

Ricoeur's Concept of Testimony

Esteban Lythgoe

In this paper, I attempt to show the evolution of the concept of testimony in Paul Ricoeur's writing. In the paper "Herméneutique du témoignage" given at the Conference of Castelli in 1972 Ricoeur defined "testimony" in legal terms, as a testimony given in the frame of a dispute. In contrast, in "La Mémoire, l'Histoire, l'Oublie"¹ Ricoeur split testimony from the legal frame and characterized it as a dialogical "natural institution." My first hypothesis is that, even though in the 1972 conference he recognized the legal origin of testimony, his definition is not quite the standard one. In order to establish this hypothesis, I will compare Ricoeur's definition with C.A.J. Coady's understanding of the term to show where the differences are and explore the implications of each. Next, I will discuss the limitations of the legal definition, and how the concept of testimony was changed in order to overcome them. I will then show how Ricoeur's concept of testimony works in MHO so as to associate memory with history. Finally, I will focus on Ricoeur's revised notion of testimony in his last book *Parcours de la reconnaissance*, and argue that some of the changes in the definition had an argumentative and not a phenomenological reason.

History of Events and Testimony

At the very beginning of MHO, Paul Ricoeur states that the book was written in order to complete his previous investigation of the philosophy of history. His developments of time and narration in *Temps et Récit* set aside the problem of memory.² But, in fact, there is no internal reason for studying this issue. TR had a close relation with the philosophical discussions of the 80s. Ricoeur engaged Hayden White's skeptical position about the continuity of historical narration and the past. Those discussions concluded with his criticizing the end of the history of events announced by the so called history of the *longue-durée* and the history of mentalities. Although most of the central concepts of MHO, like those of

¹ Paul Ricoeur, *La Mémoire, l'Histoire, l'Oublie* (Paris: Seuil, 2000). Henceforth cited as MHO. Translations of all texts are mine.

² Paul Ricoeur, *Temps et Récit III* (Paris: Seuil, 1985). Henceforth cited as TR.

collective memory or archive, were discussed in the 80s, by that time there was nothing that would anticipate the importance of these issues. The concept of collective memory, for example, appeared in a marginal way within the discussion about the role data bases would have to fulfill in history.³ In other words, there was no internal reason in TR for the elaboration of MHO. On the other side, there was an external reason for this publication. After twenty years the historical scenario had completely changed. The history of the *longue-durée* assumed again its place to the history of facts, but instead of being focused in the ups and downs of states and great personalities; attention was directed to the great massacres of the 20th century, especially the Holocaust. After leaving behind post-structuralism and the linguistic turn, these scholars rediscovered individual experience, in this case, that of the victims. Thus, they used their testimonies as sources for their investigations. In this sense the expression of Annette Wieviorka, following Elie Wiesel, is correct: “We lived in the ‘era of testimony.’” “If the Greeks invented the tragedy, the Romans the epistle and the Renaissance the sonnet, our generation has invented a new literature, the testimony. We have all been witnesses and we felt that we must leave testimony for the future.”⁴ Beyond the question of *who* is the witness, the use of the notion of testimony in history has also evolved. Some scholars consider testimony only as a description of a past event, while others believe that it communicates the *sense* that our predecessors had from the events described in the testimony. Finally, there are some that consider testimony as an invocation from past generations to the present one. In this paper, I will try to show that, beyond the above mentioned, there has also been an evolution in the concept of testimony throughout the work of Ricoeur. Within thirty years the concept of testimony evolved from a juridical concept—first exposed in the conference “Herméneutique du témoignage”⁵ at the *Conference of Castelli* in 1972—to an anthropological issue in his last works. Our first hypothesis is that, even though in his conference of 1972 he recognized the legal origin of the concept of testimony, his definition is not quite standard.

An Evidential Conception of Testimony

In his work *Testimony: a philosophical study* C.A.J. Coady proposes a natural definition of testimony by weakening the conditions of the legal and quasi testimony, which have been already codified.⁶ He concludes that:

³ Ricoeur, *Temps et Récit*, 174.

⁴ Elie Wiesel, “The Holocaust as a Literary Inspiration,” in *Dimensions of the Holocaust* (Evanston: Northwestern University Press, 1977), 9.

⁵ Paul Ricoeur, “L’hermeneutique du témoignage,” *Archivio de Filosofia* 42 (1972): 35-61. Henceforth cited as HT.

⁶ See C.A.J. Coady, *Testimony: A Philosophical Study* (Oxford: Clarendon Press, 1992). Henceforth cited as TPS.

