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THE MODERNITY DEBATE:[1]

RATIONALITY - UNIVERSAL AND PLURAL?

A praxeological contribution to the debate
between universalist modernists and contextualist postmodernists

Our theme is the modernity debate. One perspective in this respect is what we may call the intellectual rationalization of modernity, leading up to a post-metaphysical skepticism as to the possibility of justifying any idea of basic universal norms.[i] This is a modern insight and challenge – not in the empirical sense that it is recognized by everybody in contemporary societies, but as an underlying uneasiness, that should be taken seriously and that somehow influences our modern (sub)consciousness and thus our modern identity. These are certainly subtle questions, and at the outset I shall not try to elaborate them any further, but rather suggest that we take them for granted: modernity as a blend of pluralism and scepticism, and an urge for justification. This is also the reason why religious fundamentalists have serious problems in adapting to modern conditions, both intellectually and politically. But finally, modernity represents a challenge for all of us, religious and secular, Christian and Muslim, Chinese and European.[ii]

First I shall give a few comments on some aspects of the public debate about modernity (A), and then focus on the discussion on rationality, from the perspective of philosophical pragmatics (B).

(A)
There have been extensive discussions, not least in philosophy and sociology, on how we should best understand and explain modernity. Recently the term has been frequently used also in the media and in political rhetorics in some countries, not only negatively such as by postmodernist critics, but also positively such as by European neoliberalists and social-democrats alike, pleading for a "modernization" of institutions and values[iii] – without any attempt to define the term or to relate their use of the term to the extensive professional discussions. When reading such pro-modernist writings, published by these politicians, one gets the impression that modernization is here basically understood as deregulation and privatization, that is, as a further expansion of the market institution and its social mechanisms and a weakening of the state institution and the public sector – for instance in order to reduce what is seen as competitively high social costs. But whereas the philosophical and sociological discussions on modernity are characterized by a rich repertoir of concepts elaborated within a variety of academic perspectives, it is striking that these party-political proponents of modernization tend to operate with concepts that are basically taken from one discipline, that of *economics* – a discipline, it should be added, whose *conceptual models* have a problematic relationship to

what we used to call *the socio-historical world* (for instance, to the empirical variety of human motivation and behaviour).

These new rhetorics of modernization seem to strengthen a general trend these days: the tendency of implicitly conceiving *one* conceptual perspective, basically that of neo-liberalism, as the adequate way of understanding the major features of modern societies. With the fall of the Soviet Union, the dominating political language has to a large extent been that of human rights, market economy, and a multiparty democracy: Institutionally, history has reached its end. Ideologies are dead, both qua Utopian aspiration and basic criticism of the historical end-station (which is modernity according to this interpretation). Cultural discussions go on (such as in postmodernist quarrels, identity politics, and science wars), and the process of globalization, driven by IT and market forces, implies a permanent and forceful development - but all this takes place within the same modern institutions and the same modern rationality. The quarrel between the Ancient and the Modern[iv] has apparently been settled once and for all, in favor of modernity (in this sense).

This modernist language and world view has gained considerable strength: How can anyone be a serious opponent to the unavoidable development towards modernization, to the necessary modern institutions, and to modern rationality? Briefly stated: Marxist criticism of capitalist institutions, existentialist criticism of reification, the disillusioned criticism from Francophile postmodernists, or the ardent protest from cultural and religious traditionalists – they are all basically marginalized, and the new rhetoric has to a large degree become our second nature: this new-talk is seducing, exhausting, and simplifying, and therefore hard to oppose and hard to resist. - "And really, haven't many things become better, in many ways - so what is the matter?" - Certainly, but still much of this criticism has not lost its validity: the problem of institutional unbalance, the loss of social networks and of existential meaning, the problems of sustainability both for nature and socio-cultural reproduction, the problems of deprivation and poverty, the risks of regression and fatal crises, and the need for public reason and deliberative democracy. These critical points surely remain as important and urgent as ever before.

The debate on modernity is therefore not merely theoretically interesting. Intellectuals from different disciplines and with different life experiences should therefore have a special responsibility to relate to the public discourse on modernity in media and politics - at the same time as they explore these questions as professionals, each within one's own discipline.

But in order to cope with modernity, we need a reflective multi-disciplinary discourse. Philosophy alone will not do. Sociology alone will not do. Various disciplines are required, within an intellectual culture enlightened by reflections stemming from the philosophy of the sciences and the humanities. Only in this way can we hope to avoid a too narrow and shallow understanding of modernity. Only in this way can we hopefully be able to cope both with the institutional differentiations and the question of the different forms of validity, including those of basic moral questions.

This being said, I already find myself within the substantial debate, as to the nature of modernity and of modern rationality – be it one or many, instrumental or strategic, communicative or argumentative, be it contextual or universal. Here I find myself within one of the debates on modernity, one that is focused on rationality. However, one cannot say everything at once; and interdisciplinarity is a collective project that takes time. Here I shall therefore merely try to say something about rationality, in a special perspective.

My approach is that of philosophical pragmatics,[v] elaborated through a discussion of contextualist praxeology and universal pragmatics.[vi] I shall try to spell it out by presenting a narrative, rather than by discussing detailed arguments. This will be my contribution to the discussion of modernity and moral identity: a pragmatic notion of rationality, with implications for our conceptions of modernity and of moral identity.

