloomington: Indiana University Press, 1982), p. 210.
- ⁴¹ I articulate these layers, and argue for their autonomy, in my forthcoming book, *Rational Animals: The Teleological Roots of Intentionality*, (Athens: University of Ohio Press, forthcoming).