A speaker S testifies by making some statement p, if and only if: a. his stating that p is evidence that p and is offered as evidence that p. b. S has the relevant competence, authority or credentials to declare truly that p. c. The declaration of S that p is relevant in some dispute or unresolved question (which can be, or may not be, p?) and is directed to those who need an evidence on the matter.⁷

In this definition two important elements can be found for our comparison with Ricoeur. In the first place, the testimonial relation between witness and audience is asymmetric in two opposite ways. Both parts know that there is an epistemic asymmetry between them: the witness knows something that her audience does not, because she has seen or heard something or has some competence in areas of knowledge that her audience has not. This asymmetry is, however, subordinated to another one where the relationship between witness and audience is inverted. Testimony is above all evidence and, therefore, depends on an unresolved question. The dispute is the condition of possibility of testimony, which means that a statement will only be considered a testimony if it is relevant to the resolution of the dispute between two antagonistic positions. If there is not such a dispute, there is no testimony at all.

Second in this definition, testimony does not depend either on the bond of the declaration with the reality or on the sincerity of the witness. Although there is a precondition of trust given by the competence, authority, or credentials of the witness, it is assumed that testimony can be false due to involuntary problems in the witness's perception or memory, or to her intention to give false testimony. In latter case, however, a liar or insincere witness could be severely punished at a judicial and even social level. But her statement is yet a testimony.

Coady believes that, if properly amended, this definition can be used in different areas. In the case of history, even though statements were originally made for a contemporary audience and not for posterity, it is possible to broaden its application. This is because, by definition, a testimony is any statement that concerns the audience. Thus, "where we can legitimately create a author-reader situation it would seem natural to extend the notion of testimony to cover such cases as well."⁸ Thus, documentary testimonies, such as births and deaths registers, personal diaries, and diplomatic minutes can be used as a source for history.

Even if certain statements have implications for a dispute, they can end up creating the context for a new dispute. For that reason, it can be doubtful whether the third condition is appropriate to history. Coady discards this skepticism and argues that testimony gives rise to a dispute context but does not create the same dispute. Consequently, for Coady, testimony and dispute are still on different levels.

⁷ Coady, *Testimony*, 42.

⁸ *Ibid.*, 50.

Towards an Absolute Testimony of the Absolute

Ricoeur carries out his first analysis of testimony within the framework of a philosophy of the absolute. Following Jean Nabert's work, he tries to address the question whether an absolute affirmation of God can be reached, regardless of the various proofs of God's existence. Ricoeur believes that the absolute cannot be experienced through an exemplary action because the episode vanishes behind the rule and the person becomes blurred in front of the law. What can make us experience the absolute is our encounter with evil. When someone is a witness of an *unjustifiable* event, that is, when it is unjustified in all senses, she expects absolute words and actions that would eradicate it. The experience of the absolute gathers both the singularity and the contingency with the thickness of the historical constituent, and thereby can make room for the testimony of the absolute. As Ricoeur states:

On the contrary, the absolute testimony, in its concrete singularity, gives to the truth a security without which its authority remains in suspension. The always singular testimony confers the sanction of reality to the ideas, the ideals, the ways of being, that the symbol depicts and shows then to us only as our most proper possibilities.⁹

The only way to understand the articulation between the interiority of the original affirmation and the exteriority of the acts is by means of a hermeneutics of testimony.

Ricoeur rejects the idea that testimony is a historical or religious concept.¹⁰ Instead of proposing specific notions for particular areas, he believes that underlying each particular application of the notion, there is an *ordinary notion* of testimony whose origin is doubtlessly legal. This ordinary notion has to do with the following issues. First, testimony so conceived concerns the already mentioned asymmetry between witness and audience. Unlike Coady, Ricoeur restricts this asymmetry to having been present to the disputed fact, excluding other types of competences. He believes that whoever declares something has an epistemic privilege *vis à vis* the audience because she has been present in the declared event. On the other side, the audience must trust her, but cannot do it in the same way that the audience would trust her other sources of knowledge. Even though the testimony is a narration of perceptions, it has only a *quasi* empirical character: it broadens our knowledge in a way that reason, memory, or experience does not. Nevertheless, it does so at the cost of losing part of its epistemic weight. "The testimony whereas story is thus in an intermediate position between an authentication done by a subject and a belief assumed by another subject on the faith of the testimony of first."¹¹

⁹ Ibid., 37.

¹⁰ Ricoeur, "L'hermeneutique," 40.

¹¹ Ibid., 38.

Second, the ordinary notion of testimony concerns the *juridical* character of testimony. Every testimony is inserted in a dispute, and it will be used to benefit one of the parties. As Ricoeur explains, “The ocular character of the testimony never reaches so far as to constitute its sense of testimony; it is necessary not only to the establishment of a fact, but a story that serves to prove an opinion or a truth.”¹² This statement imposes serious limitations on the empirical aspect of testimony. Since all testimony is inserted within a dispute, the only statements that are counted as such are those that fulfill the role of being used as evidence. In this way, the legal frame counterbalances the epistemic asymmetry between witness and audience.