After the pragmatic-linguistic turn some thinkers[vii] regarded reason as bound to given linguistic or practical contexts, while others[viii] conceived of discursive reason as inherently related to universal validity claims and to implicit ideas of "redemption" by "ideal consensus" through discussion in "ideal speech situations". As a further support, there are[ix] theories of socialization, of communication, of modernity and of modern law. In this paper, questions of universality versus contextuality are approached from the perspective of a version of

the pragmatic-linguistic turn, conceived through a mutual criticism of universal pragmatics (Apel, Habermas) and contextual praxeology (later Wittgenstein): Conceptual clarification is sought through case-analyses, for the most part in the form of thought experiments, often in the form of "arguments from absurdity", including absurdities stemming from performative self-contradictions. Such case-oriented arguments from absurdity are discussed in relation to a selection of transcendental arguments found in universal pragmatics.[x] Here I argue in favor of a revised version of universal pragmatics, including a "meliorist gradualism", and of epistemic pluralism, supporting the idea of pragmatically rooted obligations for the better arguments, hence for truth, and thus supporting an epistemic universalism; but without relying on the strongest counterfactual claims of pragmatically rooted and unavoidable ideals of truth qua final consents in ideal situations of communication.[xi] In short, it is argued in favor of the idea of speech-act immanent reasons which entail obligations for still better arguments (or reasons), that is, situated reasons which transcend contingent contextual limitations and thus entail a universal force. In this sense a third position is defended, between universalist modernists and contextualist postmodernists, that is, a notion of modern discursive reason as universally valid and binding, and contextually and pluralistically situated.

However, before I enter this main part of my paper, it might be worthwhile to make the following introductory remark: To some extent, not only our theories are contextual but we ourselves are situated, historically, culturally, institutionally, and existentially. Therefore it is useful also to reflect on the varieties of personal situatedness, among intellectuals, among professional philosophers and sociologists. For instance, not only is China different from the West, and the US from the EU, so is also Germany different from France, and Sweden from Finland. A reminder: In his early days, the philosophical skeptic, Arne Næss, used to walk around asking people what they held to be certain. The answers were far from trivial. There were those who referred to lifeworld certainties or to sense experiences, but some answered by referring to borderline experiences and deep crises. That was what they held to be really certain – for instance, *ein verlorener Krieg*, a lost war. Strange? Hardly. Lost or won, war experience, or the lack of it, makes a difference - as between Sweden and Finland, Germany and France, US and Europe. It is dangerous to generalize, but also dangerous to overlook. History is hard stuff, also for intellectuals: direct experiences, cultural impact, institutional changes. So there are not only academic, disciplinary differences between us. History, too, with a variety of institutional and cultural forms of situatedness, makes a difference. The persuasiveness of arguments and the point of arguing can therefore not always be taken for granted (as between Habermas and Rorty: war experience, and none - *ein verlorener Krieg,* and the question "why is moral justification required?"). Argumentative reason is thus a delicate thing; rational communication and mutual understanding are precious goals. This situatedness is a part of our fallibility and perspectivity. It should not be overlooked.

Nor should we overlook the problem of evil. For evil is not merely to be seen as a qualified characteristic of the other - "the evil other", as it were.[xii] There is more to it.

But despite of our situatedness, there is a pragmatically universal rationality, and despite moral "realism" on behalf of our shortcomings and the forces of evil, there is also a pragmatically rooted moral intuition and identity - as long as we are socialized and civilized persons.

These introductory remarks on our situatedness and finitude might be seen as a "confession of a post-skeptic rationalist" (to rephrase Jean-Jacques Rousseau).

(B)
A preliminary methodological remark should be added:

There are various ways of doing philosophy. There are various ways of making points and of trying to be correctly understood by a given audience, or of trying to convince them to change their minds. We redescribe, we point out, we present reasons – and in trying to present convincing reasons we have to take counterarguments into account, and then we are, at least virtually, already in a discursive situation with co-discussants and their points of view.

In the attempt to make sure that the points one is making are well understood one may try to describe one's position and the philosophical landscape as it is seen from this point of view. However, one way of describing where one is standing consists in telling how one got there – from where one is coming, and why. That kind of narrative has the advantage of illuminating not merely one's actual position, but the direction of one's thinking.

Certainly, doing philosophy entails various activities, such as reading, writing, listening and talking,[xiii] and there are genuinely philosophical learning processes and experiences. However, acquiring such experiences, passing through such learning processes, does take time. It takes time to become well acquainted with some philosophical distinctions, for instance in biomedical ethics, and also to acquire the mastery of a critical discussion around these distinctions. These are formative processes which increase our sensitivity for these concepts and cases - but such learning processes are time consuming.

In this paper I shall try to illuminate my point of view on some aspects of modern rationality by presenting a kind of narrative of the philosophical experiences that led me there. It is a brief and simplified version, and a version reconstructed in retrospect. At best I can hope to make myself somewhat better understood. A deeper understanding would demand time-consuming and mutual learning processes concerning the crucial concepts and cases. My narrative represents the first steps in such a discursive process, nothing more.

First stage
This reconstructive narrative starts with classical analytic philosophy – since, for me, the analytical way of doing philosophy turned out to be useful for the following reasons:[xiv]

a) Discussions on category mistakes (such as "seven is green") and contextual inconsistencies (such as "the King of France is bold") made it clear that there is a *third epistemological category*, different from that of empirical truth or falsity and that of formal (positive or negative) analyticity.

b) This third category points to necessary *conditions for meaningfulness*, more precisely, to conceptual and pragmatic preconditions for cognitive meaningfulness in terms of true or false statements. In neglecting or violating such preconditions, as in cases of category mistakes and of contextual or pragmatic inconsistencies, we end up with some meaninglessness or absurdity.[xv] This opens for "transcendental arguments" in terms of informal *reductio ad absurdum*-arguments,[xvi] or "arguments from absurdity": By neglecting or violating some such precondition we get an absurdity, and by reflecting on this absurdity we may become aware of the role of the neglected or violated precondition, that is, its status as a necessity for meaningfulness. This is not a transcendental argument in a traditional Kantian sense. These are conceptual arguments within a linguistic and pragmatic philosophy, not within a philosophy of consciousness. Starting with something given (or rather, a description of something given), the constitutive necessities that are shown by these arguments remain *relative to* this point of departure. In a semantic perspective this point opens for a discourse of "frame and content", the constitutive nature of these preconditions then being seen as dependent on a conception of the given frame-content relationship and thus as contingent in a philosophical sense.