There are at least two other elements in Ricoeur’s definition that will progressively move him away from the described legal position. The first one is the kind of argumentation in which the testimony is inserted. Following Aristotle, Ricoeur places testimony within the scope of rhetorics as a type of external proof. In other words, no conclusion can be reached in a deductive way by means of a testimony. Therefore, the result of the dispute will only be a probable truth. The second element introduced by Ricoeur in the testimony is moral. The philosopher finds this element in the judge’s prerogative to invalidate a testimony whenever there is a suspicion that it is a false statement. This is the reason why Gary Hart maintains that a legal statement is not a *description* of facts, but an *adscription*. In this way, fitting testimony within a legal frame has not only epistemic but also moral consequences.

Finally Ricoeur directs his attention from the testimony towards the witness, more precisely, to the *false witness*. The false testimony is not related to errors or unintentional lack of precision, nor is it due to perceptual or memory problems. Deceit does not allude to the lack of *accuracy* of the statement, but to an *unfaithfulness* to convictions. A deceitful witness intends to deceive the audience. “What is a veridical witness, a faithful witness? Everybody understands that it is something else than a precise narrator, that is to say, a scrupulous one.”¹³ By changing his perspective, Ricoeur tries to distance himself from the idea of testimony as a proof and to study it as an act. In this way, he seeks to associate testimony with making a conviction public, instead of identifying it with a statement that describes a past state of affairs, as it is traditionally identified. This modification allows him to characterize martyrs witnesses, and to study the prophetic and kerigmatic dimension of testimony as well.¹⁴

Ricoeur’s association introduces a double distinction: first, the distinction between truth and faithfulness and between *factual testimony* and the *testimony of conscience* or *of sense*, on the other hand. Both distinctions are bound together. In what follows I will focus on the second one, leaving aside for the moment the

¹² Ibid., 38.

¹³ Ibid., 42.

¹⁴ As this last issue exceeds the limitations of our paper, we will leave them aside.

distinction between truth and faithfulness, since when Ricoeur wrote HT he still lacked the concepts required to explain it in a satisfactory way.

Testimony results from the integration of two elements: (1) the factual, external and historical constituent; and (2) the sense or conviction constituent. Testimony communicates external elements, for instance descriptions of facts, and internal elements, especially of a moral nature. The first one is objectively verifiable, and whoever has witnessed the testified event can corroborate them. In this sense the only relevant credential required to the witness is her presence to it. The second one, on the other hand, articulates the factual story and bestows a sense to the history. In this case, the identity of the witness, his convictions and moral position are important, because the most important contribution of this element is the moral. "The sense of the testimony seems, then, inverted; the term no longer designates a linguistic action, the oral story of an eyewitness to an event to which he has been present; the testimony itself is the action so long as it attests in the exteriority the same inner man, his conviction, his faith."¹⁵

Why does the hermeneutics of the absolute need the testimony of the unjustifiable? This type of facts has a special characteristic that impinges on the testimony in a decisive way. While our attitude against the exemplary or the sublime is fundamentally theoretical, one cannot stay impassible in front of the unjustifiable. It moves us.

The unjustifiable forces us to leave every *cupido sciendi*, which leads the reflection up to the threshold of theodicy. The detachment proper to this attitude prepares the reflection for receiving the sense of perfectly contingent facts or acts that would attest that the unjustifiable is surpassed here and now . . . the testimony of evil hopes for our regeneration more than sublime examples, waits for words and, above all, actions that will be absolute actions, in the sense that the root of the unjustifiable will be manifest and visibly extirpated.¹⁶

In this way, the unjustifiable adds to the testimony a *vocative* quality that mobilizes us to make changes in ourselves and our environment.

This description faces two problems that affect the development of the concept in the philosophy of history. The first one is the abyss between the interiority of the sense that moves us to certain action and the exteriority of the action. Every testimony gives place to multiple interpretations. Though each of them is based on the statement or the action, we will never have the certainty of the original sense that gave place to that testimony. Twenty years after it was suggested, this fracture appears in a more explicit way when Ricoeur introduces J. Nabert's distinction between a witness of the first degree, who carries out an action, and a witness of the second degree, who interprets its sense: "A dialogical structure of the testimony between the testimony-act and the testimony-narration

¹⁵ Ricoeur, "L'hermeneutique," 43.

¹⁶ Ibid., 37.

is outlined here. Somebody gives a sign of the absolute, neither wanting it nor knowing it; another one interprets it as sign.”¹⁷ What kind of belief can we then have of a sense thus interpreted?

The other issue is the conflict that arises between the conception of testimony as proof and its vocative aspiration to make us confront the unjustifiable. Testimony is only evidence within a debate frame, but this frame exactly makes the statement an object and, therefore, breaks any intention to move the audience. But if that is the case, why must we prefer testimony to the exemplary or the sublime as the way of access to the absolute when it is ultimately also associated with a *cupido sciendi*?

From Testimony as Verifiable Statement to Testimony as Trustworthy Dialogue

In MHO Ricoeur turns back to history after a period of almost twenty years in order to study two themes that, though heavily discussed at the end of the century, had played a secondary role in TR: memory and oblivion. In MHO, testimony has once again an important role because it is “the fundamental structure of transition between memory and history.”¹⁸ In a certain way this analysis is a development of the one presented in 1972 in HT, and, consequently, Ricoeur tries to solve the problems we have just mentioned. One could argue that the conference of 1972 is basically theological while MHO is historical, and Ricoeur always distinguishes between both fields. However, such view could be refuted in two ways. First, as we have seen in the previous section in both cases Ricoeur’s initial step is to provide an *ordinary notion* of testimony, which precedes the historical or prophetic dimension. My focus on the exposition of 1972 is limited to this aspect, and I leave aside the theological question. Second, the conference discusses Nabert’s concept of the *unjustifiable*, which is related to the martyrology from Jesus onwards; while MHO has the genocides of the 20th century in mind, which are defined by means of Saul Friedlander’s concept of *the unacceptable*. Nevertheless, both concepts and hence both experiences are finally identified by Ricoeur as manifestations of evil.¹⁹

Beyond these observations, the utility of the distinction between factual and sense testimony is not restricted to theology. It is also useful for understanding the way in which most of the more important testimonial narrations of the Holocaust are constructed. It is commonly accepted that, these statements are very important insofar as they are the only surviving records of certain kind of events. The views of authors like François Lyotard have strengthened this kind of positions: he argued that the originality of Auschwitz lies especially in the Nazi policies to destroy all documentation and memory of

¹⁷ Paul Ricoeur, “Emmanuel Lévinas, penseur du témoignage,” *Répondre d’autrui Emmanuel Lévinas*, ed. J.C. Aeschlimann (Boudry-Neuchâtel: Editions de la Baconnière, 1989), 17-40, 27.

¹⁸ Ricoeur, *La Mémoire*, 26.

¹⁹ *Ibid.*, 600.

what occurred there.²⁰ But, as everyone can see, that Nazi policy was not successful. Indeed, a great amount of photographic and documentation has been left, which are much more precise than testimonies. If historians were only interested in facts, they would have preferred those sources for their investigation, as they did until the 80s. Still, assuming this hypothesis about the destruction of material sources, there have been thousands of survivors who could have narrated nearly the same or similar facts. Nevertheless, the number of witnesses used in this type of research is small. I believe that the reason for using such a small number of witnesses is the meaning survivors like Primo Levi can give to the facts. Even the moral, political and ontological reflections of authors like Giorgio Agamben or Lyotard about issues like *the other*, *the limits of humanity*, *the integral witness*, *the gray zone*, *the fault* and *the shame* are restricted to this constituent of testimony.

The step Ricoeur takes in the analysis in MHO is similar to the one taken in 1972. He investigates the everyday concept to discover its essential constituents. In the process, he distinguishes six fundamental attributes of Testimony: (1) Testimony is an assertion of a factual reality and a certification or authentication of the stated facts; (2) This certification is guaranteed by the witness's self-designation and her presence to the described facts; (3) Testimony has a dialogical character in which the tension between suspicion and confidence is present; (4) Suspicion creates a space for controversy among many witnesses and testimonies; (5) The reliability of a witness is bound to her capacity to reiterate her declaration; (6) testimony becomes thus a factor in the security of the social bond. This is the reason why Ricoeur calls it a "natural institution."²¹

Unlike Coady, Ricoeur includes the audience's trust and suspicion in the definition of testimony. He rejects the regulative model of testimony proposed by legal psychology, arguing, as in 1972, that the *faithfulness* of the witness is more important than his *accuracy*. Ricoeur criticizes those who try to disqualify testimony as a source by referencing the paradigm of recording, especially the camera, on the one hand, and the *disengaged observer*, on the other.

In the 90s Ricoeur introduces the category of *attestation*, which explains the type of belief associated with self-identity. In MHO Ricoeur drew on this concept in order to answer what kind of belief has to be given to the faithfulness of testimony and what is the relation between truth and faithfulness, issues that have been suggested in the HT but could not be further developed there.²² Let us describe briefly this concept. Traditional knowledge is based on the concept of truth. The ideal to reach is certainty, and it is guaranteed by means of justification or verification. It is normally agreed that the antithesis of philosophical knowledge is rhetoric whose ideal is only persuasion. Those who hold this position justify it by identifying rhetoric with sophistry. Ricoeur rejects this gradation, and defends an Aristotelian position that would locate rhetoric on a

²⁰ J.F. Lyotard, *The Differend: Phrases in Dispute* (Minneapolis: University of Minnesota Press, 1988), 55-57.