c) Whatever the interpretation of the overall epistemic status of these preconditions, the analytic way of spelling them out makes us aware of *pluralities* of "breakdowns". For instance, the utterance "my dog counts to ten" might be either true or false, whereas the utterance "my dog counts to one thousand and eleven" is certainly empirically false, in the world known to us. Equally, the utterance "my dog is green (by nature)" is empirically false, in the world known to us, whereas the utterance "my dog reads newspapers" would probably rather be seen as nonsensical, not merely as empirically false – and even more so for the utterance "my dog has a PhD in philosophy": There is no point in investigating this claim empirically in order to find out. This utterance is so empirically implausible that we most likely would se it as absurd. But it is not absurd in the sense that we could not make a cartoon of a dog doing all sorts of things, not only reading newspapers but also rightfully obtaining its PhD - in Disney-like movies this is done all the time. If a case like this is said to be absurd, it should at least be added that such cases are thinkable in the sense just indicated. However, there are utterances which are absurd in the sense of being downright unthinkable, such

as the utterance "my dog is the first day of May". In this case there is no way of making any cartoon, not even for a Disney movie.

The point is now that these cases do show us a *plurality* of "falsehoods", and even a *graduality* from empirical falsity to down-right absurdity: leading from empirical falsehood that can be empirically tested, to empirical falsehood that is so implausible that an empirical examination does not make sense, and further to absurdities that are thinkable, and ending with strictly meaningless utterances. This is the tentative conclusion from the first stage.

Second stage

With the *pragmatic turn* the semantic dichotomy of frame and content is overcome (as it were) in favor of an analysis of act-constitutive features. Speech-act analyses are carried out. The pupils of the later Wittgenstein are here of interest, such as the praxeology of Jakob Meløe.[xvii] His way of working philosophically is characterized by detailed and cautious analyses of constitutive features in selected examples of simple actions – constitutive in the sense that a given action would have been impossible without these features.

For instance, that which is constitutive for a certain activity is not the whole of the agent's body as it actually is, but those parts and capabilities that are required for the agent in carrying out this specific act, for example the forging of a horse shoe. These parts and capabilities represent the body that is necessary for this very act; without them this kind of act would have been impossible.[xviii] Likewise, the insights that are required for the agent to do what he is doing represent the act-constitutive insights.[xix] And the objects needed for this act represent the act-constitutive objects.[xx] Hence, there are pragmatic (act-constitutive) necessities, not merely empirical facts and semantic decisions, not merely contingency and purely logical necessities.

Such a cautious analysis of constitutive factors inherent in chosen examples of acts could be seen as a "transcendental" reasoning: by a *via negativa*, that is, by some negation of a factor that is constitutive for meaning, we are faced with a meaninglessness, and from the recognition of this absurdity we try reflectively to recognize the constitutive nature of the factor denied. This is thus a genuinely philosophical use of examples, trying to obtain better insight into some precondition, not merely a pedagogical one, using examples to illustrate for other persons some point already known by the acting person.

Some preconditions are act-specific,[xxi] others (like "being-in-the-world" of "tautologous" bodies and objects) could be seen as common to all actions.[xxii] Hence, some of these body-related act-constitutive necessities are "contingent necessities", as it were – in the sense that our bodily constitution could in principle have been different from what it is. But given that it is as it is, some specific bodily features are constitutive for specific acts; in that sense they are necessary for this or that kind of action, even though it is somehow contingent, in a developmental perspective, that we have the body we have - but not absolutely contingent, if we are to remain "we".[xxiii]

This is a pragmatic approach, not merely a semantic one. It is case-oriented and cautious, self-reflectively critical also for one's own use of language, thus avoiding "big words" that are not contextually or discursively situated. But we could object that its reflectiveness is often kept implicit and its skepticism for big words and airy theory has often led to a disregard for philosophy as an activity worth being analyzed and to a selection of examples that is too narrowly tied to simple craftsmanship and thus too remote from the modern world.

Third stage

Scientific and scholarly activities are examples of modern activities. They are institutionally situated and normatively regulated, for instance by the methodological norms of scientific and scholarly research and argumentation. This does not mean that there is no problem in pointing out these norms, nor that they are always obeyed. But there are reasons to claim that some such norms are constitutive for these activities, and case-oriented analyses could therefore be applied also for such acts.

This is what Knut Erik Tranøy has done, in focusing on what he calls "basic cognitive acts".[xxiv] He makes a distinction between two kinds of basic cognitive acts, two kinds that are closely connected: "acquisition" of truth claims, where a person "accepts, rejects, or suspends judgment", and

"communication", where a person "asserts, denies, or keeps quiet". Simply stated, the former focuses on the person-to-argument relation, the latter on the person-to-person relation. Since these analyses of our "basic cognitive acts" are themselves scholarly activities there is here an element of self-reference, indicating the transcendental-pragmatic character of these analyses.[xxv]

These are a few of the cases discussed by Tranøy:[xxvi]

1) "It is not permitted to accept p if p is known to be false."
2) "It is obligatory to reject p if p is known to be false."
3) "It is obligatory to accept p if p is known to be true."
4) "It is not permitted to assert p unless one has evidence for p."[xxvii]

These examples are formulated in a legalistic language. Tranøy suggests that a moral language would do. He also suggests that the epistemic status of these norms is that of constitutive conditions, since we could argue by the use of arguments from absurdity: a denial of any of these norms implies an absurdity.