²¹ Ricoeur, *La Mémoire*, 211.

²² See page 4 of this paper.

different level from that of sophistry. “Aristotle’s whole ambition was to stabilize rhetoric midway between logic and sophistry and, thanks to the connection between the persuasive and the *reasonable in the sense of the probable*.”²³ Finally, Ricoeur defines *attestation* as a belief, but not a doxical one, such as the expression, ‘I believe that,’ but one associated with the grammar of ‘I believe in.’ Here the connection between testimony and attestation becomes evident: “Whereas the doxical belief is associated with the grammar of ‘I believe that,’ the attestation depends on the ‘I believe in’ someone. In this it comes close to testimony, as is showed in the etymology, where one believes *in* the word of the witness.”²⁴ This distinction leads to the idea that every concept associated with this kind of belief is dissociated from the virtues of knowledge, like certainty, *adequatio* or truth. Attestation is related to another type of value, one that includes an ethical constituent. Thus its opposite is suspicion, but there is no procedure that may allow us to reject a suspicious belief. As to testimony “there is no other source against the suspicion that an attestation is *more trustworthy*.”²⁵ Thus, just as knowledge is tied together with *truth*, and rhetoric with *probability*, Ricoeur associates attestation with *truthfulness*.

According to Jean Greisch, beyond the explicit links that Ricoeur draws between testimony and attestation, both are associated with a different moment of his work and with different ways of conceiving hermeneutics. Testimony is related to a phenomenology of the involuntary and the voluntary and the phenomenology of fallibility; on the other hand, attestation is associated with the problem of narrativity. As Greisch puts it:

My hypothesis of reading is that the hermeneutic of testimony has a basis the question, inherited from Jean Nabert, of the possibility of refounding testimonies in history of the absolute. The phenomenon of attestation, on the contrary, is related essentially to the interrogative field the hermeneutics of the self, which it unfolds under the protection of the question: “Who?”²⁶

Because of these differences, Greisch studies testimony and attestation in a parallel way. It should be evident that I disagree with him. Although I distinguished the extent of each of these concepts, I do not eschew their interrelation. The reason for this is that, even though genetically they have a different origin, considering them in a parallel way, makes it very difficult to understand the relation between history and memory.

Associated with the concepts of *suspicion* and *trust* is the second issue that constitutes the difference between the definition of testimony given in MHO in comparison to HT, namely dialogue. Indeed, the certification of testimony is

²³ Ricoeur, *La Mémoire*, 343.

²⁴ Paul Ricoeur, *Si mismo como otro* (Madrid: Siglo XXI editores, 1996), XXXV. Henceforth cited as SO

²⁵ Ricoeur, *Si mismo*, XXXVI.

²⁶ Jean Greisch, *Paul Ricoeur, L'itinérance du sens* (Grenoble: Jérôme Millon, 2001), 371.

completed after being credited by the audience. What is the difference between defining testimony as a dialogue rather than as a statement? Although explicitly the tension between a dialogue and a statement directs us to the opposition established by Gadamer between the theoretical demonstration associated with a historical and scientific speech and with testimony as a statement, on one hand, and the Platonic dialectic, on the other.²⁷ In the first case, the other self is subordinated to the frame of the debate which ultimately depends on the person who asks. Even though, there is an asymmetry of knowledge between the witness and the audience asking about an event in the past, as we have indicated in the definition given by Coady and by Ricoeur in 1972, the asymmetry is subsumed under the frame of the dispute. The person who interrogates the witness could say to him: “Your knowledge is important as long as it *serves* to solve our dispute.” In fact, the only pertinent asymmetry is the one existing between the person who asks, who is not simply a member of an audience, and the subordinated position of the witness, who provides evidence for the dispute. In this context, the emergence of something unexpected or the vocation or call of the witness to his audience is meaningless, because that emergence or call is annulled under the logic of testimony. In the second alternative, if a dialogue occurs the other is recognized as another, and, as long as what the witness says is not subordinated to certain type of questions, the audience can be called to conclude certain things or be surprised by the unexpected.

The third feature peculiar to this definition of testimony consists in characterizing it as a natural institution. Ricoeur considers testimony a “natural institution,” because it offers security to the constitutive relations of the social bond and allows the social world to become intersubjectively shared. The shared world, again, establishes bonds of confidence and interdependence among its members. We face a double strategy on the part of Ricoeur here. First, he distances himself from the judicial conception of testimony that he defended in the 70s. On the one hand, this modification gives the concept an extrajudicial scope, which was previously excluded. On the other hand, it is also more restrictive, for testimony becomes associated with an oral manifestation between at least two people. This association moves this definition of testimony away from others, such as the one offered by Marc Bloch, who considered all human work a testimony.²⁸

Second, Ricoeur’s strategy brings testimony back from the juridical level to the anthropology of the capable man. This step allows him to group it with other speech acts, like the promise, which specify the *ipse*-identity of human being. Thus we read, “The activity of attesting, understood on this side of the bifurcation between its judicial and its historical use, reveals the same amplitude and scope as that of narrating by virtue of the clear kinship between these two

²⁷ See Hans Georg Gadamer, *Verdad y Método I: Fundamentos de una hermenéutica filosófica* (Salamanca: Sígueme, 1996), 442.

²⁸ See Marc Bloch, *Apología para la historia o el oficio del historiador* (México: Fondo de Cultura Económica, 1998), 172.

activities, to which it needs immediately to be added the act of promising, whose kinship with the testimony remains more hidden.”²⁹

This definition of testimony is qualitatively different from legal testimony, which serves as a documentary source. It is for this reason, that we must determine, in the first place, how it is possible that testimony as a dialogical natural institution can become the legal one described at the beginning. In the second place we will have to indicate in what way this modification in the definition of testimony has subsequent effects on Ricoeur’s conception of history.

In relation to the first issue, the association of testimony with a non doxical belief, i.e., attestation, opens an insurmountable abyss between testimony and the documentary sources historians use. Since testimony is used as a source of historical evidence, the philosopher must explain how it is possible to level it with the other sources. In order to do so, Ricoeur resorts to the figure of the archive. The archivist is the person who transcribes oral statements in order to preserve and classify them. The passage from the oral to the written statement also produces a rupture with the dialogical structure and changes it to the logic of the statement, which allows the introduction of those critical elements that assure the objectivity of what was stated. The archivist applies all critical tools to distinguish *the true declaration from the false one*. The goal is to preserve the contrastable character of evidence and, therefore, the claim to truth in history.³⁰

These oral testimonies are constituted in documents only once they have been registered; they leave the sphere of the oral to enter the sphere of the written; they move away from the function of testimony in the ordinary conversation. It is then possible to affirm that memory is filed, documented. Its object is no longer a memory in the proper sense of the term, that is to say, something retained in a relation of continuity and appropriation with respect to a presence of the conscience.³¹

Beyond the methodological issue, the archive also modifies the ontological character of testimony. The witness has a direct bond with the event through memory, and the testimony attests to it, but once leaked critically and fixed in a written way, it loses that direct bond with the past, leaving in its place a verifiable fact. Ricoeur describes the process in this way: “A filed memory has stopped being a memory in the sense of the word, that is, something that maintains a relation of continuity and the property of a present of which he is conscious. It has acquired the status of documentary remains.”³²

The distinction between this trustworthy dimension of testimony and its contrastable constituent allows a detailed elaboration of the logic of the tradition

²⁹ Ricoeur, *La Mémoire*, 203.

³⁰ See Ibid., 443 and Ricoeur, *Si mismo*, 71.

³¹ Ricoeur, *La Mémoire*, 226.

³² Paul Ricoeur, *La lectura del tiempo pasado: Memoria y olvido* (Madrid: Arrecife, 1999), 45.

outlined in *Temps et Récit*. In this work, Ricoeur tried to work out the problem of the receptivity of the effectiveness of history by distinguishing three concepts of tradition. *Traditionality* as a formal instance that remits to us a transcendental category of history. This dimension shows us the tension within the space of experience between the efficiency of the past that we suffered and the reception of the past that we made. This sense leads us to a dialectical relation between distance and closeness. *Traditions*, on the other hand, refer to the meaningful material content transmitted. It is the struggle for *the acknowledgement of a sense* that it is simultaneously strange and familiar to us. Finally, we have *'the' tradition*, which considers the association of a proposition of sense with a claim to truth. The inherited propositions of sense become the prejudices on the basis of which we understand the past. Like all propositions, they have a truth claim, but also one received from the past. The reception of this truth claim from our predecessors does not make it an ideological principle. Within the effective historical consciousness there is a place for the critic, which is obtained by becoming aware of the historical situation of the human being.

In order to understand the way in which testimony articulates this threefold concept of tradition in history, it is important to understand how Ricoeur conceives what he calls the historical operation. He recognizes three phases or methodological moments. They do not constitute different chronological stages, but they are concurrent. The first phase, called *documental*, proceed from the declaration of an eyewitness to the constitution of the archives and has an epistemological program: the establishment of documentary evidence. In Ricoeur's opinion, this phase has an epistemological primacy over the other two, for "it is the one, in history, that is closer to the Popperian criterion of verification or disproof."³³ The second phase, called explanatory / comprehensive, refers to the concatenation between the documentary facts by means of the heterogeneous uses of the connector *because*. Finally, the *representative* phase makes reference to the narrative-making of the facts. The intention of the historian to represent the past just as it happened becomes manifest in this last stage. Although not expressed by Ricoeur interpretation can be considered as a fourth moment within the historical operation, in which the historian's social and institutional engagement becomes evident. From Ricoeur's point of view, "far from constituting, like representation, a phase—although not chronological—of the historical operation, interpretation mainly comes, instead, from the second degree of reflection of this operation; it simultaneously puts all its phases together, thus, emphasizing both the impossibility of a total reflection of historical knowledge on itself and the validity of the historical project of truth within the limits of its space of validation."³⁴ This means that the documentary phase, which includes testimony, written down and criticized by the archivist, influences the decisions of the historian. However, ultimately the motor and articulator of the whole historical operation depends on the interpretation of the

³³ Ricoeur, *La Mémoire*, 443.