What exactly is their epistemic status? With such examples we can "look and see" (to find out), by careful analyses and discussions in each case. But here, in this narrative, we have to do it in a more sweeping way: when we consider the three former cases (from the "acquisition" class), it could be argued that these norms are binding for any sane person. A sane and rational person who realizes that "2 + 2 = 4" (as an example of a p known to be true) has to accept it and cannot reject it. This seems to be a necessity which is constitutive for being a person. If someone breaks any of these norms, we would probably say that this person has severe mental problems; we would see it as a *mental problem* rather that *a moral* (or *legal*) one.

However, the cases in which the validity question can be decided with certainty could be seen as borderline cases. Examples of such borderline cases could be: some cases of logical deduction (when no errors intervene), some cases of simple perception (in the absence of illusions), some cases of lifeworld certainties (such as the claim that life is finite), and – we could add - some philosophical arguments related to the avoidance of performative contradictions. But in most cases we have opinions that are more or less well established, that is, claims or opinions that are examined by communication and argumentation; the "acquisition"-group is thus connected to the "communication"-group: that which we accept as true in these cases (which are not the borderline cases) is presented to us through communication and argumentation. Thus we have the well-known principle of the "force of the better argument," a principle that plays a constitutive role in argumentation. Tranøy writes:[xxviii] "We blame someone who is unwilling to accept p (or who rejects p) when there are adequate arguments in favor of p." In such cases the constitutive norm has undeniably the epistemic status of a *moral* norm. At the same time there are also, as indicated, some cases (some borderline cases) in which the "must" (or the "should") primarily appears as *constitutive*, and hardly as moral.

When we consider the latter case, from the "communication" class, the picture is different. It is possible to lie, that is, to tell others what one holds to be untrue, in a sense in which it is not possible to lie to oneself.[xxix] For that reason these norms, of the "communication" class, have more of a *moral* status: Breaking them is blameworthy, not insane. But are they *constitutive*? An affirmative answer requires more of an *extended argument* than in the former cases.

(1) We can here argue by referring to our dependence on one another, as to the trade of truth, as it were: We are all fallible and finite, and cannot possibly by ourselves check all truth claims; hence we need each other for second-hand knowledge. A scientific or scholarly community therefore *requires* these norms for mutual trust. Not that these norms are never broken or violated now and then, but they are needed as confidence constitutive norms for this form of inquiry.

(2) But we could also argue in terms of universal pragmatics, which requires the acquisition of communicative competence: Mutual trust is needed - which, again, does not mean that one denies the empirical fact that persons also behave untrustworthily in many cases.

Each of these two approaches ((1) and (2)) implies an extensive argumentation in favor of the constitutive nature of the basic norms of the "communication" class.

Three points are worth making:

a) The discussion of such cases points at major philosophical questions, namely those of the relationship between the constitutive and the normative (the moral).

b) The way of doing philosophy is that of careful case-analyses, in order to see and to show - careful analyses, with respect for nuances (as we say: "The Devil is hidden in the details").

c) In carrying out such analyses of the various cases, we may see that the epistemic status is not always identical from one case to the next: We have indicated that we can say that all the four cases contain "constitutive norms", but we have to argue more extensively in order to show their constitutive nature in the latter case than in the three former cases, and the norms of the latter case can more easily be called "moral" than in the former three. If this is true, it illustrates a variety of epistemic statuses for these constitutive norms, and it indicates that some norms can be called moral in a sense which the others cannot. Both points are philosophically important: an epistemic variety within transcendental reasoning, and a gradual difference in relation to the moral element involved in these constitutive norms – two points that suggest radical answers to the question of the unity of transcendental reason and to the much debated question as to how constitutive features can also be morally binding norms. These answers are made possible by our "modest" method: a skepticism for big talk in philosophy, for working abstractly with big concepts and positions, and a confidence in careful analyses of a variety of cases.

Fourth stage

Apel and Habermas are philosophers who have made the "pragmatic-linguistic turn" as a change of position and as a learning process, but hardly as a change in the way of doing philosophy; for the latter point (the new way of doing philosophy) there is more to learn from Wittgensteinian praxeologists than from Apel and Habermas. But both of them (Apel and Habermas) took part in a valuable elaboration of speech-act theory towards a universal pragmatics, although the two of them ended up conceiving it somewhat differently.

Habermas conceives his own work as one of reconstruction. He does not try to elaborate arguments from absurdity, and he thinks that Apel's transcendental arguments from performative self-contradiction has only limited validity, restricted to the argumentative activity itself, without sufficient strength in other forms of discourse and communication. Whatever this controversy might imply, both Apel and Habermas support the general view that a universal pragmatics can be established: a theory of speech-act immanent validity claims (intelligibility, truth, rightness, and trustworthiness), two of these claims (truth and rightness) being argumentatively "redeemable", namely, under ideal speech conditions, pointing towards an ideal consensus as a guarantee for truth or rightness. But Habermas has all along had greater problems with the latter claims than Apel has had, and partly for this reason Habermas has felt a need to support his weakened version of universal pragmatics with other theories, such as theories of socialization and conceptual-moral development,[xxx] and theories of cultural modernization and communicative rationality,[xxxi] and theories of the normative impact of the legal institution in modern societies.

What remains unsatisfactory in Habermas, despite all these impressive theoretical projects, is the lack of conceptual clarity through case-oriented analyses. With all his skepticism towards traditional philosophical theories and positions he remains basically confident in his own work with vast and vague concepts. Case-oriented analyses, also for arguments from absurdity, are not part of his philosophical practice.