³⁴ *Ibid.*, 436-437.

historian. Thus, after her dialogues with a witness, the historian inherits a direct bond with the past that sends us to the sense of the *traditions* mentioned above. Finally, the *tradition* is associated with the witness's desire that we consider the events and the sense given to them. The only way for the historian to be able to take a critical distance from these histories is by means of the archive. It is for this reason that faithfulness, associated with testimony and memory, as experience with what has been, precedes the certainty of the past given by history. "History can expand, complete, correct, even refute the testimony of memory, but it cannot abolish it."³⁵

The second problem to be considered here is the relation between Ricoeur's concept of testimony and the phenomenology of the *culpable human being*. In the first place, testimony hinders the possibility of a scientific definition of history whose ideal would be to merely give an account of the facts. In its place, testimony allows the elaboration of a conception that is subordinated to the problems of life, similar to Nietzsche's.³⁶ Ricoeur exploits this way of approaching history by applying an analytical turn to Tzvetan Todorov's proposal that history must not look for just a simple factual truth, but for a liberating one.³⁷ In his study on the pragmatic dimension of memory, Ricoeur gathers the Freudian distinction between mourning and melancholy, emphasizing the potential dangers of causing neuroses by repressing certain memories. Not mourning for the disappearance of a loved person or the abstraction that occupies that place results in impoverishing and draining the self.

The aim of the section dedicated to the historical condition partly consists in establishing the applicability of these analytical categories to the historical level. In order to reach this goal, Ricoeur shows how existential structures like being-indebted or being-towards-death are applicable to history, and the key instance to arrive to this result is the anchorage of testimony in the anthropology of the culpable man. In effect, attestation is associated with the veritative way to conceive the Heideggerian notion of *resoluteness*. In this existential the three temporary ecstasies are articulated as authentic and original: future (*Zukunft*), past (*Gewesenheit*) and present (*Gegenwart*). Thus Ricoeur must find three moments of the historical condition that can act as equivalent to each one of these ecstasies: "the role of possibilization assigned to the meta-category of the historical condition finds the occasion to exercise itself with the correlation between attestation in the future and attestation in the past. To this one must add attestation in the present that refers to the I can."³⁸ Attestation related to the future is the promise, in as much the testimony is the past correlate of the attestation: "It is possible to consider testimony, as we have in the present work, under its retrospective forms, in the everyday life, in the court or in history, as the

³⁵ Ibid., 647.

³⁶ It is easy to observe this subordination of history to life in Ricoeur's last aphorism: "Sous l'histoire, la mémoire et l'oublié. Sous la mémoire et l'oublié, la vie. Mais écrire la vie est une autre histoire. Inachèvement." Ibid., 657.

³⁷ Ibid., 100.

³⁸ Ibid., 472.

correlate in the past of the attestation that refers to the ability-to-be apprehended under the figure of 'going ahead'.³⁹

Having extended the categories of existence to a collective level, Ricoeur can argue that at this level it is also necessary to heal the wounds of the past, because otherwise they would paralyze us. Such healing cannot be achieved through oblivion or amnesty, which would make us fall into melancholy and to the compulsion of repetition, but through forgiveness. One has to distinguish the agent from her act, as with forgiveness and guilt, but remembering at the same time the unforgivable character of the act. One of the necessary aspects of this process of collective mourning is to obtain a written equivalent to the rite of the grave. This helps the person in the process of mourning to transform the physical absence of the lost object into inner presence. Ricoeur adds, "Considering the historical operation as the written equivalent of the social rite of the grave."⁴⁰ In this sense, Ricoeur uses Certeau's concept of "a literary inversion of procedures belonging to research" as instance that makes possible the conversion from the place of burial to the act of burial. This concept entails two different aspects: on the one side, the writing exorcises death by introducing it in to speech; and on the other, it has a symbolic function that allows society to locate itself by giving itself a past in the language.