Apel works in a similar way, but with his transcendental-pragmatics. We will comment on Apel in the next section. But first we will make an observation about Habermas: Since Habermas doubts that transcendental-pragmatics can successfully be done the way Apel believes it can be done, and since Habermas does not see any praxeological way of improving the Apelian project, he proceeds with reduced philosophical ambitions and relies partly on the support of alternative social and legal theories, and partly on the usage of conceptual dichotomies in order to avoid epistemic relativism, and above all to avoid relativism concerning basic moral norms. Hence he has operated with stiff dichotomies between Man and nature, justification and application, norms and values – dichotomies that turn out to be problematic when analyzed carefully. To the extent that the Apelian approach, taking arguments from absurdity seriously, can be

improved and strengthened by case-oriented and pluralist analyses, to the same extent the Habermasian approach could have been improved and led away from its conceptual abstractness and stiff dichotomies.

This remark leads to our next section, on the notion of pragmatic rationality, through an improved version of the Apelian project, improved through a mutual criticism with a praxeological way of doing philosophy, inspired by the later Wittgenstein. For the support of this claim, we rely on the learning processes delineated through the various stages of this sketchy narrative: from classical analytic philosophy (1), over to Wittgensteinian praxeology (2) and basic cognitive acts in the philosophy of scientific and scholarly inquiries (3), to a revised version of transcendental pragmatics (4).

Fifth stage

Apel is to a large extent a fallibilist and a defender of "the many rationalities".[xxxii] At the same time he is an ardent defender of transcendental-pragmatic reasoning qua ultimate justification (*Letztbegründung*). In this sense he is certainly a foundationalist and a spokesman for *die eine Vernuft*, for the uniqueness and unavoidability of performative and discursive reason: We have to avoid performative self-contradictions!

It is important to see that Apel's reasoning is not deductive, but pragmatically self-reflective. This is precisely what is overlooked by those who raise the counterargument that Apel runs into the Munchausen-trilemma of regression, circle or decisionism.[xxxiii] In fact, Apel argues extensively by the *via negativa* of arguments from absurdity, that is, from performative self-contradiction. He points at performative self-contradictions as strictly meaningless (*sinnlos*), and through this insight he tries to formulate the norms or principles which are violated and which thus are pragmatic preconditions for meaningfulness.

However, Apel seems to assume that there is but one kind of absurdity (*Sinnlosigkeit*) and hence, that all performatively established preconditions have one and the same epistemic status, that of strict unavoidability (*Nichthintergehbarkeit*). But how do we know? I would say: only by looking carefully at the various cases, to see whether the various cases of performative absurdity are identical or whether there are differences among them.

This means that the pragmatic-linguistic turn should not merely be conceived as a change of position - away from the philosophy of consciousness towards a pragmatic-linguistic approach - but also as a change in the way of doing philosophy: more case-oriented, more self-critical as to the adequacy of one's own theoretical concepts.[xxxiv]

I would argue that if this approach is chosen, we would see that there is a certain plurality of "absurdities" also in these cases.[xxxv] But in this narrative we cannot discuss this hypothesis thoroughly. We will only take a look at some of Apel's own cases in order to indicate how this work could have been done.[xxxvi]

    (1) "I hereby claim that I do not exist."
    (2) "I hereby claim to you that you do not exist."
    (3) "I defend, as a claim for which there can be consensus, the proposal that we should in principle replace consensus as a goal for discussion with dissent as a goal for discussion."

We here restrict ourselves to these three utterances, in order to make some preliminary remarks on the question of the relationship between unity and plurality in arguments of performative self-contradiction.

First point: in these cases the pragmatic claims are stated explicitly and incorporated into the linguistic formulation. Thereby the performative contradictions are easier to see, which might be an advantage; but at the same time they are given a semantic form, thereby making their performative status less visible (as it were).[xxxvii]

Second point: There are conceptual ambiguities. For instance, in the formulation "I hereby claim to you that you do not exist", the word "you" is ambiguous. It may refer to a concrete person, capable of understanding what is said. But there are also many situations where this utterance makes sense even when the "you" is not a person who is present and capable of communicating. Think of the possibility of moving gradually towards the newly born or the newly deceased; in these cases, too, we can use a "you", even

though this "you" is not a person with whom we can communicate verbally. (But maybe the term "to you" is added just in order to indicate that in this case the "you" should be conceived as a present person with whom one can communicate verbally.) This ambiguity influences the question of the "unity or plurality" of the absurdities created in the two first utterances.

To elucidate this ambiguity it might be useful to remind ourselves of the distinction between (i) *the borderline cases* of the "acquisition" class and (ii) the cases of this (acquisition) class that are related to "communication": The first utterance (in our list of cases from Apel) can be seen as an example of a "must" (of an obligatory shall), which is constitutive in the strong sense of the borderline cases of "acquisition" class, since the existence of the person who speaks represents a truth that this person *has to accept*. But the existence of "you", of the other person, is not unavoidable in the same sense, even if we accept that the capability to use personal pronouns is internally related to our communicative competence (as it is established in transcendental pragmatics). The affirmation of the existence of "you", of "you" as a person, depends on further arguments (showing that this "you" does exist as a person). Conclusion: The absurdities of these two utterances (in Apel's list) are not identical. Consequently, the constitutive preconditions for meaningfulness established by pragmatic contradictions are not epistemically identical either. Hence, if this argumentation is tenable there is a plurality inherent in the pragmatic-transcendental justification.

The last utterance on the list, on consensus as the goal of discussion, is theoretically more complicated than the two first utterances. One could here claim, opposing Apel on this point, that the role of the better argument would suffice and that the term consensus is here inconvenient, since it is ambiguous and since some reasonable interpretations of this term are philosophically problematical.[xxxviii] Briefly stated, the question is not: "should we have consensus or dissent as a goal for discussion?" (which is suggested in the third utterance). Consequently one should look for better ways in which the term consensus could be used in transcendental pragmatics.