How can death be incorporated into history in a way that makes possible the appearance of the *other's logos*, without making history the "theater of shades?" The answer to this question lies in Ricoeur's proposal to bring together the concepts of representation-object and representation-operation, in order to avoid the degeneration of the concept of representation. The first concept refers to the object of the historian narration. Its structure has a close connection with the mnemotechnical image with respect to the past and with the ideal of faithfulness to the past. Representation-operation, on the other hand, is tied to the historian's literary task of making a work of history. Both concepts are articulated by the mimetical activity of the historian and the testimonies of the actors from the past: "An hypothesis then comes to mind: does the historian, insofar as he does history by bringing it to a scholarly level, not mime in a creative way, the interpretive gesture by which those who makes history try to understand themselves and their world? The hypothesis is particularly plausible in a pragmatic conception of history that takes care of not splitting the representations from the practices by means of which the social agents restore the social bond and provides it with multiple identities."⁴¹ For Ricoeur, the only way to conceive the relation of the concepts, representation-object and representation-operation, is by giving up the claim that the historian conceives the events, replacing this thesis with the idea that they take the plots from the actors who have lived them. But the only way that it is possible, is with the historian having directly received the testimony from the witnesses, and not from archives.

³⁹ Ibid., 471.

⁴⁰ Ibid., 476.

⁴¹ Ibid., 295.

It is important to notice the modifications that Ricoeur's concept of testimony undergoes in order to make this idea possible. As we have pointed out, both in 1972 and in 1989 Ricoeur's definition of testimony includes a vocative constituent, inherited from Heidegger's ontology. In other words, it has both the past and the future constituent. In Ricoeur's book published in 2000, this future constituent is still present in *promise*, but not in testimony. This concept is only associated with the past. However, this does not mean that it bears no relation to the future, but rather that it does in a way which is mediated by the structure of debt: "The bond between future and past is secured by a bridge concept: that of being in debt."⁴² In Ricoeur's last book, *Parcours de la reconnaissance. Trois études*, testimony reappears, but in a secondary stage. In this work the philosopher still associates this concept with the ideas of dialogue and faithfulness. He does not speak of a "natural institution," but instead, says that "trust, in testimony and in promise strengthen the general institution of language."⁴³ When we consider the temporary ecstasis, the definition comes closer to that of 1972 and 1989, than to the one of 2000. This is because testimony has again the future element, although not in the form of a vocation, but as a promise: "This feature of faithfulness is common both to promise and testimony, which, *in one of its stages, includes a moment of promise.*"⁴⁴ On the other side, promise is still associated with the ecstasies of the future, but its correlate in the past is no longer testimony, as one would have expected following MHO, but memory. Indeed, "the problematic of self-acknowledgement reaches at the same time two summits with memory and promise. While the former looks to the past; the latter looks to the future."⁴⁵ Promise was also present in MHO, but dealt with separately from the articulation between testimony and being capable, in the Arendt-like tension between forgiveness and promise. In his last book Ricoeur draws both relations in the problem of self-acknowledgement together.

To the Things Themselves?

Throughout this paper we have analyzed the evolution of Paul Ricoeur's concept of testimony of from 1972 up to his last book. We have seen that in his earlier lecture he defended a legal concept of testimony. When we compared this definition with another juridical one, like Coady's, we noticed that it included different constituents. For instance, it included a *moral* constituent and the idea of a *sense testimony*. We showed that testimony had also a vocative concept that was central for the process of accessing the absolute, but we considered that the framework within which testimony had its meaning neutralized this constituent. In MHO testimony lost three constituents that had formerly been central to its definition. Testimony was no longer conceived as a statement or as framed by

⁴² Ibid., 472.

⁴³ Ibid., 138.

⁴⁴ Ibid., 137.

⁴⁵ Paul Ricoeur, *Caminos del reconocimiento—Tres estudios* (Madrid: Trotta, 2005), 119.

discussion. Instead, it was defined as an independent *natural dialogical institution*. These two changes allow us to conceive testimony as a vocation, provided that we think this concept as referred to the future. Surprisingly, this constituent also disappeared. Since Ricoeur conceived the historical condition in Heideggerian terms, he had to associate each aspect of this condition with a different temporal ecstasis: the past with testimony, the present with being capable and the future with the capacity of the cure to go beyond itself. The articulation between future and past is made possible by the historical condition. Finally, in his last book this future constituent reappeared but no longer as vocation but as a promise.

Our reconstruction of the development of the concept of testimony gives rise to two different questions: the first one has to do with the close relation that exists between testimony and the unjustifiable. Indeed, are we sure that some of the characteristics of the victims of the unjustifiable as witnesses do not affect Ricoeur's definition of testimony? Can this particular kind of witness become the paradigm for all testimonial relation? If that is the case, how can it be justified?

The other question has to do with the nature of the development of this concept. There is a great distance between a definition of testimony as evidence within a dispute and testimony as a dialogical and natural institution. Although we have tried to reconstruct the possible causes of this evolution, Ricoeur gives no explanation. And this absence raises a doubt as to whether this evolution depends on strategic rather than phenomenological considerations.