General point: The lack of situatedness makes it hard to cope with the ambiguities of the terms that are used in Apel. To this objection Apel could answer that these cases are meant to be idealized cases: the points of universal pragmatics are located in the deep pragmatics competences. This answer is to be taken seriously, but then the proponents should also feel obliged to show by careful analyses how the relationship between the deep level and the everyday level could best be conceived.

The following two questions are crucial in this connection: What is a concept? Where are the concepts? For, if one chooses to start with high level concepts, tied up to theoretical positions, one gets the problem of how to apply them to concrete situations where real speech acts are performed. The varieties of language usage in actual speech acts may then appear as "merely empirical" and may therefore not be taken seriously on the philosophical level. However, this is exactly the position-oriented way of philosophizing that has been questioned ever since the pragmatic-linguistic turn, in favor of a more case-oriented and conceptually self-critical way of doing philosophy: When concepts are seen as inherent in our practices, and in our philosophical practices, then concepts are not something we merely possess through some theoretical position, but something that we time and again have to elaborate from the practices in which we are involved.[xxxix] Certainly, these are tricky problems. Theoretical positions and perspectives are important for the concepts we use in order to cope with the world and try to see things straight. Yet nor should the varieties of our conceptual usages be overruled and overrun by some conceptual schemes taken from some theoretical position.

My argument consists in pointing to the need, in philosophy, to pay attention to the actual and plural usages of concepts in various kinds of situations. In short, I am warning against a strong confidence in the superiority of one's own explicit and theory-bound concepts. Therefore, critical questions should be raised as to the claim that there is but one kind of performative absurdity and hence that the epistemic status of the established preconditions is one and the same in all these cases, that is, as to the view that all performative contradictions are strictly impossible and all transcendental-pragmatic preconditions strictly necessary.

To the extent that this argumentation is tenable, it does not mean that transcendental-pragmatic reasoning is weakened. It means that this kind of reasoning is less "unitarian" and more plural. It could even be said that this argumentation strengthens the transcendental-pragmatic project since some of the

counterarguments are taken well care of by this pluralistic and case-oriented way of doing the job. If so, we have pointed towards a more promising way of dealing with the question of justification of basic norms and of communicative competence, including communicative rationality.

Sixth stage
It is time to conclude: (1) In this reconstructed narrative of the learning processes leading up to a notion of a modern pragmatically conceived rationality we started within classical analytic philosophy, paying attention to its argumentative virtues, with special focus on arguments from absurdity as a genuinely philosophical way of doing conceptual analyses, at the same time as a plurality and even a certain graduality could be pointed out in the interplay between empirical falsity and philosophically established absurdities. (2) In the case-oriented analyses of basic human acts, undertaken by followers of the later Wittgenstein (the praxeologists), one pays attention to the pragmatic dimension, not primarily the semantics – as one way of making the pragmatic-linguistic turn – thereby trying to show the factors that are constitutive for meaning, inherent in the different acts. (3) In order to focus on modern cases, not primarily on simple acts from craftsmanship, we moved on to the pragmatic analysis of the constitutive norms of scientific and scholarly inquiry, including argumentation, referring to the gradual interplay between the primarily constitutive nature of some such norms and others that are also moral by nature. (4) Continuing the reflection of the nature of pragmatic preconditions we approached the attempts made by Apel and Habermas to establish a pragmatic conception of speech-acts and communication. Speech-act inherent validity claims are crucial for both. To avoid some of the counterarguments raised against the strict version of transcendental-pragmatics as in Apel, Habermas has elaborated various theoretical approaches. However, leaving the strictly transcendental argumentation aside, he has tried to avoid relativism by insisting on dichotomies of various kinds. Nevertheless his dichotomies, his high level theorizing in relation to social sciences and his relative neglect of genuinely philosophical arguments in favor of his normative notion of rationality and communication are all under attack - this criticism implies that Apel's approach remains a challenge to Habermas. (5) But to strengthen his philosophy, Apel would have to pay more attention to a conceptually self-critical and case-oriented way of doing philosophy; thereby his somewhat essentialist and monolithic philosophy would have to be changed in favor of a more plural and flexible way of doing philosophy and of conceiving philosophical insights.

Concluding remarks
These are the main steps of a retrospectively reconstructed learning process, which maybe also delineates some decisive stages in the development of modern philosophy – and if so, all the more it might also be of a more general interest.

In order to indicate how this conclusion can be related to the ongoing debate not only of rationality, but also of modernity in general and of modern moral identity in particular, a few remarks should be added:

I take it that rationality, pragmatically conceived, is *one* and *universally binding* – first of all of strictly self-reflective reasons, but also because it can be argued by extended conceptual arguments that pragmatically conceived rationality is common to and unavoidable for all persons, as autonomous human beings. But its ways are fallible, and there is a *plurality* of perspectives and few syntheses, and always an urge for improvement, at least to avoid what can be shown to be less well established. In this sense our common and binding reason points to a dynamic "meliorism", nourished by the "force of the negative", the overcoming of weaknesses and shortcomings, rather than by an ideal of the one and final answer.

For performatively self-referential reasons we are bound by the better argument, and by the ongoing search for the even better one. As finite beings, in need of others for our socialization through role taking and for our search for better arguments, we are also obliged to try to include the others in our discussions and to recognize them as rational and fallible, and as vulnerable in a morally relevant sense, both bodily and as to our social identities.

These transcendental-pragmatic preconditions for the discursive and public use of reason implies *a peculiar modern identity*: Reflective and decentered, since we realize our fallibility and perspectivity, but at

the same time also firm and flexible – firm to hold on to the better argument for the time being, resisting social temptation and pressure, and flexible to change when the arguments appear to be otherwise than we had seen so far. In this respect there is also a mutual egalitarian recognition: as fallible persons we are all basically equal, in our reason and finitude, and in our vulnerability.

But there are also those who are morally vulnerable without being persons present in a qualified sense. In biomedical ethics, in reflections on future generations, in reflections on biotechnological possibilities, and in our treatment of other sentient beings, we should extend our ability of role taking and give these beings a fair "advocatory representation" in our practical discussions. There is here a graduality as to the nature of our identity-formative role-taking, from persons, throughout humankind, to other sentient beings.

Modernist or postmodernist? Universal pragmatics or contingent pragmaticism? Anyhow: ideological simplifications and basic relativism, conceptual blindness and moral insensitivity, narrow-minded religious fundamentalism and arrogant cynicism – in the name of our pragmatic and public reason these tendencies should be fought, again and again. Modernist simplifications and naive optimism on behalf of the modern project will have to be criticized, and so will postmodernist looseness and fundamentalist idiosyncracies. These positions and the social identities that they create and by which they again are supported, will have to be criticized, again and again, in professional arenas and in media and politics.

Rationality in modern times? That is a task for philosophers, for sure - but not merely for them. It is also a challenge for scientists and scholars, for intellectuals, for all citizen of the world, each in his or her situation, in their lifeworlds and in the various modern institutions.

What have I done, so far? In a sense, fairly little; in another sense, rather much: I have told a story, to show where I am standing and how I got there: the place, the landscape and the way – *topos* and *odos*, as the Greek have it – *meth-odos* being the path by which one proceeds.

All along, at each stage, more work has to be done, and that is no one-man-show. And for those who follow, there is certainly more work ahead, of various kinds, for our various roles and according to our different capabilities.

This, it seems to me, is our task of the day, and for the days thereafter, our Sisyphus task – beyond optimism and pessimism, but conscious of who we are, though not knowing why we are, nor where or when it all will end. Exciting, to say the least. And as Camus reminds us: we should think of Sisyphus as being happy.[xl] The challenges of the modern conditions have to be faced and fought, again and again.

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[i] Philosophically, this awareness of crisis is a Nietzschean point; politically and existentially it is paradigmatically rooted in the experiences of the Nazi regime. This experience of deep crisis is not merely a German experience, but an experience of crisis of modernity. As such it has to be taken seriously, and in this respect it does not suffice to reply that "I am a North-American" (cf Richard Rorty). However, this crisis should be taken seriously as an intellectual and political predicament of modernity, and that is precisely the underlying motivation of Apel and Habermas: their universal pragmatics is an attempt to overcome deep skepticism and nihilism, theoretically and in reality. Those who do not recognize this challenge, will hardly see the point of this attempt of a universal-pragmatic justification of basic universal norms and of communicative rationality.

[ii] Cf Habermas' recent book on the legal and intellectual requirements for equal justice for all, religious and secular persons alike, and for a dialogue between different belief systems ("comprehensive doctrines") in pluralistic modern societies, cf Habermas 2005. According to Habermas the necessary "modernization of religious consciousness" which includes three imperatives: one has to relate self-reflectively to other religious beliefs and competing doctrines, one has to realize the institutionalized monopoly of modern science concerning secular knowledge, and one has to recognize the priority of secular reasons in legal matters.

[iii] For instance in a public paper signed by Blair and Schröder, in which the term "modern" and its derived linguistic forms are used 25 times in 17 pages (in the German version) - in addition to a frequent use of the term "new" and its derived forms.

[iv] Cf *la querelle des Anciens et des Modernes* (1688-97).

[v] Or, not quite: my first publication from the late fifties, with the title *Nihilisme?* (Skirbekk 1958), raises the question of the meaning and the normative foundation of human life. Its historical background is the contemporary experience of crisis (in philosophical terms: the problem of evil), its style is that of post-World-War-II existentialism, and its epistemic problem is that of modern self-reflective skepticism. (According to Kohlberg's developmental scheme, in Apel's and Habermas's interpretation: "stage 4,5" – in short, something close to a Nietzschean position.) In short, my starting point was that of crisis, epistemological and normative. The analytic approach came later.

[vi] Cf Skirbekk 1993. For the term "praxeology", see also *Encyclopedia of Philosophy*, London: Routledge 1998.

[vii] Such as Wittgenstein or Rorty.

[viii] Like Apel and Habermas.

[ix] Such as in Habermas.

[x] As in Apel.

[xi] Cf the claims made by Apel, discussed later in this paper. For my critical view, cf Skirbekk 1993. Cf also Wellmer (e.g. 2004).

[xii] Be they Serbs, communists, fascists, capitalists, male chauvinists, or Muslim terrorists.

[xiii] It also implies traveling, which in a philosophically relevant sense may open for creative meetings with thinkers from other philosophical traditions and with another training.

[xiv] In reality my way into philosophy started with existentialism, cf Skirbekk 1958. What follows is a reconstructed narrative. This narrative could be read as a "key" for my book Skirbekk 1993.

[xv] As in the cases above.

[xvi] For this philosophical use of the term "reductio ad absurdum", cf Ryle 1945.

[xvii] Cf Meløe "The Agent and His World", in Skirbekk 1983, p. 13-29.

[xviii] In the terminology of Meløe: they represent the "tautologuous" body (for this kind of activity).

[xix] The agent knows what s/he has to know in order to do what s/he does.

[xx] This kind of act-oriented analytic philosophy could thus be seen as a phenomenology, not a phenomenology of the kind that reflectively talks about all the preconditions for undertaking a phenomenological analysis, often without really doing it *in concreto*, but a phenomenology in the sense that constitutive features of acts, with agents and objects, are carefully described. Furthermore, in Meløe's praxeology, a critical point is made against Arne Næss's "possibilism" of the 1950s (cf Næss in Fjelland 1997, p. 32-51). Whereas Næss at that time argued that there are different possible "total views" without any neutral ground for a rational choice among them (cf the later debate around Kuhn's paradigms), and that the lifeworld is too imprecise for philosophical analyses, Meløe tried to show that there are constitutive features in lifeworld activities; not everything is merely possibilism, decisionism and contingency (cf Rorty's view on contingency, similar to Næss', but published at a later date, Rorty 1989).

[xxi] Being constitutive conditions for some specific kind of action.

[xxii] Cf Meløe's description of the berry-picker in his landscape, in his essay "The Agent and His World", reprinted in Fjelland 1997, p. 77-92. This description represents *reductio ad absurdum*-argument directed against a physicalistic conception of human actions, and also against an attempt to supplement physicalistic descriptions with intentionality. In this sense we have a case of *Sinnkritik* (Apel): Preconditions (for meaning) are demonstrated by the *via negativa* of a *reductio ad absurdum* (see Skirbekk 1993, ch. III). In Meløe's praxeology we encounter cautious analyses of constitutive ("tautologous") factors for *particular* acts (such as the making of a pair of ski boots size 43 with the help of a given technology), but also analyses of constitutive factors that are unavoidable for *all* manual acts (such as our basic act-inherent knowing, located in-the-world). The latter point indicates a "fundamental praxeology" (reminding of Heidegger's "fundamental ontology"), and hence the Wittgensteinian tradition should not always be interpreted as contextualist.

[xxiii] Concerning the possibility of a biotechnological reconstruction of Man, leading towards "superman", see: Lee 1999.

xxiv Cf Tranøy "Norms of Inquiry: Methodologies as Normative Systems", reprinted in Fjelland 1997, p. 93-103.

xxv Such careful and case-oriented analyses may help us to spell out the interplay between the *constitutive* and the *moral* nature of the various norms, which is a point of special philosophical interest. See later on the interplay between methodological rules, some primarily constitutive, without a moral status, others also with a moral status. As a counterview, cf Ilting 1994.

xxvi One possible candidate for p is "2 + 2 = 4" (another, a false one, is "2 + 2 = 3"). These are special cases (in the first case p is clearly true, in the latter it is clearly false). These cases illustrate well that we are bound to accept what we see as true (but they are hardly good examples to illustrate that we should not lie; what could possibly be a reasonable situation to make sense of the false claim that "2 + 2 = 3"?). But often we are not so sure (that a given p is true); cf Tranøy's comments in "Pragmatik der Forschung. Methodologien als normative Systeme", in Böhler 1986, p. 36-54.

xxvii NB This is an attempt to articulate norms of scientific and scholarly argumentation, not of everyday behavior.

xxviii Cf Tranøy in Böhler 1986, p. 36-54; quotation p. 43. (Transl. G.S.)

xxix But there are borderline cases of "lying to oneself", cf for instance the cases discussed by Jon Elster in "Belief, Bias and Ideology", in Hollis 1982, p. 123-148.

xxx Using for instance Lawrence Kohlberg.

xxxi Elaborating for instance the works of Max Weber.

xxxii Cf Apel 1996.

xxxiii Cf the criticism made by Popperians such as Hans Albert. Recently also in Keuth 1993.

xxxiv In that sense, more hermeneutical.

xxxv Cf the arguments for similar pluralities in classical analytical philosophy (working with category mistakes and contextual inconsistencies).

xxxvi The cases are taken from Apel, "Fallibilismus, Konsenstheorie der Wahrheit und Letztbegründung", in Kuhlmann 1987, p. 116-211. See also Matthias Kettner, "Ansatz zu einer Taxonomie performativer Selbstwidersprüche", in Dorschel 1993, p. 187-211, especially note 10 p. 196-197. Kettner rightly comments on the strange formulations and the lack of careful analysis in Apel.

I here present, in my translation, Matthias Kettner's taxonomy and selection.

Dialogue-inherent, necessary existence-presuppositions:

(Existence of speaker)

"I hereby claim that I do not exist".

(Existence of addressee)

"I hereby claim to you that you do not exist".

Discourse-inherent validity claims:

(Intelligibility claim)

"I claim with an intelligibility claim that I do not make an intelligibility claim".

(Truth claim)

"I claim as true that I do not make a truth claim".

Discourse-inherent interpersonal relations:

(Equal rights)

"I claim that I do not have to recognize the equal rights of all possible *[denkbaren]* partners of argumentation".

(Free acceptability)

"I hereby claim as intersubjectively valid (= as freely acceptable to any discourse partner) that I do not have to recognize the norm of free acceptability of claims".

(Freedom from violence)

"I claim that all usage of language – also argumentation – is nothing but a practice of power".

Discourse-inherent goals:

(Consensus formation)

"I defend, as a claim for which there can be consensus *[als konsensfähig]*, the proposal that we should in principle replace consensus as a goal for discussion with dissent as a goal for discussion".

xxxvii This is not a criticism of semantics as such. But in this connection it is important to emphasize the difference between a pragmatic and a semantic approach.

xxxviii Cf for instance Grimen 1997.

xxxix Cf Kjell S. Johannessen, "Rule Following, Intransitive Understanding, and Tacit Knowledge", in Fjelland 1997, p. 205-227.

xl Cf the Greek myth of Sisyphus, who was condemned by the gods to carry a heavy stone up a steep hill, from where it always rolled back. (French original: *Il faut imaginer Sisyphe heureux.*)